

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 REGARDING THE CLASS D-15 LIQUOR LICENSE CLASSIFICATION

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, at its December 17, 2019 special meeting, the Village's Local Liquor Control Review Board voted to recommend that the Village amend the Class D-15 liquor license classification as more fully set forth herein at the request of the Village's current Class D-15 liquor licensee, Noble Kinsman Brewing Company, LLC, DBA Kinslahger Brewing Company, to allow Class D-15 licensees to sell craft beer manufactured outside of a Class D-15's licensed premises by another licensed craft brewery consistent with state law, 235 ILCS 5/6-4(e); 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 amend the Class D-15 liquor license classification as set forth in this Ordinance.

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 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.

* * * *

D. Miscellaneous:

* * * *

15. Craft Brewery Class D-15 Liquor License: A craft brewery Class D-15 liquor license shall authorize a licensee to produce at the licensed premises and store craft beer in quantities not to exceed fifteen thousand (15,000) barrels of beer annually (or 465,000 gallons), the sale of such craft beer for consumption off premises and on site sampling and consumption of such craft beer by persons of at least twenty one (21) years of age. Sale of craft beer manufactured outside the licensed premises ~~is prohibited~~ at another licensed craft brewery pursuant to 235 Illinois Compiled Statutes 5/6-4(e), as amended, is permitted. Class D-15 licenses shall be issued subject to the following conditions:

a. It shall be unlawful for a Class D-15 licensee to sell craft beer for off premises consumption in less than a package of four (4) 12-ounce containers, or a single twenty two (22) ounce container.

b. During authorized hours of business, no more than five (5) craft beer servings shall be served to any customer in one day. A "craft beer serving" shall be defined as one glass containing more than eight (8) ounces and up to sixteen (16) ounces, two (2) half-pint glasses containing eight (8) ounces, or one flight consisting of four (4) glasses containing four (4) ounces each. Glassware that is larger than a defined serving size must have a pour line to indicate serving size.

c. It shall be unlawful for the holder of a Class D-15 license to provide a sample of or sell any craft beer before the hours of eleven o'clock (11:00) A.M. or after the hour of twelve o'clock (12:00) midnight.

d. All applicable taxes including Sales Tax shall be collected and paid on all revenue realized from the retail sale of craft beer.

e. Class D-15 licensees must have at least one BASSET certified site manager on premises whenever beer is available for on site consumption. Class D-15 licensees must provide packaged food service whenever beer is available for on site consumption.

f. Class D-15 licensees must have a valid State of Illinois Class ~~3~~ 1 brewer's liquor license and State of Illinois Class 10 craft brewer's liquor license, or equivalent State of Illinois liquor licenses and comply with any and all applicable Federal, State, and local laws and regulations, including, but not limited to, procurement of a requisite Federal brewer's notice and any and all other requisite licenses and permits concerning manufacture, packaging, storing, sale, and distribution of alcoholic beverages.

g. Every employee of a Class D-15 licensee who participates in the production and sale of craft beer must be BASSET certified.

h. The location of the retail sale and consumption of craft beer shall be limited to the retail portion of the licensed premises, except during supervised tours and private parties located in the manufacturing area.

i. The portion of the licensed premises dedicated to the retail sale of craft beer shall be segregated from the remainder of the premises.

j. Not more than twenty five percent (25%) of the total gross square footage area of the physical premises shall be designated to the retail sale of craft beer.

k. A licensee shall maintain accurate records as to the total gallons of beer manufactured on the premises and the total gallons of beer manufactured on the premises and sold for consumption off premises. Licensee shall produce said records to the Village upon request.

l. The annual fee for a Class D-15 license shall be two thousand five hundred dollars (\$2,500.00).

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.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

ADOPTED this 13th day of January, 2020, 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 13th day of January, 2020.

Village President Pro Tem

ATTEST

Vicki Scaman, Village Clerk

Published in pamphlet form this 13th day of January, 2020.

Vicki Scaman, Village Clerk