

## ORDINANCE

**AN ORDINANCE AMENDING CHAPTER 3 ("ALCOHOLIC LIQUOR DEALERS"),  
SECTION 3-4-2 ("CLASSIFICATION AND NUMBER OF LIQUOR LICENSES AND FEES"),  
SECTION 3-8-1 ("NUMBER OF LICENSES PERMITTED TO BE ISSUED") AND  
SECTION 3-8-2 ("LICENSES BY NAME AND ADDRESS PER LICENSE") OF THE  
OAK PARK VILLAGE CODE REGARDING LIQUOR LICENSE ANNUAL FEES AND  
THE NAMES AND NUMBERS OF CURRENT LICENSEES**

**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 October 24, 2017 meeting, the Village's Local Liquor Control Review Board unanimously recommended to the Local Liquor Control Commissioner ("Commissioner") that the annual liquor license fees for Restaurant Class B-1, B-2, B-3, and B-4 licenses, and Package Liquor Class C-1, Craft Brew Lounge Class D-16 and Special Events licenses be amended as set forth herein and the Commissioner concurs with this recommendation; and

**WHEREAS**, Section 3-8-1 ("Number of Licenses Permitted to Be Issued") and Section 3-8-2 ("Licenses by Name and Address per License") are also amended herein to reflect the non-renewal of liquor licenses by past licensees or that such licensees are no longer in business; and

**WHEREAS**, the Board of Trustees find that it is in the best interests of the Village to amend the Village Code as set forth herein.

**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.

\* \* \* \*

B. Restaurant Liquor Licenses:

1. Restaurant Class B-1 Liquor License: Restaurant class B-1 liquor licenses shall authorized the sale, in restaurants only, of alcoholic liquor for consumption on the premises where sold. No such liquor license shall be granted to or retained by any establishment in which the facilities for food preparation and service are not primarily those of a “restaurant”, as defined in section 3-1-1 of this chapter. Alcoholic liquor may be sold in restaurants holding class B-1 liquor licenses to patrons who order a complete meal. Service of alcoholic liquor shall be provided at tables only. Service of alcoholic liquor at bars is not permitted; however, alcoholic liquor may be served at “specialty food bars” where:

\* \* \* \*

e. ~~The annual fee for such liquor license shall be two thousand dollars (2,000.00).~~ The annual fee for such liquor license for a restaurant with a seating capacity of one hundred (100) or more persons shall be twenty five hundred dollars (\$2,500.00). For a restaurant with a seating capacity of between ninety-nine (99) and fifty (50) persons, the annual fee for such license shall be two thousand dollars (\$2,000.00). For a restaurant with a seating capacity of less than fifty (50) persons, the annual fee for such license shall be one thousand five hundred dollars (\$1,500.00).

2. Restaurant Class B-2 Liquor License: The regulations governing restaurant class B-1 liquor licenses shall also apply to restaurant class B-2 liquor licenses, except that beer and/or wine only may be served. ~~The annual fee for such liquor license shall be one thousand dollars (\$1,000.00).~~ The annual fee for such liquor license for a restaurant with a seating capacity of one hundred (100) or more persons shall be one thousand five hundred dollars (\$1,500.00). For a restaurant with a seating capacity of between ninety-nine (99) and fifty (50) persons, the annual fee for such license shall be one thousand dollars (\$1,000.00). For a restaurant with a seating capacity of less than fifty (50) persons, the annual fee for such license shall be seven hundred and fifty dollars (\$750.00).
3. Restaurant Class B-3 Liquor License: The regulations governing class B-2 liquor licenses shall also apply to restaurant class B-3 liquor licenses, except that in ethnic restaurants, one additional alcoholic liquor traditionally associated with the food of that nationality may be served. ~~The annual fee for such liquor license shall be one thousand five hundred dollars (\$1,500.00).~~ The annual fee for such liquor license for a restaurant with a seating capacity of one hundred (100) or more persons shall be two thousand dollars (\$2,000.00). For a restaurant with a seating capacity of between ninety-nine (99) and fifty (50) persons, the annual fee for such license shall be one thousand five hundred

dollars (\$1,500.00). For a restaurant with a seating capacity of less than fifty (50) persons, the annual fee for such license shall be one thousand dollars (\$1,000.00).

4. Restaurant Class B-4 Liquor License: Restaurant class B-4 liquor licenses shall authorize the sale of alcoholic liquor in restaurants with a seating capacity, including all lounge area seating, of not less than fifty (50) persons for food service, pursuant to the terms of a class B-1 liquor license and in addition shall allow the sale of alcoholic liquor in a lounge to patrons who do not order food, subject to the following:

\* \* \* \*

- f. ~~The annual fee for a class B-4 liquor license shall be two thousand five hundred dollars (\$2,500.00).~~ The annual fee for such liquor license for a restaurant with a seating capacity of one hundred (100) or more persons shall be three thousand dollars (\$3,000.00). For a restaurant with a seating capacity of between ninety-nine (99) and fifty (50) persons, the annual fee for such license shall be two thousand five hundred dollars (\$2,500.00).

C. Package Liquor Licenses:

1. Package Liquor Class C Licenses: A package liquor class C license authorizes the sale of alcoholic liquor, beer and wine, in the original package not for consumption on the premises where sold, as hereinafter provided. All package liquor class C licenses are subject to the following restrictions:

\* \* \* \*

- f. The annual fee for such liquor license is ~~two thousand five hundred dollars (\$2,500.00)~~ three thousand dollars (\$3,000.00).

16. Craft Brew Lounge Class D-16 Liquor License: A craft brew lounge class D-16 liquor license shall authorize the sale of craft beer for consumption off site and craft beer and wine for consumption on site by persons of at least twenty one (21) years of age. Class D-16 licenses shall be issued pursuant to the package requirements of the class C and class D-15 liquor licenses, subject to the following additional regulations and conditions:

\* \* \* \*

- i. The annual fee for a class D-16 license shall be ~~two thousand dollars (\$2,000.00)~~ two thousand five hundred dollars (\$2,500.00).

E. Special Events Liquor Licenses:

1. Special Events Class E-1 Liquor License: Special events class E-1 liquor licenses shall authorize the sale of alcoholic liquor for consumption on the premises owned or leased

by nonprofit organizations and occupied by the licensee only during ten (10) special events per year. Such class E-1 liquor licenses may also authorize two (2) of the ten (10) special events per year to be the sale at auction of alcoholic liquor in the original package, not for consumption on the premises where sold and subject to the restrictions as set forth below:

\* \* \* \*

- e. All special events must be sponsored by the licensee for members and their guests, except that the licensee may sponsor no more than five (5) special events for nonmembers of the licensed premises. All special events shall be conducted by a nonprofit organization. A separate permit shall be required for each event. No event shall last longer than one continuous twenty four (24) hour period. The fee for such liquor license shall be fifteen dollars (\$15.00) for each special event permit applied for not less than thirty (30) days prior to the related event; and ~~fifty dollars (\$50.00)~~ one hundred dollars (\$100.00) for each special event permit applied for less than thirty (30) days prior to the related event.

\* \* \* \*

**Section 3. Village Code Amended.** Chapter 3 (“Alcoholic Liquor Dealers”), Article 8 (“List of Licenses for Each License 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”) of the Oak Park Village Code is 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:**

\* \* \* \*

A-4 No more than ~~four (4)~~ two (2) Class A-4 licenses shall be issued.

B-1 No more than ~~nineteen (19)~~ fifteen (15) Class B-1 licenses shall be issued.

B-2 No more than ~~twelve (12)~~ eleven (11) Class B-2 licenses shall be issued.

\* \* \* \*

B-4 No more than ~~nineteen (19)~~ eighteen (18) Class B-4 licenses shall be issued.

\* \* \* \*

C-1 No more than ~~twelve (12)~~ eleven (11) licenses shall be issued.

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

\* \* \*

D-3 No more than ~~three (3)~~ two (2) Class D-3 licenses shall be issued.

\* \* \*

D-8 No more than ~~five (5)~~ two (2) Class D-8 licenses shall be issued.

\* \* \*

D-10 No more than ~~one (1)~~ zero (0) Class D-10 licenses shall be issued.

\* \* \*

D-12 No more than ~~one (1)~~ zero (0) Class D-12 licenses shall be issued.

\* \* \*

E-1 No more than ~~twenty five (25)~~ twenty Class E-1 licenses shall be issued.

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

\* \* \*

CLASS A-4 ~~Marion Street Cheese Market, LLC~~ ~~100 S. Marion Street~~  
~~DBA Marion Street Cheese Market~~

\* \* \*

~~TZOD Vogel, Inc., DBA Food Obsession~~ ~~809 South Boulevard~~

CLASS B-1 ~~FT Acquisition, LLC, DBA Flat Top Grill~~ ~~726 W. Lake Street~~

~~Kholso Corporation, DBA Klay Oven West~~ ~~734 Lake Street~~

\* \* \*

~~Live 2.0!, LLC, DBA Live Café~~ ~~163 South Oak Park Avenue~~

\* \* \*

	<del>Marion Street Cheese Market, LLC DBA Marion Street Cheese Market</del>	<del>100 S. Marion Street</del>
	<del>*</del>	<del>*</del>
CLASS B-2	<u>Live 2.0!, LLC, DBA Live Café</u>	<u>163 South Oak Park Avenue</u>
	<del>*</del>	<del>*</del>
	<del>Saigon Pho &amp; Café, Corp., DBA Saigon Pho &amp; Café</del>	<del>726 Lake Street</del>
	<del>The Onion Roll</del>	<del>6395 North Avenue</del>
CLASS B-4	<del>Connolly's Public House, Inc.</del>	<del>1107-1109 South Boulevard</del>
	<del>*</del>	<del>*</del>
	<del>Medicova, LLC, DBA Fuego Loco Rustico</del>	<del>722 Lake Street</del>
	<del>*</del>	<del>*</del>
	<u>Urban Spoon, LCC, DBA</u>	
CLASS C-1	<del>LC Development LLC, DBA Lea French Street Food</del>	<del>106 North Marion Street</del>
	<del>*</del>	<del>*</del>
CLASS C-2	<del>Market Fresh North, Inc., DBA Market Fresh Foods</del>	<del>6209 West North Avenue</del>
	<del>*</del>	<del>*</del>
CLASS D-3	<del>Ate By Eight, Inc., DBA Café Fresh</del>	<del>1144 Lake Street</del>
	<del>*</del>	<del>*</del>
CLASS D-8	<del>Entertaining Company</del>	<del>1640 W. Walnut Street, Chicago, Illinois</del>

	<del>Identical Ventures, Inc., DBA Service Is Us</del>	<del>9854 Farragut Avenue, Rosemont, IL 60018</del>
	<del>*</del>	<del>*</del>
	<del>La Pasta — Ria Ristorante, Inc., DBA Catered by Design</del>	<del>9204 Waukegan Road, Morton Grove, IL, 60053</del>
CLASS D-10	<del>Serenitea, Inc.</del>	<del>1046 Pleasant Street</del>
	<del>*</del>	<del>*</del>
CLASS D-12	<del>Marion Street Cheese Market, LLC DBA Marion Street Cheese Market</del>	<del>100 S. Marion Street</del>
	<del>*</del>	<del>*</del>
CLASS E-1	<del>Ernest Hemingway Foundation of Oak Park</del>	<del>200 N. Oak Park Avenue</del>
	<del>Family Service &amp; Mental Health Center of Oak Park and River Forest</del>	<del>120 S. Marion Street</del>
	<del>*</del>	<del>*</del>
	<del>The Oak Park River Forest Community Foundation</del>	<del>1049 Lake Street, #204</del>
	<del>*</del>	<del>*</del>

**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.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 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 \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Village President Pro Tem

**ATTEST**

\_\_\_\_\_  
Vicki Scaman, Village Clerk

Published in pamphlet form this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Vicki Scaman, Village Clerk