

## ORDINANCE

**AN ORDINANCE AMENDING CHAPTER 3 ("ALCOHOLIC LIQUOR DEALERS"),  
ARTICLE 8 ("LIST OF LICENSES FOR EACH LICENSE CLASS"),  
SECTION 3-8-1 ("NUMBER OF LICENSES TO BE ISSUED PER LICENSE CLASS")  
AND SECTION 3-8-2 ("LICENSES BY NAME AND ADDRESS PER LICENSE")  
OF THE OAK PARK VILLAGE CODE FOR THE ISSUANCE OF  
A RESTAURANT CLASS B-4 LIQUOR LICENSE TO CONNOLLY'S PUBLIC HOUSE, INC.**

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

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

**WHEREAS,** Connolly's Public House ("Connolly's") has applied for a Restaurant Class B-4 Liquor License for the property located at 1107-1109 South Boulevard ("Property"); and

**WHEREAS,** the Village's Local Liquor Control Review Board has unanimously recommended to the Local Liquor Control Commissioner ("Commissioner") that Connolly's application be granted and that a Class B-4 liquor license be issued and the Commissioner concurs with this recommendation; and

**WHEREAS,** a Class B-1 liquor license has been previously issued to David Chung 89 Enterprises, Inc., DBA Szechwan Beijing, the current operator of the business at the Property, and the license authorized herein shall not be issued to Connolly's until the effective date of the change of ownership of the business and proof provided by Connolly's to the Local Liquor Control Commissioner of an interest in the Property pursuant to an applicable Lease Agreement or other such interest; and

**WHEREAS,** in order for the Commissioner to issue the Class B-4 liquor license, the Oak Park Village Code ("Village Code") must be amended to allow for the issuance of the liquor license; and

**WHEREAS,** the Board of Trustees find that it is in the best interests of the Village to amend the Village Code so that a Class B-4 liquor license may be issued to Connolly's.

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

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

**Section 2. Village Code Amended.** Chapter 3 (“Alcoholic Liquor Dealers”), Article 8 (“List of Licenses for Each Class”), Section 3-8-1 (“Number of Licenses 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:**

	*	*	*	*
B-1	No more than <del>fourteen (14)</del> <u>thirteen (13)</u> class B-1 licenses shall be issued.			
	*	*	*	*
B-4	No more than <del>fourteen (14)</del> <u>fifteen (15)</u> class B-4 licenses shall be issued.			
	*	*	*	*

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

	*	*	*	*
CLASS B-1	<del>David Chung 89 Enterprises, Inc., DBA Szechwan Beijing</del>			
	*	*	*	*
CLASS B-4	<u>Connolly’s Public House, Inc.</u>		<u>1107-1109 South Boulevard</u>	
	*	*	*	*

**Section 3. Issuance of License.** The license to be issued to Connolly’s Public House for the Property pursuant to this Ordinance shall not be issued until such time as the effective date of the change in ownership of the business located at the Property to Connolly’s Public House, including Connolly’s Public House interest in the Property pursuant to an applicable Lease Agreement or other such interest, and corresponding proof of same provided to the Local Liquor Control Commissioner. The Class B-1 liquor license of David Chung 89 Enterprises, Inc., DBA Szechwan Beijing, shall remain in effect until such time.

**Section 4. 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 5. Effective Date.** This Ordinance shall be in full force and effect after its approval, passage and publication as provided by law.

**ADOPTED** this 20<sup>th</sup> day of April, 2015 pursuant to a roll call vote as follows:

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

**APPROVED** this 20<sup>th</sup> day of April, 2015.

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Village President Pro Tem

Attest:

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Teresa Powell, Village Clerk

Published in pamphlet form this 20<sup>th</sup> day of April, 2015.

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Teresa Powell, Village Clerk