

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-5 LIQUOR LICENSE TO
COOPERS HAWK OAK PARK, LLC, DBA COOPER'S HAWK WINERY AND RESTUARANT**

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, Coopers Hawk Oak Park, LLC DBA Cooper's Hawk Winery and Restaurant ("Coopers Hawk") has applied for a Restaurant Class B-5 Liquor License for the property located at 950 Lake Street, Oak Park, Illinois ; and

WHEREAS, at its meeting of April 25, 2017 the Village's Local Liquor Control Review Board voted to recommend to the Local Liquor Control Commissioner ("Commissioner") that Cooper's Hawk be granted and that a Class B-5 liquor license be issued and the Commissioner concurs with this recommendation; and

WHEREAS, in order for the Commissioner to issue the Class B-5 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-5 liquor license may be issued to Coopers Hawk.

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-5 No more than two (2) ~~one (1)~~ licenses shall be issued.

* * * *

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

* * * *

CLASS B-5 Cooper's Hawk Oak Park, LLC, DBA 950 Lake Street
Cooper's Hawk Winery and Restaurant

* * * *

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 June, 2017, pursuant to a roll call vote at follows:

| Voting | Aye | Nay | Abstain | Absent |
|---------------------|-----|-----|---------|--------|
| President Abu-Taleb | | | X | |
| Trustee Andrews | | | | |
| Trustee Boutet | | | | |
| Trustee Button | | | | |
| Trustee Moroney | | | | |
| Trustee Taglia | | | | |
| Trustee Tucker | | | | |

APPROVED this 5th day of June, 2017.

President Pro Tem

ATTEST

Vicki Scaman, Village Clerk

Published in pamphlet form this 5th day of June, 2017.

Vicki Scaman, Village Clerk