

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

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**ORDINANCE NO. 21 - 81**

**AN ORDINANCE AMENDING TITLE 3 CHAPTER 7 AND TITLE 3 CHAPTER 31 OF THE  
CODE OF ORDINANCES FOR THE VILLAGE OF OSWEGO, KENDALL AND WILL  
COUNTIES, ILLINOIS**

**Liquor and Video Gaming License  
(Jay Kesar Inc. d.b.a. Orchard Gaming Cafe, 3404 Orchard Road; Increase Class “A-3” Liquor  
and Video Gaming License)**

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

This 5<sup>th</sup> day of October 2021

Published in this pamphlet form by authority of the President  
and Board of Trustees of the Village of Oswego on October 6, 2021.

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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**, Jay Kesar Inc. d.b.a. Orchard Gaming Cafe located at 3404 Orchard Road applied for a Class “A-3” liquor and video gaming license which authorizes the licensee to sell alcoholic beverages on the specified premises for consumption inside a video gaming café or parlor and allows the licensee to apply for a video gaming license through the Village and the State; and

**WHEREAS**, all required applications, permits, registrations and licenses shall be obtained from the Village of Oswego, Kendall County, and the State of Illinois prior to release of the Village issued liquor and video gaming license.

**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 “A-3” liquor licenses from eight (8) to nine (9). 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 four (4) 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 nine (9) 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 five (5) Class B-2 licenses in effect at any one time.  
There shall be no more than seventeen (17) Class C licenses in effect at any one time.  
There shall be no more than three (3) 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 two (2) 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:** That the recitals set forth above are incorporated here by reference, and the ordinance is approved to increase the number of Class “A-3” video gaming licenses from eight (8) to nine (9). That Section 3-31-9 of the Village Code of the Village of Oswego is hereby amended as follows:

### **3-31-9: NUMBER OF VIDEO GAMING 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 zero (0) Class A-2 licenses in effect at any one time.  
There shall be no more than nine (9) Class A-3 licenses in effect at any one time.  
There shall be no more than five (5) Class B-2 licenses in effect at any one time.  
There shall be no more than three (3) Class C licenses in effect at any one time.  
There shall be no more than one (1) 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 one (1) Class F-2 licenses in effect at any one time.  
There shall be no more than one (1) Class G licenses in effect at any one time.  
There shall be no more than zero (0) Class N licenses in effect at any one time.

### **Section 3: 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 4: REPEALER**

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

**Section 5: 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 5<sup>th</sup> day of October 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 5<sup>th</sup> day of October 2021.

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TROY PARLIER, VILLAGE PRESIDENT

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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 AND TITLE 3 CHAPTER 31 OF THE  
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which Ordinance was duly adopted by said Board of Trustees at a meeting held on the 5<sup>th</sup> day of October 2021, and thereafter approved by the Village President on the 5<sup>th</sup> day of October 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 6<sup>th</sup> day of October 2021.

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Tina Touchette, Village Clerk  
Village of Oswego

(Seal)