

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 BY ADDING A NEW SPECIAL EVENTS CLASS E-3 LIQUOR LICENSE CLASSIFICATION AND AMENDING 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") TO ISSUE A CLASS E-3 LICENSE TO THE PARK DISTRICT OF 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, at its February 28, 2017, the Village's Local Liquor Control Review Board voted to recommend that the Village create a new Special Events Class E-3 liquor license classification to allow bring-your-own ("BYO") possession and consumption of wine and beer within Austin Gardens during a theatrical performance by a non-profit theater organization and that the Local Liquor Control Commissioner ("Commissioner") issue such a license to the Park District of Oak Park; 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 Special Events E-3 liquor license classification as set forth in this Ordinance and that such a license be issued to the Park District of Oak Park.

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 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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E. Special Events Liquor Licenses:

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3. Special Events Class E-3 Liquor License: Special events class E-3 liquor license shall authorize the Park District of Oak Park ("Park District") to allow bring-your-own ("BYO") possession and consumption of wine and beer within Austin Gardens during a theatrical performance by the non-profit theater organization Festival Theatre or its successor, subject to the following restrictions:

- a. A Class E-3 liquor license is valid only for outdoor theatrical performances in Austin Gardens.
- b. No person under the age of 21 years shall be allowed to possess or consume any wine and beer.
- c. No signage announcing or advertising BYO wine and beer is permitted.
- d. BYO possession and consumption is authorized only for a time period commencing 90 minutes prior to the scheduled start of a performance and ending no later than 30 minutes after the end of a performance.
- e. No open containers of wine and/or beer shall be removed from Austin Gardens.
- f. The Park District shall maintain the insurance required by section 3-4-6 of this Code and shall name the Village as an additional insured on the applicable policy.
- g. Each Park District employee and volunteer who provides services during an applicable theatrical performance shall complete BASSET training by a state certified program approved by the Local Liquor Control Commissioner and shall provide proof of completion of such training to the Commissioner.
- h. The annual fee for a class E-3 liquor license shall be five hundred dollars (\$500.00).

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 adding the underlined language to read as follows:

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

	*	*	*	*
<u>E-3</u>	<u>No more than one (1) class E-3 licenses shall be issued.</u>			
	*	*	*	*

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

	*	*	*	*
<u>CLASS E-3</u>	<u>Park District of Oak Park</u>	<u>218 Madison Street</u>		
	*	*	*	*

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.

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ADOPTED this 15th day of May, 2017 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 15th day of May, 2017.

Village President Pro Tem

ATTEST

Vicki Scaman, Village Clerk

Published in pamphlet form this 15th day of May, 2017.

Vicki Scaman, Village Clerk