

**ORDINANCE NO. 2018- 23**

**AN ORDINANCE AMENDING CHAPTER 6, ARTICLE II, SECTION 6-45 OF THE MUNICIPAL CODE, VILLAGE OF STICKNEY, ILLINOIS REGARDING LIQUOR LICENSES**

**WHEREAS**, the Village of Stickney (the "Village") is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

**WHEREAS**, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations; and

**WHEREAS**, the Village President (the "President") and the Board of Trustees of the Village (the "Village Board" and with the President, the "Corporate Authorities") are committed to ensuring the health, safety and welfare of Village residents; and

**WHEREAS**, the Village licenses and regulates businesses within the Village, and more specifically, businesses selling alcoholic liquor; and

**WHEREAS**, the Corporate Authorities are empowered to determine the number and types of liquor licenses available in the Village, subject to the provisions of the Municipal Code of the Village of Stickney (the "Village Code") and the Illinois Liquor Control Act, 235 ILCS 5/1, *et seq* (the "Act"); and

**WHEREAS**, the Corporate Authorities desire to exercise their home rule authority in implementing the regulations contemplated herein (the "Regulations"); and

**WHEREAS**, based upon the foregoing, the Corporate Authorities have determined that it is necessary, advisable and in the best interests of the Village and its residents to amend Chapter 6, Article II, Section 6-45 of the Village Code to increase the number of available "Class D" licenses from three (3) to four (4), as set forth below;

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, as follows:**

**ARTICLE I.  
IN GENERAL**

**SECTION 1. INCORPORATION CLAUSE.**

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

**SECTION 2. PURPOSE.**

The purpose of this Ordinance is to amend Chapter 6, Article II, Section 6-45 of the Village Code to increase the number of available "Class D" licenses from three (3) to four (4), and to authorize the President or his designee to take all actions necessary to carry out the intent of this Ordinance.

**ARTICLE II.  
AMENDMENT OF CHAPTER 6, ARTICLE II, SECTION 6-45 OF THE MUNICIPAL CODE,  
VILLAGE OF STICKNEY, ILLINOIS**

**SECTION 3.0. AMENDMENT OF CHAPTER 6, ARTICLE II, SECTION 6-45.**

That the Village Code is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by amending Chapter 6, Article II, Section 6-45 as follows:

**Sec. 6-45. – Number.**

There shall be issued in the village no more than six class C licenses; provided, however, that satellite stations existing under any class C licenses issued to the Hawthorne Race Track or any concessionaire connected therewith shall not be included in or considered a part of the six class C licenses. There shall be issued in the village no more than ~~three~~ four class D licenses. There shall be issued in the village no more than two class E licenses. There shall be issued in the village no more than three class F licenses. There shall be issued in the village no more than six class G licenses. There shall be issued in the village no more than one class H license. There shall be issued in the village no more than four class K licenses, except as authorized upon the majority vote of the board of trustees.

**SECTION 3.1. OTHER ACTIONS AUTHORIZED.**

The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the amendments contemplated by this Ordinance, and shall take all action necessary in conformity therewith. The officers, employees and/or agents of the Village are specifically authorized and directed to draft and disseminate any and all necessary forms or notices to be utilized in connection with the intent of this Ordinance.

**ARTICLE III.  
HEADINGS, SAVINGS CLAUSES, PUBLICATION,  
EFFECTIVE DATE**

**SECTION 4. HEADINGS.**

The headings of the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

**SECTION 5. SEVERABILITY.**

The provisions of this Ordinance are hereby declared to be severable and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

**SECTION 6. SUPERSEDER.**

All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

**SECTION 7. PUBLICATION.**

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

**SECTION 8. EFFECTIVE DATE.**

This Ordinance shall be effective immediately upon its passage.

(REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

**PASSED this 15<sup>th</sup> day of May, 2018.**

**AYES: Trustee Hrejsa, Kapolnek, Milenkovic, Torres and White**

**NAYS: none**

**ABSENT: Trustee Savopoulos**

**ABSTENTION: none**

**APPROVED by me this 15<sup>th</sup> day of May, 2018.**

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**Jeff Walik, President**

**ATTESTED AND FILED in my  
office this 15<sup>th</sup> day of May, 2018.**

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**Beth Lukas, Deputy Village Clerk**