

2/16/17

ORDINANCE NO. CO-2017-23

**AN ORDINANCE AUTHORIZING THE CREATION AND ISSUANCE OF
A CLASS "E" LIQUOR LICENSE
(TEMPORARY LICENSE TO SELL OR TRANSFER LIQUOR
ON MUNICIPALLY-OWNED PROPERTY)
(Zacatecano Festival – July 16, 2017)**

BE IT ORDAINED by the President and Board of Trustees of the Village of Maywood, Cook County, Illinois, as follows:

SECTION 1: Pursuant to Chapter 117, Section 117.23(E) of the Maywood Village Code, the President and Board of Trustees of the Village of Maywood authorize the creation of a Class E Liquor License in order to issue the Class "E" Liquor License to Ismael Mota (the "Applicant") for purposes of allowing the sale or transfer of liquor on municipally-owned property on July 16, 2017 during the Zacatecano Festival (or on such other Village-approved days that the Zacatecano Festival is held) at Veterans Memorial Park in the Village of Maywood, Illinois (the "Special Event"). Ismael Mota of 2108 Mayfair, Westchester, Illinois is the Applicant.

SECTION 2: The President and Board of Trustees of the Village of Maywood authorize the Local Liquor Control Commissioner to issue the Class "E" Liquor License, created under Section 1 of this Ordinance, to the Applicant for purposes of allowing the sale or transfer of liquor on municipally-owned property on July 16, 2017 during the Zacatecano Festival, SUBJECT TO THE CONDITIONS SET FORTH BELOW IN SECTION 3.

SECTION 3: The issuance of a Class "E" Liquor License to the Applicant for the Zacatecano Festival is subject to the discretion of the Local Liquor Control Commissioner and compliance with the following conditions:

- A. *Duration.* The Class "E" Liquor License is only valid for one day, July 16, 2017, or one (1) other alternative day in 2017, as approved by the Local Liquor Control Commissioner, at Veterans Memorial Park, Maywood, Illinois.
- B. *Hours of Operation.* All sales, service and consumption of alcoholic beverages shall be limited to the Licensed Premises (Veterans Memorial Park) between the hours of 9:00 a.m. and 9:00 p.m. the day of the Special Event.
- C. *Site Plan.* The Applicant shall provide a diagram that proposes the size, internal setup and location of an alcoholic beverage tent or an alcoholic beverage sales/consumption area to be operated during the Special Event, which shall be subject to approval of the Local Liquor Control Commissioner with input from the Village Manager, the Chief Code Officer, the Fire Chief and the Police Chief.
- D. *Consumption.* Consumption of alcoholic liquor is restricted to the licensed premises.
- E. *Package sales prohibited; no pitchers.* No package sales shall be permitted. The sale or giving away of alcoholic liquor in pitchers is prohibited.
- F. *Sales limitation per person.* No more than two (2) servings of alcoholic liquor shall be sold to any person during each retail sales transaction or dispensed to any person at one time.
- G. *Approval of location; approved containers.* At indoor special events, alcoholic liquor may be sold and served in glass bottles, glassware or paper or plastic cups. At outdoor special events, alcoholic liquor shall be sold and served in paper or plastic cups at retail in an alcoholic beverage tent or alcoholic beverage sales/consumption

- area, the size, internal setup, fence requirements and location of which shall be subject to the approval of the Local Liquor Control Commissioner.
- H. *Security; outdoor alcoholic beverage tent.* An outdoor alcoholic beverage tent or alcoholic beverage sales/consumption area shall have designated entrance and exit points for patrons, and minors shall be prohibited from entering into the alcoholic beverage tent. During hours of operation, an outdoor alcoholic beverage tent or alcoholic beverage sales/consumption area shall have at least one (1) person over the age of 21 posted at each designated entrance and exit point to check state or government issued identification of patrons.
 - I. *Security; alcoholic beverage sales/consumption area.* If there is a dedicated alcoholic beverage sales/consumption area open to the general public, proper security measures, such as color coded wristbands, shall be used to designate minors and adults who enter the alcoholic beverage sales/consumption area.
 - J. *Music.* Amplified music or live music or other forms of music entertainment may be played or performed at the Special Event, provided that the decibel level of the music is not a nuisance to surrounding property owners.
 - K. *Signage.* The posting of advertising signs that relate to the sale of any type of alcoholic liquor shall be prohibited, except for signs located within the alcoholic beverage tent or alcoholic beverage sales/consumption area and approved by the Local Liquor Control Commissioner that identify the alcoholic liquor being offered for retail sale.
 - L. *State and Village licenses.* Prior to conducting the Special Event, the holder of a Class "E" liquor license must provide to the Local Liquor Control Commissioner evidence of all required State and Village licenses, including a State special event liquor license or similar approval.
 - M. *Compliance with other laws.* The Applicant and its representatives shall comply with the applicable provisions of Chapter 117 (Liquor) of the Maywood Village Code, including but not limited to the provision of the required Dram Shop Insurance, General Liability Insurance and the execution of the required License and Indemnification Agreement and delivery of the insurance certificates and Agreement to the Village Manager, prior to the start of the Special Event, as well as the other applicable provisions of County and State law and the Maywood Village Code, including but not limited to the Fire Prevention Code, the Plumbing Code, the Building Code, the Property Maintenance Code, the Illinois Accessibility Code and the Zoning Code.
 - N. *Revocation.* A Class "E" liquor license issued to an applicant for one (1) or more special events in a calendar year may be revoked by action of the Village Board at any time with thirty (30) days written notice or immediately by the Local Liquor Control Commissioner in the event of a violation of the liquor control ordinance or any of the provisions of the ordinance creating the liquor license for issuance to the applicant.
 - O. *Charges for additional municipal services.* The Village reserves the right to charge the applicant for special municipal services, such as police, fire and public works personnel and services, which are necessary to protect the health, welfare and safety of the public and those individuals who attend the Special Event.
 - P. *Notification of application.* Per Subsection C(21) of the Class "C" (Temporary Special Event - For Non-Village property) liquor license regulations and Subsection E(5) of the Class "E" (Temporary Special Event On Village-Owned Property) liquor license regulations of Section 117.23 (CLASSIFICATIONS; FEES; NUMBER OF LICENSES) of the Maywood Village Code, the President and Board of Trustees grant approval of the requested Class "E" liquor license, subject to:

1. Prior to the Special Event date, the Local Liquor Control Commission shall hold a meeting to consider the application filed by the Applicant for a Class "E" liquor license for the Special Event, unless a waiver is granted by the Local Liquor Control Commissioner.
2. **At least ten (10) calendar days** prior to the Local Liquor Control Commission meeting, the Applicant shall send written notice of the Local Liquor Control Commission meeting to be held to consider the application by First Class United States Mail or personally delivered addressed to "current owner/occupant" at each common property address, as assigned by the United States Postal Service, located within 100 feet of the lot line of the property on which the Special Event will take place. The notice shall contain the date, time and place of the Local Liquor Control Commission meeting and a brief description of the application, including the date, time and location of the Special Event. A copy of the agenda for the Local Liquor Control Commission meeting shall be a sufficient notice.
3. The recommendation of the Local Liquor Control Commission shall be forwarded to the Village Board and the Village Manager for review and further action, if necessary.
4. In the event that the Local Liquor Control Commission is unable to hold a meeting prior to the Special Event date, pursuant to Subsection C(21) of the Class C (Temporary Special Event - For Non-Village property) liquor license regulations and Subsection E(5) of the Class "E" (Temporary Special Event On Village-Owned Property) liquor license regulations of Section 117.23 (CLASSIFICATIONS; FEES; NUMBER OF LICENSES) of the Maywood Village Code, approval of this Ordinance by the President and Board of Trustees grants a waiver from the requirement that the Local Liquor Control Commission hold a meeting to consider the Class "E" liquor license application filed by the Applicant, subject to notice being sent in accordance with subsection 3(P)(5) below.
5. If the Liquor Commission does not hold its meeting, then, **at least five (5) calendar days prior to the Special Event**, the Village shall send written notice by First Class United States Mail or personally delivered addressed to "current owner/occupant" at each common property address, as assigned by the United States Postal Service, located within 100 feet of the lot line of the property on which the Special Event will take place. The notice shall contain a brief description of the Special Event, including the date, time and location of the Special Event.

- Q. *BASSET / TIPS Training.* Compliance with the beverage alcohol sellers and servers education and training (BASSET) requirements of Section 117.28 of the Village Code.
- R. *Insurance and Indemnification.* Compliance with the insurance and indemnification requirements of Section 117.57 of the Village Code.
- S. *Additional Regulations.* The President and Board of Trustees or the Local Liquor Control Commissioner shall have the right to impose additional regulations and conditions in the interest of public safety relating to the sale, service and consumption of alcoholic beverages any time prior to or during the Special Event.

SECTION 4: This Ordinance shall be in full force and effect from and after its adoption and approval as provided by law.

ADOPTED this 20th day of June, 2017, pursuant to a roll call vote as follows:

AYES: Mayor Edwenna Perkins, Trustee(s) H. Yarbrough, Sr., I. Brandon, A. Sanchez, K. Wellington and M. Lightford.

NAYS: None

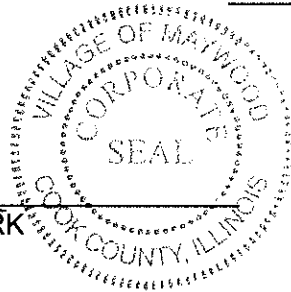
ABSENT: Trustee R. Rivers.

APPROVED by me this 22nd day of June, 2017, and attested by the Village Clerk on the same day.


VILLAGE PRESIDENT

ATTEST:


VILLAGE CLERK



**ACKNOWLEDGEMENT BY LIQUOR LICENSE APPLICANT FOR
A CLASS "E" (TEMPORARY LICENSE TO SELL OR TRANSFER LIQUOR
ON MUNICIPALLY-OWNED PROPERTY) LIQUOR LICENSE**

I, the undersigned Liquor License Applicant, agree to comply with and fulfill each and every term, condition and obligation set forth above in the Ordinance granting a Class "E" (Temporary License To Sell Or Transfer Liquor On Municipally-Owned Property) Liquor License.

Liquor License Applicant

By: _____

Name: _____

Title: President / Owner / Applicant

Date: _____, 2017.

