

ORDINANCE NO. 2018- 2278

AN ORDINANCE AMENDING CHAPTER 5.36, ENTITLED "LIQUOR SALE,"
OF TITLE 5, ENTITLED "BUSINESS LICENSES AND REGULATIONS,"
OF THE WESTCHESTER MUNICIPAL CODE

PASSED AND APPROVED BY THE
PRESIDENT AND BOARD OF TRUSTEES
THIS 28th DAY OF AUGUST, 2018

Published in pamphlet form by
Authority of the Corporate
Authorities of Westchester, Illinois
the ___ day of August, 2018

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OF TITLE 5, ENTITLED “BUSINESS LICENSES AND REGULATIONS,”
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WHEREAS, the corporate authorities of the Village of Westchester (“Village”) are expressly authorized by Section 4-1 of the Illinois Liquor Control Act of 1934 (235 ILCS 5/4-1) to regulate, by general ordinance, the number, kind and classification of liquor licenses for the retail sale of alcohol within the Village; and

WHEREAS, Chapter 5.36, entitled “Liquor Sale,” of Title 5, entitled “Business Licenses and Regulations,” of the Westchester Municipal Code provides for the licensing and regulation of the sale of alcoholic liquor in the Village of Westchester; and

WHEREAS, the corporate authorities of the Village of Westchester have determined that it is advisable, necessary and in the public interest to amend Section 5.36.130, entitled “Number of licenses”, of Chapter 5.36, entitled “Liquor Sales,” of Title 5, entitled “Business Licenses and Regulations,” of the Westchester Municipal Code, in order to increase the number of J-1 licenses to one (1), as hereinafter provided.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Westchester, Cook County, Illinois:

Section 1: The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2: Section 5.36.130, entitled “Number of licenses,” of Chapter 5.36, entitled “Liquor Sale,” of Title 5, entitled “Business Licenses and Regulations,” of the Westchester Municipal Code is hereby amended as follows:

5.36.130 – Number of licenses.

- (a) The total number and classification of liquor licenses to be issued by the Village shall be, unless otherwise changed by action of the corporate authorities of the Village of Westchester:
- (1) Five class A licenses.
 - (2) Three class B licenses.
 - (3) As many Class C licenses as are required for persons or entities meeting the requirements of section 5.36.080(a)(3) of this Code.
 - (4) Two class D-1 licenses.
 - (5) One class D-2 license.
 - (6) One class D-3 license.

- (7) One class D-4 license.
- (8) Two class D-5 (BYOB) licenses issued at this time.
- (9) No class E licenses at this time.
- (10) One class F license.
- (11) One class G license.
- (12) One class H license.
- (13) Two class I-1 licenses.
- (14) Three class I-2 licenses.
- (15) One class J-1 license.
- (16) No class J-2 licenses at this time.

(b) If any license of any class is not renewed or the license is surrendered, canceled, revoked, suspended, or otherwise terminated, such license shall be rescinded and not be restored, and the total number of liquor licenses of that class to be issued by the Village shall be automatically reduced accordingly.

Section 3: Any ordinance or portion of any ordinance in conflict with any provisions of this Ordinance is hereby repealed solely to the extent of such conflict.

Section 4: This Ordinance shall be in full force and effect upon its passage and approval as provided by law.

ADOPTED this 28th day of August, 2018, pursuant to a roll call vote as follows:

Angelo A. Calcagno	<u>Age</u>	Frank Perry	<u>Age</u>
Carl C. Celestino	<u>Age</u>	Nick Steker	<u>Age</u>
Sherby J. Miller	<u>Age</u>	Tom Yurkovich	<u>Age</u>
		President Gattuso	<u>Age</u>

APPROVED this 28th day of August, 2018.

Paul Gattuso
Paul Gattuso, Village President

ATTEST:

Stanley V. Kolodziej
Stanley V. Kolodziej, Village Clerk