

ORDINANCE

AN ORDINANCE AMENDING CHAPTER 3 ("ALCOHOLIC LIQUOR DEALERS"), ARTICLE 4 ("TERM AND CLASSIFICATION"), SECTION 3-4-2 (CLASSIFICATION AND NUMBER OF LIQUOR LICENSES AND FEES") OF THE OAK PARK VILLAGE CODE REGARDING THE CLASS C-8 LIQUOR LICENSE CLASSIFICATION

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 April 25, 2022 special meeting, the Village's Local Liquor Control Review Board voted to recommend that the Village amend the Class C-8 Boutique Liquor License classification as more fully set forth herein to remove the restriction prohibiting outdoor dining and to allow the sale of bottles of wine that are twelve (12) ounces or more and the Local Liquor Control Commissioner agrees with this recommendation; and

WHEREAS, the Board of Trustees agrees with the recommendation of the Local Liquor Control Review Board and finds that it is in the best interests of the Village to amend the Class C-8 liquor license classification.

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 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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C. Package Liquor Licenses:

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9. Package C-8 Boutique Liquor License: A package liquor class C-8 boutique license authorizes the sale of wine 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. In addition to the restrictions imposed in subsection 3-4-2C1 of this section, class C-8 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. 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. A lounge area which seats no more than twenty (20) persons for on site consumption shall be permitted ~~which shall not include outdoor seating. Outdoor seating shall be as permitted by this Code.~~

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

‡ g. Class C-8 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.

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 All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

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

ADOPTED this 2nd day of May, 2022, 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 Taglia | | | | |
| Trustee Walker-Peddakotla | | | | |

APPROVED this 2nd day of May, 2022.

Vicki Scaman, Village President

ATTEST

Christina M. Waters, Village Clerk

Published in pamphlet form this 2nd day of May, 2022.

Christina M. Waters, Village Clerk