

ORDINANCE

AN ORDINANCE AMENDING CHAPTER 3 ("ALCOHOLIC LIQUOR DEALERS"), ARTICLE 4 ("TERM AND CLASSIFICATION"), SECTION 3-4-2 ("CLASSIFICATION AND NUMBER OF LIQUOR LICENSES AND FEES") OF THE OAK PARK VILLAGE CODE TO ALLOW FOR TASTINGS BY CLASS C-7 LIQUOR LICENSEES

WHEREAS, the Village of Oak Park ("Village") is a home rule unit of government as provided by the provisions of Article VII, Section 6 of the Illinois Constitution of 1970; and

WHEREAS, as a home rule unit of government, the Village is expressly empowered to perform any function pertaining to its government and affairs, including, but not limited to the power to regulate for the protection of the public health, safety, morals and welfare; and

WHEREAS, the Village's current C-7 liquor licensee, Avarom, Inc., DBA Careful Peach Boutique ("Careful Peach") has requested that it be allowed to conduct alcoholic liquor tastings at the licensed premises at special events which would include Bastille Day on July 14, 2015; and

WHEREAS, the Liquor Control Review Board recommended that Class C-7 liquor licensees be permitted to conduct tastings of alcoholic liquors at special events up to four (4) times a year pursuant to a unanimous vote of its members at its meeting on May 27, 2015; and

WHEREAS, the Board of Trustees agrees with the recommendation of the Local Liquor Control Review Board and finds that it is in the best interests of the Village to amend its Specialty Gourmet Foods Shop C-7 liquor license classification as set forth in this Ordinance to allow for tastings of alcoholic liquors by Class C-7 liquor licensees.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois, in the exercise of their home rule powers, as follows:

Section 1. Recitals Incorporated. The above recitals are incorporated herein by reference as though fully set forth.

Section 2. Village Code Amended. Chapter 3 ("Alcoholic Liquor"), Article 4 ("Term and Classification"), Section 3-4-2 ("Classification and Number of Liquor Licenses and Fees") of the Village Code of Oak Park is amended to add the following underlined language to read as follows:

3-4-2: CLASSIFICATION AND NUMBER OF LIQUOR LICENSES AND FEES:

The Local Liquor Control Commissioner may only issue liquor licenses in accordance with the classifications set forth herein below and only as specifically authorized in article 8 of this chapter.

* * * *

C. Package Liquor Licenses:

1. Package Liquor Class C Licenses: A package liquor class C license authorizes the sale of alcoholic liquor, beer and wine, in the original package not for consumption on the premises where sold, as hereinafter provided. All package liquor class C licenses are subject to the following restrictions:

* * * *

8. Specialty Gourmet Foods Shop Class C-7 License:

a. The primary business of the licensee must be the sale of gourmet foods, table-top gift items, and gift baskets.

b. A Class C-7 liquor license authorizes the retail sale of alcoholic liquor in the original package for consumption off premises.

c. The alcoholic liquors authorized for retail sale by the Class C-7 liquor license shall only occupy ten percent (10%) of the shelf space of the public portion of the licensed premises.

d. Customer seating shall not be provided or permitted.

e. The tasting or sampling of alcoholic liquors on the premises shall be permitted if the tasting or sampling is a part of a promotion or a sales device to encourage the sale of alcoholic liquors and no charge of any kind or character is made for such tasting or sampling four (4) times during an applicable license year.

ef. The annual fee for a Class C-7 liquor license shall be four hundred dollars (\$400.00).

Section 3. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. Effective Date. This Ordinance shall be in full force and effect after its approval, passage and publication as provided by law.

ADOPTED this 15th day of June, 2015, pursuant to a roll call vote at follows:

Voting	Aye	Nay	Abstain	Absent
President Abu-Taleb			X	
Trustee Barber				
Trustee Brewer				
Trustee Lueck				
Trustee Ott				
Trustee Salzman				
Trustee Tucker				

APPROVED this 15th day of June, 2015.

Village President Pro Tem

Attest:

Teresa Powell, Village Clerk

Published in pamphlet form this 15th day of June, 2015.

Teresa Powell, Village Clerk