

## ORDINANCE

### ARTICLE 8 (“LIST OF LICENSES FOR EACH LICENSE CLASS”), 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-2 LIQUOR LICENSE TO ELEVEN – THIRTY CHICAGO, INC., DBA PENNY’S 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; 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**, Jonathan Donnelly on behalf of Eleven – Thirty Chicago, Inc., DBA Penny’s Oak Park (“Penny’s”) has applied for a Restaurant Class B-2 liquor license for the property located at 1130 Chicago Avenue, Oak Park, Illinois due to a change in ownership of the current licensee located at the premises; and

**WHEREAS**, at its regular meeting of July 25, 2023, the Village’s Local Liquor Control Review Board (“LCRB”) unanimously voted to recommend to the Local Liquor Control Commissioner (“Commissioner”) that Penny’s application be granted and that a Class B-2 liquor license be issued and the Commissioner concurs with this recommendation; and

**WHEREAS**, in order for the Commissioner to issue the Class B-2 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 interest of the Village to amend the Village Code so that a Class B-2 liquor license may be issued to Penny’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 3-8-2 (“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:

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

	*	*	*	*
CLASS B-2	Eleven – Thirty Chicago, Inc.,			1130 Chicago Avenue
	DBA Penny's <del>Needle Shop</del> <u>Oak Park</u>			
	*	*	*	*

**Section 3. License Subject to Remittance of Alcoholic Liquor Purchase at Retail, Privilege Tax.** Any liquor license granted to Eleven – Thirty Chicago, Inc., DBA Penny's Oak Park 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 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.

**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]**

**ADOPTED** this 31<sup>st</sup> day of July, 2023, pursuant to a roll call vote at follows:

Voting	Aye	Nay	Abstain	Absent
President Scaman				
Trustee Buchanan				
Trustee Enyia				
Trustee Parakkat			x	
Trustee Robinson				
Trustee Straw				
Trustee Wesley				

**APPROVED** this 31<sup>st</sup> day of July, 2023.

\_\_\_\_\_  
Vicki Scaman, Village President

**ATTEST**

\_\_\_\_\_  
Christina M. Waters, Village Clerk

Published in pamphlet form this 31<sup>st</sup> day of July, 2023.

\_\_\_\_\_  
Christina M. Waters, Village Clerk