

**VILLAGE OF OSWEGO
KENDALL AND WILL COUNTIES, ILLINOIS**

ORDINANCE NO. 20 - 32

**AN ORDINANCE AMENDING TITLE 3 CHAPTER 7 OF THE CODE OF ORDINANCES FOR
THE VILLAGE OF OSWEGO, KENDALL AND WILL COUNTIES, ILLINOIS**

Alcoholic Beverages

**(B2MP Oswego Inc., dba BP Oswego, 6501 Route 34, Oswego IL; Increase Class “B-2” Liquor
License and Decrease Class “B-1” Liquor License)**

**ADOPTED BY
THE PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF OSWEGO**

This 14th day of July 2020

Published in this pamphlet form by authority of the President
and Board of Trustees of the Village of Oswego on July 15, 2020.

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**Alcoholic Beverages
(B2MP Oswego Inc., dba BP Oswego, 6501 Route 34, Oswego IL; Increase Class “B-2” Liquor License and Decrease Class “B-1” Liquor License)**

WHEREAS, the Village of Oswego (“Village”) has a population of more than 25,000 and is therefore a “Home Rule Unit” under the 1970 Illinois Constitution; and

WHEREAS, the Illinois Constitution of 1970 provides that a Home Rule Unit may exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals and welfare; to license, to tax; and to incur debt; and

WHEREAS, the Village has in full force and effect a codified set of those ordinances of the Village which are of a general and permanent nature, which said codified set is known and designated as the Village Code of the Village of Oswego, as amended; and

WHEREAS, B2MP Oswego Inc., dba BP Oswego has requested a reclassification from a Class “B-1” liquor license to a “B-2” liquor license which authorizes the licensee to sell to the general public, alcoholic liquor in original packages only for the consumption off the premises where sold and shall authorize beer and wine, in conjunction with video gaming, be sold for consumption on the specified premises; and

WHEREAS, Class “B-2” license holders are allowed to apply for a video gaming license through the State and Village and the license is exclusive to gas stations that are not considered a licensed truck stop. The operation of video gaming terminals shall be ancillary to the operation of the premises as a gas station or convenience store; and

WHEREAS, all required applications, permits, registrations and licenses shall be obtained from the Village of Oswego and the State prior to release of the Village issued video gaming license; and

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OSWEGO, KENDALL AND WILL COUNTIES, ILLINOIS IN THE EXERCISE OF THEIR HOME RULE, STATUTORY AND OTHER POWERS, AS FOLLOWS:

Section 1: That the recitals set forth above are incorporated here by reference, and the ordinance is approved to increase the number of Class “B-2” liquor licenses from zero (0) to one (1) licenses; and the decrease of the number of Class “B-1” liquor licenses from 18 (eighteen) to seventeen (17). That Section 3-7-11 of the Village Code of the Village of Oswego is hereby amended as follows:

3-7-11: NUMBER OF LIQUOR LICENSES:

(A) There shall be no more than the following licenses in effect at any one time:

- There shall be no more than five (5) Class A-1 licenses in effect at any one time.
- There shall be no more than zero (0) Class A-2 licenses in effect at any one time.
- There shall be no more than three (3) Class A-3 licenses in effect at any one time.
- There shall be no more than seventeen (17) Class B-1 licenses in effect at any one time.
- There shall be no more than one (1) Class B-2 licenses in effect at any one time.
- There shall be no more than eighteen (18) Class C licenses in effect at any one time.
- There shall be no more than four (4) Class D licenses in effect at any one time.
- There shall be no more than two (2) Class E licenses in effect at any one time.
- There shall be no more than four (4) Class F-1 licenses in effect at any one time.
- There shall be no more than zero (0) Class F-2 licenses in effect at any one time.
- There shall be no more than zero (0) Class G license in effect at any one time.
- There shall be no more than zero (0) Class H license in effect at any one time.
- There shall be no more than zero (0) Class I license in effect at any one time.
- There shall be no more than zero (0) Class J license in effect at any one time.
- There shall be no more than one (1) Class K license in effect at any one time.
- There shall be no more than one (1) Class L license in effect at any one time.
- There shall be no more than zero (0) Class M license in effect at any one time.
- There shall be no more than two (2) Class N license in effect at any one time.
- There shall be no more than one (1) Class O license in effect at any one time.
- There shall be no more than one (1) Class P license in effect at any one time.

Section 2: SEVERABILITY

This ordinance and every provision thereof shall be considered severable. If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

Section 3: REPEALER

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4: EFFECTIVE DATE

This Ordinance shall be in full force and effect immediately upon its passage, approval and publication in this pamphlet form which is hereby authorized, as provided by law.

PASSED by the Board of Trustees of the Village of Oswego, Kendall and Will Counties, Illinois this 14th day of July 2020.

JAMES MARTER	<u>AYE</u>	LUIS PEREZ	<u>AYE</u>
TERRY OLSON	<u>AYE</u>	JUDY SOLLINGER	<u>AYE</u>
PAM PARR	<u>AYE</u>	BRIAN THOMAS	<u>AYE</u>

APPROVED by me, Troy Parlier, as President of the Village of Oswego, Kendall and Will Counties, Illinois this 14th day of July 2020.

TROY PARLIER, VILLAGE PRESIDENT

TINA TOUCHETTE, VILLAGE CLERK

STATE OF ILLINOIS)
)
COUNTY OF KENDALL) SS

CLERK'S CERTIFICATE
(ORDINANCE)

I, Tina Touchette, the duly qualified and acting Village Clerk of the Village of Oswego, Kendall and Will Counties, Illinois, do hereby certify that I am the keeper of its books and records and that the attached hereto is a true and correct copy of an Ordinance entitled:

Alcoholic Beverages
(B2MP Oswego Inc., dba BP Oswego, 6501 Route 34, Oswego IL; Increase Class “B-2” Liquor License and Decrease Class “B-1” Liquor License)

which Ordinance was duly adopted by said Board of Trustees at a meeting held on the 14th day of July 2020, approved by the Village President on 14th day of July 2020.

I do further certify, in my official capacity, that a quorum of said Board of Trustees was present in person or by electronic means at said meeting and that the Board complied with all requirements of the Illinois Open Meetings Act with electronic participation as authorized by the Open Meetings Act during a declared disaster.

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of July 2020.

Tina Touchette, Village Clerk
Village of Oswego

(Seal)