

ORDINANCE

AN ORDINANCE AMENDING CHAPTER 3 (“ALCOHOLIC LIQUOR DEALERS”), ARTICLE 1 (“GENERAL PROVISIONS”), SECTION 3-1-1 (“DEFINITIONS”) AND ARTICLE 4 (TERM AND CLASSIFICATION”), SECTION 3-4-2 (CLASSIFICATION AND NUMBER OF LIQUOR LICENSES AND FEES”) OF THE OAK PARK VILLAGE CODE TO ESTABLISH A NEW CLASS D-17 LIQUOR LICENSE CLASSIFICATION AND TO ISSUE A CLASS D-17 LIQUOR LICENSE TO VENTURE 1212 LLC, DBA MOJO OAK PARK

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

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

WHEREAS, at its November 27, 2018, the Village’s Local Liquor Control Review Board recommended by a vote of four (4) in favor and one (1) against that the Village create a new Class D-17 liquor license classification pursuant to the application of Venture 1212 LLC, DBA Mojo Oak Park (“Mojo”) as more fully set forth herein; and

WHEREAS, the Local Liquor Control Review Board also recommended by a vote of four (4) in favor and one (1) against that Mojo’s application for a D-17 liquor license be granted and that the Local Liquor Control Commissioner (“Commissioner”) issue such a license to Mojo pursuant to Mojo’s application for the property located at 193 North Marion Street; and

WHEREAS, the Board of Trustees agrees with the recommendation of the Local Liquor Control Review Board and finds that it is in the best interests of the Village to establish a Class D-17 liquor license classification as set forth in this Ordinance and that such a license be issued to Mojo; and

WHEREAS, in order for the Commissioner to issue the Class D-17 liquor license, the Oak Park Village Code (“Village Code”) must be amended to allow for the issuance of the liquor license and the creation of the classification; and

WHEREAS, the Board of Trustees find that it is in the best interest of the Village to amend the Village Code so that a Class D-17 liquor license may be issued to Mojo and the creation of the classification.

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

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

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

3-1-1: DEFINITIONS:

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

* * * *

WORK LOUNGE: A shared office establishment that 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 of alcoholic liquors for consumption on the premises.

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Section 3. Village Code Amended. Chapter 3 (“Alcoholic Liquor Dealers”), Article 4 (“Term and Classification”), Section 3-4-2 (“Classification and Number of Liquor Licenses and Fees”) of the Oak Park Village Code is amended by deleting the overstricken language and adding the underlined language to read as follows:

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

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

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D. Miscellaneous:

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17. Work Lounge Class D-17 Liquor License: A work lounge Class D-17 liquor License shall authorize the sale and service of alcoholic liquors only for consumption on the premises by persons at least twenty one (21) years of age, subject to the following additional regulations and conditions:

- a. The sale and service of alcoholic liquors and live entertainment uses shall only be on the first floor of a work lounge and the first floor shall constitute the licensed premises.
- b. The work lounge space, including the licensed premises, shall be a minimum of 2,500 square feet.
- c. No bar shall be permitted.
- d. The sale of prepackaged snacks will be available at all times alcoholic liquors are sold.
- e. Service of alcoholic liquors shall be provided through a computerized beverage dispensing system that shall automatically limit the number of servings of alcoholic liquors to no more than two (2) per customer per sixty (60) minute time period. No person under twenty one (21) years of age shall operate the computerized beverage dispensing system.
- f. No individual dispensed serving of beer shall be larger than thirteen (13) fluid ounces in size. The sale of beer in growlers is prohibited. No individual service size of wine shall be more than six (6) fluid ounces and no individual service size of spirits, mixed or otherwise, shall be larger in size than 1.5 ounces.
- g. A licensee shall not prohibit patrons who intend to consume alcoholic liquors at the premises from providing and consuming their own food.
- h. 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.
- i. All staff must be BASSET trained and certified.
- j. If the holder of a Class D-17 liquor license also has a pool table on the premises, the license holder must also possess a current license for the operation of a pool and/or billiard hall. The number of pool tables shall be limited to one (1) table per twenty (20) seats available in the establishment and in no case shall the total number of pool tables exceed two (2) tables.
- k. There shall be no signage outside the licensed premises to indicate the sale of alcoholic liquors. The licensee is also prohibited from displaying

signage, visible from outside the licenses premises, advertising the sale of alcoholic liquors.

l. Authorized hours of business shall be set forth in section 3-5-7(A) of this chapter for Class D-17 liquor licenses and entertainment shall be permitted during the authorized hours of business.

m. The annual fee for a Class D-17 liquor license is two thousand dollars (\$2,000.00).

Section 4. Village Code Amended. Chapter 3 (“Alcoholic Liquor Dealers”), Article 8 (“List of Licenses for Each Class”), Section 3-8-1 (“Number of Licenses Permitted to be Issued Per License Class”) and Section 3-8-2 (“Licenses by Name and Address Per License”) of the Oak Park Village Code are amended by deleting the overstricken language and adding the underlined language to read as follows:

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

	*	*	*	*
<u>D-17</u>	<u>No more than one (1) Class D-17 licenses shall be issued.</u>			
	*	*	*	*

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

	*	*	*	*
<u>CLASS D-17</u>	<u>Venture 1212 LLC, DBA Mojo Oak Park</u>	<u>193 N. Marion Street</u>		
	*	*	*	*

Section 5. License Subject to Remittance of Alcoholic Liquor Purchase at Retail, Privilege Tax. Any liquor license granted to Venture 1212 LLC pursuant to this Ordinance shall strictly be subject to the payment of the Village’s “Alcoholic Liquor Purchase at Retail, Privilege Tax” set forth in Chapter 23A (“Taxes”), Article 2 (“Alcoholic Liquor Purchase at Retail, Privilege Tax”) of the Village Code. Failure to remit payment of the tax shall subject the applicable liquor license to suspension or revocation pursuant to Section 23A-2-10 of the Village Code.

Section 6. 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 7. Effective Date. This Ordinance shall be in full force and effect after its approval, passage and publication as provided by law.

ADOPTED this 10th day of December, 2018, pursuant to a roll call vote as follows:

Voting	Aye	Nay	Abstain	Absent
President Abu-Taleb			X	
Trustee Andrews				
Trustee Boutet				
Trustee Button				
Trustee Moroney				
Trustee Taglia				
Trustee Tucker				

APPROVED this 10th day of December, 2018.

Village President Pro Tem

ATTEST

Vicki Scaman, Village Clerk

Published in pamphlet form this 10th day of December, 2018.

Vicki Scaman, Village Clerk