

ORIGINAL

ORDINANCE NO. CO-2017-10

**AN ORDINANCE AMENDING
THE NUMBER OF CLASS "K" (CATERER) LIQUOR LICENSES
WHICH CAN BE ISSUED IN THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS
PURSUANT TO SECTION 117.23 (CLASSIFICATIONS; FEES; NUMBER OF LICENSES)
OF THE MAYWOOD VILLAGE CODE**

(Monique Smith-Iclezan d/b/a Niques Wineporium – 1623 South 15th Avenue)

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.*) (the "Act") 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, Monique Smith-Iclezan d/b/a Niques Wineporium at 1623 South 15th Avenue, Maywood, Illinois ("Applicant") has filed an application to receive a Class "K" (Caterer) Liquor License for the purpose of allowing the retail sale, tastings, service and consumption of alcoholic liquor in conjunction with the service of food during events catered by the Applicant. The Applicant has not held a liquor license in the past; and

WHEREAS, on March 31, 2017, the Maywood Local Liquor Control Commission (the "Commission") held a public hearing in regard to the Application. Village staff submitted information that confirmed the Applicant passed a background check conducted by the Maywood Police Department, does not owe the Village any money and is not delinquent in any obligations in regard to the Village. After hearing testimony from the Applicant and the public, the Commission voted to favorably recommend the issuance of a Class "K" (Caterer) Liquor License to the Applicant, subject to the following conditions:

- A. Hours of operation of the catering business when alcoholic liquor may be sold, served and consumed by the Applicant are Monday through Sunday from 9:00 A.M. to 11:00 P.M.; and
- B. The Applicant shall obtain an updated Bassett Training Card that shows a non-expired status; and

WHEREAS, the President and Board of Trustees of the Village of Maywood (the "Corporate Authorities") find that the Applicant has submitted a complete application for a Class "K" (Caterer) Liquor License, is in good standing with the Village and the Local Liquor Control Commissioner in regard to holding a Class "K" (Caterer) Liquor License and operating a business within the Village, and is eligible to hold and receive a Class "K" (Caterer) Liquor License for the purpose of allowing the retail sale, tastings, service and consumption of alcoholic liquor in conjunction with the service of food during events catered by the Applicant.

BE IT ORDAINED BY THE 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(K) (Class "K" (Caterer) Liquor License) of the Maywood Village Code, the President and Board of Trustees of the Village of Maywood authorize that the number of Class "K" (Caterer) 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 "K" (Caterer) Liquor License to Monique Smith-Iclezan d/b/a Niques Wineporium at 1623 South 15th Avenue, Maywood, Illinois to allow the retail sale, tastings, service and consumption of alcoholic liquor in conjunction with the service of food during events catered by the Applicant, **SUBJECT TO THE CONDITONS SET FORTH BELOW IN SECTION 4.**

SECTION 3: The President and Board of Trustees of the Village of Maywood authorize the Local Liquor Control Commissioner to issue a Class "K" (Caterer) Liquor License created under Section 2 of this Ordinance to Monique Smith-Iclezan d/b/a Niques Wineporium at 1623 South 15th Avenue, Maywood, Illinois to allow the retail sale, tastings, service and consumption of alcoholic liquor in conjunction with the service of food during events catered by the Applicant, **SUBJECT TO THE CONDITIONS SET FORTH BELOW IN SECTION 4.**

SECTION 4: The issuance of a Class "K" (Caterer) Liquor License to Monique Smith-Iclezan d/b/a Niques Wineporium at 1623 South 15th Avenue, Maywood, Illinois to allow the retail sale, tastings, service and consumption of alcoholic liquor in conjunction with the service of food during events catered by the Applicant is subject to compliance with the following conditions:

- A. The Local Liquor Control Commissioner, in his/her discretion, may issue a Class "K" (Caterer) Liquor License to Monique Smith-Iclezan d/b/a Niques Wineporium at 1623 South 15th Avenue, Maywood, Illinois to allow the retail sale, tastings, service and consumption of alcoholic liquor in conjunction with the service of food during events catered by the Applicant.
- B. Upon approval of this Ordinance and issuance of a Class "K" (Caterer) Liquor License by the Local Liquor Control Commissioner to Monique Smith-Iclezan d/b/a Niques Wineporium at 1623 South 15th Avenue, Maywood, Illinois, the Village Clerk is authorized, pursuant to Section 117.23(N) (Increase Or Decrease In Number Of Licenses) of Chapter 117 (Alcoholic Beverages) of the Maywood Village Code, to amend the public record to document the current number of liquor licenses and liquor license holders, which have been authorized and issued in the Village of Maywood.
- C. The permitted hours of operation of the catering business when alcoholic liquor may be sold, served and consumed as part of a catered event conducted by the Applicant are Monday through Sunday from 9:00 A.M. and 11:00 P.M.
- D. Monique Smith-Iclezan shall comply with all of the applicable provisions of Chapter 117 (Liquor) of the Maywood Village Code, as amended, including proof that the owner/licensee of the licensed establishment, on-site manager(s) and each employee have successfully passed the BASSETT program or a similar server/sale of alcoholic beverage training program.

- E. Monique Smith-Iclezan shall comply with all of the other applicable provisions of federal, state, county and local laws and regulations, including but not limited to the Maywood Village Code, as amended, in the operation and maintenance of the cateringing business on the above-listed property and elsewhere, 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.

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 amendments 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 by law.

ADOPTED this 18th day of April, 2017, pursuant to a roll call vote as follows:

AYES: Mayor Edwenna Perkins, Trustee(s) H. Yarbrough, Sr., I. Brandon, A. Dorris, M. Rogers, M. Lightford and R. Rivers.

NAYS: None

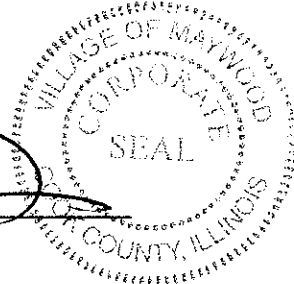
ABSENT: None

APPROVED by the Village President, and attested to by the Village Clerk, on the 20th day of April, 2017.

ATTEST:



Village Clerk





Village President

Published by me in pamphlet form this 20th day of April, 2017.



Village Clerk

ACKNOWLEDGEMENT BY LIQUOR LICENSE APPLICANT

I, Monique Smith-Iclezan d/b/a Niques Wineporium, the undersigned liquor license applicant, agree to comply with and fulfill each and every term, condition and obligation set forth above in the Ordinance creating a Class "K" Liquor License for issuance to me, including each of the conditions set forth in the Ordinance above.

Monique Smith-Iclezan d/b/a Niques Wineporium / Liquor License Applicant

By: _____

Name: Monique Smith-Iclezan

Title: _____
Owner of Niques Wineporium

Date: _____, 2017.

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

CLERK'S CERTIFICATE

I, Viola Mims, the duly elected, qualified and acting Village Clerk of the Village of Maywood, Cook County, Illinois, certify that attached hereto is a true and correct copy of the Ordinance now on file in my office, entitled:

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(Monique Smith-Iclezan d/b/a Niques Wineporium – 1623 South 15th Avenue)

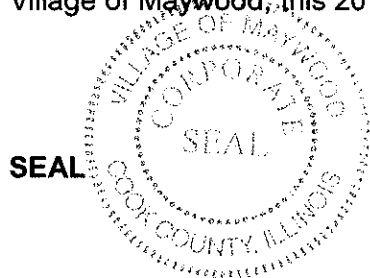
which was passed by the Board of Trustees of the Village of Maywood at a Regular Board Meeting held on the 18th day of April, 2017, at which meeting a quorum was present, and approved by the President of the Village of Maywood on the 20th day of April, 2017.

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

AYES: Mayor Edwenna Perkins, Trustee(s) H. Yarbrough, Sr., I. Brandon, A. Dorris, M. Rogers, M. Lightford and R. Rivers.
NAYS: None
ABSENT: None

I do further certify that the original Ordinance, of which the attached 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 20th day of April, 2017.



By:  _____
Village Clerk