

Scrivener's Error- for Correction to Address

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

ORDINANCE NO. 21 - 56

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

**Liquor License
(Mac's Convenience Stores LLC d.b.a. Circle K 4701486, 1190A ~~B~~ U.S. Highway 34; Increase Class
"F-2" Liquor License)**

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

This 8th day of June 2021

Published in this pamphlet form by authority of the President
and Board of Trustees of the Village of Oswego on June 9, 2021.

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(Mac's Convenience Stores LLC d.b.a. Circle K 4701486, 1190A B U.S. Highway 34; Increase Class
"F-2" 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, Mac's Convenience Stores LLC d.b.a. Circle K 4701486 located at 1190A B U.S. Highway 34 has applied for a Class "F-2" liquor license which allows the licensee to sell beer and wine for off-premises consumption and allows for on-premises consumption of beer and wine only in conjunction with video gaming; and

WHEREAS, Mac's Convenience Stores LLC does not intend in allowing for the sale of beer and wine for off-premises consumption; and

WHEREAS, a Class "F-2" liquor license is exclusive to gas stations and/or convenience stores with the operation of video gaming terminals being ancillary to the operation of the business as a gas stations and/or convenience store; and

WHEREAS, any applicable applications, building permits, planning approvals, certificate of occupancy and a State issued liquor license shall be obtained prior to release of the Village issued liquor license. Any change in use, change in business, change of occupancy or construction will require the same. All proposed construction or occupancy must meet Village, County, State, accessibility Codes, Building and Fire Code requirements and any other applicable regulations related to the proposed use, including review and approval of site plans.

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 “F-2” liquor licenses from zero (0) to one (1). 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 three (3) Class A-1 licenses in effect at any one time.
There shall be no more than one (1) Class A-2 licenses in effect at any one time.
There shall be no more than five (5) 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 four (4) 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 one (1) Class F-2 licenses in effect at any one time.
There shall be no more than two (2) 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 one (1) Class N-1 license in effect at any one time.
There shall be no more than one (1) Class N-2 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.
There shall be no more than zero (0) Class Q-1 license in effect at any one time.
There shall be no more than one (1) Class Q-2 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 8th day of June 2021.

TOM GUIST	<u>AYE</u>	TERRY OLSON	<u>AYE</u>
KIT KUHRT	<u>AYE</u>	JENNIFER JONES SINNOTT	<u>AYE</u>
JAMES MARTER	<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 8th day of June 2021.

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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"F-2" Liquor License)

which Ordinance was duly adopted by said Board of Trustees at a meeting held on the 8th day of June 2021, and thereafter approved by the Village President on the 8th day of June 2021.

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 9th day of June 2021.

Tina Touchette, Village Clerk
Village of Oswego

(Seal)