

ORDINANCE

AN ORDINANCE AMENDING CHAPTER 3 ("ALCOHOLIC LIQUOR DEALERS"), ARTICLE 8 ("LIST OF LICENSES FOR EACH LICENSE CLASS"), SECTION 3-8-2 ("LICENSES BY NAME AND ADDRESS PER LICENSE") OF THE OAK PARK VILLAGE CODE FOR THE ISSUANCE OF A CLASS B-1 LIQUOR LICENSE TO MANCINI'S ON LAKE

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, the Village is authorized to regulate the issuance of liquor licenses within the Village pursuant to Section 4-1 of the Illinois Liquor Control Act, 235 ILCS 5/4-1;

WHEREAS, Mancini's on Lake ("Mancini's") has applied for a Class B-1 liquor license for the property located at 1111 Lake Street, Oak Park, Illinois;

WHEREAS, at its meeting of May 28, 2019, the Village's Local Liquor Control Review Board unanimously voted to recommend to the Local Liquor Control Commissioner ("Commissioner") that Mancini's application be granted and that a Class B-1 liquor license be issued and the Commissioner concurs with this recommendation;

WHEREAS, in order for the Class B-1 liquor license to be issued, 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 interest of the Village to amend the Village Code so that a Class B-1 liquor license may be issued to Mancini's pursuant to its home rule authority and the Illinois Liquor Control Act.

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 3-8-2 ("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:

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

	*	*	*	*
CLASS B-1	<u>Mancini's on Lake</u>			<u>1111 Lake Street</u>
	*	*	*	*
	TashKitchens LLC, DBA Mancini's Italian Café			1111 Lake Street

Section 3. License Subject to Remittance of Alcoholic Liquor Purchase at Retail, Privilege Tax. Any liquor license granted to Mancini's on Lake pursuant to this Ordinance shall strictly be subject to the payment of the Village's "Alcoholic Liquor Purchase at Retail, Privilege Tax" set forth in Chapter 23A ("Taxes"), Article 2 ("Alcoholic Liquor Purchase at Retail, Privilege Tax") of the Village Code. Failure to remit payment of the tax shall subject the applicable liquor license to suspension or revocation pursuant to Section 23A-2-10 of the Village Code.

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 3rd day of June, 2019, pursuant to a roll call vote as follows:

Voting	Aye	Nay	Abstain	Absent
President Abu-Taleb			X	
Trustee Andrews				
Trustee Boutet				
Trustee Buchanan				
Trustee Moroney				
Trustee Taglia				
Trustee Walker-Peddakotla				

APPROVED this 3rd day of June, 2019.

Village President Pro Tem

ATTEST

Vicki Scaman, Village Clerk

Published in pamphlet form this 3rd day of June, 2019.

Vicki Scaman, Village Clerk