

ORDINANCE

AN ORDINANCE AMENDING CHAPTER 3 ("ALCOHOLIC LIQUOR DEALERS") OF THE OAK PARK VILLAGE CODE TO UPDATE AND STREAMLINE VARIOUS PROVISIONS PERTAINING TO THE REGULATION OF LOCAL BUSINESSES AND CONSUMPTION OF ALCOHOLIC BEVERAGES

WHEREAS, the Village of Oak Park ("Village") as a home rule unit of local government as provided by Article VII, Section 6 of the Illinois Constitution of 1970 has the authority to exercise any power and perform any function pertaining to its government and affairs except as limited by Article VII, Section 6 of the Illinois Constitution of 1970; and

WHEREAS, the Village Board has determined to adopt this Ordinance amending Chapter 3 ("Alcoholic Liquor Dealers") the Oak Park Village Code to update and streamline various provision pertaining to the regulation of local businesses and consumption of alcoholic beverages; and

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 as though fully set forth.

Section 2. Village Code Amended. Chapter 3 ("Alcoholic Liquor Dealers"), Article 1 ("General Provisions"), Section 3-1-1 ("Definitions") of the Oak Park Village Code is amended by adding the underlined language and deleting the overstricken language to read as follows:

ARTICLE 1 GENERAL PROVISIONS

3-1-1: DEFINITIONS:

The following words and phrases shall have the meanings, and are hereby defined, as follows:

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ARTS AND CRAFTS ESTABLISHMENT: A licensed business kept, used, maintained, advertised or held out to the public as a place in which the public may participate in activities, including painting, pottery, ceramics, candle making, jewelry making, woodworking and craft design/construction projects utilizing fibers, metals, wood and/or glass. Arts and crafts establishments may also hold gallery openings or art and craft shows, where art and craft items are made available to the public for review or purchase.

BAKESHOP: Any public place kept, used, maintained, advertised and held out to the public as a place where cakes, cookies, ~~pies, tarts, brownies, pastries, breads~~ and other baked goods are produced on-site and sold for either or both on-site and off-site consumption, where the service of beer or wine is complementary and subsidiary to the sale and service of baked goods. Establishments that do not produce on-site at least 80% of all of the baked-goods which are sold on-site shall not qualify as a bakeshop.

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BAR BUSINESS ESTABLISHMENT: A business establishment which has as its primary business, the sale of alcoholic beverages by the poured drink. Such a business within the Village would be limited to the hotel A-1 liquor license classification and its requirements as set forth in subsection 3-4-2A of this chapter. Bar business establishments are not allowed in any part of the Village except for a licensed hotel.

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CLUB, FOR-PROFIT – A for-profit business organized under the laws of this State and duly licensed with the Village to conduct business, which shall have been in operation as a club for at least six (6) months prior to applying for a liquor license and which shall have been organized solely for the promotion of some common object or business other than the sale or consumption of alcoholic liquors, kept, used and maintained by its members through the payment of dues, and owning, hiring or leasing a building or space in a building, of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests.

CLUB, NOT-FOR-PROFIT : A not-for-profit corporation organized under the laws of this state, which shall have been in operation as a club for ~~the three (3) years,~~ at a minimum, the one (1) year period prior to applying for a liquor license and which shall have been organized solely for the promotion of some common object other than the sale or consumption of alcoholic liquors, kept, used and maintained by its members through the payment of ~~annual~~ dues, and owning, hiring or leasing a building or space in a building, of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests.

* * * *

ENTERTAINMENT CLUB: A facility in which "entertainment", as defined herein, is provided to patrons of the establishment at all times when liquor is served, ~~except during brief intermissions.~~ Non- and a limited selection of food items that are incidental to the provision of entertainment must also be available to all patrons during any period when alcoholic beverages are being served.

* * * *

PREMISES: Premises licensed under this chapter shall refer to that area for which a liquor license has been issued to sell alcoholic beverages, including both indoor spaces and outdoor areas located on the same parcel of property, whether rented or owned, as the under indoor establishment. Where more than one area for the sale of alcoholic beverages is under the same roof or at one street address, each area shall be considered to be a separate- premises for licensing purposes. Public sidewalk or other public right(s)-of-way, immediately in-front or to the side of the licensees' establishment, shall also be considered a part of the premises, if said licensee has an approved Village-issued permit to utilize said space.

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RESTAURANT: Any public place kept, used, maintained, advertised and held out to the public as a place where meals are served, which offers patrons complete meals, including dinner and/or luncheon menu

at which the service of alcoholic beverages is incidental, complementary and subsidiary to the service of such meals. Limited food service, such as provided by lounges, luncheonettes, ~~diners, coffee shops, drive ins, pizza parlors~~ and similar uses, does not satisfy the requirements of this definition.

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WORK LOUNGE: A shared, rentable office establishment that is open to the public and may includes a ~~first floor~~ use for the presentation of non-amplified music, theatrical plays, ~~stand up comedy, magic shows, and spoken word poetry performances,~~ as well as events and group activities, such as salon-style discussions with authors, scholars and community members, ~~trivia nights, murder mystery events, birthday parties,~~ holiday parties, anniversary parties, corporate off-site meetings and ~~book club meetings~~ and shall also include the sale or provision of alcoholic liquors for consumption on the premises.

Section 3. Village Code Amended. Chapter 3 (“Alcoholic Liquor Dealers”), Article 2 (“Liquor License Required”) of the Oak Park Village Code is amended by adding the underlined language and deleting the overstricken language to read as follows:

ARTICLE 2 LIQUOR LICENSE REQUIRED

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3-2-2: LOCAL LIQUOR CONTROL COMMISSIONER:

The President of the Board of Trustees of the Village of Oak Park, or a designee appointed in accordance with this section, shall be the Local Liquor Control Commissioner and shall be charged with the administration within the Village of the appropriate provisions of this chapter; ~~and whenever the term "Commissioner" is used herein, such term shall refer to the Local Liquor Control Commissioner.~~

If the President has an interest in the manufacture, sale, or distribution of alcoholic liquor, the President must direct the Village Board to appoint, by majority vote, a person other than him or her to serve as the Local Liquor Control Commissioner. The appointment must be made within thirty (30) days from the day on which the President takes office and the President cannot make nominations or serve any other role in the appointment. To prevent any conflict of interest, the President with the interest in the manufacture, sale or distribution of alcoholic liquor shall not participate in any meetings, hearings, or decisions on matters impacting the manufacture, sale, or distribution of alcoholic liquor. Further, the appointee: a) shall be an attorney with an active liquor license to practice law in the State of Illinois; b) shall not legally represent liquor license applicants or holders before the Village Board or before the Liquor Control Review Board, or before an adjacent jurisdiction; c) shall not have an interest in the manufacture, sale, or distribution of alcoholic liquor; and d) shall not be appointed to a term to exceed the term of the Village President, or members of the Village Board.

The Local Liquor Control Commissioner, with the consent of the Village Board of Trustees, shall appoint a Liquor Control Review Board of five (5) Oak Park residents to investigate and review all applications, renewals and complaints; to investigate the operation of all licensed establishments, conduct hearings, receive evidence and sworn testimony and make recommendations to the Local Liquor Control

Commissioner. Members of the Liquor Control Review Board shall serve, without compensation, for a term of three (3) years. The Local Liquor Control Commissioner shall appoint a chairperson, with the consent of the Board of Trustees, from among the members of the Liquor Control Review Board to serve as chairperson for a term of one year. The Local Liquor Control Commissioner shall also serve as a nonvoting ex officio member of the Liquor Control Review Board.

The Local Liquor Control Commissioner shall notify the Board of Trustees of the Local Liquor Control Commissioner's activities and shall have the following powers, functions and duties with respect to licenses:

A. To grant and, subject to article 7 of this chapter, to suspend for not more than thirty (30) days, revoke for cause or to deny renewal of, all local liquor licenses issued to persons for premises within the Local Liquor Control Commissioner's jurisdiction;

B. To enter or to authorize any law enforcing officer to enter at any time upon any premises licensed hereunder to determine whether any of the provisions of this chapter or any rules or regulations adopted by the Local Liquor Control Commissioner and Liquor Control Review Board or by the State Liquor Commission have been or are being violated, and at such time to examine said premises of said licensee in connection therewith;

C. To receive complaints from any citizen within the Local Liquor Control Commissioner's jurisdiction that any of the provisions of this chapter, or any rules or regulations adopted pursuant thereto, have been or are being violated and to act upon such complaints in the manner hereinafter provided;

D. To receive local liquor license fees and pay the same forthwith to the Village Collector;

E. In the event that an application is rejected by the Local Liquor Control Commissioner, the Board of Trustees may overrule the Local Liquor Control Commissioner if a motion to do so is made within forty-five (45) days of the rejection. If the Local Liquor Control Commissioner is overruled and the Board of Trustees, by ordinance, has created a liquor license of the class applied for, the Local Liquor Control Commissioner shall issue such liquor license to the applicant.

3-2-3: APPLICATIONS:

~~A.~~ Applications for a liquor license, ~~other than a special event class E-2 liquor license,~~ shall be made to the Local Liquor Control Commissioner in writing, signed by the applicant (if an individual, or if a club, association, limited liability company, partnership or corporation, by a duly authorized agent thereof, verified by oath or affidavit). The application shall be accompanied by a nonrefundable check or money order payable to the Village of Oak Park in the amount of ~~two hundred fifty dollars (\$250.00)~~ three hundred dollars (\$300.00) to defray a portion of the expense incurred by the Village in processing the application. Applications submitted by State of Illinois recognized not-for-profit entities seeking an E-1, E-2 or E-3 license shall not be required to pay an application fee, however, they will be required to pay costs associated with fingerprinting and background check requirements. The application shall contain the following statements and information:

~~1.~~ A. The name, age and address of the applicant in the case of an individual; in the case of a partnership, the same information from the persons entitled to share in the profits thereof; and in the case of a corporation or limited liability company, the date of incorporation, the objects for which it

was organized, ~~a summary of its activities during the past year,~~ and the names and addresses of the officers, directors, all persons owning directly or beneficially more than five percent (5%) of the stock of such corporation or limited liability company, and the person operating as manager of the premises; and in the case of a club or association, the date of its incorporation, the objects for which it was organized, ~~a summary of its activities during the past year,~~ the names and addresses of the officers, directors, and the person operating as manager. A club or association applying for a liquor license or renewal must file with the Local Liquor Control Commissioner at the time of its application two (2) copies of a list of names and residences of its ~~current members,~~ and officers, and similarly file within ten (10) days of the election of any additional member, his or her name and address;

~~2. The citizenship of the applicant, the place of the applicant's birth, and if a naturalized citizen, the time and place of the applicant's naturalization;~~

~~3~~ B. The ~~character type~~ of business of the applicant; and in the case of a corporation, limited liability company, club, association or partnership, the objects for which it was formed;

~~4~~ C. The length of time said applicant has been in business of that ~~character type~~, or in the case of a corporation, limited liability company, club, association or partnership, the date when its charter was issued;

~~5. The amount of goods, wares and merchandise on hand at the time application is made;~~

~~6~~ D. The location and description of the premises or place of business which is to be operated under such liquor license, including a description of any present or proposed signs advertising alcoholic beverages and the general location(s) for their placement;

~~7~~ E. A statement whether applicant has made application for a similar or other liquor license on premises other than described in the application, and the disposition of such application;

~~8~~ F. A statement that applicant is not disqualified to receive a liquor license by reason of any matter or thing contained in this chapter, laws of this state, or the ordinances of the Village, and a statement as to whether applicant has ever been convicted of a felony;

~~9~~ G. Whether a previous liquor license by any state or subdivision thereof, or by the federal government has been revoked, and the reasons thereof;

~~10~~ H. A statement that the applicant will not violate any of the laws of the state of Illinois, or of the United States, including, but not limited to, the Americans with disabilities act, or any ordinances of the Village in the conduct of the applicant's place of business; and

~~11~~ I. A criminal background check shall be required of applicants, including fingerprinting of the applicant pursuant to section 4-7 of the liquor control act, 235 Illinois Compiled Statutes 5/4-7, as amended. ~~At the discretion of the Local Liquor Control Commissioner, background checks and fingerprinting of the manager(s) of an applicant may also be required.~~ At the discretion of the Local Liquor Control Commissioner, fingerprints of an applicant for renewal of a liquor license may also be required. Should the applicant be a club, association, corporation, or a limited liability company, the Local Liquor Control Commissioner may require the following individuals to be fingerprinted: the officer(s), manager(s) or director(s) thereof, or any member(s) or stockholder(s) owning in the

aggregate more than five percent (5%) of the capital stock of said corporation or limited liability company. All such fingerprinting and background checks shall be performed by the Village Police Department. Fingerprints shall be processed by the Illinois state police in conjunction with the federal bureau of investigation. The cost of fingerprinting shall be paid by the applicant and any applicable background check shall be without charge.

~~B. Applications for a special event class E 1, E 2 and E 3 liquor license shall be made to the Local Liquor Control Commissioner in writing, signed by the applicant at least forty five (45) days prior to the special event for which such license is sought. The application shall be accompanied by an application fee in the amount of fifty dollars (\$50.00) payable by a nonrefundable check or money order to the Village of Oak Park to defray a portion of the expense incurred by the Village in processing the application. The application shall contain the following statements and information:~~

~~1. The name and address of the applicant, and whether the applicant is an individual, association, partnership, limited liability company, corporation, club or exists by some other form of ownership;~~

~~2. The date(s) and name of the special event, and the hours of operation of the event;~~

~~3. Unless the special event is sponsored or cosponsored by the Village, a copy of the special event permit issued by the Village in accordance with chapter 30 of this code for the event at which the license is requested;~~

~~4. A copy of the applicant's valid state of Illinois retail liquor license;~~

~~5. The location and description of the premises where alcoholic liquor will be sold under such liquor license, including the name of the property owner on whose property the special event will take place, and a written statement of consent from the property owner, or in the case the property is owned by the Village, a copy of the Village issued special event permit;~~

~~6. The names, phone numbers and addresses of those persons who are responsible for liquor sales on behalf of the applicant at the special event, which persons shall remain on the special event's premises for the duration of the special event;~~

~~7. A statement that the applicant is not disqualified from receiving a liquor license by reason of any matter or thing contained in this chapter, laws of this state, or the ordinances of the Village, and a statement as to whether the applicant has ever been convicted of a felony; and~~

~~8. Proof of the insurance coverage required by section 3-4-6 of this chapter including proof that the insurance covers the dates and location of the proposed special event. (Ord. 2014-0-12, 3-17-2014.~~

3-2-4: MANDATORY ALCOHOL AWARENESS TRAINING:

A. It shall be the responsibility of each ~~liquor~~ licensee of any licensed establishment within the Village which sells alcoholic liquors for consumption both on and off the authorized premises, ~~to have present on the premises at all times when alcoholic liquor may legally be sold, a manager or other employee in charge of such establishment who shall have successfully completed a state certified beverage alcohol sellers and servers education and training (BASSET) program approved by the Local Liquor Control Commissioner to ensure all managers, supervisors, sellers and servers of alcoholic liquor employed by the licensed establishment, to provide proof to the Village that these individuals have~~

completed BASSET training and possess a valid BASSET certification card; provided, however, that this requirement does not apply to licensees with a E-1 or E-2 liquor license.

In addition to the penalties otherwise provided in this chapter, any failure to comply with this section shall be cause for suspension, revocation or denial of a liquor license.

~~B. The initial application and all subsequent renewal applications for all classes of alcoholic liquor dealer's licenses, except classes C 1 through C 6, D 5, E 1 and E 2, shall be accompanied by proof of completion of such state certified beverage alcohol sellers and servers education and training (BASSET) program by all facility managers and any number of other current employees necessary to comply with the provisions of subsection 3-2-4A of this section. At the initial application and all subsequent renewal applications for all license classes except E-1, E-2 and E-3, it shall be the responsibility of each licensee of any licensed establishment within the Village which sells alcoholic liquors for consumption both on and off the authorized premises, to have all owners, managers, supervisors, sellers and servers of alcoholic liquor, as employed by any licensed establishment, to provide proof to the Village that these individuals have completed BASSET training and possess a valid BASSET certification card. In addition to the penalties otherwise provided in this chapter, any failure to comply with this section shall be cause for suspension, revocation or denial of a liquor license.~~

~~C. Effective December 1, 2013, all managers, supervisors, sellers and servers of alcoholic liquor employed by any licensed establishment, except establishments with a class C 1 through C 6, D 5, E 1 or E 2 license, shall have successfully completed BASSET training by a state certified program approved by the Local Liquor Control Commissioner. From and after January 1, 2014, all managers, supervisors, sellers and servers shall maintain current BASSET training certifications and all new employees shall have ninety (90) days from the date of hire to become BASSET certified.~~

~~D C. BASSET certifications shall only be valid for a three (3) year period from the date of issuance. All BASSET certifications shall be renewed and provided to the Village prior to expiration.~~

Section 4. Village Code Amended. Chapter 3 ("Alcoholic Liquor Dealers"), Article 3 ("Restriction on Liquor Licenses") of the Oak Park Village Code is amended by adding the underlined language and deleting the overstricken language to read as follows:

ARTICLE 3 RESTRICTION ON LIQUOR LICENSES

3-3-1: RESTRICTION ON LICENSES:

No such liquor license shall be issued to:

- A. A person who is not of good moral character and reputation in the community;

* * * *

- C. A person who has been convicted of being the keeper of, or is keeping, a house of ill fame prostitution;

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G. A c-partnership, unless all of the members of such co-partnership shall be qualified to obtain a liquor license;

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M. Any elected public official, Oak Park Village employee, or member of the Oak Park Liquor Control Review Board, and no such official shall be interested in any way, either directly or indirectly in any business holding an Oak Park liquor license. Indirect interests shall include, but not be limited to, any business relationship or contractual relationship of any elected public official, Oak Park Village employee or member of the Oak Park Liquor Control Review Board ("LCRB") with any Oak Park ~~liquor~~ licensee ~~holder~~ or Oak Park liquor license applicant or anyone who such elected public official, Oak Park employee or LCRB member knew or reasonably should have known would be an applicant for an Oak Park liquor license within one year of such business or contractual relationship; except that, a liquor license may be granted to either the Village President, or other member of the Village Board of Trustees, or to any entity in which such President or member of the Board of Trustees has an interest if: 1) the sale of alcoholic liquor pursuant to the liquor license is incidental to the selling of food; 2) the issuance of the liquor license is approved by the state of Illinois Liquor Control Commission; 3) the issuance of the liquor license is in accordance with all applicable provisions of the Village Code and state law; and 4) the official granted a liquor license does not vote on alcoholic liquor issues pending before the Village Board.

Notwithstanding any provision of this paragraph to the contrary, a member of the Village Board of Trustees, other than the President may have a direct or indirect interest in the manufacture, sale or distribution of alcoholic liquor as long as he or she is not a law enforcing public official or the Village President.

To prevent any conflict of interest, any elected official with a direct or indirect interest in the manufacture, sale or distribution of alcoholic liquor shall not participate in any meetings, hearings or decisions on matters impacting the manufacture, sale or distribution of alcoholic liquor.

Furthermore, the Village President may have an interest in the manufacture, sale or distribution of alcoholic liquor as long as the Village Board has made a local liquor control commissioner appointment that complies with the requirements of section 4-2 of the alcoholic liquor control act of 1934 and section 3-2-2 of this chapter.

N. Any applicant who fails to obtain a State liquor license shall not be able to operate in the Village of Oak Park; except those applying for class B-6 and E-3 license;

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3-3-2: APPLICANT CONVICTIONS:

A. Applicants shall not be required to report the following information and the following criminal history records shall not be considered in connection with an application for a liquor license under this chapter:

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B. The local liquor control commissioner, upon a finding that an applicant for a liquor license was convicted of a felony or a violation of any Federal or state law concerning the manufacture, possession or sale of alcoholic liquor, shall consider as evidence of rehabilitation and mitigating factors contained in the applicant's record, including any of the following factors and evidence, to determine if the conviction will impair the ability of the applicant to engage in the position for which a liquor license is sought:

1. The lack of direct relation of the offense for which the applicant was previously convicted to the duties, functions, and responsibilities of the position for which a liquor license is sought;

* * * *

8. Any other mitigating factors that contribute to the person's potential and current ability to perform the duties and responsibilities of the position for which a liquor license or employment is sought.

C. For purposes of this chapter, a criminal conviction of a corporation is not grounds for the denial, suspension, or revocation of a liquor license applied for or held by the corporation if the criminal conviction was not the result of a violation of any federal or state law concerning the manufacture, possession or sale of alcoholic liquor, the offense that led to the conviction did not result in any financial gain to the corporation and the corporation has terminated its relationship with each director, officer, employee, or controlling shareholder whose actions directly contributed to the conviction of the corporation. The local liquor control commissioner shall determine if all provisions of this subsection have been met before any action on the corporation's liquor license is initiated.

Section 5. Village Code Amended. Chapter 3 ("Alcoholic Liquor Dealers"), Article 4 ("Term and Classification") of the Oak Park Village Code is amended by adding the underlined language and deleting the overstricken language to read as follows:

ARTICLE 4

TERM AND CLASSIFICATION

3-4-1: TERM:

Each liquor license, other than a special event Class E-1, E-2 and E-3 liquor license, shall terminate one year from date of issuance. Special event Class E-1, E-2 and E-3 liquor licenses shall be for a fixed period of time as set forth in section 3-4-2 of this article.

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 hereinbelow and only as specifically authorized in article 8 of this chapter.

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B. Restaurant Liquor Licenses:

1. Restaurant Class B-1 Liquor License: Restaurant Class B-1 liquor licenses shall authorize the sale, in restaurants only, of alcoholic liquor for consumption on the premises where sold. No such liquor license shall be granted to or retained by any establishment in which the facilities for food preparation and service are not primarily those of a "restaurant", as defined in section 3-1-1 of this chapter. Alcoholic liquor may be sold in restaurants holding Class B-1 liquor licenses to patrons who order a complete meal. Service of alcoholic liquor shall be provided at tables only. Service of alcoholic liquor at bars is not permitted; however, alcoholic liquor may be served at "specialty food bars" where:

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e. The annual fee for such liquor license for a restaurant with a seating capacity of one hundred (100) or more persons shall be two thousand five hundred dollars (\$2,500.00). For a restaurant with a seating capacity of between ninety-nine (99) and fifty (50) persons, the annual fee for such liquor license shall be two thousand dollars (\$2,000.00). For a restaurant with a seating capacity of less than fifty (50) persons, the annual fee for such liquor license shall be one thousand five hundred dollars (\$1,500.00).

2. Restaurant Class B-2 Liquor License: The regulations governing restaurant Class B-1 liquor licenses shall also apply to restaurant Class B-2 liquor licenses, except that beer and/or wine only may be served. The annual fee for such liquor license for a restaurant with a seating capacity of one hundred (100) or more persons shall be one thousand five hundred dollars (\$1,500.00). For a restaurant with a seating capacity of between ninety-nine (99) and fifty (50) persons, the annual fee for such liquor license shall be one thousand dollars (\$1,000.00). For a restaurant with a seating capacity of less than fifty (50) persons, the annual fee for such liquor license shall be seven hundred fifty dollars (\$750.00).

3. Restaurant Class B-3 Liquor License: The regulations governing Class B-2 liquor licenses shall also apply to restaurant Class B-3 liquor licenses, except that in ethnic restaurants, one additional alcoholic liquor traditionally associated with the food of that nationality may be served. The annual fee for such liquor license for a restaurant with a seating capacity of one hundred (100) or more persons shall be two thousand dollars (\$2,000.00). For a restaurant with a seating capacity of between ninety-nine (99) and fifty (50) persons, the annual fee for such liquor license shall be one thousand five hundred dollars (\$1,500.00). For a restaurant with a seating capacity of less than fifty (50) persons, the annual fee for such liquor license shall be one thousand dollars (\$1,000.00).

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(3) It shall be a condition for the renewal of a Class B-4 liquor license that, for the prior liquor license period during which the applicant for liquor license renewal was a licensee in such class, the licensee's gross revenue from the sale of alcoholic liquor authorized by the licensee's liquor license did not exceed forty percent (40%) of the licensee's gross revenue from the sale and service of all food and alcoholic liquor in the ordinary course of business by the licensee on the licensed premises.

(4) If the Local Liquor Control Commissioner determines that the licensee is not attempting in good faith to comply with the provisions of the licensee's liquor license concerning the sale of alcoholic liquor as a subsidiary and incidental part of the licensee's business, and with the limitations imposed upon the gross revenue from the sale of alcoholic liquor as provided herein, the Local Liquor Control Commissioner shall reject the renewal of the liquor license as provided in section 3-7-5 of this chapter.

(5) The licensee shall maintain adequate books and records in accordance with generally accepted accounting standards, which shall clearly indicate gross revenue from the sale of alcoholic liquor separately from gross revenue for the sale of food.

(6) The licensee shall make such books and records available for inspection by the Local Liquor Control Commissioner, or the Local Liquor Control Commissioner's designee. Such inspection may be conducted during normal business hours on the licensed premises, or at such other location in the Village as directed by the Local Liquor Control Commissioner. The Local Liquor Control Commissioner shall determine, as a result of such inspection, whether, in the Local Liquor Control Commissioner's opinion, the books and records maintained by the licensee meet the requirements of this chapter, and whether there is cause for the Local Liquor Control Commissioner to conduct additional proceedings as provided in section 3-7-5 of this chapter.

e. The lounge area may include an area designated for the playing of pool, with the following limitations:

(1) The holder of the Class B-4 liquor license shall also possess a current liquor license for the operation of a pool and/or billiard hall.

~~(2) The pool playing area shall be adjacent to and shall only be accessible through the lounge area.~~

~~(3) The pool playing area shall be physically separated from the lounge and dining areas by a solid floor to ceiling wall containing a doorway for passage between the lounge and pool playing area.~~

~~(4) The pool playing area shall only be accessible to persons twenty one (21) years of age or older or persons accompanied by a parent or guardian twenty one (21) years of age or older.~~

~~(5)~~ (2) Food service shall be available in the pool playing area.

~~(6)~~ (3) The number of pool tables shall be limited to one table per ten (10) seats available in the main dining area and in no case shall the total number of pool tables exceed ten (10) tables.

~~(7)~~ (4) One table per pool table, with a minimum of two (2) seats per table shall be available in the pool playing area for the service of food.

~~(8)~~ (5) The hours of operation for the pool playing area shall be no greater than the hours established for the operation of the restaurant which owns and operates the pool playing area.

f. The annual fee for such liquor license for a restaurant with a seating capacity of one hundred (100) or more persons shall be three thousand dollars (\$3,000.00). For a restaurant with a seating capacity of between ninety-nine (99) and fifty (50) persons, the annual fee for such liquor license shall be two thousand five hundred dollars (\$2,500.00).

5. Restaurant with Retail Alcoholic Liquor Sales Class B-5 Liquor License: A restaurant with retail alcoholic liquor sales Class B-5 liquor license shall be subject to the regulations and conditions governing Class B-4 liquor licenses above. The following additional regulations and conditions shall also apply:

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d. ~~Authorized hours of business shall be as set forth in section 3-5-7 of this chapter for Class B-4 liquor licenses.~~ That alcoholic liquor sales at the restaurant shall be restricted to those hours when food service is available in the restaurant, provided that after the hours of nine o'clock (9:00) P.M. during the week and ten o'clock (10:00) P.M. on Fridays and Saturdays, the service of food from a late-night menu shall be considered adequate food service. A "late night" menu shall be defined as foods served in small portions which would otherwise qualify as entrees, or foods which could be served as salads or appetizers, but shall not include prepackaged snack foods such as crackers, chips, nuts, or pretzels.

e. ~~All staff who participates in the retail sales of alcoholic liquors must be BASSET trained and certified.~~

f. ~~e.~~ The annual fee for such liquor license is five thousand dollars (\$5,000.00).

6. Restaurant Class B-6 Liquor License: A bring-your-own ("BYO") restaurant Class B-6 liquor license authorizes a licensee to allow customers to carry their own beer and wine into the BYO establishment as defined in subsection 3-4-2B6a of this section for consumption within that establishment, subject to the conditions set forth in subsection 3-4-2B6b of this section.

a. BYO Establishments; Conditions: BYO establishments are authorized to allow BYO beer and wine and consumption of BYO beer and wine within the licensed premises provided that the establishment does not otherwise hold another Class B restaurant license. A restaurant that holds another Class B restaurant license is not eligible for a Class B-6 license, and no establishment that sells alcoholic liquor may provide BYO services.

b. BYO Establishment Requirements:

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~~(12) Any employee of a BYO establishment that serves customers shall complete the BASSET education and training requirement set forth in section 3-2-4 of this chapter.~~

~~(13)~~ (12) A BYO establishment must have a BASSET certified manager or employee twenty-one (21) years of age or older at the licensed premises at all times while BYO consumption is permitted.

~~(14)~~ (13) The annual fee for a restaurant Class B-6 liquor license with a seating capacity of one hundred (100) or more persons shall be four-hundred fifty dollars (\$450.00). For a restaurant with a seating capacity of between ninety-nine (99) and fifty (50) persons, the annual fee shall be three-hundred thirty dollars (\$350.00). For a restaurant with a seating capacity of below forty-nine (49) persons, the annual fee shall be two-hundred fifty dollars (\$250.00).

7. Residential Care Facility. A residential care facility with a retail alcoholic liquor sales B-7 liquor license shall be subject to the following requirements:

a. ~~Alcoholic liquor beverages shall be sold and made available only to a facility's residents or their guests and only for consumption on the licensed premises at tables in dining areas or at a bar in a dining~~

~~area where food is available and served;~~ liquor is made available for consumption or purchase by residents, staff, or guests of said facility;

b. The availability of alcoholic liquor ~~beverages~~ shall be subsidiary and incidental to the provision and service of food;

~~c. A licensee shall comply with Section 3-2-3 (Mandatory Alcohol Awareness Training) of this chapter regarding the required BASSET training of all managers, supervisors, sellers and servers of alcoholic liquors;~~ Residential care facilities must have a space within the facility designated for the sale and service of food to residents, staff or guests of the facility.

* * * *

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:

a. Class C liquor licenses are permitted only in a district zoned for business or commercial uses.

b. The sale of packaged liquor is permitted only from seven o'clock (7:00) A.M. to ~~ten o'clock (10:00) P.M.,~~ twelve o'clock (12:00) A.M., Monday through Sunday; provided, however, that specific restrictions on the permitted hours of service listed for a liquor license classification control over those set forth in this section.

~~c. No alcoholic liquor may be sold in containers of less than twenty four (24) ounces. Class C licensees who are permitted to sell wine are authorized to sell demi or half bottles of wine no smaller than twelve (12) ounces in size. No alcoholic liquor may be sold in individual containers of less than a half pint (200ml or 6.8oz). Class C Licensees who are permitted to sell wine are authorized to sell demi or half bottles (350ml or 11.8oz) of wine or no smaller than eleven-point-eight ounces (11.8oz) in size.~~

* * * *

h. The Local Liquor Control Commissioner may inspect licensed premises at any reasonable hour to determine if such premises and the licensee conform to all provisions of the law, including regulations adopted in accordance with this chapter.

i. Failure of the premises, or the licensee, to conform to all provisions of law and the regulations of the Local Liquor Control Commissioner shall be cause for the Local Liquor Control Commissioner either to refuse to renew the liquor license on its expiration, or to proceed in accordance with section 3-7-5 of this chapter.

2. Package Liquor Class C-1-A and C-1-B License: A package liquor Class C-1 liquor license authorizes the retail sale of alcoholic liquor in the original package not for consumption on the premises where sold and authorizes the tasting or sampling of alcoholic liquors on the premises if the tasting or sampling is part of a promotion or a sales device for the sale of alcoholic liquors and no charge of any kind is made for such tasting or sampling.

In addition to the restrictions contained in subsection 3-4-2C1 of this section, Class C-1 liquor licenses are subject to the following:

* * * *

c. The sale of alcoholic liquor in the original package and not for consumption on the premises where sold, as authorized by a Class C-1 liquor license, shall be incidental to the sale of products other than alcoholic liquor, such as food, drugs, gift items, sundries and similar products. Such products shall not include gasoline and/or diesel fuel.

* * * *

(4) If the Local Liquor Control Commissioner determines that the licensee is not attempting in good faith to comply with the provisions of the licensee's liquor license concerning the sale of alcoholic liquor as an incidental part of the licensee's business, and with the limitations imposed upon the gross revenue from the sale of alcoholic liquor as provided herein, the Local Liquor Control Commissioner may proceed as provided in section 3-7-5 of this chapter.

d. The licensee shall maintain adequate books and records in accordance with generally accepted accounting standards, which shall clearly indicate gross revenue from the sale of alcoholic liquor separately from gross revenue for the sale of all other products in the business operated by the licensee to which the sale of alcoholic liquor is incidental.

The licensee shall make such books and records available for inspection by the Local Liquor Control Commissioner, or the Local Liquor Control Commissioner's designee. Such inspection may be conducted during normal business hours on the licensed premises, or at such other location in the Village as directed by the Local Liquor Control Commissioner. The Local Liquor Control Commissioner shall determine, as a result of such inspection, whether, in the Local Liquor Control Commissioner's opinion, the books and records maintained by the licensee meet the requirements of this chapter, and whether there is cause for the Local Liquor Control Commissioner to conduct proceedings as provided in section 3-7-5 of this chapter.

e. The premises where packaged liquor is to be sold shall be equipped with an alarm system, both for holdups and burglaries. Also, all employees of the licensee shall be fingerprinted and photographed by the Oak Park Police Department. The Local Liquor Control Commissioner may adopt regulations, pursuant to section 3-7-2 of this chapter, requiring additional security measures to be taken by the holders of Class C-1 liquor licenses for the protection of the licensed premises and the surrounding neighborhood. The regulations shall provide the Local Liquor Control Commissioner with the discretion to modify security requirements to address safety issues which may be unique to a particular application or set of circumstances. The Local Liquor Control Commissioner may not issue a liquor license to a premises which does not so comply. If the premises do not so comply with the requirements imposed by the Local Liquor Control Commissioner under such regulations, the Local Liquor Control Commissioner shall not issue or renew the liquor license.

f. The annual fee for such liquor license is three thousand dollars (\$3,000.00).

3. Package Liquor Class C-2 License: A package liquor Class C-2 liquor license authorizes the retail sale of beer and wine only, in the original package, not for consumption on the premises where sold, except that the tasting or sampling of wine 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 wine and no charge of any kind or character is made for such sampling or tasting. In addition to the restrictions imposed in subsection 3-4-2C1 of this section, Class C-2 liquor licenses are subject to the following:

a. Class C-2 liquor licenses may be created by the President and Board of Trustees and issued by the Local Liquor Control Commissioner to a premises located only in the "Central Business Area", as such term is defined in section 3-1-1 of this chapter.

b. If the sale of beer and wine in the original package, not for consumption on the premises where sold, except as set forth hereinabove, is not the principal business of the licensee conducted on the premises, then the package liquor business must be subject to an adequate control system as defined in subsection 3-4-2C2b of this section. It shall be a condition of renewal of a class C-2 liquor license that an adequate control system remains in place.

c. The annual fee for such liquor license is one thousand five hundred dollars (\$1,500.00).

~~—4. Package Liquor Class C-3 License: A package liquor class C-3 license authorizes the sale of beer, wine and other alcoholic liquor (except that commonly known as "hard liquor", such as whiskey, rum, vodka and gin) in the original package and not for consumption on the premises where sold. In addition to the restrictions imposed in subsection 3-4-2C1 of this section, class C-3 liquor licenses are subject to the following:~~

~~a. The primary business of the licensee must be the sale of gourmet food products, beer and wine.~~

~~b. Such business must be located in the "Central Business Area", as such a term is defined in section 3-1-1 of this chapter.~~

~~c. The alcoholic liquor authorized to be sold by the package liquor class C-3 license, other than beer and wine, may occupy no more than ten percent (10%) of the shelf space in the public portion of the licensed premises and may not be visible from the outside of the premises or be within sight of the public entryway on the inside of the business premises.~~

~~d. The sale of alcoholic liquor authorized to be sold by the package liquor class C-3 license, other than beer and wine, may not be promoted or advertised in any way.~~

~~e. The package liquor business must be operated and maintained in a physically separate manner from other types of businesses on the premises. In such case, the sale of package liquor is permitted only at separate register locations devoted only to package liquor sales.~~

~~f. The annual fee for such liquor license is two thousand dollars (\$2,000.00).~~

~~—5. Package Liquor Class C-4 License: A package liquor class C-4 license authorizes the retail sale of wine only, in the original package, not for consumption on the premises where sold. In addition to the~~

~~restrictions imposed in subsection 3-4-2C1 of this section, class C-4 liquor licenses are subject to the following:~~

~~a. The primary business of the licensee must be the sale of gourmet foods.~~

~~b. Class C-4 liquor licenses may be created by the President and Board of Trustees and issued by the Commissioner to a premises located only in the "Central Business Area", as such term is defined in section 3-1-1 of this chapter.~~

~~c. The wine, authorized to be sold by the package liquor class C-4 license, may occupy no more than thirty percent (30%) of the shelf space in the public portion of the licensed premises.~~

~~d. The annual fee for such liquor license is one thousand dollars (\$1,000.00).~~

~~6. Package Liquor Class C-5 License: A package liquor class C-5 license authorizes the retail sale of one alcoholic liquor, in the original package, for consumption off the premises. In addition to the restrictions imposed in subsection 3-4-2C1 of this section, class C-5 liquor licenses are subject to the following:~~

~~a. The premises must be located in a restaurant which possesses a current Village liquor license.~~

~~b. The licensee of the class C-5 liquor license must be the same person as the licensee for the restaurant liquor license.~~

~~c. The alcoholic liquor must be certified by the restaurant owner to be a unique formula created by the restaurant.~~

~~d. The alcoholic liquor must be manufactured in accordance with the restaurant owner's formula and bottled by a major, nationally recognized liquor manufacturer in a sealed container bearing the label designating, in primary position, the name of the restaurant.~~

~~e. The alcoholic liquor in package form must be made available and promoted at a minimum by the manufacturer for general distribution to retail liquor outlets throughout Oak Park and over an area comprising not less than the state.~~

~~f. The annual fee for such a liquor license is four hundred dollars (\$400.00).~~

~~7. Package Liquor Class C-6 License: Class C-6 liquor licenses, which shall authorize the retail sale of wine only, in the original package, in no less than one-half ($\frac{1}{2}$) case lots, from office premises which excludes walk-in trade and is used for the processing of business documents and for the storage and distribution off site of preordered wine, subject to the following restrictions:~~

~~a. No more than forty percent (40%) of the premises may be used for storage purposes, except that when the office premises is operated as home occupation, the storage of wine for sale shall not be permitted on such premises.~~

~~b. No packaged wine or representations thereof shall be displayed or advertised on the premises.~~

~~c. The retail business shall be conducted entirely by mail or telephone or by orders placed during winetasting events held on private property at the invitation of the owners or occupants, away from the business premises.~~

~~d. Class C-6 licenses shall be subject to the same restrictions as class C-1 licenses except that C-1 license restrictions set forth in subsection 3-4-2C2 of this section and identified therein as subsections 3-4-2C2a and C2b of this section shall not apply and subsection 3-4-2C1a of this section shall also not apply.~~

~~e. The annual fee for such a license shall be four hundred dollars (\$400.00). No such license is issued at this time except as otherwise indicated in article 8 of this chapter.~~

~~8-4.~~ Specialty Gourmet Foods Shop Class C-7 4 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 4 liquor license authorizes the retail sale of alcoholic liquor in the original package for consumption off premises. The class C-4 liquor license shall also authorize the retail sale of wine, in individual servings of no more than six (6) ounces per glass, for consumption on the premises.

c. The alcoholic liquors authorized for retail sale by the class C-7 4 liquor license shall only occupy ten percent (10%) of the shelf space of the public portion of the licensed premises.

~~d. 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.~~

~~e. A class C-7 liquor licensee shall be permitted to sell for on-site consumption individual servings of wine of no more than six (6) ounces per glass.~~

~~f. d.~~ In addition to the sale of wine for on-site consumption, non-alcoholic beverages must be available for purchase.

~~g. e.~~ There shall be no signage outside the licensed premises to indicate the sale of alcoholic liquors and licensees are prohibited from displaying signage visible from outside the licensed premises advertising the sale of alcoholic liquors.

~~h. All staff must be BASSET trained and certified.~~

~~i. f.~~ Licensees shall be permitted to provide prepackaged snacks as part of any tasting or sampling activities or on-site consumption of wine on the premises.

~~j. g.~~ The annual fee for a class C-7 4 liquor license shall be four hundred dollars (\$400.00).

~~9-5.~~ Package C-8 5 Boutique Liquor License: A package liquor class C-8 5 boutique liquor license authorizes the retail sale of wine in the original package for consumption off premises. ~~in the original package and not for consumption on the premises where sold other than as set forth below and other~~

~~alcoholic liquors provided that the sale of alcoholic liquors other than wine shall be limited to no more than five percent (5%) of the licensee's total sales volume. The class C-5 liquor license shall also authorize the retail sale of wine, in individual servings of no more than six (6) ounces per glass, for consumption on the premises.~~

In addition to the restrictions imposed in subsection 3-4-2C1 of this section, class C-~~8~~ 5 liquor licenses are subject to the following:

a. Such business must be located in the "Central Business Area," as such a term is defined in section 3-1-1 of this chapter.

~~b. The tasting or sampling of wine only shall be permitted on the premises if the tasting or sampling is part of a promotion or sales device to encourage the sale of wine or as part of a wine education class and no charge of any kind or character shall be made for such tasting or sampling other than a charge for a wine education class.~~

~~c. b.~~ A class C-~~8~~ liquor licensee shall be permitted to sell for on-site consumption individual servings of wine of no more than six (6) ounces per glass. The hours for on-site consumption of wine on the premises shall be from eleven o'clock (11:00) A.M. to ten o'clock (10:00) P.M.

~~d. c.~~ A lounge area which seats no more than twenty (20) persons for on-site consumption shall be permitted, excluding permitted on-sidewalk dining.

~~e. d.~~ Customers shall be permitted to provide and consume their own food on the premises as part ~~of any tasting or sampling activity at the premises or as part~~ of on-site consumption of wine on the premises. In addition, a licensee shall be permitted to provide prepackaged snacks as part of any tasting or sampling activity or on-site consumption of wine on the premises.

~~f. e.~~ A class C-~~8~~ 5 liquor licensee may sell bottles of wine of twelve (12) ounces or more.

~~g. f.~~ Class C-~~8~~ 5 liquor licenses shall only be issued to a premises located in a containing one thousand five hundred (1,500) or less square feet of retail space.

~~h. All staff must be BASSET trained and certified.~~

~~i. g.~~ No bar shall be permitted.

~~j. h.~~ The annual fee for a Class C-~~8~~ 5 liquor license is three thousand dollars (\$3,000.00).

D. Miscellaneous:

~~1. Club Class D-1 Liquor License: Club class D-1 liquor licenses shall authorize the sale of alcoholic liquors for consumption only on the premises where sold, and limited to members and their guests, and which shall be issued only to "clubs", as defined in article 1 of this chapter maintaining permanent club quarters irrespective of the size of their membership. The annual fee for such liquor license shall be one thousand five hundred dollars (\$1,500.00); provided, however, if the holder of a class A-1 liquor license also holds a Class D-1 liquor license, then the fee for the Class A-1 liquor license shall be one thousand dollars (\$1,000.00).~~

~~2. Club Class D-2 Liquor License: Club Class D-2 liquor licenses shall authorize the sale of alcoholic liquor for consumption on the premises for a for profit private club and shall be subject to the following restrictions:~~

- ~~a. The principal activity of the club must be participatory sports and recreation;~~
- ~~b. The club must have been in existence for at least three (3) years;~~
- ~~c. Service of liquor is limited to members and guests, but not necessarily to be in conjunction with the service of food;~~
- ~~d. The minimum period of membership for the club must be at least three (3) months; and~~
- ~~e. No bar shall be permitted.~~
- ~~f. The annual fee for such a liquor license shall be one thousand five hundred dollars (\$1,500.00).~~

~~3. Club Class D-3 Liquor License: Club Class D-3 liquor licenses shall authorize the sale of beer and wine for consumption on the premises of a for profit private club subject to the same restrictions as a Class D-2 liquor license. The annual fee for such liquor license shall be seven hundred fifty dollars (\$750.00).~~

1. Not-for-Profit Club Class D-1-A and For-Profit Club Class D-1-B Liquor License: Both Class D-1-A and D-1-B licenses shall authorize the sale of alcoholic liquors for consumption only on the premises where sold, subject to the following conditions:
 - ~~a.~~ The sale of alcoholic liquors shall be limited to club members and their guests;
 - ~~b.~~ No person under twenty-one (21) years of age shall be served alcoholic liquors;
 - ~~c.~~ The club shall maintain permanent club quarters by either owning, hiring or leasing a building or space in a building, of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests;
 - ~~d.~~ The sale of alcoholic liquors shall be limited to Monday through Sunday, 11a.m. to 11p.m. and the applicant must provide detail, in the liquor license application, on how the alcoholic liquor will be sold and the controls put in place to ensure conformance to the conditions outlined herein;
 - ~~e.~~ No bar shall be permitted within the club;
 - ~~f.~~ The sale or availability of prepackaged snacks will be made available to club members and their guests at all times when alcohol is being sold and served;

~~g. There shall be no signage outside the club's space to indicate the sale of alcoholic liquor;~~

~~h. In the case of a not-for-profit club (D-1-A), all club officers are required to be BASSETT trained and certified;~~

Club officers are to ensure that these individuals have completed BASSET training and possess a valid BASSET certification card. In addition to the penalties otherwise provided in this chapter, any failure to comply with this section shall be cause for suspension, revocation or denial of a liquor license. Please see Section 3-2-4 of this Chapter 3 for additional information;

~~i. The annual fee for a not-for-profit club D-1-A liquor license shall be six-hundred dollars (\$600.00). The annual fee for a for-profit club D-1-B liquor license shall be seven-hundred fifty dollars (\$750.00).~~

~~4. Bowling Alley Class D-4 Liquor License: Bowling Alley Class D-4 liquor licenses shall authorize the sale of alcoholic liquor from a service bar in bowling alleys to persons on the premises for the purpose of using the bowling alleys. The annual fee for such a liquor license is eight hundred fifty dollars (\$850.00).~~

~~5. Gift Package Class D-5 Liquor License:~~

~~a. Gift Package Class D-5 liquor licenses shall authorize the sale of bottled wine as part of and incidental to gift packages including items such as, but not limited to, food and flowers in a basket or other appropriate container.~~

~~b. A Class D-5 liquor license shall entitle the licensee to sell gift packages for delivery. Any deliveries must be made by agents or employees of the licensee who shall confirm that the local recipients are over twenty one (21) years of age prior to delivering any gift package to the recipient and shall require signature of the recipient to confirm the same.~~

~~c. Orders for gift packages incorporating bottled wine may be placed in the retail portion of a licensed premises but may not be delivered over the counter unless totally packaged in a carton or wrappings.~~

~~d. Regulations governing promotional displays of gift packages which include wine may be issued by the Local Liquor Control Commissioner.~~

~~e. The annual fee for a Class D-5 liquor license shall be one thousand five hundred dollars (\$1,500.00).~~

~~6. Auctioneer Class D-6 Liquor License: Auctioneer Class D-6 liquor licenses shall authorize the sale at auction of alcoholic liquor in the original package, not for consumption on the premises where sold. Class D-6 liquor licenses will be subject to the following restrictions:~~

~~a. A Class D-6 liquor license will be issued only to an applicant who holds a current Class 2 auctioneer's license in the Village and has held such auctioneer's license for at least two (2) consecutive years prior to filing the application for the Class D-6 liquor license. The Class D-6 liquor license shall be valid for one year from the date of issuance or until such time as the licensee no longer holds a valid Class 2 auctioneer's license, whichever is shorter.~~

~~b. No packaged alcoholic liquor may be sold which is less than ten (10) years of age. The original package must specifically indicate the year in which the alcoholic liquor was manufactured, or the auctioneer must submit to the Village Clerk for each auction an affidavit which identifies the packaged liquor to be offered for sale at the auction and certifies that all of the alcoholic liquor offered for sale at said auction is at least ten (10) years of age. Alcoholic liquor which does not specifically indicate the year of its manufacture as a part of the original packaging or for which no affidavit has been submitted to the Village Clerk may not be sold at auction.~~

~~c. Packaged alcoholic liquor may be sold only on the licensed premises, unless a change or extension of location is granted pursuant to section 3-5-5 of this chapter.~~

~~d. No person under twenty one (21) years of age will be allowed to purchase packaged alcoholic liquor or to sell it at auction.~~

~~e. No more than fifteen percent (15%) of the auction sales receipts for all auctions held under one auction liquor license in any calendar year may be derived from the sale of packaged alcoholic liquor. Each auctioneer must retain receipts of all sales at auction for a period of two (2) years. All receipts shall be compiled in a record which shall indicate the total sales receipts for each auction and the total sales receipts for each year. The auctioneer shall also maintain these records for two (2) years and shall allow the Village access to such records for review during normal business hours. The percentage of auction sale receipts attributable to packaged alcoholic liquor sales shall be determined by the Village's review of the records required to be maintained under this section and a review of the auctioneer's books and records kept in accordance with section 23A-2-9 of this code. The failure of an auctioneer to limit packaged alcoholic liquor sales to fifteen percent (15%) of the total auction sales receipts for an entire year shall constitute cause for the revocation, suspension or nonrenewal of the auctioneer's liquor license.~~

~~f. No exterior signage advertising the sale of alcoholic liquor will be allowed.~~

~~g. The purchase of packaged alcoholic liquor at auction within the Village is subject to the tax imposed upon the privilege of purchasing alcoholic liquor at retail within the Village as set forth in chapter 23A, article 2 of this code. The auctioneer shall be responsible for fulfilling all obligations of the section with regard to any tax imposed under chapter 23A, article 2 of this code.~~

~~h. The sale of packaged alcoholic liquor will be permitted only from ten o'clock (10:00) A.M. to ten o'clock (10:00) P.M.~~

~~i. The annual fee for such a liquor license shall be one hundred dollars (\$100.00).~~

~~7. 2. Park District of Oak Park and The Oak Park Public Library Class D-7 2 Liquor License: Park District of Oak Park and Oak Park Public Library class D-7 2 liquor licenses shall authorize the sale of~~

alcoholic liquor for consumption in buildings owned or leased by the Park District of Oak Park and the Oak Park Public Library and on grounds of Cheney Mansion. The Park District of Oak Park and the Oak Park Public Library may apply for a class D-~~7~~ 2 liquor license which shall authorize the sale of alcoholic liquor in buildings owned or leased by the Park District and the Public Library and on grounds of Cheney Mansion during prearranged events which include the service of food. A representative of the Park District and the Public Library must be present throughout every such event. ~~A monthly report of events at which alcoholic liquor was sold or served shall be submitted to the Commissioner within fifteen (15) days following the end of each month.~~

a. Guidelines for the service of alcoholic liquor in buildings owned or leased by the Park District of Oak Park and the Oak Park Public Library and on grounds of Cheney Mansion shall be established by the Park District Commissioners and Public Library Board with the concurrence of the Local Liquor Control Commissioner.

b. There shall be no fee for a class D-~~7~~ 2 liquor license.

~~8.~~ 3. Park District of Oak Park and Oak Park Public Library Class D-~~8~~ 3 Subsidiary Liquor License: Park District of Oak Park and Oak Park Public Library class D-~~8~~ 3 subsidiary liquor licenses shall be required of any caterer or person hired to sell or serve alcoholic liquor for consumption in buildings owned or leased by the Park District of Oak Park and the Oak Park Public Library or on grounds of Cheney Mansion. They must apply to the Local Liquor Control Commissioner and then obtain a D-~~8~~ 3 subsidiary liquor license unless that caterer holds a valid class A-4 liquor license. This liquor license does not permit the licensee to sell alcoholic liquor by the drink to individuals attending the event. Each ~~D-8~~ subsidiary liquor license shall be independent of the class D-~~7~~ 2 liquor license for purposes of enforcement. No D-~~8~~ 3 subsidiary liquor license shall be issued unless a class D-~~7~~ 2 liquor license has been issued. If a class D-~~7~~ 2 liquor license is canceled, no D-~~8~~ 3 subsidiary liquor license shall be renewed.

a. All regulations enumerated in this chapter or promulgated by the Local Liquor Control Commissioner dealing with the sale of alcoholic liquor shall apply to any holder of ~~a class D-8~~ this subsidiary license, except that in addition to the provisions of section 3-2-1 of this chapter, a class D-~~8~~ 3 subsidiary liquor license shall be required for either the sale or service of alcoholic liquor as noted above.

b. The annual fee for a D-~~8~~ 3 subsidiary liquor license shall be four hundred dollars (\$400.00). The single event fee for a D-~~8~~ 3 subsidiary liquor license shall be fifty dollars (\$50.00).

c. Guidelines for the service of alcoholic liquor in buildings owned or leased by the Park District of Oak Park and the Oak Park Public Library and on grounds of Cheney Mansion shall be established by the Park District Commissioners and Public Library Board with the concurrence of the Commissioner.

9. Entertainment Club Class D-9 Liquor License: Entertainment club class D-9 liquor licenses shall authorize the sale in entertainment clubs only of alcoholic liquor for consumption on the premises where sold, subject to the following conditions:

a. Entertainment clubs shall be limited to the Central Business Area.

b. The sale of alcoholic beverages shall be limited to the hours of five o'clock (5:00) P.M. to twelve o'clock (12:00) ~~midnight~~ AM Monday through Thursday, from five o'clock (5:00) P.M. to one o'clock (1:00) A.M. on Fridays, from twelve o'clock (12:00) noon to one o'clock (1:00) A.M. on Saturdays and from twelve o'clock (12:00) noon to eleven o'clock (11:00) P.M. on Sundays.

* * * *

~~l. Licensees shall comply with section 3-2-4 of this chapter requiring BASSET training of all managers, supervisors, sellers and servers of alcoholic beverages.~~

~~m. l.~~ An entertainment club liquor license may be issued in conjunction with a restaurant liquor license or as a separate liquor license. In the case of restaurants possessing both restaurant and entertainment club liquor licenses, the entertainment club liquor license shall in no way limit the right of the restaurant liquor licensee ~~holder~~ to sell alcoholic beverages in accordance with the provisions of the restaurant liquor license held by same. Likewise, the entertainment club liquor license shall not expand the liquor license privileges of the restaurant with regard to alcoholic liquor served in conjunction with restaurant operations.

~~n. m.~~ The annual fee for a class D-9 liquor license shall be two thousand five hundred dollars (\$2,500.00).

10. Coffee House And Teashop Class D-10 Liquor Licenses: There shall be two (2) Coffee House and Teashop Class D-10 liquor license classifications as follows:

a. A Coffee House And Teashop Class D-10-1 Liquor License: Coffee bar house and teashop class D-10-1 liquor licenses shall authorize the retail sale of specified spirituous alcoholic liqueurs that are sweetened, such as brandy flavored with fruit, spices, nuts, herbs or seeds, beer and wine as long as the business contains indoor seating for at least ten (10) or more patrons for consumption on the premises only seating where coffee, tea or food service is provided. The service of alcoholic liqueurs, beer and wine without the availability to purchase, tea or food is prohibited. The sale of food shall be available at all times that beer and wine are sold for on-site consumption. The age of employees who may draw, pour, mix, sell and/or serve alcoholic liqueurs, beer and wine shall be governed by subsection 3-5-9C of this chapter.

(1) ~~All managers, supervisors, sellers and servers of liqueurs, beer, and wine are required to be BASSET trained and certified. In addition, there shall be no signage outside the venue to indicate the sale of liqueurs, beer or wine.~~

(2) No alcoholic liqueurs, beer, and wine shall be served prior to ten o'clock (10:00) A.M. or shall be served after ten o'clock (10:00) P.M. on Sunday through Thursday and after twelve o'clock (12:00) ~~Midnight~~ AM on Friday and Saturday.

* * * *

b. Coffee House and Teashop Class D-10-2 Liquor License: A Coffee House and Teashop Class D-10-2 liquor license authorizes the retail sale of alcoholic liquors for consumption on the premises. The

licensee's total square footage under roof shall be a minimum of one thousand (1,000) square feet. A licensee must have indoor seating for at least ten (10) or more patrons and coffee, tea or food service must be provided to seated patrons. The service of alcoholic liquors without the availability for purchase of coffee, tea or food for on-site consumption is prohibited. The age of employees who may draw, pour, mix, sell and/or serve alcoholic liquor shall be governed by subsection 3-5-9C of this chapter.

(1) There shall be no signage outside the licensed premises to indicate the sale of alcoholic liquors and a licensee is prohibited from displaying signage inside the business, visible from outside the licensed premises, advertising the sale of alcoholic liquors.

(2) ~~All managers, supervisors, sellers and servers of alcoholic liquor are required to be BASSETT trained and certified.~~

(3) No alcoholic liquors shall be served prior to ten o'clock (10:00) A.M. or after ten o'clock (10:00) P.M. on Sunday through Thursday and after twelve o'clock (12:00) ~~Midnight AM~~ on Friday and Saturday. The number of class D-10-2 liquor licenses which may be issued is limited as designated in Section 3-8-1 of this chapter.

* * * *

11. ~~Not-for~~ Profit Live Theater Performance Venue Class D-11 Liquor License: Live theater performance venue class D-11 liquor licenses shall authorize the sale of alcoholic liquors for consumption on the premises where sold, subject to the following conditions:

a. The licensee shall be a local ~~not-for~~ profit corporation organized for the purpose of the performance of live theater, music, comedy, magic and other performance productions in a permanent live theater location owned or leased by the licensee.

b. The sale of alcoholic liquors shall be limited to the hours of six o'clock (6:00) P.M. to twelve o'clock (12:00) ~~midnight AM~~ Monday through Friday and from twelve o'clock (12:00) noon to twelve o'clock (12:00) ~~midnight AM~~ on Saturdays and Sundays up to one hour prior to live performances, during the intermissions of such performances and prior to the beginning of a group discussion following the conclusion of such performances.

c. The sale of prepackaged snacks will be available at all times when alcohol is being sold.

d. The closing time for all performance venues shall be one hour later than the time established for terminating the sale of alcoholic beverages.

e. Patrons may continue to consume alcoholic beverages purchased prior to the time limitation established for the sale of alcoholic beverages until the time established for the closing of the performance venue.

f. There shall be no signage outside the venue to indicate the sale of alcoholic liquor.

~~g. All managers, supervisors, sellers and servers of alcoholic liquors are required to be BASSETT trained and certified.~~

~~h. g.~~ The annual fee for a class D-11 liquor license shall be six hundred dollars (\$600.00).

12. Market Cafe Class D-12 License: A market cafe class D-12 liquor license shall authorize both the retail sale of beer, wine and artisanal distilled alcoholic liquor only, both in the original package and for consumption on the premises where sold subject to the following conditions:

a. The primary business of the licensee must be the sale of artisan cheeses and other gourmet food products.

* * * *

~~d. Such business must be located in the Central Business Area, as such term is defined in section 3-1-1 of this chapter.~~

~~e. d.~~ The annual fee for such liquor license is two thousand five hundred dollars (\$2,500.00).

13. Village Of Oak Park Class D-13 Liquor License: Village of Oak Park sponsored event class D-13 liquor licenses shall authorize the sale of beer and wine only for consumption at Village sponsored events on premises owned and controlled by the Village of Oak Park for which the Village has enacted an ordinance authorizing the sale of beer and wine for consumption on the premises. The Village may apply for a class D-13 liquor license which shall authorize the sale of beer and wine on premises owned and controlled by the Village during Village sponsored, prearranged events at which food is also available for consumption on the premises under the following conditions:

a. A representative of the Village must be present throughout every such event;

b. A monthly report of events at which ~~alcoholic liquor~~ beer and wine was sold or served shall be submitted to the Local Liquor Control Commissioner within fifteen (15) days following the end of each month in which such an event has occurred;

* * * *

~~g. Beer and wine may only be served to persons upon their display of the authorized stamp on the back of their hand and upon their presentation of the appropriate number of authorized tickets. Hands may be stamped by and tickets may be purchased from the Manager of the event or the Manager's designee. A photo identification containing the holder's name and age must be presented to and verified by the Manager or the Manager's designee before the Manager or designee may stamp the ID holder's hand or sell tickets to the ID holder;~~

~~h. g.~~ The Manager or employee in charge of the service of beer and wine at the event shall have successfully completed a state certified beverage alcohol sellers and servers education and training (BASSET) program approved by the Local Liquor Control Commissioner;

~~i. h.~~ The Village shall either hire qualified servers to staff the event beer and wine service area or recruit a local ~~liquor licensee holder~~ to volunteer its services in exchange for reimbursement of its costs in acquiring the beer and wine and paying the wages of their servers who staff the event beer and wine area. The Village shall publicly recognize a current licensee ~~holder~~ who volunteers its services for the event;

~~j.i.~~ i. In lieu of the standard liquor license application submitted to the Local Liquor Control Commissioner in accordance with section 3-2-3 of this chapter, the Village through its Manager shall apply in writing for the D-13 liquor license and provide to the Local Liquor Control Commissioner all relevant background information on the Village sponsored event including dates, times, location, participants and activities of the event and any ordinances, rules and regulations applicable thereto. The Village shall provide evidence of proper insurance coverage and BASSET training for the Manager or employee in charge of beer and wine service;

~~k. The perimeter of and entrance to the midweek market shall be clearly delineated. Beer and wine and sparkling may only be consumed within the perimeter of the market; and~~

~~l.j.~~ j. There shall be no application fee, corporate surety bond or annual liquor license fee requirement applicable to the issuance of a class D-13 liquor license.

* * * *

15. Craft Brewery Class D-15 Liquor License: A craft brewery Class D-15 liquor license shall authorize a licensee to produce at the licensed premises no more than 155,000 gallons (5,000 barrels) of beer, per year, at the licensed premises (production limit). In addition, licensees shall be:

* * * *

c. Permitted to sell on the licensed premises to non-licensees, for on or off premise consumption, beer manufactured by the licensee, a Class 3 State of Illinois approved licensee ~~holder~~, and also sell beer manufactured by any other brewer (State of Illinois approved Class 1 brewer, State of Illinois Class 2 brewer or State of Illinois Class 3 brewer); and

d. Excluding the provisions in item "3" of this subsection, the licensee shall be permitted to sell on the licensed premises to non-licensees, only for on-premise consumption, alcoholic liquor.

Class D-15 licenses shall be issued subject to the following conditions:

a. During authorized hours of business, it shall be unlawful for a Class D-15 licensee to sell craft beer for off premises consumption in less than a package of four (4) 12-ounce to 16-ounce containers, or a single container of between twenty-two (22) and thirty-one (31) ounces. The sale of thirty-two (32) ounce containers, standard kegs and mini-kegs may also be sold for off-premise consumption

b. It shall be unlawful for the holder of a Class D-15 liquor license to provide a sample of or sell any craft beer before the hours of eleven o'clock (11:00) A.M. or after the hour of twelve o'clock (12:00) ~~midnight~~ AM.

* * * *

~~f. Every manager, supervisor, sellers and server of alcoholic liquors must be BASSET trained and certified.~~

* * * *

l. The annual fee for a Class D-15 liquor license shall be two thousand five hundred fifty dollars (\$2,500.00).

16. Craft Brew Lounge Class D-16 Liquor License: A craft brew lounge Class D-16 liquor license shall authorize the sale of craft beer for consumption off site and craft beer and wine for consumption on site by persons of at least twenty one (21) years of age. Class D-16 licenses shall be issued pursuant to the package requirements of the Class C and Class D-15 liquor licenses, subject to the following additional regulations and conditions:

* * * *

e. Authorized hours of business shall be six o'clock (6:00) A.M. to eleven o'clock (11:00) P.M. Sunday through Wednesday and six o'clock (6:00) A.M. to twelve o'clock (12:00) ~~midnight~~ AM Thursday through Saturday. Service of craft beer and wine for consumption on the premises and the sale of package craft beer shall be permitted beginning at eleven o'clock (11:00) A.M. Monday through Friday and nine o'clock (9:00) A.M. Saturday and Sunday through the closing hours set forth above.

~~f. All staff who participates in the packaged sale of craft beer or on site serving of craft beer and wine must be BASSET trained and certified.~~

g. No person under the age of twenty one (21) years shall be on the premises without the supervision of a parent or legal guardian twenty one (21) years of age or older. Signage shall be posted at the entrance of the premises to reflect this requirement.

h. A licensee shall not prohibit lounge area patrons who intend to consume craft beer or wine at the premises from providing and consuming their own food.

i. The annual fee for a Class D-16 liquor license shall be two thousand five hundred dollars (\$2,500.00).

17. Bakeshop Class D-17 Liquor License: A bakeshop Class D-17 liquor License shall authorize the retail sale of beer and wine in the original package for off-premises consumption and shall authorize the sale of beer and wine for on-site consumption with food by persons at least twenty-one (21) years of age, subject to the following additional regulations and conditions:

a. The licensee must be a bakeshop as defined in section 3-1-1 of this chapter and at least 80% of all baked goods sold to the public must be produced on-premises and there shall be at least five (5) different types, not flavors, of baked goods produced on-site for retail sale;

* * * *

~~i. All staff must be BASSET trained and certified;~~

j. The beer or wine authorized to be sold may occupy no more than twenty (20) percent of a licensee's available and visible display space in the public portion of the licensed premises and may not be visible from outside of the premises or be within sight of the public entryway on the inside of the business premises;

k. There shall be no signage outside the licensed premises to indicate the sale of alcoholic liquors and a licensee is prohibited from displaying signage, visible from outside the licensed premises, advertising the sale of alcoholic liquors;

l. A licensee ~~holder~~ shall not sell or permit to be sold or given away, any beer or wine, for consumption on-premises, between the hours of nine o'clock (9:00) P.M. and eleven o'clock (11:00) A.M., Monday through Sunday, and the licensee ~~holder~~ shall not sell or permit to be sold or given away, any beer or wine, for consumption off-site, between the hours of nine o'clock (9:00) P.M. and nine o'clock (9:00) A.M., Monday through Sunday; and

* * * *

18. Movie Theatre Class D-18 Liquor License: Movie theatre class D-18 liquor license shall authorize the retail sale of alcoholic liquor for consumption on the licensed premises where the primary business is that of a movie theater as defined herein subject to the conditions listed below.

a. Sales of alcoholic liquor shall be limited to contracted theatre rentals, theater production/box office events and regularly scheduled motion pictures or films.

b. Alcoholic liquors shall not be served more than one (1) hour prior to a scheduled event, rental or the advertised time of the first motion picture or film showing on any day.

It shall be unlawful for the holder of a Class D-18 liquor license to sell alcoholic liquor before the hours of eleven o'clock (11:00) A.M. or after the hour of twelve o'clock (12:00) ~~midnight~~ AM.

* * * *

~~i. Licensees shall comply with section 3-2-4 of this chapter requiring BASSET training of all managers, supervisors, sellers and servers of alcoholic liquors.~~

~~j. i.~~ The annual fee for a Class D-18 liquor license shall be two thousand five-hundred dollars (\$2,500.00).

19. Arts And Crafts Establishment Class D-19: An Arts and Crafts Establishment liquor license shall authorize the retail sale of beer, and wine ~~and champagne~~, for onsite consumption with food, by persons at least twenty-one (21) years of age, where the primary business is that of an Arts and Crafts Establishment, as defined herein, subject to the following additional regulations and conditions:

* * * *

e. It is intended that the service of beer, and wine ~~and champagne~~ is merely an adjunct to the operation of an Arts and Crafts Establishment and shall not be advertised or otherwise held-out to be an alcohol drinking establishment with less than ten percent (10%) of a licensee's gross revenue derived from beer, and wine ~~and champagne~~ sales;

f. Beer, and wine ~~and champagne~~ service shall be limited to patrons participating in craft making activities and shall terminate at the conclusion of each craft making activity so that the service of beer, and wine ~~and champagne~~ shall not be allowed any time when a craft making session is not in actual

operation, excepting times when the establishment is holding a public gallery opening or public art show, where craft or art items are made available to the public for viewing or purchase;

* * * *

l. The sale or availability of food, for customer consumption, shall be required at all times that beer, and wine ~~and champagne~~ are sold or provided;

j. No individual dispensed serving of beer shall be larger than twelve (12) fluid ounces and no individual dispensed serving of wine ~~and champagne~~ shall be larger than six (6) fluid ounces in size;

k. In addition to the sale of beer, and wine ~~and champagne~~ customers of the licensee must be given the opportunity to purchase non-alcoholic drink products while beer, and wine ~~and champagne~~ are available and being consumed;

~~l. All staff must be BASSET trained and certified;~~

~~m. l.~~ No beer, or wine ~~and champagne~~ may occupy any of the licensee's available and visible display space in the public portion of the licensed premises and may not be visible from outside of the premises;

~~n. m.~~ There shall be no signage outside the licensed premises to indicate the sale of beer, or wine ~~and champagne~~ and a licensee is prohibited from displaying such signage inside, visible from outside the licensed premises, advertising the sale of beer, and wine ~~and champagne~~.

~~o. n.~~ A licensee ~~holder~~ shall not sell or permit to be sold or given away, any beer, or wine ~~and champagne~~ for consumption on-premises, between the hours of eleven o'clock (11:00) P.M. and ten o'clock (10:00) A.M, Monday through Sunday; and

~~p. o.~~ The annual fee for a licensee shall be five hundred dollars (\$500.00).

E. Special Events Liquor Licenses:

1. Special Events Class E-1 Liquor License: Special events Class E-1 liquor licenses shall authorize the sale of alcoholic liquor for consumption on the specific premises owned or leased by the State of Illinois authorized not-for-profit organizations and occupied by the licensee only during ten (10) special events per year. Such Class E-1 liquor licenses may also authorize two (2) of the ten (10) special events per year to be the sale at auction of alcoholic liquor in the original package, not for consumption on the premises where sold and, subject to the restrictions as set forth below;

a. No person under twenty-one (21) years of age will be allowed to purchase or consume liquor at any not-for-profit event where liquor is served. ~~packaged alcoholic liquor or to sell it at auction.~~

~~b. No more than fifteen percent (15%) of the auction sales receipts for all auctions held under one auction liquor license in any calendar year may be derived from the sale of packaged alcoholic liquor. Each auctioneer must retain receipts of all sales at auction for a period of two (2) years. All receipts shall be compiled in a record which shall indicate the total sales receipts for each auction and the total sales receipts for each year. The auctioneer shall also maintain these records for two (2) years and shall allow the Village access to such records for review during normal business hours. The~~

~~percentage of auction sale receipts attributable to packaged alcoholic liquor sales shall be determined by the Village's review of the records required to be maintained under this section and a review of the auctioneer's books and records kept in accordance with section 23A-2-9 of this Code. The failure of an auctioneer to limit packaged alcoholic liquor sales to fifteen percent (15%) of the total auction sales receipts for an entire year shall constitute cause for the revocation, suspension or nonrenewal of the auctioneer's liquor license.~~

b. No sale of alcohol is permitted at a special event with this liquor license until the licensee has obtained a yearly, valid State of Illinois liquor license, as required by law.

c. No exterior signage advertising the sale or consumption of alcoholic liquor will be allowed at any not-for-profit event where liquor is sold or consumed.

~~d. The purchase of packaged alcoholic liquor at auction within the Village is subject to the tax imposed upon the privilege of purchasing alcoholic liquor at retail within the Village as set forth in chapter 23A, article 2 of this Code. The auctioneer shall be responsible for fulfilling all obligations of the section with regard to any tax imposed under chapter 23A, article 2 of this Code.~~

d. The not-for-profit organization shall ensure that at least one officer or representative of the not-for-profit organization is present at each special event where liquor is served, will have received BASSET training by a State certified program and the not-for-profit shall provide the BASSET certificate to the Village, upon request.

~~e. All special events must be sponsored by the licensee for members and their guests, except that the licensee may sponsor no more than five (5) special events for nonmembers of the licensed premises. All special events shall be conducted by a nonprofit organization. A separate permit shall be required for each event. No event shall last longer than one continuous twenty four (24) hour period. The fee for such liquor license shall be fifteen dollars (\$15.00) for each special event permit applied for not less than thirty (30) days prior to the related event; and one hundred dollars (\$100.00) for each special event permit applied for less than thirty (30) days prior to the related event.~~

e. Alcoholic beverages shall be served only in single-servings and shall be in containers no less than six (6) ounces and no larger than sixteen (16) ounces in size. Alcoholic beverages shall not be served in bottles, pitchers or buckets.

f. Containers in which alcoholic liquors are served must be a different color, size and design of those in which non-alcoholic beverages are served by the licensee.

g. The licensee, or their representatives or employees, shall not serve or deliver more than two (2) alcoholic beverages to a person at a time and no customer shall possess more than two (2) alcoholic beverages at any time.

h. The licensee shall maintain the insurance required by section 3-4-6 of this article and shall name the Village as an additional insured on the applicable policy.

~~2. Special Event Class E-2 Liquor License: Special events Class E-2 liquor licenses shall authorize an Illinois licensed retailer to transfer a portion of its alcoholic liquor inventory from its retail licensed premises to the premises specified in the license hereby created, and to sell or offer for sale at retail,~~

~~only on the premises specified in the license hereby created, the transferred alcoholic liquor for use or consumption, but not for resale in any form, and shall authorize the sale of alcoholic liquor for consumption on the licensed premises subject to the following additional restrictions:~~

- ~~a. Special Event Requirement: A special event Class E-2 liquor license may only be issued to participants in a Village sponsored or cosponsored special event, or a special event for which the Village has granted a special event permit in accordance with chapter 30 of this Code.~~
- ~~b. Term Of License: A special event Class E-2 liquor license may be granted for the duration of the special event, or some shorter period as determined by the Local Liquor Control Commissioner, provided that each licensee shall be eligible for no more than two (2) special event Class E-2 liquor licenses per year and that each such license shall have a term of no more than three (3) days.~~
- ~~c. State License Required: No sale of alcohol is permitted under a special event Class E-2 liquor license until the licensee has obtained a valid Illinois special use permit liquor license for the event.~~
- ~~d. Signage: The licensee is prohibited from displaying signage visible from outside the licensed premises advertising the sale of alcoholic liquor.~~
- ~~e. Tax Imposed: The purchase of alcoholic liquor at retail within the Village is subject to the tax imposed thereon as set forth in chapter 23A, article 2 of this Code. The licensee shall be responsible for fulfilling all obligations of that article.~~
- ~~f. License Fee: The fee for such license shall be fifteen dollars (\$15.00) for each day of the term of the license.~~

2. Special Event Class E-2 Liquor License: Special events Class E-2 liquor licenses shall authorize the sale or providing of alcoholic liquor by a State of Illinois authorized not-for-profit, at a special event which, if on Village owned public land, the licensee has obtained a Village liquor license, a State of Illinois liquor license, as required by law, and a Village special event permit for said event; or, if the special event is being held on private property, the licensee has obtained both a Village liquor license and a State of Illinois liquor license, as required by law, subject to the restrictions as set forth below;

a. No person under twenty-one (21) years of age will be allowed to purchase and/or consume liquor at any not-for-profit event where liquor is served.

b. The licensee shall ensure that at least one not-for-profit employee or representative will be present during the entire time that liquor is sold or provided at each special event and that the not-for-profit employee or representative has received BASSET training by a State certified program and the licensee shall provide the BASSET certificate to the Village, upon request.

c. No open containers of liquor shall be removed from the defined area of the licensees approved Village of Oak Park special event permit.

d. No exterior signage advertising the sale or consumption of alcoholic liquor will be allowed at any not-for-profit event where liquor is sold or consumed.

e. Alcoholic beverages shall be served only in single-servings and shall be in containers no less than six (6) ounces and no larger than sixteen (16) ounces in size. Alcoholic beverages shall not be served in bottles, pitchers or buckets.

f. Containers in which alcoholic liquors are served must be a different color, size and design of those in which non-alcoholic beverages are served by the licensee.

g. The licensee, or their representatives or employees, shall not serve or deliver more than two (2) alcoholic beverages to a person at a time and no customer shall possess more than two (2) alcoholic beverages at any time.

h. The licensee shall maintain the insurance required by section 3-4-6 of this article and shall name the Village as an additional insured on the applicable policy.

i. There shall be no fee for a Village of Oak Park class E-2 liquor license.

3. Special Events Class E-3 Liquor License: Special events Class E-3 liquor license shall authorize the Park District of Oak Park ("Park District") to allow bring-your-own ("BYO") possession and consumption of ~~wine and beer liquor~~ within Austin Gardens during a ~~any~~ theatrical performance ~~by the non-profit theater organization Festival Theatre or its successor,~~ authorized by the Park District of Oak Park ("Park District") subject to the ~~following restrictions:~~ restrictions below:

a. A Class E-3 liquor license is valid only for outdoor theatrical performances in Austin Gardens.

b. No person under the age of twenty-one (21) years shall be allowed to possess or consume any ~~wine and beer~~ alcoholic liquor.

c. No signage announcing or advertising BYO ~~wine and beer~~ alcoholic liquor is permitted.

d. BYO possession and consumption is authorized only for a time period commencing ninety (90) minutes prior to the scheduled start of a performance and ending no later than thirty (30) minutes after the end of a performance.

e. No open containers of ~~wine and/or beer~~ alcoholic liquor shall be removed from Austin Gardens after performances are complete.

f. The Park District shall maintain the insurance required by section 3-4-6 of this article and shall name the Village as an additional insured on the applicable policy.

g. ~~Each Park District employee and volunteer who provides services during an applicable theatrical performance shall complete BASSET training by a State certified program approved by the Local Liquor Control Commissioner and shall provide proof of completion of such training to the Commissioner. The Park District shall ensure that at least one Park District employee, present at each theatrical event, will have received BASSET training by a State certified program and the Park District shall provide the BASSET certificate to the Village, upon request.~~

h. ~~The annual fee for a Class E-3 liquor license shall be five hundred dollars (\$500.00).~~ There shall be no fee for a Village of Oak Park class E-3 liquor license.

* * * *

3-4-4: NUMBER OF LIQUOR LICENSES:

No liquor licenses shall be issued pursuant to the provisions of this chapter, except after review by the Liquor Control Review Board based on specific applications for such a liquor license. After reviewing an application for license, the Liquor Control Review Board shall report its findings and recommendations to the Local Liquor Control Commissioner stating whether it is in the best interests of the Village of Oak Park to create a liquor license in a particular category to be granted to the applicant. The Local Liquor Control Commissioner shall submit the Local Liquor Control Commissioner's recommendation and the findings and recommendations of the Liquor Control Review Board to the Board of Trustees. Upon reviewing said recommendations, if the Board of Trustees determines it is in the best interests of the Village of Oak Park that such liquor license be issued, a liquor license shall be created by amendment to the appropriate subsection of section 3-4-2 of this article and said liquor license shall then be issued to the applicant. Liquor licenses so approved are listed in article 8 of this chapter.

* * * *

3-4-6: INSURANCE REQUIREMENTS:

A. All licensees shall have in effect prior to the issuance of any liquor license hereunder liquor liability insurance with limits of not less than one million dollars (\$1,000,000.00) combined single limit or one million dollars (\$1,000,000.00) per occurrence and per aggregate, and shall submit a certificate or policy of insurance as evidence of such coverage, issued by an insurance company licensed to do business in the State of Illinois and having a "Best" rating acceptable to the Village. The effective period of such insurance coverage shall coincide with the period the liquor license is in effect.

B. The Local Liquor Control Commissioner may allow insurance in lesser amounts as the Local Liquor Control Commissioner deems appropriate, based upon the conditions and circumstances surrounding the sale of alcoholic liquor by such licensee.

Section 6. Village Code Amended. Chapter 3 ("Alcoholic Liquor Dealers"), Article 5 ("Miscellaneous") of the Oak Park Village Code is amended by adding the underlined language and deleting the overstricken language to read as follows:

ARTICLE 5

MISCELLANEOUS

3-5-1: MISCELLANEOUS:

The Local Liquor Control Commissioner shall keep, or cause to be kept, a complete record of all such liquor licenses issued by the Local Liquor Control Commissioner.

* * * *

3-5-3: CHANGE IN PERSONNEL:

A. Any changes in partnerships, officers, directors, persons holding directly or beneficially more than five percent (5%) of the stock or ownership interest or managers of establishments licensed under this chapter, shall be reported in writing to the Local Liquor Control Commissioner within ten (10) days of the change. All new personnel shall meet all the standards of this chapter and must otherwise qualify to hold a liquor license. All such changes in personnel shall be subject to review by the Local Liquor Control Commissioner;

B. When a liquor license has been issued to a partnership and a change of ownership occurs resulting in a partnership interest by one who is not eligible to hold a liquor license, said liquor license shall terminate;

C. When a liquor license has been issued to a corporation and a change takes place in officers, directors, shareholders of more than five percent (5%) of the stock, or managers, resulting in the holding of office or such shares of stock by one who is not eligible for a liquor license, said liquor license shall terminate;

D. When a liquor license has been issued to ~~an a single~~ individual who is no longer eligible for a liquor license, said liquor license shall terminate. (Ord. 1994-0-43, 8-1-1994;)

* * * *

3-5-5: CHANGE OR EXTENSION OF LOCATION:

A. A liquor license shall permit the sale of alcoholic liquor only in the premises described in the application and license, and provided for in Article 3-5-5 B below. ~~Such~~ location may be changed or extended only upon a written permission to make such change or extension issued by the Local Liquor Control Commissioner. No change or extension of location shall be permitted unless the proposed new location is a proper one for the sale or service of alcoholic liquor under the laws of this state and the ordinances of the Village, and is handicapped accessible.

B. Permission may be granted for an extension of location to outdoor areas, which for the purpose of this chapter, contain tables adjacent to a facility at which alcoholic liquors are provided for sale. Permission for the use of public sidewalk, alleyway, private land on the same lot as the location of the liquor license, or paved parkway areas is contingent upon the prior issuance of a permit pursuant to section 22-10-2 of this code. Any permission for extension of location shall be subject to reasonable conditions prescribed by the Local Liquor Control Commissioner appropriate to the location. (Ord. 1994-0-43, 8-1-1994)

3-5-6: EMPLOYEES:

It shall be unlawful to employ in any premises used for the sale of alcoholic liquor any person who is afflicted with, or who is a carrier of, any contagious, or infectious ~~or venereal~~ disease; and it shall be unlawful for any person who is afflicted with, or is a carrier of, any such disease to work in or about any premises or to engage in any way in the handling, preparation or distribution of such liquor. (Ord. 1994-0-43, 8-1-1994)

3-5-7: CLOSING HOURS:

A. No person licensed under subsections 3-4-2A1, A2, A4, B1, B2, B3, B4, B5, B6, and D-1 ~~D2, D3, and D4~~ of this chapter as a seller of alcoholic liquor shall sell or permit to be sold or given away, any alcoholic liquor between the hours of one o'clock (1:00) A.M. and seven o'clock (7:00) A.M. Monday through Friday, except that sales may be made up to two o'clock (2:00) A.M. on Saturday or Sunday mornings and on the morning of New Year's Day, Memorial Day, Labor Day, Thanksgiving, and Christmas, however, no such sales shall be made between two o'clock (2:00) A.M. and seven o'clock (7:00) A.M. on Saturday and Sunday.

No establishment licensed under subsection 3-4-2A1 of this chapter shall sell or serve alcoholic liquor in meeting rooms and reception rooms in hotels between twelve o'clock (12:00) ~~midnight~~ AM and ~~nine o'clock (9:00) A.M.~~ seven o'clock (7:00) A.M.

B. No person licensed under either subsection 3-4-2A3 or E1 of this chapter shall sell or permit to be sold or given away, any alcoholic liquor between the hours of one o'clock (1:00) A.M. and ~~nine o'clock (9:00) A.M.~~ seven o'clock (7:00) A.M. and all patrons and customers of said licensee shall leave the premises not later than thirty (30) minutes following the closing hours herein established.

C. Patrons who have been served a meal in food establishments under class A-1 (in hotels with less than one hundred (100) rooms), B-1, B-2, B-3, or B-4, B-5 or B-6 liquor licenses may continue to be served alcoholic liquor or consume for one hour after the service of food has ceased, but in no event later than the hours of closing established above.

D. Patrons of food establishments under class A-1 liquor licenses, in hotels with one hundred (100) rooms or more, may continue to be served alcoholic liquor for two (2) hours after the service of food has ceased, but in no event later than the hours of closing established above.

3-5-8: SIGNS:

Any exterior facing sign on premises indicating that alcoholic liquor is sold therein shall be subordinate to the sign indicating the principal business of the licensed premises and shall conform to all applicable sign ordinances of the Village. No such sign visible on the outside or through exterior windows facing the public right-of-way shall advertise any particular alcoholic product by brand name.

3-5-9: SALES TO MINORS:

A. No licensee or officer, associate, agent or employee of such licensee shall sell, give or deliver alcoholic liquor to any person under the age of twenty-one (21) years. It shall be unlawful for any person under the age of twenty-one (21) years to misrepresent his or her age for the purpose of purchasing or obtaining alcoholic liquor. In any place in the Village where alcoholic liquor is sold, including at each cash register at which alcoholic liquor may be sold, there shall be displayed at all times in a prominent place a printed card which shall be supplied by the Village ~~Clerk~~ and which shall read substantially as follows:

WARNING TO PERSONS UNDER THE AGE OF 21 YEARS:

You are subject to a fine up to \$750.00 under the ordinances of the Village of Oak Park, if you purchase alcoholic liquor, or misrepresent your age for the purpose of purchasing or obtaining alcoholic liquor.

B. It shall be unlawful for any holder of a liquor license, or the licensee's agent or employee, to suffer or permit any minor to be in, or remain in, any room or compartment adjoining or adjacent to or situated in the room or place where such licensed premises is located; provided that this subsection shall not apply to any minor who is accompanied by his or her parent or guardian, or to any licensed premises which derives its principal business from the sale of service or other commodities than alcoholic liquor. In addition to all other fines and penalties, the Local Liquor Control Commissioner may revoke the liquor dealer's liquor license for any violation of the preceding subsection. It shall be unlawful for any parent or guardian to permit any minor child of whom he or she be parent or guardian to violate any provisions of this section.

C. It shall be unlawful for any holder of a liquor license or the licensee's agent or employee to employ any persons under the age of twenty one (21) years for the purpose of drawing, pouring, mixing or selling any alcoholic liquor or employ any person under the age of eighteen (18) years for the purpose of serving alcoholic liquor. (Ord. 2012-0-28, 6-4-2012)

3-5-10: SEALING AND REMOVAL OF OPEN WINE FROM A RESTAURANT:

Any class B restaurant ~~liquor~~ licensee may permit a patron to remove one unsealed and partially consumed bottle of wine for off premises consumption provided that the patron has purchased a meal and consumed a portion of the bottle of wine with the meal on the restaurant premises. A partially consumed bottle of wine that is to be removed from the premises pursuant to this section shall be securely sealed by the licensee or an agent of the licensee prior to removal from the premises and placed in a ~~transparent onetime use tamperproof~~ bag. The licensee or agent of the licensee shall attach to the bag ~~provide~~ a dated receipt for the bottle of wine to the patron. Wine that is resealed in accordance with the provisions of this section and not tampered with and is transported in the trunk of a vehicle or in the cargo area of a sport utility vehicle, shall not be deemed an unsealed container for the purposes of section 11-502 of the Illinois vehicle code.

3-5-11: DELIVERY AND CARRY OUT MIXED DRINKS PERMITTED:

The delivery and carry out of mixed drinks for sale by Class B restaurant ~~liquor~~ licensees is permitted in the Village pursuant to section 6-28.8 of the Illinois Liquor Control Act, 235 Illinois Compiled Statutes 5/6-28.8, as amended ("section 6-28.8"), for such time as section 6-28.8 remains in effect. The requirements of section 6-28.8 and any rules promulgated by the Illinois Liquor Control Commission pursuant to said section shall be applicable to such sales. (Ord. 20-044, 5-28-2020)

Qualifying Class B licensees, may provide carryout, curbside pickup, and delivery of cocktails, mixed drinks, and single servings of wine ("to-go cocktails") for off-premises consumption, subject to the following requirements:

A. TRANSFER TO CONSUMER: To-go cocktails may be transferred to the consumer within the licensed premises for carryout, transferred via curbside pickup, or delivered by the retail licensee. To-go cocktails may ONLY be sold or delivered by an employee of the licensee, who is at least 21, and has a valid Beverage Alcohol Sellers and Servers Education and Training (BASSET) license.

1. Age Verification: Before transferring or delivering a to-go cocktail to a customer, the employee must verify the consumer is at least 21 years-of-age. If the employee cannot

- verify the consumer's age or intoxication level upon delivery, the employee must cancel the sale of the to-go cocktails and return the drinks to the retail licensee's location.
2. Employee Delivery / Curbside Pickup: To-go cocktails must be placed in the trunk of the vehicle, or, if there is no trunk, in the vehicle's rear compartment that is not readily accessible to the passenger area. To-go cocktails MUST NOT be placed or transported in the passenger area of a vehicle.
- B. CONTAINER / PACKAGING: To-go cocktails must be packaged by the retail licensee at the licensee's location in a sealed, tamper-proof-evident container:
1. Sealed Container: A new container that is rigid, with a secured lid or cap designed to prevent consumption without removal of the tamper-evident lid or cap. "Sealed container" does NOT include a container with a lid with sipping holes or openings for straws or a container made of plastic, paper, or polystyrene foam.
2. Tamper-proof-evident: The lid or cap must be sealed with a tamper-evident cover, such as wax dip or heat shrink wrap. Tamper-evident covers must be designed to make it apparent that the container has been opened and tampered with after the container was sealed by the retail licensee.
- C. LABELING: Each to-go cocktail container must have a label or tag attached that contains the following information:
- 1) The cocktail or mixed drink name and ingredients, including but not limited to the type(s) of the alcohol in the drink;
- 2) The name, State liquor license number, and address of the retail licensee that filled the original container and sold the to-go cocktail;
- 3) The volume of the cocktail, mixed drink, or single serving of wine in the sealed container; and
- 4) Information showing that the sealed container was filled less than 7 days before the date of sale, such as a bottling date or packaging date.
- D. Third-Party: Third-party delivery services are not permitted to deliver to-go cocktails.

Section 7. Village Code Amended. Chapter 3 ("Alcoholic Liquor Dealers"), Article 6 ("Sales on Credit") of the Oak Park Village Code is amended by adding the underlined language and deleting the overstricken language to read as follows:

ARTICLE 6
SALES ON CREDIT

3-6-1: SALES ON CREDIT:

No person shall sell or furnish alcoholic liquor to any person on credit, or on a passbook, or order on a store, or in exchange for any goods, wares or merchandise, or in payment for any services rendered; and if any person shall extend credit for such purpose the debt thereby attempted to be created shall not be recoverable at law; provided that this prohibition does not apply to the purchase of alcohol with credit cards; provided further that nothing herein contained shall be construed to prevent any club from permitting checks or statements for alcoholic liquor to be signed by members or bona fide guests

of members and charged to the account of such members or guests in accordance with the bylaws of said club; and provided further that nothing herein contained shall be construed to prevent any hotel from permitting checks or statements for liquor to be signed by regular guests residing at said hotel and charged to the accounts of said guests. (Ord. 1994-0-43, 8-1-94)

* * * *

~~3-6-3: REUSE OF PREMISES:~~

~~When any liquor license shall have been revoked for any cause, no liquor license shall be granted to any person for the period of one year thereafter for the conduct of business of selling alcoholic liquor in the premises described in such revoked liquor license. (Ord. 1994-0-43, 8-1-94)~~

Section 8. Village Code Amended. Chapter 3 ("Alcoholic Liquor Dealers"), Article 7 ("Issuance and Renewal of Liquor License; Enforcement") of the Oak Park Village Code is amended by adding the underlined language and deleting the overstricken language to read as follows:

ARTICLE 7
ISSUANCE AND RENEWAL OF LIQUOR LICENSES; ENFORCEMENT

* * * *

3-7-2: LOCAL LIQUOR CONTROL COMMISSIONER TO ADOPT REGULATIONS:

A. The Local Liquor Control Commissioner shall adopt regulations for the conduct of the Local Liquor Control Commissioner's office. Such regulations shall guarantee adequate standards of substantive and procedural due process for local ~~liquor~~ licensees; applicants for local liquor licenses and renewals thereof; persons who file complaints as hereinafter provided; and the Village, when it appears as a party in any hearing conducted by, or on behalf of, the Local Liquor Control Commissioner.

B. All such regulations shall be in writing and shall be approved as to legal form by the Village Attorney prior to their becoming effective. All such regulations are subject to prior approval by the President and Board of Trustees.

3-7-3: FUNCTIONS AND DUTIES OF THE LIQUOR CONTROL REVIEW BOARD:

A. The Liquor Control Review Board shall assist the Local Liquor Control Commissioner in investigating applications for the initial issuance and renewals of local liquor licenses, as provided by regulations issued by the Local Liquor Control Commissioner. The Liquor Control Review Board shall perform the duties imposed by this chapter and such other duties as the Local Liquor Control Commissioner may provide by regulation.

B. The Local Liquor Control Commissioner may, by regulations adopted by the Local Liquor Control Commissioner, appoint one or more members of the Liquor Control Review Board, or any other resident or residents of the Village, to act as deputy Local Liquor Control Commissioners to assist in the performance of the Local Liquor Control Commissioner's duties. Such deputy Local Liquor Control Commissioner may be compensated as provided for by an ordinance or resolution adopted by the President and Board of Trustees.

3-7-4: PROCEDURE FOR ISSUING LOCAL LIQUOR LICENSES:

A. The Local Liquor Control Commissioner shall, by regulation issued by the Local Liquor Control Commissioner, determine the application procedure and the form of applications for the initial issuance of local liquor licenses.

B. Upon receipt of an application for the initial issuance of a local liquor license, the Local Liquor Control Commissioner shall first determine if the President and Board of Trustees has created a liquor license category of the type applied for, and if a liquor license in such category is available to be issued by the Local Liquor Control Commissioner. The Local Liquor Control Commissioner shall forward it to the Liquor Control Review Board, together with the Local Liquor Control Commissioner's findings and instructions, for review, provided, however, that in the case of a special event class E-2 liquor license, the Local Liquor Control Commissioner may grant or deny the liquor license by letter to the applicant, without referral to the Liquor Control Review Board or the Village Board, provided that the Local Liquor Control Commissioner may only grant a liquor license if he or she determines that the liquor license is authorized in accordance with subsection 3-4-2E2 of this chapter, and the applicant has complied with the requirements of subsection 3-2-3B of this chapter. An applicant may appeal the denial of a special event class E-2 liquor license as set forth in section 3-7-9 of this article. Notwithstanding the provisions in section 3-7-5 of this article, no special event class E-2 liquor license may be renewed.

C. The Liquor Control Review Board shall, upon receipt of a liquor license application, conduct an investigation of the advisability of issuing a liquor license in an existing category, or the creation of a new category of liquor license, as provided by regulations issued by the Local Liquor Control Commissioner. Such investigation shall include, but is not limited to, determining those facts which show if the applicant meets all requirements of the Illinois liquor control act, and all other applicable State statutes, and ordinances of the Village, relating to the granting of a local liquor license. The investigation shall also include an examination of the experience of the applicant in the business proposed to be conducted by the applicant and such facts as may be considered necessary by the Local Liquor Control Commissioner and the Liquor Control Review Board to demonstrate the likelihood of financial success of the applicant in the proposed business. Opinions of the Local Liquor Control Commissioner and the Liquor Control Review Board members with respect to such financial success which are not supported by findings of fact shall not, in and of themselves, be grounds for denial of a liquor license by the Local Liquor Control Commissioner, or for the refusal of the President and Board of Trustees to create the category of liquor license applied for.

D. The Liquor Control Review Board shall, upon the completion of its investigation, forward to the Local Liquor Control Commissioner a report of the facts determined in its investigation, and its recommendations concerning the application, and the creation of the category of liquor license applied for, if required. Upon receipt of such report, the Local Liquor Control Commissioner may accept it, reject it, in whole or in part, return it to the Liquor Control Review Board for further proceedings as directed by the Local Liquor Control Commissioner, or take such other action as the Local Liquor Control Commissioner believes appropriate.

E. The Local Liquor Control Commissioner shall, within a reasonable time in light of all circumstances, forward the report to the President and Board of Trustees, containing the Local Liquor Control Commissioner's recommendations concerning the creation of a new liquor license in an existing

category or a new liquor license category requested by the applicant. The report shall also state the recommendation of the Liquor Control Review Board and shall indicate the position of the Local Liquor Control Commissioner with regard to such recommendation.

F. Upon receipt of the report of the Local Liquor Control Commissioner, the Village Board shall determine, in its sole discretion, whether or not to create the new liquor license in the existing category or the new liquor license category addressed in the report and, if appropriate, the creation of a new liquor license under the new category.

G. Within such time as the Local Liquor Control Commissioner judges appropriate after the creation by the President and Board of Trustees of the local liquor license requested by the applicant, the Local Liquor Control Commissioner shall issue the liquor license to the applicant, if the Local Liquor Control Commissioner has determined that the applicant has satisfied all requirements for the local liquor license.

H. In the event that an application is rejected by the Local Liquor Control Commissioner, the Village Board may overrule the Local Liquor Control Commissioner and direct the Local Liquor Control Commissioner to issue the liquor license if the applicant appeals the decision of the Local Liquor Control Commissioner to the Village Board in writing within thirty (30) days of the rejection of the application by the Local Liquor Control Commissioner. If the Local Liquor Control Commissioner is overruled by the Village Board and the Village Board has, by ordinance, created a new liquor license category and liquor license therefor, or a new liquor license in an existing category of the class applied for by the applicant, the Local Liquor Control Commissioner shall issue such liquor license to the applicant.

3-7-5: RENEWAL OF LIQUOR LICENSE:

A. Not later than sixty (60) days prior to the expiration of a local liquor license, the licensee may submit an application to the Local Liquor Control Commissioner for renewal thereof. The Local Liquor Control Commissioner shall prescribe regulations concerning the form and content of such application. If such application is not filed within the time prescribed, the Local Liquor Control Commissioner may conclude that the licensee does not desire that the liquor license be renewed and may proceed accordingly.

B. Upon receipt of an application for renewal of a liquor license, the Local Liquor Control Commissioner shall forward it to the Liquor Control Review Board for review.

C. The Liquor Control Review Board shall conduct an investigation to determine facts concerning the continued qualifications of the licensee to hold a local liquor license; the compliance by the licensee with all applicable statutes and ordinances during the term of the liquor license; the continued advisability of allowing the licensee to renew the licensee's liquor license, and the advisability of continuing such category of local liquor license.

D. Within such time as the Local Liquor Control Commissioner may prescribe by regulation, the Liquor Control Review Board shall submit a report to the Local Liquor Control Commissioner. Such report shall state the findings of fact made by the Liquor Control Review Board as a result of its investigation, and its recommendation about the renewal or nonrenewal of the liquor license.

E. Upon receipt of the report of the Liquor Control Review Board, the Local Liquor Control Commissioner may accept it, reject it, in whole or in part, return it to the Liquor Control Review Board for further proceedings as directed by the Local Liquor Control Commissioner or take such other action as the Local Liquor Control Commissioner feels appropriate. If the Commissioner believes that the liquor license is to be renewed, the Local Liquor Control Commissioner shall do so within such time as the Local Liquor Control Commissioner considers appropriate in light of all the circumstances. If the Local Liquor Control Commissioner decides that the liquor license should not be renewed, the Local Liquor Control Commissioner shall, not later than five (5) days prior to the expiration of the current liquor license, notify the licensee of such decision.

F. The Local Liquor Control Commissioner shall report all liquor license renewals to the President and Board of Trustees. The Local Liquor Control Commissioner shall also report all rejections of renewal applications, together with the reasons therefor, to the President and Board of Trustees within ten (10) days after the decision is made. Upon receipt of such report, the President and Board of Trustees may, not later than the second regularly scheduled meeting thereof after the expiration, without appeal, of the final date upon which the applicant may file an appeal with the Village Board of the Local Liquor Control Commissioner's decision to reject the applicant's renewal application, cancel the category of liquor license, or reduce the number of liquor licenses available in such category.

G. If the President and Board of Trustees do not act to cancel the category of liquor license or reduce the number of liquor licenses available in such category within the time limit prescribed herein, the Local Liquor Control Commissioner may issue a liquor license in such category to any applicant therefor, provided the procedure required by section 3-7-4 of this article has been complied with.

3-7-6: ENFORCEMENT:

A. The Local Liquor Control Commissioner is charged with the enforcement of the Illinois liquor control act and all other applicable State statutes, this chapter and all other applicable ordinances, with respect to local liquor control in the Village.

B. The Local Liquor Control Commissioner shall investigate, or cause to be investigated, all complaints of violations of applicable law submitted in accordance with section 3-7-8 of this article. The Local Liquor Control Commissioner may initiate and conduct, or cause to be conducted, an investigation if the Local Liquor Control Commissioner has reason to believe that a licensee has violated any applicable law or regulation issued by the Local Liquor Control Commissioner. The Local Liquor Control Commissioner may also initiate and conduct, or cause to be conducted, an investigation into the advisability of the renewal of any liquor license, or the continuance of a category of liquor license created by the President and Board of Trustees. The Local Liquor Control Commissioner may appoint a deputy Local Liquor Control Commissioner to conduct an investigation, or direct the Liquor Control Review Board to conduct any such investigation, and submit the deputy's or Board's report thereof to the Local Liquor Control Commissioner for action.

C. If, as the result of any investigation conducted by the Local Liquor Control Commissioner, or on the Local Liquor Control Commissioner's behalf, the Local Liquor Control Commissioner determines that enforcement of any applicable law may be required, the Local Liquor Control Commissioner shall conduct a hearing thereon as hereinafter provided.

D. Provided that the Local Liquor Control Commissioner has complied with this chapter, and all other applicable law and regulations, concerning notices, and hearings, if the same be required, and also provided that the Local Liquor Control Commissioner has determined that enforcement of this Chapter, or any other applicable law, is required under the circumstances, the Local Liquor Control Commissioner may:

1. Issue a warning to the licensee;
2. Impose a fine upon the licensee, in lieu of suspension or revocation of the liquor license, not to exceed one thousand dollars (\$1,000.00) per violation; provided, that not more than ten thousand dollars (\$10,000.00) in total fines may be imposed upon a licensee during the period of the liquor license;
3. Suspend the local liquor license for a period not to exceed thirty (30) days;
4. Revoke the liquor license for cause;
5. Impose reasonable hearing costs after finding of a violation.

The Local Liquor Control Commissioner will establish regulations which address the procedures, content and form for orders providing for a warning, fine, suspension or revocation.

3-7-7: HEARINGS:

A. The Local Liquor Control Commissioner, or a designee of the Local Liquor Control Commissioner, or the Liquor Control Review Board, as determined by the Local Liquor Control Commissioner, shall conduct all hearings required by the Illinois liquor control act, this chapter, or other applicable law.

B. The Local Liquor Control Commissioner shall, by regulation, provide for the orderly conduct of such hearings. Such regulations shall contain provisions for notice to all parties as required by law, and may contain provisions for notice to other interested persons as the Local Liquor Control Commissioner shall determine.

C. A transcript of all such hearings shall be made by a court reporter appointed by the Local Liquor Control Commissioner. The cost of such transcript shall be paid by the Village. The Local Liquor Control Commissioner may prescribe, by regulation issued by the Local Liquor Control Commissioner, that the parties to any proceeding to be transcribed by a court reporter, shall share the cost of such court reporter in order to obtain a copy of such transcript. The Local Liquor Control Commissioner may, by regulation, prescribe that no other record of the proceedings may be made by any person, including electronic, or tape recording, other than the court reporter appointed by the Local Liquor Control Commissioner. (Ord. 1994-0-43, 8-1-1994)

3-7-8: COMPLAINTS:

A. Any person may file a complaint with the Local Liquor Control Commissioner that a licensee has violated any provision of the Illinois liquor control act, this chapter, or any other applicable statute, ordinance or regulation.

B. Such complaint shall be made on oath or affirmation, and be in the form and contain the information the Local Liquor Control Commissioner shall prescribe by regulation.

C. Upon the receipt of such complaint, the Local Liquor Control Commissioner shall make an initial determination if there is reasonable cause to believe that a violation may exist. If the Local Liquor Control Commissioner determines that no such reasonable cause does exist, the Local Liquor Control Commissioner's decision shall be final, and subject to appeal as hereinafter provided. If the Local Liquor Control Commissioner determines that there is reasonable cause to believe that a violation exists, the Local Liquor Control Commissioner shall conduct a hearing thereon as provided in section 3-7-7 of this article, or appoint a deputy Local Liquor Control Commissioner to conduct such hearing, or refer the matter to the Liquor Control Review Board for hearing.

D. The Village may file a complaint by its Village Attorney if the President and Board of Trustees have, by resolution, determined that a violation may exist and that it is in the best interest of the Village to do so. Such complaint shall be under oath, and signed by the Trustee with the longest tenure in office then sitting on the Village Board.

E. All such complaints shall be made under oath or affirmation by the complainant.

F. The Local Liquor Control Commissioner shall provide, by regulation adopted by the Local Liquor Control Commissioner, for the orderly processing of a complaint filed as provided herein. (Ord. 1994-0-43, 8-1-1994)

3-7-9: APPEALS:

A. A final determination by the Local Liquor Control Commissioner on any complaint filed hereunder shall be subject to appeal to the Illinois Liquor Control Commission, or the Circuit Court of Cook County, Illinois, as provided by law.

B. A determination by the Local Liquor Control Commissioner with respect to any matter not subject to appeal to the Illinois Liquor Control Commission, or the Circuit Court of Cook County, as provided by law may be taken by the aggrieved party to the President and Board of Trustees. The decision of the President and Board of Trustees on such appeal shall be final. It shall also be subject to appeal pursuant to 235 ILCS 5/7-5 ~~Circuit Court of Cook County as otherwise provided by law.~~

C. The Local Liquor Control Commissioner shall adopt regulations governing the appeal of any matter provided for herein. (Ord. 1994-0-43, 8-1-1994)

D. The decision of the Local Liquor Control Commissioner, in granting or refusing to grant a liquor license following hearing, may be appealed to the state liquor control commission, and shall be considered by such commission on the record, and not de novo.

3-7-10: VILLAGE OFFICERS AND EMPLOYEES TO COOPERATE:

Every Village officer and employee by and through the Village Manager shall render such assistance to the Local Liquor Control Commissioner, the Local Liquor Control Commissioner's deputies, and the Liquor Control Review Board as they may request to assist them in the performance of their duties.

Section 9. Village Code Amended. Chapter 3 ("Alcoholic Liquor Dealers"), Article 8 ("List of Licenses for Each License Class") of the Oak Park Village Code is amended by adding the underlined language and deleting the overstricken language to read as follows:

ARTICLE 8
LIST OF LICENSES FOR EACH LICENSE CLASS

3-8-1: NUMBER OF LICENSES PERMITTED TO BE ISSUED PER LIQUOR LICENSE CLASS:

A-1	No more than one Class A-1 <u>liquor</u> license shall be issued.
A-2	No more than two (2) Class A-2 <u>liquor</u> licenses shall be issued.
A-3	No more than one Class A-3 <u>liquor</u> license shall be issued.
A-4	No more than four (4) Class A-4 <u>liquor</u> licenses shall be issued.
B-1	No more than eighteen (18) Class B-1 <u>liquor</u> licenses shall be issued.
B-2	No more than eight (8) Class B-2 <u>liquor</u> licenses shall be issued.
B-3	No more than three (3) Class B-3 <u>liquor</u> licenses shall be issued.
B-4	No more than twenty-one (21) Class B-4 <u>liquor</u> licenses shall be issued.
B-5	No more than one Class B-5 <u>liquor</u> license shall be issued.
B-6	No more than three (3) Class B-6 <u>liquor</u> licenses shall be issued.
B-7	No more than one (1) <u>liquor</u> license shall be issued.
C-1	No more than eleven (11) Class C-1 <u>liquor</u> licenses shall be issued.
C-2	No more than zero (0) Class C-2 <u>liquor</u> license shall be issued.
C-3	No more than zero (0) Class C-3 <u>liquor</u> licenses shall be issued.
C-4	No more than zero (0) Class C-4 <u>liquor</u> licenses shall be issued.
C-5	No more than zero (0) Class C-5 <u>liquor</u> licenses shall be issued.
C-6	No more than zero (0) Class C-6 <u>liquor</u> licenses shall be issued.
C-7	No more than one Class C-7 <u>liquor</u> license shall be issued.
C-8	No more than one Class C-8 <u>liquor</u> license shall be issued.
D-1	No more than zero (0) Class D-1 <u>liquor</u> licenses shall be issued.
D-2	No more than zero (0) Class D-2 <u>liquor</u> licenses shall be issued.
D-3	No more than one (1) Class D-3 <u>liquor</u> licenses shall be issued.
D-4	No more than zero (0) Class D-4 <u>liquor</u> licenses shall be issued.
D-5	No more than zero (0) Class D-5 <u>liquor</u> licenses shall be issued.
D-6	No more than zero (0) Class D-6 <u>liquor</u> licenses shall be issued.
D-7	No more than one Class D-7 <u>liquor</u> license shall be issued.
D-8	No more than three (3) Class D-8 <u>liquor</u> licenses shall be issued.
D-9	No more than one (1) Class D-9 <u>liquor</u> license shall be issued.
D-10-1	No more than zero (0) Class D-10-1 <u>liquor</u> licenses shall be issued.
D-10-2	No more than one (1) Class D-10-2 <u>liquor</u> license shall be issued.
D-11	No more than two (2) Class D-11 <u>liquor</u> licenses shall be issued.
D-12	No more than zero (0) Class D-12 <u>liquor</u> licenses shall be issued.

D-13	No more than zero (0) Class D-13 <u>liquor</u> licenses shall be issued.
D-14	No more than one (1) Class D-14 <u>liquor</u> licenses shall be issued.
D-15	No more than one (1) Class D-15 <u>liquor</u> license shall be issued.
D-16	No more than one (1) Class D-16 <u>liquor</u> license shall be issued.
D-17	No more than two (2) Class D-17 <u>liquor</u> license shall be issued.
E-1	No more than seventeen (17) Class E-1 <u>liquor</u> licenses shall be issued.
E-2	No more than twenty-five (25) Class E-2 <u>liquor</u> licenses shall be issued.
E-3	No more than one Class E-3 <u>liquor</u> license shall be issued.

3-8-2: LICENSES BY NAME AND ADDRESS PER LICENSE:

CLASS A-1	Carleton Hotel	1110 Pleasant Street
CLASS A-2	La Notte Ventures, Inc.,DBA La Notte Ristorante Italiano	1120 Pleasant Street
	Poor Phil's Inc., DBA Poor Phil's Oyster Bar and Grill	139 S. Marion Street
CLASS A-3	The Nineteenth Century Club	178 Forest Avenue
CLASS A-4	Kettlestrings Kitchen & Tap, Inc., DBA Betty's Pizza & Pasta	1103 South Boulevard
	Premier Catering & Events, LLC	5559 S. Archer Avenue, Ste. 3 IL 60638
	Robinson's No. 1 Rib, Inc., DBA Robinson's Ribs Bar & Grill	848 Madison Street
	Twomaytoz, Inc., DBA Cucina Paradiso	814 North Boulevard
CLASS B-1	Brewpoint Craft OP LLC, DBA Brewpoint Craft Oak Park	463 South Oak Park Avenue
	Café Cubano Oak Park LLC, DBA Café	113 N. Oak Park Avenue
	Cajun Seafood, Inc.	1107-1109 South Boulevard
	Chaiya, Inc., DBA SEN Asian Bowl and Sushi Bar	814 S. Oak Park Avenue
	Eleven-Thirty Chicago, Inc., DBA Penny's Oak Park	1130 Chicago Avenue
	Il Vicolo Oak Park, Inc., DBA Il Vicolo Trattoria	116 N. Oak Park Avenue
	Leek Restaurant Group, LLC, DBA Tacos 76	838 Madison Street
	Oak Park Egg Harbor, LLC, DBA Egg Harbor	1111 South Boulevard
	Rene Roman, Inc., DBA Margaritas	804 S. Oak Park Avenue
	Robinson's No. 1 Rib, Inc., DBA Robinson's Ribs Bar & Grill	848 Madison Street

	Scratch Properties, Inc., DBA Scratch on Lake	733 Lake Street
	Sushi House Oak Park LLC, DBA Sushi House	1107 Lake Street
	Tacos El Tio #4, Inc., DBA Tacos El Tio	1115 Lake Street
	Taco Mucho LLC, DBA Taco Mucho	220 - 222 Harrison Street
	The Little Gem, Inc., DBA Encore by Little Gem	187 N. Marion Street
	The Little Gem, Inc., DBA Little Gem Cafe	189 N. Marion Street
	Tre Sorelle Ristorante, Inc., DBA Tre Sorelle Ristorante	1111 Lake Street
	Victory Oak Park, LLC, DBA Victory Italian	100 S. Marion Street
CLASS B-2	Jawid, Inc., DBA Khyber Pass	1031 West Lake Street
	Lux Food Service LLC, DBA Kyuramen	118 N. Marion Street
	Mama Thai, Inc., DBA Mama Thai Restaurant	1112 Madison Street
	Marie's Best Pizza, Inc., DBA Giordano's of Oak Park	1115 Chicago Avenue
	Nando's of Oak Park, LLC, DBA Nando's Peri-Peri	1138 Lake Street
	Q-BBQ Oak Park, LLC	124 North Marion Street
	Royale Liquors LLC DBA Pete's Fresh Market 259 Lake	259 Lake Street
CLASS B-3	Chipotle Mexican Grill, Inc., DBA Chipotle Mexican Grill	1132 Lake Street
	I'm Hot Sauce Company, DBA Mulata Kitchen + Coffee	136 N. Oak Park Avenue
	Suburrito, Inc., DBA Hecho En Oak Park	1053 Lake Street
CLASS B-4	Bricks of Oak Park, LLC, DBA Bricks Wood Fired Pizza Café	128 N. Oak Park Avenue
	Citrine Cafe, LLC	100 S. Oak Park Avenue
	Costello's S & S, Inc., DBA Trattoria 225	225 Harrison Street
	Crepas Culichi Brunch, Inc., DBA Crepas Culichi	1101 Lake Street
	Grupo Fenix, LLC, DBA Amerikas	734 Lake Street
	Kettlestrings Kitchen & Tap, Inc., DBA Betty's Pizza and Pasta	1103 South Boulevard
	Kettlestrings Kitchen & Tap, Inc., DBA Kettlestrings Tavern	800 S. Oak Park Avenue
	Kettlestrings Kitchen & Tap, Inc., DBA The Grove	107 S. Marion Street
	Luma Limited DBA Lou Malnati's Pizzeria	1038 W. Lake Street
	Lux BBQ OP LLC, DBA Gyumon Japanese BBQ	105 North Marion Street
	Maya Del Sol, LLC, DBA Maya Del Sol	142-44 S. Oak Park Avenue

	Medicova, LLC	722 Lake Street
	Mora Asian Kitchen	201 Harrison Street
	Nafpaktos, Inc., DBA Agora Bistro	728 Lake Street
	Nikoathana, Inc., DBA Bourbon Fire	133 S. Oak Park Avenue
	Oak Park Waffles, LLC	726 Lake Street
	RG Management LLC, DBA Avenue Ale House	825 S. Oak Park Avenue
	Salerno's Pizza & Pasta of Oak Park, Inc., DBA Salerno's Pizza & Pasta	7124-28 Roosevelt Road
	Sistar 5 Inc., DBA Rustico	155 S. Oak Park Avenue
	T.G.I. Friday's, Inc., DBA T.G.I. Friday's	401 N. Harlem Avenue
	Tasty Inc., DBA Hemmingway's Bistro	211 N. Oak Park Avenue
	Twomaytoz, Inc., DBA Cucina Paradiso	814 North Boulevard
CLASS B-5	Cooper's Hawk Oak Park, LLC, DBA Cooper's Hawk Winery and Restaurant	950 Lake Street
CLASS B-6	New Pot Restaurant	727 Lake Street
	VFJ Enterprises II Inc., DBA Chicago's Home Of Chicken & Waffles	543 Madison Street
	C. Parlato, LLC, DBA Ciro	1048 Pleasant Street
CLASS B-7	American House Illinois Liquor, LLC DBA American House	703 Madison Street
CLASS C-1	Bond Drug Company of IL, LLC, DBA Walgreens #5235	6412 Roosevelt Road
	Bond Drug Company of IL, LLC, DBA Walgreens #11760	811 Madison Street
	Highland Park CVS #2844	6748 Roosevelt Road
	Highland Park CVS #3163	345 Madison Street
	Jewel Food Stores, Inc., DBA Jewel Food Store #3236	7036 Roosevelt Road
	Jewel Food Stores, Inc., DBA Jewel Food Store #3288	438 Madison Street
	Royale Liquors LLC, DBA Pete's Fresh Market 259 Lake	259 Lake Street
	Sugar Beet Food Store Cooperative	812 Madison Street
	Target Corporation	1129 Lake Street
	Trader Joe's East, Inc., DBA Trader Joe's #697	483 N. Harlem Avenue
	Urban Markets of Oak Park, Inc., DBA Carnival Grocery	824 S. Oak Park Avenue
CLASS C-2		

CLASS C-3		
CLASS C-4		
CLASS C-5		
CLASS C-6		
CLASS C-7	Avarom, Inc., DBA Careful Peach Boutique	1024 North Boulevard
CLASS C-8	L'Alberello, Inc., DBA Anfora	128 S. Marion Street
CLASS D-9	Comedy Plex, LLC, DBA Comedy Plex	1128 Lake Street
CLASS D-1		
CLASS D-2		
CLASS D-3	Berggren Development Corporation, DBA The Tennis and Fitness Centre	301 Lake Street
CLASS D-4		
CLASS D-5		
CLASS D-6		
CLASS D-7	The Oak Park Public Library	834 Lake Street
CLASS D-8	Hospitality Services Group, LLC	3651 W. Fullerton Ave., Chicago 60647
	La Cuisine Catering Company	17W693 Roosevelt Road, #3, Terrace, Illinois
	Sweet Baby Ray's Barbecue Wood Dale, LLC, DBA True Cuisine Catering	235 E. Irving Park Road, Wood Dale, IL 60191
CLASS D-9		
CLASS D-10-2	Atticus Edison, LLC, DBA Val's Halla Records	239 Harrison Street
CLASS D-11	OPRF Civic Theatre DBA Madison Street Theatre	1010 Madison Street
CLASS D-12		
CLASS D-13		
CLASS D-14	Lake Street Brewing, LLC	1 Lake Street
CLASS D-15	Noble Kinsman Brewing Company, LLC, DBA Kinslahger Brewing Company	6806 Roosevelt Road
CLASS D-16	JD North Blvd Holdings LLC, DBA	1026 North Boulevard
	The Beer Shop	1026 North Boulevard
CLASS D-17	MRM Three, LLC, DBA Spilt Milk	811 South Boulevard
	1759 W. Grand, LLC, DBA Publican Quality Bread	211 Harrison Street
CLASS D-18	Tivoli Enterprises, Inc., DBA Lake Theatre	1022 Lake Street
CLASS E-1	Catholic Bishop of Chicago For Ascension, DBA Ascension Church	808 S. East Avenue

	Catholic Bishop of Chicago For St. Giles Parish	1045 Columbian Avenue
	Downtown Oak Park	1010 Lake Street, #114
	Fenwick High School	505 Washington
	Good Shepherd Lutheran Church	611 Randolph
	Oak Park Arts District Business Association	Harrison Street
	Oak Park Park District	218 Madison Street
	Oak Park-River Forest Chamber of Commerce	141 S. Oak Park Avenue
	Oak Park-River Forest Day Nursery	1139 Randolph Street
	Oak Park-River Forest Infant Welfare Society	330 Lake Street
	Oak Park Temple	1235 N. Harlem Avenue
	Rush Oak Park Hospital	520 S. Maple Avenue
	St. Catherine - St. Lucy	34 N. Austin Boulevard
	St. Christopher's Episcopal Church	545 S. East Avenue
	St. Edmund Church	188 S. Oak Park Avenue
	Seven Generations Ahead	642 S. Lombard
	Unity Temple - Unitarian	875 Lake Street
CLASS E-3	Park District of Oak Park	218 Madison Street

Section 10. 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 11. Effective Date. This Ordinance shall be in full force and effect after its approval, passage and publication as provided by law.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

ADOPTED this ____ day of November, 2025, pursuant to a roll call vote at follows:

Voting	Aye	Nay	Abstain	Absent
President Scaman				
Trustee Eder				
Trustee Enyia				
Trustee Leving Jacobson				
Trustee Straw				
Trustee Taglia				
Trustee Wesley				

APPROVED this ____ day of November, 2025.

Vicki Scaman, Village President

ATTEST

Christina M. Waters, Village Clerk

Published in pamphlet form this ____ day of November, 2025.

Christina M. Waters, Village Clerk