

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

ORDINANCE NO. 20 - 43

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

**Alcoholic Beverages
(Tivoli Enterprises, Inc. d/b/a Kendall 11, 95 Fifth St.; Increase Class “O” Liquor License)**

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

This 4th day of August 2020

Published in this pamphlet form by authority of the President
and Board of Trustees of the Village of Oswego on August 5, 2020.

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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, Tivoli Enterprises, Inc. dba Kendall 11 applied for a Class “O” liquor license which authorizes the licensee to sell to the public, alcoholic liquor for consumption only on the licensed premises operating as a cinema or movie theater venue, consisting of a single- or multi-screen operation in conjunction with the purveying of food for consumption on the premises, and further provided that the sale of food and alcoholic beverages shall be an accessory to the operation of the premises as a cinema or movie theater venue; and

WHEREAS, all required permits, registrations and licenses shall be obtained from the Village of Oswego and a State issued liquor license shall be obtained from the Illinois Liquor Control Commission prior to release of the Village issued liquor license; and

WHEREAS, Tivoli Enterprises, Inc. dba Kendall 11 shall be subject to all Sales Tax and Food & Beverage Tax.

**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 “O” liquor licenses from zero (0) to one (1) license.

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 two (2) 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 4th day of August 2020.

JAMES MARTER	<u>AYE</u>	LUIS PEREZ	<u>ABSENT</u>
TERRY OLSON	<u>AYE</u>	JUDY SOLLINGER	<u>AYE</u>

PAM PARR

AYE

BRIAN THOMAS

AYE

APPROVED by me, Troy Parlier, as President of the Village of Oswego, Kendall and Will Counties, Illinois this 4th day of August 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:

**AN ORDINANCE AMENDING TITLE 3 CHAPTER 7 OF THE CODE OF ORDINANCES FOR
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which Ordinance was duly adopted by said Board of Trustees at a meeting held on the 4th day of August 2020, approved by the Village President on 4th day of August 2020.

I do further certify, in my official capacity, that a quorum of said Board of Trustees was present at said meeting and that the Board complied with all requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this 5th day of August 2020.

Tina Touchette, Village Clerk
Village of Oswego

(Seal)