

ORDINANCE NO. CO-2016-05

ORIGINAL

AN ORDINANCE AMENDING THE NUMBER OF CLASS "M" (VIDEO GAMING CAFÉ/BISTRO) LIQUOR LICENSES WHICH CAN BE ISSUED IN THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS (Lacey's Place LLC Series Maywood, d/b/a Lacey's Place – 611 W. Roosevelt Rd.)

WHEREAS, the Village of Maywood (the "Village") is a home rule municipality, having all of the powers and authority granted to such municipalities pursuant to Article VII, Section 6 of the Illinois Constitution of 1970, including the right to exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Liquor Control Act of 1934 (235 ILCS 5/1-1 *et seq.*) grants to the Village the power, by general ordinance or resolution, to determine, among other things, the number, kind and classification of licenses for sale at retail of alcoholic liquor not inconsistent with the Act, the amount of local licensee fees to be paid for licenses issued, and to establish such further regulations and restrictions upon the issuance of and operations under local licenses not inconsistent with law as the public good and convenience may require; and

WHEREAS, Lacey's Place LLC Series Maywood, d/b/a Lacey's Place ("Lacey's Place"), the lease holder of a commercial site at 611 Roosevelt Road, has filed an application requesting the issuance of a Class "M" (Video Gaming Café/Bistro) Liquor License for purposes of allowing the retail sale of beer and wine only at that site.

BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: Each Whereas paragraph set forth above is incorporated by reference into this Section 1.

SECTION 2: Pursuant to Chapter 117 (Alcoholic Beverages), Section 117.23(M) (Class M (Video Gaming Café/Bistro) License), the number of Class "M" (Video Gaming Café/Bistro) Liquor Licenses which can be issued in the Village of Maywood shall be increased from zero (0) to one (1), for the sole purpose of issuing a Class "M" (Video Gaming Café/Bistro) Liquor License to Lacey's Place LLC Series Maywood d/b/a Lacey's Place, for purposes of operating a video gaming café/bistro at 611 W. Roosevelt Road, Maywood, Illinois, SUBJECT TO THE CONDITIONS SET FORTH BELOW IN SECTION 4.

SECTION 3: The Corporate Authorities of the Village of Maywood authorize the Local Liquor Commissioner to issue the Class "M" (Video Gaming Café/Bistro) Liquor License created under Section 2 of this Ordinance to Lacey's Place LLC Series Maywood d/b/a/ Lacey's Place for the purpose of allowing retail sales of beer and wine

only at the video gaming café/bistro at 611 W. Roosevelt Road, Maywood, Illinois, SUBJECT TO THE CONDITIONS SET FORTH BELOW IN SECTION 4.

SECTION 4: The issuance of a Class "M" (Video Gaming Café/Bistro) Liquor License to Lacey's Place LLC Series Maywood d/b/a/ Lacey's Place for the purpose of allowing retail sales of beer and wine only at the video gaming café/bistro at 611 W. Roosevelt Road, Maywood, Illinois, is subject to the compliance with the following conditions:

- A. The Local Liquor Commissioner, in her discretion, issues the Class "M" (Video Gaming Café/Bistro) Liquor License to Lacey's Place LLC Series Maywood d/b/a/ Lacey's Place for the purpose of allowing retail sales of beer and wine only at the video gaming café/bistro located at 611 W. Roosevelt Road, Maywood, Illinois.
- B. Lacey's Place LLC Series Maywood d/b/a/ Lacey's Place shall comply with all applicable provisions of Chapter 117 (Liquor) of the Maywood Village Code, as amended, including but not limited to the requirements for Video Game Café/Bistro licensees set forth in Section 117.23(M) and proof that the owner/licensee of the licensed establishment, on-site manager(s) and each employee has successfully passed the BASSETT program or a similar server/sale of alcoholic beverage training program.
- C. Lacey's Place LLC Series Maywood d/b/a/ Lacey's Place shall comply with all of the other applicable provisions of the Maywood Village Code, as amended, in the operation of the video gaming café/bistro, including but not limited to the Fire Prevention Code, the Plumbing Code, Building Code, the Property Maintenance Code, Illinois Accessibility Code, the Zoning Code, and the Village Code regulations governing video gaming.
- D. Lacey's Place LLC Series Maywood d/b/a/ Lacey's Place shall comply with all applicable statutory and regulatory requirements of the Illinois Liquor Control Act of 1934 (235 ILCS 5/1-1 *et seq.*), as amended, the Video Gaming Act (230 ILCS 40/1 *et seq.*), as amended, and all other applicable State laws and regulations.
- E. Lacey's Place LLC Series Maywood d/b/a/ Lacey's Place shall post on the exterior of the building and the interior of the building, at each entrance, signs that read "No Loitering" and shall cooperate with the Village to enforce all of its existing loitering regulations, including but not limited to Section 117.59(C) of the Maywood Village Code prohibiting liquor license holders from allowing loitering on the licensed premises, as well as all loitering regulations that may be enacted in the future. Lacey's Place LLC Series Maywood d/b/a/ Lacey's Place is obligated to comply at all times with Section 117.23(M)(2)(j) of the Maywood Village Code obligating a licensee to install and operate a video and audio surveillance system

within the licensed premises or, in the alternative, to provide a security guard on the premises during operating hours.

- F. The issuance of the Class "M" (Video Gaming Café/Bistro) Liquor License is contingent upon Lacey's Place LLC Series Maywood d/b/a/ Lacey's Place completing its build-out of the site at 611 W. Roosevelt Road in substantial conformance with the proposed Floor Plan and other Interior Plans for the business attached hereto as **Exhibit A** and made a part hereof, and its subsequent operation of the video gaming café/bistro in substantial conformance with those same plans, with such modifications as approved by the Village's building department.
- G. The issuance of the Class "M" (Video Gaming Café/Bistro) Liquor License is contingent upon Lacey's Place LLC Series Maywood d/b/a/ Lacey's Place providing a completed liquor license application to the Village for each of its on-site manager(s) for the Lacey's Place site, and the manager(s) shall submit to a background check by the Village, all as required by the Village Code. The Village-approved on-site manager(s) must be physically present on the premises at all times that retail sales of beer and wine are being offered to the public. The application and successful completion of the background check for the on-site manager(s) must be completed prior to the issuance of a liquor license.

SECTION 5: All ordinances, or parts of ordinances, in conflict with the provisions of this Ordinance, to the extent of such conflict, are repealed.

SECTION 6: Each section, paragraph, clause and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

SECTION 7: Except as to the Code amendment set forth above in this Ordinance, all Chapters and Sections of the Maywood Village Code, as amended, shall remain in full force and effect.

SECTION 8: This Ordinance shall be in full force and effect from and after its adoption, approval, and publication in pamphlet form as provided

ADOPTED this 16th day of March, 2016, pursuant to a roll call vote as follows:

AYES: Mayor Edwenna Perkins, Trustee(s) H. Yarbrough, I. Brandon and M. Rogers

NAYS: A. Dorris, M. Lightford and R. Rivers

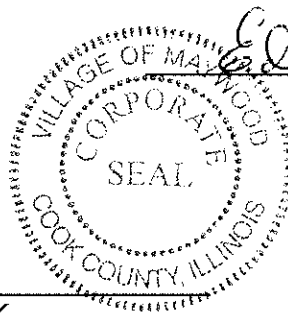
ABSENT: None

APPROVED by me this 17th day of March, 2016, and attested by the Village Clerk on the same day.

ATTEST:



VILLAGE CLERK





VILLAGE PRESIDENT

Published by me in pamphlet form this 17th day of March, 2016.



VILLAGE CLERK

**ACKNOWLEDGEMENT BY LIQUOR LICENSE APPLICANT FOR
A CLASS "M" (VIDEO GAMING CAFÉ/BISTRO) 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 "M" (VIDEO GAMING CAFÉ/BISTRO) LIQUOR LICENSE to Lacey's Place LLC Series Maywood d/b/a/ Lacey's Place, including each of the conditions set forth in Section 4 above.

**Liquor License Applicant - Lacey's Place LLC Series Maywood
d/b/a/ Lacey's Place**

By: _____

Name: _____

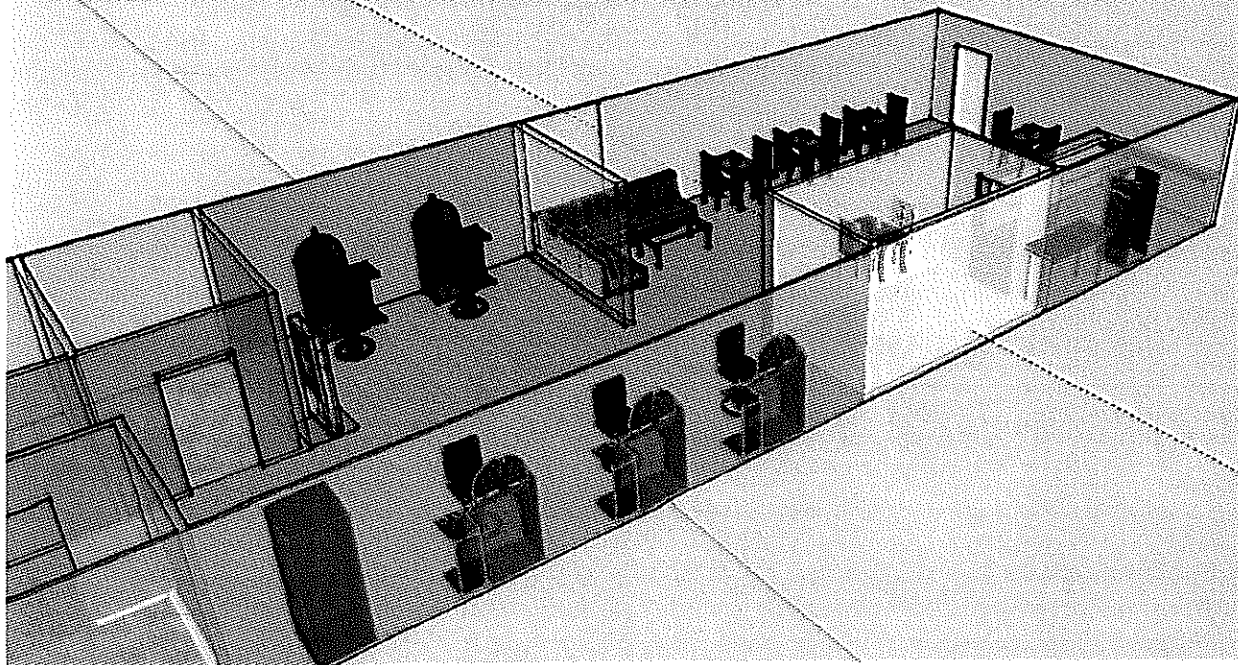
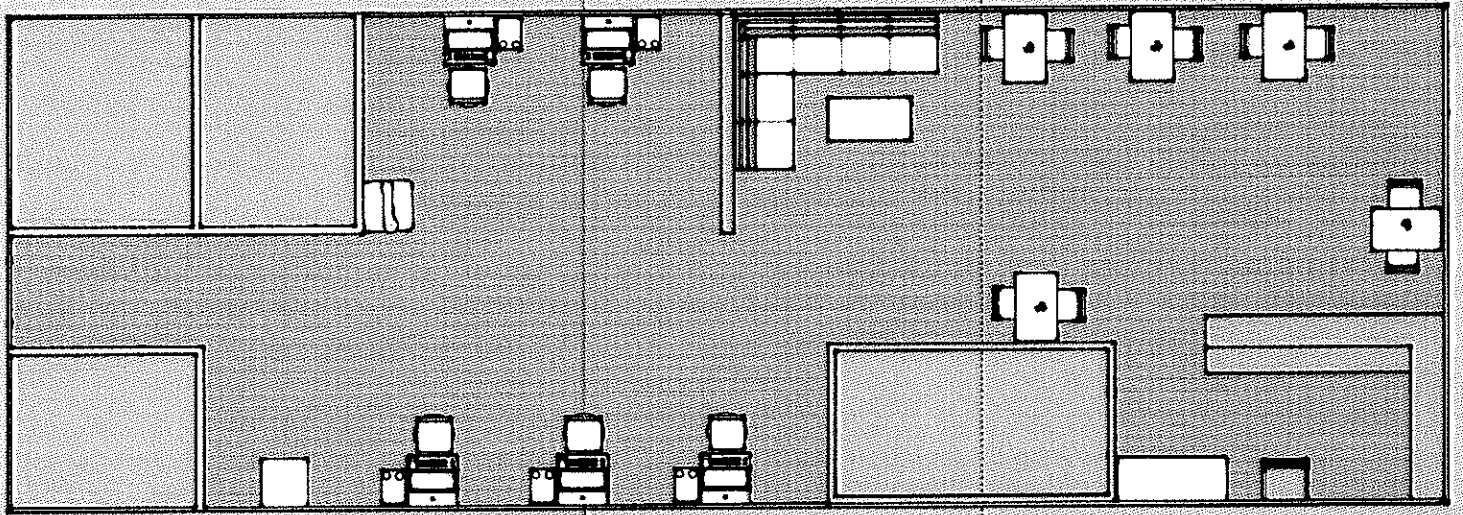
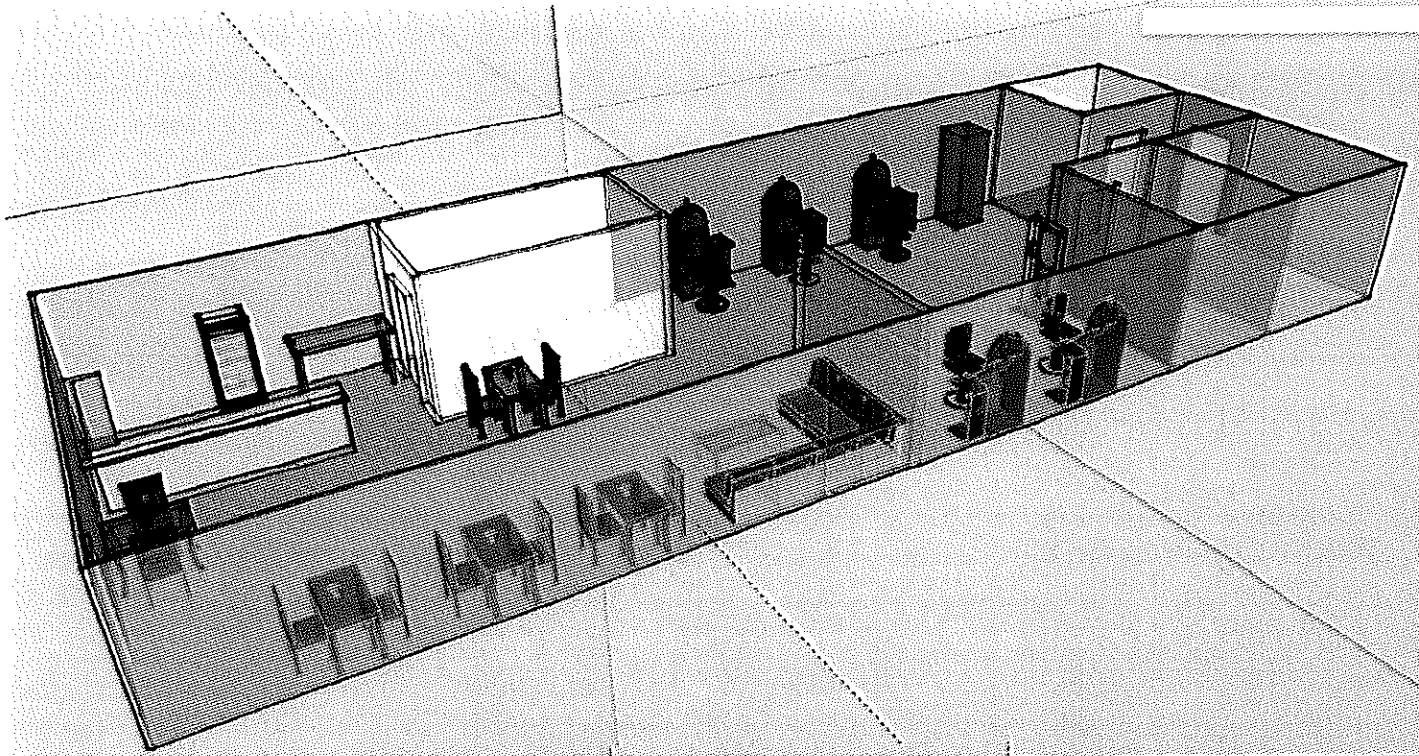
Its: _____

Date: _____, 2016

EXHIBIT A

**FLOOR PLAN AND OTHER INTERIOR PLANS FOR
VIDEO GAMING CAFÉ/BISTRO
AT 611 W. ROOSEVELT ROAD**

(ATTACHED)



STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CLERK'S CERTIFICATE

I, Viola Mims, Clerk of the Village of Maywood, in the County of Cook and State of Illinois, certify that the attached and foregoing is a true and correct copy of that certain Ordinance now on file in my Office, entitled:

ORDINANCE NO. CO-2016-05

**AN ORDINANCE AMENDING THE NUMBER OF
CLASS "M" (VIDEO GAMING CAFÉ/BISTRO) LIQUOR LICENSES WHICH CAN BE
ISSUED IN THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS
(Lacey's Place LLC Series Maywood, d/b/a Lacey's Place – 611 W. Roosevelt Rd.)**

which Ordinance was passed by the Board of Trustees of the Village of Maywood at a Regular Village Board Meeting on the 16th day of March, 2016, at which meeting a quorum was present, and approved by the President of the Village of Maywood on the 17th day of March, 2016.

I further certify that the vote on the question of the passage of said Ordinance by the Board of Trustees of the Village of Maywood was taken by Ayes and Nays and recorded in the minutes of the Board of Trustees of the Village of Maywood, and that the result of said vote was as follows, to-wit:

AYES: Mayor Edwenna Perkins, Trustee(s) H. Yarbrough, I. Brandon and M. Rogers

NAYS: A. Dorris, M. Lightford and R. Rivers

ABSENT: None

I do further certify that the original Ordinance, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Maywood, this 17th day of March, 2016.





Village Clerk