

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 PACKAGE CLASS C-2 LIQUOR LICENSE
TO MARKET FRESH NORTH, INC., DBA MARKET FRESH FOODS**

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, Market Fresh North, Inc., DBA Market Fresh Foods ("Market Fresh") has applied for a Package Class C-2 Liquor License for the property located at 6209 West North Avenue; and

WHEREAS, the Village's Local Liquor Control Review Board has unanimously recommended to the Local Liquor Control Commissioner ("Commissioner") that Market Fresh's application be granted and that a Class C-2 Liquor License be issued subject to all Village Code requirements being met and the Commissioner concurs with this recommendation; and

WHEREAS, in order for the Commissioner to issue the Class C-2 Liquor License, the Oak Park Village Code ("Village Code") must be amended to allow for the issuance of the liquor licenses; 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 C-2 Liquor License may be issued to Market Fresh.

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 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:

* * *

C-2 No more than ~~zero (0)~~ one (1) class C-2 licenses shall be issued.

* * *

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

* * *

CLASS C-2	<u>Market Fresh North, Inc., DBA</u>	<u>6209 West North Avenue</u>
	<u>Market Fresh Foods</u>	

* * *

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.

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ADOPTED this 5th day of December, 2016 pursuant to a roll call vote as follows:

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

APPROVED this 5th day of December, 2016.

Village President Pro Tem

ATTEST

Teresa Powell, Village Clerk

Published in pamphlet form this 5th day of December, 2016.

Teresa Powell, Village Clerk