

**VILLAGE OF FRANKLIN PARK
PAYABLE VOUCHER, PAYROLL AND ACH SUMMARY
FOR PASSAGE AT THE VILLAGE BOARD MEETING OF
04/03/23**

<u>Payroll Ending</u>	<u>3/25/2023</u>	<u>TOTALS</u>
Village Portion of Social Security	9,944.12	
Village Portion of Medicare	7,440.24	
Prior Month Village Portion of IMRF		
Net Payroll	<u>463,394.50</u>	
Total Payroll Expense	480,778.86	\$ 480,778.86
<u>Manual Checks & Wires</u>		
Manual Checks		
Total Manual Checks & Wires		\$ -
<u>ACH Debits</u>		
Health Insurance Premium	269,099.76	
City of Chicago (Water Payment)	<u>273,802.77</u>	
Total ACH Debits		\$ 542,902.53
<u>Payable Vouchers</u>		
Payable Voucher 04-06-23	<u>687,157.34</u>	
Total Payable Vouchers		\$ 687,157.34
Grand Total Payments		\$ 1,710,838.73

Accounts Payable

Computer Check Proof List by Vendor

User: payroll
 Printed: 03/30/2023 - 11:51AM
 Batch: 00206.04.2023



Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 3443 PSI600421	IST AYD CORPORATION Station supplies	313.99	04/06/2023	Check Sequence: 1 10-30-62030	ACH Enabled: False
	Check Total:	313.99			
Vendor: 1259 142564/1 142565/1	ACE HARDWARE - FIRE Clamp Velcro industrial	7.18 12.99	04/06/2023 04/06/2023	Check Sequence: 2 10-30-62050 10-30-62040	ACH Enabled: False
	Check Total:	20.17			
Vendor: 3364 1245111-03-2023	ADP SCREENING & SELECTION Monthly screening services March2023	30.49	04/06/2023	Check Sequence: 3 10-60-60000	ACH Enabled: False
	Check Total:	30.49			
Vendor: 4590 3013133551Mar23	AEP ENERGY 0 N Belmont 3013133551 2/7-3/8/2023	409.68	04/06/2023	Check Sequence: 4 19-01-62330	ACH Enabled: False
	Check Total:	409.68			
Vendor: 3050 191467	AIR ONE EQUIPMENT, INC. SCBA repair kit	508.00	04/06/2023	Check Sequence: 5 10-30-50800	ACH Enabled: False
	Check Total:	508.00			
Vendor: 3465 375536	AMERICANEAGLE.COM, INC. Professional services- fix website issues	5,000.00	04/06/2023	Check Sequence: 6 10-02-54200	ACH Enabled: False
	Check Total:	5,000.00			
Vendor: 5347 6020100306 6020102524	ARAMARK Carpet service Carpet service	116.59 116.59	04/06/2023 04/06/2023	Check Sequence: 7 10-20-52600 10-20-52600	ACH Enabled: False

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
6020104828	Carpet service	116.59	04/06/2023	10-20-52600	
6020104837	Carpet service	156.93	04/06/2023	10-13-52600	
6020107163	Carpet service	116.59	04/06/2023	10-20-52600	
6020107165	Carpet service	156.93	04/06/2023	10-13-52600	
6020109397	Carpet service	116.59	04/06/2023	10-20-52600	
6020109403	Carpet service	156.93	04/06/2023	10-13-52600	
	Check Total:	1,053.74			
Vendor: 5242	AT&T			Check Sequence: 8	ACH Enabled: False
847671155603	Alarm circuits and multiple single lines for March	1,743.11	04/06/2023	10-02-51200	
	Check Total:	1,743.11			
Vendor: 0717	AT&T LONG DISTANCE			Check Sequence: 9	ACH Enabled: False
850021744Mar23	Long distance for March	44.85	04/06/2023	10-02-51200	
	Check Total:	44.85			
Vendor: 1272	AT&T TELECONFERENCE SERVICES			Check Sequence: 10	ACH Enabled: False
302-006753	Conference call services- March	30.16	04/06/2023	10-02-51200	
	Check Total:	30.16			
Vendor: 2036	BEST TECHNOLOGY SYSTEMS, INC			Check Sequence: 11	ACH Enabled: False
BTL-22080-5	Bullet trap inspection	1,600.00	04/06/2023	10-20-52700	
BTL-22090-6	Waste disposal	1,175.00	04/06/2023	10-20-52700	
	Check Total:	2,775.00			
Vendor: 0039	BMI			Check Sequence: 12	ACH Enabled: False
46943335	Music fest license	421.00	04/06/2023	10-61-69561	
	Check Total:	421.00			
Vendor: 4146	BOB JOHNSON'S COMPUTER STUFF INC			Check Sequence: 13	ACH Enabled: False
63721	Purchase of toughbooks	1,434.02	04/06/2023	07-01-80600	
	Check Total:	1,434.02			
Vendor: 1609	BRISTOL HOSE & FITTING			Check Sequence: 14	ACH Enabled: False
3509798	Hydraulic fittings #204	85.54	04/06/2023	08-01-50090	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	85.54			
Vendor: 3327 PSV318251	BUCKEYE POWER SALES CO, INC Installed new actuator and controller	7,204.07	04/06/2023	Check Sequence: 15 34-01-50940	ACH Enabled: False
	Check Total:	7,204.07			
Vendor: 0347 87971	BUILDERS CHICAGO CORPORATION Overhead door repairs for Station #2	1,325.15	04/06/2023	Check Sequence: 16 10-30-62050	ACH Enabled: False
	Check Total:	1,325.15			
Vendor: 3378 0099639	BYRNE SOFTWARE TECHNOLOGIES INC Professional services on Accela Feb25- Mar3 2023	607.50	04/06/2023	Check Sequence: 17 10-02-81000	ACH Enabled: False
0099706	Professional services on Accela Mar4- Mar10 2023	810.00	04/06/2023	10-02-81000	
	Check Total:	1,417.50			
Vendor: 1895 HK04317	CDW GOVERNMENT, INC. Replacement Harddrives	1,616.45	04/06/2023	Check Sequence: 18 10-02-50700	ACH Enabled: False
	Check Total:	1,616.45			
Vendor: 0042 5150824182	CINTAS CORPORATION Restock 1st aid kit	111.09	04/06/2023	Check Sequence: 19 10-60-60200	ACH Enabled: False
	Check Total:	111.09			
Vendor: 1667 14870	COLLEGE OF DUPAGE NIMS officer	149.00	04/06/2023	Check Sequence: 20 10-30-52001	ACH Enabled: False
	Check Total:	149.00			
Vendor: 3643 168402643	COMCAST Dedicated internet and network services- March	8,436.21	04/06/2023	Check Sequence: 21 10-02-51200	ACH Enabled: False
	Check Total:	8,436.21			
Vendor: 3648 0167317	COMCAST Cables services Feb2023	95.31	04/06/2023	Check Sequence: 22 10-20-52600	ACH Enabled: False
01688083Mar23	Internet for PD- March	10.00	04/06/2023	10-02-51200	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	105.31			
Vendor: 5257	COMED			Check Sequence: 23	ACH Enabled: False
0188785006Mar23	00WS Wolf Rd 0188785006 2/8-3/9/2023	102.30	04/06/2023	10-50-62330	
0702160012Mar23	3200 Mannheim 0702160012 2/14-3/15/2023	37.61	04/06/2023	10-50-62330	
1862148017Mar23	2709 Scott 1862148017 2/8-3/9/2023	615.33	04/06/2023	34-02-62800	
3893073029Mar23	3900 Mannheim 3893073029 2/7-3/8/2023	22.82	04/06/2023	10-50-62330	
5396076006Mar23	3200 Sarah 5396076006 2/14-3/15/2023	351.01	04/06/2023	10-50-62330	
5732676117Mar23	9800 Franklin 5732676117 2/7-3/8/2023	46.88	04/06/2023	10-50-62330	
5903506002Mar23	2599 Scott 5903506002 2/8-3/9/2023	211.31	04/06/2023	10-50-62330	
8781136050Mar23	10699 Waveland 8781136050 2/7-3/8/2023	99.18	04/06/2023	10-50-62330	
	Check Total:	1,486.44			
Vendor: 8225	CONSTELLATION NEWENERGY, INC			Check Sequence: 24	ACH Enabled: False
64755015401	9400 Grand Ave 7290377-9 2/7-3/8/2023	272.04	04/06/2023	10-50-62330	
64755070001	9364 Franklin 7290377-12 2/7-3/8/2023	53.11	04/06/2023	10-50-62330	
64766294401	0 Franklin Ave 7290377-6 2/8-3/9/2023	586.93	04/06/2023	10-50-62330	
64766304101	8 Countyline Rd 7290377-17 2/8-3/9/2023	1,054.82	04/06/2023	34-01-62800	
64766310601	11201 Taft 7290377-18 2/8-3/9/2023	41.23	04/06/2023	34-02-62800	
64780614101	0 17th Ave & Fullerton 7290377-13 2/9-3/10/2023	113.92	04/06/2023	34-02-62800	
64816777901	2998 Hart 7290377-10 2/14-3/15/2023	104.38	04/06/2023	34-02-62800	
64816783401	9535 Belmont 7290377-5 2/14-3/15/2023	5,370.74	04/06/2023	34-01-62800	
64816828701	9540 Addison 7290377-8 2/14-3/15/2023	46.31	04/06/2023	10-50-62330	
64816860501	9229 Grand 7290377-11 2/14-3/15/2023	192.50	04/06/2023	34-02-62800	
	Check Total:	7,835.98			
Vendor: 1337	CORPORATE BUSINESS CARDS, LTD			Check Sequence: 25	ACH Enabled: False
325329	Business cards- Fire prevention	73.69	04/06/2023	10-60-50400	
325384	Business cards- Building dept	72.69	04/06/2023	10-60-50400	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	146.38			
Vendor: 2991 9855538	DATAPILOT, INC 1 year software maint	1,495.00	04/06/2023	Check Sequence: 26 10-20-60560	ACH Enabled: False
	Check Total:	1,495.00			
Vendor: 1145 03272023	DORIS DELLEGRAZIE Refund for Knox box	175.00	04/06/2023	Check Sequence: 27 10-30-55000	ACH Enabled: False
	Check Total:	175.00			
Vendor: 6002 ESS2928	ELECTRONIC SECURITY SOLUTIONS, INC. Service and maint March2023	350.00	04/06/2023	Check Sequence: 28 41-01-63210	ACH Enabled: False
	Check Total:	350.00			
Vendor: 5080 42290	ENVIRONMENTAL OPERATIONS, INC. Professional services regarding 9800 Franklin Ave	4,492.50	04/06/2023	Check Sequence: 29 10-12-36000	ACH Enabled: False
	Check Total:	4,492.50			
Vendor: 4039 5396090March23	EUCLID MANAGERS Dental April 2023	14,688.07	04/06/2023	Check Sequence: 30 10-52-62390	ACH Enabled: False
5396090March23	Vision April 2023	805.41	04/06/2023	10-52-62390	
5396090March23	Short term disability April 2023	3,602.66	04/06/2023	10-52-62370	
5396090March23	Long term disability April 2023	1,143.55	04/06/2023	10-52-62370	
5396090March23	Voluntary life April 2023	1,383.61	04/06/2023	10-52-59000	
	Check Total:	21,623.30			
Vendor: 2059 125857-37	EXP US SERVICES Franklin Ave Phase II Engineering (1/28-2/24/23)	5,502.06	04/06/2023	Check Sequence: 31 65-10-54100	ACH Enabled: False
	Check Total:	5,502.06			
Vendor: 5061 270905	FIRESTONE COMPLETE AUTO CARE Tire replacement parts and labor #883	237.84	04/06/2023	Check Sequence: 32 10-20-50300	ACH Enabled: False
270906	Tire replacement parts and labor #889	237.84	04/06/2023	10-20-50300	
270907	Tire replacement parts and labor #870	199.36	04/06/2023	10-20-50300	
270909	Tire replacement parts and labor #1891	237.84	04/06/2023	10-20-50300	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	912.88			
Vendor: 5551	FORBEL ALARMS			Check Sequence: 33	ACH Enabled: False
9509	Wiring for new phone system	890.00	04/06/2023	10-02-54200	
	Check Total:	890.00			
Vendor: 4885	FREEDOM HEATING & COOLING, INC			Check Sequence: 34	ACH Enabled: False
31126645	Heater at 9320 Belmont	6,595.00	04/06/2023	34-02-62590	
31541755	Service call for back conference room/Clerk's office	285.00	04/06/2023	10-13-52600	
	Check Total:	6,880.00			
Vendor: 0050	GALLS, INC			Check Sequence: 35	ACH Enabled: False
023492606	Rain coats	61.43	04/06/2023	10-20-60590	
023731452	Stop signs	67.75	04/06/2023	10-20-60590	
	Check Total:	129.18			
Vendor: 1098	IGNACIO GARCIA			Check Sequence: 36	ACH Enabled: False
0310	Reimb for repairs for mechanic room station #1	352.09	04/06/2023	10-30-62040	
	Check Total:	352.09			
Vendor: 3082	LUCY GERARDI			Check Sequence: 37	ACH Enabled: False
03222023	Deposit for 2 face painters for FP fest 2023	60.00	04/06/2023	10-61-69561	
	Check Total:	60.00			
Vendor: 4516	GW & ASSOCIATES, PC			Check Sequence: 38	ACH Enabled: False
2303162	Payroll processing Feb2023	3,600.00	04/06/2023	10-60-51900	
	Check Total:	3,600.00			
Vendor: 1026	HARPOS V.I.P AUTOPARTS			Check Sequence: 39	ACH Enabled: False
9269-1	Oil filter #215 and restock inventory (2)	10.47	04/06/2023	08-01-50034	
9278-1	Outer tire rod #215	92.26	04/06/2023	08-01-50034	
9307-1	Complete brake rotors and pads #889	423.93	04/06/2023	08-01-50020	
9314-1	Sway bar bushing #1881	19.53	04/06/2023	08-01-50090	
9321-1	Brakes and rotors #882	151.91	04/06/2023	08-01-50020	
9353-1	Headlight assembly #481	237.00	04/06/2023	08-01-50030	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	935.10			
Vendor: 4497 35037	HEALY ASPHALT CO. LLC UPM cold mix	3,447.60	04/06/2023	Check Sequence: 40 10-90-62600	ACH Enabled: False
	Check Total:	3,447.60			
Vendor: 0591 58131	ILLINOIS ASSOCIATION OF PROPERTY&E\	35.00	04/06/2023	Check Sequence: 41 10-20-52100	ACH Enabled: False
	Membership dues				
	Check Total:	35.00			
Vendor: 1860 RCB31582 RCB32325	ILLINOIS COUNTIES RISK MANAGEMENT Property and Liability premium May2023 W/C premium May2023	64,825.00 50,340.75	04/06/2023 04/06/2023	Check Sequence: 42 10-32-62190 10-32-62200	ACH Enabled: False
	Check Total:	115,165.75			
Vendor: 1430 9674725	ILLINOIS OFFICE OF STATE FIRE MARSHA Certification and inspections	200.00	04/06/2023	Check Sequence: 43 10-20-52600	ACH Enabled: False
	Check Total:	200.00			
Vendor: 0187 2258	ISAAC RAY FORENSIC GROUP Pre Hire Psych Test	395.00	04/06/2023	Check Sequence: 44 10-20-60320	ACH Enabled: False
	Check Total:	395.00			
Vendor: 1256 03212023	KLOS, TOM Reimb for torn pants	90.20	04/06/2023	Check Sequence: 45 10-20-60601	ACH Enabled: False
	Check Total:	90.20			
Vendor: 0110 4664	KRIETER CONCRETE CONST Replacement of reinforced street opening due to water sys repair	5,075.00	04/06/2023	Check Sequence: 46 34-01-62860	ACH Enabled: False
4666	Replacement of reinforced section of public sidewalk section ent	2,520.00	04/06/2023	34-01-62860	
4667	Replacement of reinforced curb with street drain & sec of street	4,750.00	04/06/2023	34-02-63070	
4668	Replacement of reinforced street opening due to water sys repair	3,440.00	04/06/2023	34-01-62860	
	Check Total:	15,785.00			

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 4408 A-10940	KUUSAKOSKI US LLC E-recycling	1,302.06	04/06/2023	Check Sequence: 47 09-01-64000	ACH Enabled: False
	Check Total:	1,302.06			
Vendor: 4051 006605406	Labsource, Inc Black gloves	695.31	04/06/2023	Check Sequence: 48 10-20-60630	ACH Enabled: False
	Check Total:	695.31			
Vendor: 3922 350270	LARRY ROESCH CHRYSLER JEEP DODGE I Ad hose purge #882	37.96	04/06/2023	Check Sequence: 49 08-01-50020	ACH Enabled: False
	Check Total:	37.96			
Vendor: 5590 17717	LARRY'S PLUMBING & ELECTRICAL GENI Womens locker room faucet	1,533.00	04/06/2023	Check Sequence: 50 10-20-52600	ACH Enabled: False
	Check Total:	1,533.00			
Vendor: 1507 02172023 02172023 03182023 03182023	LAWRENCE ANDOLINO Adjudication Feb2023 Adjudication Feb2023 Adjudication March2023 Adjudication March2023	1,500.00 1,500.00 1,500.00 1,500.00	04/06/2023 04/06/2023 04/06/2023 04/06/2023	Check Sequence: 51 10-20-40515 10-13-40515 10-20-40515 10-13-40515	ACH Enabled: False
	Check Total:	6,000.00			
Vendor: 4803 0773056	MEREDITH CULLIGAN WATER CO INC Additional charges	27.92	04/06/2023	Check Sequence: 52 10-20-52600	ACH Enabled: False
	Check Total:	27.92			
Vendor: 0329 340758 340805	MONROE TRUCK EQUIPMENT Black cylinders Road watch mount kits	3,765.06 1,302.19	04/06/2023 04/06/2023	Check Sequence: 53 08-01-50090 08-01-50090	ACH Enabled: False
	Check Total:	5,067.25			
Vendor: 0333 15524 15525 15526	MONTANA & WELCH, LLC Legal services for general matters, Feb2023 Legal services for ROW project, Feb2023 Legal services for litigation, Feb2023	34,987.16 382.50 1,085.40	04/06/2023 04/06/2023 04/06/2023	Check Sequence: 54 10-72-62557 10-72-62557 10-72-62557	ACH Enabled: False

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
2196	Legal services for claim #220316W035-0001 Inv #15529	201.25	04/06/2023	10-72-62557	
	Check Total:	36,656.31			
Vendor: 4992 8281555425	Motorola Solutions, Inc Black V300 molle (25)	625.00	04/06/2023	Check Sequence: 55 10-20-83000	ACH Enabled: False
	Check Total:	625.00			
Vendor: 2106 23-100225 23-57486	MUNICIPAL MANAGEMENT SERVICES, INC Services for April 2023 Services for March 2023	13,595.44 16,829.45	04/06/2023 04/06/2023	Check Sequence: 56 10-20-60400 10-20-60400	ACH Enabled: False
	Check Total:	30,424.89			
Vendor: 2785 127534	NEXTIME, INC Time clock	989.00	04/06/2023	Check Sequence: 57 10-90-50700	ACH Enabled: False
	Check Total:	989.00			
Vendor: 4521 8322680007Feb23	NICOR 10920 King 8322680007 1/27-2/27/2023	938.57	04/06/2023	Check Sequence: 58 34-01-62940	ACH Enabled: False
	Check Total:	938.57			
Vendor: 2107 23-100235	NORCOMM PUBLIC SAFETY COMM., INC. Emergency dispatch services, April 2023	64,835.63	04/06/2023	Check Sequence: 59 10-14-40220	ACH Enabled: False
	Check Total:	64,835.63			
Vendor: 2141 21921891-022223	NORTH SHORE UNIVERSITY Exam fees	574.00	04/06/2023	Check Sequence: 60 10-20-60320	ACH Enabled: False
	Check Total:	574.00			
Vendor: 2249 239707760 239707761 242374437 242374438	ORKIN Weekly services Weekly services Weekly services Weekly services	387.90 387.90 415.99 415.99	04/06/2023 04/06/2023 04/06/2023 04/06/2023	Check Sequence: 61 10-60-62460 10-60-62460 10-60-62460 10-60-62460	ACH Enabled: False
	Check Total:	1,607.78			

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 4704 January2023	PAN AMERICAN BANK Water bill lockbox Jan2023	139.75	04/06/2023	Check Sequence: 62 34-01-59010	ACH Enabled: False
	Check Total:	139.75			
Vendor: 5059 113006 117153	PARTNERS AND PAWS VETERINARY SERV 7 night boarding and medicine 5 night boarding and medicine	420.00 300.00	04/06/2023 04/06/2023	Check Sequence: 63 10-20-57000 10-20-57000	ACH Enabled: False
	Check Total:	720.00			
Vendor: 5442 2023-002	GIULIANO PETRUCCI Plumbing inspector srves for Feb2023	2,700.00	04/06/2023	Check Sequence: 64 10-13-40203	ACH Enabled: False
	Check Total:	2,700.00			
Vendor: 1578 3106002852	PITNEY BOWES GLOBAL FINANCIAL SERV Postage meter lease	1,010.49	04/06/2023	Check Sequence: 65 10-01-50930	ACH Enabled: False
	Check Total:	1,010.49			
Vendor: 0614 0001189 0001190	QUICKET SOLUTIONS Annual subscription Annual cost for 15 units- 4G LTE data	19,584.00 3,600.00	04/06/2023 04/06/2023	Check Sequence: 66 10-20-83000 10-20-83000	ACH Enabled: False
	Check Total:	23,184.00			
Vendor: 4552 0551-015631716	REPUBLIC SERVICES #551 Scavenger services, March2023	140,203.23	04/06/2023	Check Sequence: 67 09-01-64010	ACH Enabled: False
	Check Total:	140,203.23			
Vendor: 0967 137495 139988 144468-1 144468-2	ROESCH FORD Sensor unit#894 Fuses (3) #202 Hub gasket #204 Hub gaskets #204	41.16 26.70 14.54 29.08	04/06/2023 04/06/2023 04/06/2023 04/06/2023	Check Sequence: 68 08-01-50020 08-01-50090 08-01-50090 08-01-50020	ACH Enabled: False
	Check Total:	111.48			
Vendor: 2117 22907 22907 23431	ROZALADO & CO Janitorial services for VH, public works 2/6-2/19/2023 Janitorial services for PD 2/6-2/19/2023 Janitorial services for PD 2/20-3/5/2023	1,423.34 1,631.33 1,631.33	04/06/2023 04/06/2023 04/06/2023	Check Sequence: 69 10-13-52600 10-20-52600 10-20-52600	ACH Enabled: False

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
23431	Janitorial services for VH and public works 2/20-3/5/2023	1,402.57	04/06/2023	10-13-52600	
	Check Total:	6,088.57			
Vendor: 3498 02304001-1 Fina	SE3, LLC Application prep and submittal for Invest in Cook grant	2,500.00	04/06/2023	Check Sequence: 70 10-90-82800	ACH Enabled: False
	Check Total:	2,500.00			
Vendor: 5529 193067	SEAWAY SUPPLY Supplies	242.62	04/06/2023	Check Sequence: 71 10-20-52600	ACH Enabled: False
	Check Total:	242.62			
Vendor: 0172 173605	SERVICE SPRING COMPANY, INC. Spring replacement parts and labor #228	2,619.52	04/06/2023	Check Sequence: 72 10-20-50300	ACH Enabled: False
	Check Total:	2,619.52			
Vendor: 1630 W44918	SHERMAN MECHANICAL Leak at valve in penthouse	145.34	04/06/2023	Check Sequence: 73 10-20-52600	ACH Enabled: False
	Check Total:	145.34			
Vendor: 0479 0579792-IN	SIRCHIE Evidence supplies	529.14	04/06/2023	Check Sequence: 74 10-20-60630	ACH Enabled: False
	Check Total:	529.14			
Vendor: 3336 355.19.20	SMITH LASALLE 9545 Belmont site improvements 2/27-3/26/2023	5,196.00	04/06/2023	Check Sequence: 75 41-01-82800	ACH Enabled: False
472.21.25	Franklin Ave STP Phase III 2/27-3/26/2023	15,620.00	04/06/2023	65-10-82820	
567.22.11	2022 Sewer cleaning and inspection 2/27-3/26/2023	300.00	04/06/2023	34-02-83191	
573.22.7	King st improvements 2/27-3/26/2023	4,365.00	04/06/2023	65-20-82800	
581.22.11	Utilities GIS services 2/27-3/26/2023	9,570.00	04/06/2023	34-01-62870	
581.22.11	Utilities GIS services 2/27-3/26/2023	9,570.00	04/06/2023	34-02-62870	
582.22.3	50/50 sidewalk 2/27-3/26/2023	12,715.00	04/06/2023	34-01-69050	
583.22.11	Lead services program 2/27-3/26/2023	8,690.00	04/06/2023	34-01-82800	
584.22.9	MFT projects 2/27-3/26/2023	4,570.00	04/06/2023	10-90-82800	
586.22.1	Schiller Blvd 1 CM 2/27-3/26/2023	840.00	04/06/2023	65-10-86000	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
600.22.11	Village engineering/ PW management 2/27-3/26/2023	9,917.80	04/06/2023	10-90-82800	
600.22.11	Village engineering/ PW management 2/27-3/26/2023	19,835.60	04/06/2023	34-01-82800	
600.22.11	Village engineering/ PW management 2/27-3/26/2023	19,835.60	04/06/2023	34-02-82800	
	Check Total:	121,025.00			
Vendor: 1565 4011602024	STERICYCLE, INC Monthly waste services	23.50	04/06/2023	Check Sequence: 76 10-20-60630	ACH Enabled: False
	Check Total:	23.50			
Vendor: 0103 T2310506 T2318639	TECHNOLOGY MANAGEMENT REVOLVIN Communication charges Communication charges	942.40 942.40	04/06/2023 04/06/2023	Check Sequence: 77 07-01-51200 07-01-51200	ACH Enabled: False
	Check Total:	1,884.80			
Vendor: 1230 9506683733	TELEFLEX LLC EZ-IO Power driver	909.50	04/06/2023	Check Sequence: 78 10-30-82080	ACH Enabled: False
	Check Total:	909.50			
Vendor: 3351 847931458	THOMSON REUTERS - WEST March charges	237.25	04/06/2023	Check Sequence: 79 10-20-60560	ACH Enabled: False
	Check Total:	237.25			
Vendor: 0995 300719145	TK ELEVATOR CORP Quarterly maint bill for VH elevator	1,416.31	04/06/2023	Check Sequence: 80 10-13-52600	ACH Enabled: False
	Check Total:	1,416.31			
Vendor: 5041 160940619	ULINE SHIPPING SUPPLY SPECIALISTS Supplies	137.47	04/06/2023	Check Sequence: 81 10-20-60630	ACH Enabled: False
	Check Total:	137.47			
Vendor: 0160 80002673	UNITED RADIO COMMUNICATIONS Service contract for April 2023	703.75	04/06/2023	Check Sequence: 82 07-01-60000	ACH Enabled: False
	Check Total:	703.75			

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 5425	VERIZON WIRELESS			Check Sequence: 83	ACH Enabled: False
9928649932	ESTB 911 phone charges- #980431441-00001 1/26-2/25/23	855.60	04/06/2023	07-01-51200	
9928649933	ESTB 911 phone charges- #980431441-00002 1/26-2/25/23	646.50	04/06/2023	07-01-51200	
	Check Total:	1,502.10			
Vendor: 1125	VILLAGE OF ROMEOVILLE			Check Sequence: 84	ACH Enabled: False
2023-077	Company Fire officer phase 3	450.00	04/06/2023	10-30-52001	
	Check Total:	450.00			
Vendor: 0351	WAREHOUSE DIRECT			Check Sequence: 85	ACH Enabled: False
5452865-0	Soap refills	141.18	04/06/2023	10-13-52200	
IN478094	Copier page counts for all copiers for Feb	706.40	04/06/2023	10-02-80001	
	Check Total:	847.58			
Vendor: 0789	WERNICK KEY & LOCK SERVICE			Check Sequence: 86	ACH Enabled: False
79258	12 locker locks	292.27	04/06/2023	10-20-52600	
	Check Total:	292.27			
	Total for Check Run:	687,157.34			
	Total of Number of Checks:	86			

THE VILLAGE OF FRANKLIN PARK
COOK COUNTY, ILLINOIS

RESOLUTION

NUMBER 2223-R-__

**A RESOLUTION OF THE VILLAGE OF FRANKLIN PARK, COOK
COUNTY, ILLINOIS, RECOGNIZING WORLD HONEY BEE DAY
IN FRANKLIN PARK ON AUGUST 19, 2023 AND URGING RESIDENTS
TO WORK ON IMPROVING HONEY BEE HEALTH AND HABITAT**

BARRETT F. PEDERSEN, Village President
APRIL ARELLANO, Village Clerk

IRENE AVITIA
GILBERT J. HAGERSTROM
JOHN JOHNSON
WILLIAM RUHL
KAREN SPECIAL
ANDY YBARRA
Trustees

RESOLUTION NUMBER 2223-R-__

**A RESOLUTION OF THE VILLAGE OF FRANKLIN PARK, COOK
COUNTY, ILLINOIS, RECOGNIZING WORLD HONEY BEE DAY
IN FRANKLIN PARK ON AUGUST 19, 2023 AND URGING RESIDENTS
TO WORK ON IMPROVING HONEY BEE HEALTH AND HABITAT**

WHEREAS, the Village of Franklin Park, Cook County, Illinois (the "*Village*") is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, World Honey Bee Awareness Day is recognized nationally to build community awareness in order to promote the importance of honey bees as essential pollinators and take steps to protect their population, which is in severe decline; and

WHEREAS, to support honey bees it is important to preserve their environment by planting wildflowers and other flowering plants and trees because honey bees are critical to the process of pollination and are essential to produce more than ninety food crops; and

WHEREAS, honey bees face a significant threat from colony collapse disorder, which has been linked with various diseases and environmental stress, loss of natural habitat and inappropriate use of pesticides and herbicides, among other factors; and

WHEREAS, the Village encourages all residents to understand the importance of honey bees in our lives and to take steps to work toward creating and maintaining healthy ecosystems for honey bee colonies to prosper; and

WHEREAS, World Honey Bee Awareness Day recognizes the importance of honey bees in our environment and seeks to spread awareness on how environmental changes affect the declining number of bees along with the importance of honey bees that are responsible for a

significant amount of the food we consume.

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Franklin Park, Cook County, Illinois, as follows:

Section 1. That the above recitals are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. That August 19, 2023 is hereby proclaimed to be World Honey Bee Awareness Day in the Village of Franklin Park, Cook County, Illinois.

Section 3. The Village urges all residents to participate in World Honey Bee Awareness Day and to take steps to promote honey bee health and habitat.

Section 4. If any section, paragraph, clause, or provision of this Resolution shall be held invalid, the invalidity thereof shall not affect any other provision of this Resolution.

Section 5. All ordinances, resolutions, motions, or orders in conflict with this Resolution are hereby repealed to the extent of such conflict.

Section 6. This Resolution shall be in full force and effect upon its passage, approval and publication as provided by law.

(Intentionally Left Blank)

PASSED by the President and Board of Trustees of the Village of Franklin Park, Cook County, Illinois this _____ day of April 2023, pursuant to a roll call vote, as follows:

	YES	NO	ABSTAIN	ABSENT	PRESENT
AVITIA					
HAGERSTROM					
JOHNSON					
RUHL					
SPECIAL					
YBARRA					
PRESIDENT PEDERSEN					
TOTAL					

APPROVED by the President of the Village of Franklin Park, Cook County, Illinois on this _____ day of April 2023.

BARRETT F. PEDERSEN
VILLAGE PRESIDENT

ATTEST:

APRIL ARELLANO
VILLAGE CLERK

THE VILLAGE OF FRANKLIN PARK
COOK COUNTY, ILLINOIS

ORDINANCE

NUMBER 2223-VC- __

**AN ORDINANCE AMENDING CHAPTERS TWO AND THREE OF TITLE THREE
AND CHAPTER ONE OF TITLE ELEVEN OF THE VILLAGE CODE OF THE
VILLAGE OF FRANKLIN PARK, COOK COUNTY, ILLINOIS REGULATING
THE SALE AND LICENSING OF ALCOHOLIC LIQUOR, LICENSE
OPERATIONS, LICENSE FEES, AND BYOB**

BARRETT F. PEDERSEN, Village President
APRIL ARELLANO, Village Clerk

IRENE AVITIA
GILBERT J. HAGERSTROM
JOHN JOHNSON
WILLIAM RUHL
KAREN SPECIAL
ANDY YBARRA
Trustees

Published in pamphlet form by authority of the President and Village Clerk of the Village of Franklin Park on 04/03/23
Village of Franklin Park – 9500 Belmont Avenue - Franklin Park, Illinois 60131

ORDINANCE NUMBER 2223-VC- __

**AN ORDINANCE AMENDING CHAPTERS TWO AND THREE OF TITLE THREE
AND CHAPTER ONE OF TITLE ELEVEN OF THE VILLAGE CODE OF THE
VILLAGE OF FRANKLIN PARK, COOK COUNTY, ILLINOIS REGULATING
THE SALE AND LICENSING OF ALCOHOLIC LIQUOR, LICENSE
OPERATIONS, LICENSE FEES, AND BYOB**

WHEREAS, the Village of Franklin Park, Cook County, Illinois (the "*Village*") is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, the President and Board of Trustees of the Village of Franklin Park (the "*Corporate Authorities*") are charged with the responsibility of regulating the sale and distribution of alcoholic liquor within the Village; and

WHEREAS, Article IV of the Liquor Control Act of 1934, 235 ILCS 5/4-1, authorizes the Corporate Authorities to determine the number, kind and classification of licenses for the retail sale of alcoholic liquor; to regulate or prohibit the presence of persons under the age of twenty-one (21) years on the premises of licensed retail establishments of various kinds and classifications where alcoholic liquor is drawn, poured, mixed or otherwise served for consumption on the premises; to prohibit any minor from drawing, pouring, or mixing any alcoholic liquor as an employee of any retail licensee; to prohibit any minor from at any time attending any bar and from drawing, pouring or mixing any alcoholic liquor in any licensed retail premises; and to establish such further regulations and restrictions upon the issuance of and operations under local licenses not inconsistent with law as the public good and convenience may require; and

WHEREAS, the Village's Local Liquor Control Commissioner has the authority to issue, suspend, and revoke licenses, which authorize the sale and distribution of alcoholic liquor by individuals and entities within the Village (the "*License*"); and

WHEREAS, the Local Liquor Control Commissioner is charged with adopting procedures, rules, and regulations for the licensing and operating of retail liquor establishments to insure compliance with the laws relating to the sale of alcoholic liquor; protect the health, safety, and welfare of the residents of the Village; and foster and promote temperance in the consumption of alcoholic liquors; and

WHEREAS, the Corporate Authorities have determined that it is necessary to establish additional classifications of Licenses for the retail sale of alcoholic liquor; establish and clarify operational conditions upon current classifications of Licenses; establish regulations for BYOB; and clarify the reasons for which the Local Liquor Control Commissioner shall not issue a License; and

WHEREAS, the Corporate Authorities may from time to time amend the text of the Village Code of Franklin Park when it is determined to be in the best interests of the residents of the Village; and

WHEREAS, the Corporate Authorities find that it is in the best interests of the residents of the Village to provide for the regulations herein specified to promote the health, safety, and welfare of the residents of the Village and the general public.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Franklin Park, Cook County, Illinois, as follows:

Section 1. That the above recitals and legislative findings are found to be true and

correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. The Corporate Authorities find and determine that it is necessary and desirable to amend the Village Code of Franklin Park for the purposes set forth herein and that the adoption of this Ordinance is in the best interests of the Village.

Section 3. Chapter 2 ("*Alcoholic Beverages*") of Title 3 ("*Business and License Regulations*") of the Village Code of Franklin Park, Illinois, is hereby amended by deleting the following stricken language and adding the underlined language to read, as follows:

Chapter 2. - ALCOHOLIC BEVERAGES

3-2-1. - Definitions.

The definitions of words and phrases in 235 Illinois Compiled Statutes 5/1-3.01 et seq., known as the Liquor Control Act of 1934, shall have the meanings respectively ascribed to them in said Liquor Control Act whenever such words and phrases are used in this chapter. Any references in this chapter to the "local liquor commissioner" or the "liquor commissioner" shall mean and refer to the "local liquor control commissioner".

3-2-2. - Local liquor control commissioner authorization.

The local liquor control commissioner is authorized to:

- (1) Administer within the village the appropriate provisions of the Liquor Control Act of 1934, this chapter, such ordinances and resolutions relating to alcoholic liquor as may be enacted by the corporate authorities, and such other legislation as may become applicable within the village with respect to the sale of alcoholic liquor.
- (2) Require of the police department such reports as determined necessary by the commission to evaluate the existence or the extent of driving under the influence occurrences and other incidents of public intoxication within the village, including, but not limited to, the location of such occurrences, the ages of the participants, the place identified as where alcohol consumption has occurred, and any other information deemed relevant by the local liquor control commissioner for purposes of a thorough evaluation.
- (3) Advise licensees periodically when the licensees' business operations have been

identified in the information provided under subsection (2) of this section, and require of the licensee a written response as to the circumstances or allegations contained within such information.

- (4) Report, or cause a report to be made, to the corporate authorities on the existence or extent of driving under the influence occurrences and other incidents of public intoxication within the village, and within such report make recommendation for legislative activity to address the community needs and respond to any problems identified.

3-2-3. - License for retail sale or consumption required.

It shall be unlawful to sell or offer for sale at retail in the village any alcoholic liquor or allow for the consumption of alcoholic liquor in the village without having a ~~retail dealer's~~ local liquor license or in violation of the terms of such license.

3-2-4. - Restrictions on issuance.

No local liquor license ~~required by section 3-2-3 of this chapter~~ shall be issued to:

- (1) A person who is not a resident of the village.
- (2) A person who is not of good character and reputation in the community in which he resides.
- (3) A person who has been convicted of a felony under any federal or state law, unless the local liquor control commissioner determines that such person will not be impaired by the conviction in engaging in the licensed practice after considering matters set forth in such person's application in accordance with section 6-2.5 of the Liquor Control Act of 1934 and the local liquor control commissioner's investigation.
- (4) A person who has been convicted of keeping a place of prostitution or keeping a place of juvenile prostitution, promoting prostitution that involves keeping a place of prostitution, or promoting juvenile prostitution that involves keeping a place of juvenile prostitution.
- (5) A person who has been convicted of pandering.
- (6) A person whose license issued under this chapter or the laws of the state has been revoked for cause.
- (7) A person who at the time of application for renewal of any license issued hereunder would not be eligible for such license upon a first application.

- (8) A copartnership, if any general partnership thereof, or any limited partnership thereof, owning more than five (5) percent of the aggregate limited partner interest in such copartnership would not be eligible to receive a license hereunder for any reason other than residence within the village.
- (9) A corporation or limited liability company, if any member, officer, manager or director thereof, or any stockholder or stockholders owning in the aggregate more than five (5) percent of the stock of such corporation, would not be eligible to receive a license hereunder for any reason other than residence within the village.
- (10) A corporation or limited liability company unless it is incorporated or organized in Illinois, or unless it is a foreign corporation or foreign limited liability company which is qualified under the Illinois Business Corporation Act or the Limited Liability Company Act to transact business in Illinois.
- (11) A person whose place of business is conducted by a manager or agent, unless said manager or agent possesses the same qualifications required by the licensee.
- (12) A person who has been convicted of a violation of any federal or state law concerning the manufacture, possession or sale of alcoholic liquor, subsequent to the passage of this chapter or shall have forfeited bond to appear in court to answer charges for any such violation, unless the local liquor control commissioner determines, in accordance with section 6-2.5 of the Liquor Control Act of 1934, that the person will not be impaired by the conviction in engaging in the licensed practice.
- (13) A person who does not beneficially own the premises for which a license is sought, or does not have a lease thereon for the full period for which the license is to be issued.
- (14) Any law enforcing public official, president of the village, any member of the village board of trustees, or any president or member of a county board, and no such official shall have a direct interest in the manufacture, sale or distribution of alcoholic liquor.
- (15) A person who is not a beneficial owner of the business to be operated by the licensee.
- (16) A person who has been convicted of a gambling offense as proscribed by any of subsections (a)(3) through (a)(11) of section 28-1 of, or as proscribed by section 28-1.1 or 28-3 of, the Criminal Code of 1961 or the Criminal Code of 2012, or as proscribed by a statute replaced by any of the aforesaid statutory provisions.
- (17) A person or entity to whom a federal wagering stamp has been issued by the federal

government, unless the person or entity is eligible to be issued a license under the Raffles and Poker Runs Act or the Illinois Pull Tabs and Jar Games Act.

- (18) Any premises for which a federal wagering stamp has been issued by the federal government for the current tax period.
- (19) Any corporation or limited liability company not currently in good standing with the State of Illinois as reported by the corporations division of the secretary of state, or, if a foreign corporation or foreign limited liability company, similar status either as a foreign corporation or foreign limited liability company doing business in Illinois or as a corporate entity under its home state jurisdiction.
- (20) Any person or entity who or which, respectively, has been found, determined or is delinquent in payment of state or federal taxes, dram shop insurance policy premiums, any local taxes or fees imposed pursuant to law, or any other debt, fine, penalty, judgment, or charge due the village. If the proposed licensee is a corporation, limited liability company, or similar entity, this subsection includes any stockholder, officer, director, manager, member, or partner owning at least a five (5) percent interest in the licensed entity.
- (21) Any person or entity seeking or renewing a license who has failed to obtain, maintain or pay for any ~~other~~ license or permit from the village as may be necessary under other applicable ordinances, regulations or laws for the operation of such business or businesses of the applicant.
- (22) A person who intends to sell alcoholic liquors for use or consumption on ~~his or her~~ said person's licensed retail premises who does not have liquor liability insurance coverage for that premises in an amount that is at least equal to the maximum liability amounts set out in subsection (a) of section 6-21 of the Liquor Control Act of 1934.
- (23) Any person for the sale at retail of any alcoholic liquor at any store or other place of business where the majority of customers are minors of school age or where the principal business transacted consists of school books, school supplies, food, lunches or drinks for such minors.
- (24) A person or entity not eligible for a state retailer's liquor license.
- (25) Any person or entity that has filed an application that contains a false, fraudulent or misleading statement or incomplete information.
- (26) Any person or entity that has filed an application that contains any false or fraudulently obtained signature.

3-2-5. - Application.

- (a) Any person or entity who wishes to apply for a local liquor license, except for a class L (BYOB) license, shall submit to the local liquor control commissioner a letter of request containing information related to the identity, current and past business experience (including, but not limited to, handling of alcoholic liquor) of the prospective applicant; the class of license desired; the location and nature of the business proposed; the goods proposed for sale at retail and proposed menu items, if applicable; and any additional information relevant to the prospective applicant's qualifications for a local liquor license. Upon such written request, the prospective applicant will receive information concerning the availability of a license and applicable application procedures.
- (a) (b) Following the initial letter of request, and the village's response to it, a person or entity wishing to file an application for a local liquor license may obtain an application form from the local liquor control commissioner. Applications for the license required by section 3-2-3 of this chapter ~~Such application shall be made to filed with the local liquor control commissioner in writing upon such forms provided by the commissioner; signed by the applicant, if an individual, or by a duly authorized officer, if a copartnership, club, limited liability company or corporation; and verified by oath or affidavit; and shall contain, but shall not be limited to containing, the following information and statements:~~
- (1) The name, date of birth, Social Security number, telephone number, e-mail address, and residence address of the applicant in the case of an individual. In the case of a copartnership, the names, dates of birth, Social Security numbers, telephone numbers, e-mail addresses, and residence addresses of the persons entitled to share in the profits of the copartnership, and the date of formation of the copartnership. In the case of a corporation, a limited liability company or a club, the names, dates of birth, Social Security numbers, titles/positions, telephone numbers, e-mail addresses, and residence addresses of the officers, members, managers and directors, and, if an aggregate of more than five (5) percent of the stock of such corporation is owned by one person or such person's nominees, the name, date of birth, Social Security number, telephone number, e-mail address, and residence address of such person.
 - (2) The type of business of the applicant and in the case of a corporation, a limited liability company, a copartnership or a club, the reason for which it was formed.
 - (3) The length of time the applicant has been in such type of business and in the case of a corporation, a limited liability company or a club, the date and state of incorporation/formation, and if incorporated/formed in a state other

than Illinois, the date of becoming qualified under the Illinois Business Corporation Act or the Limited Liability Company Act to transact business in Illinois (the certificate of good standing from the Illinois Secretary of State shall be attached to the application).

- (4) The location and description of the premises or place of business which is to be operated under such license.
- (5) A statement whether such location is owned or leased by the applicant and, if leased, a copy of such lease shall be attached to the application.
- (6) A statement that the applicant has not and will not receive or borrow money or anything else of value (other than merchandising credit in the ordinary course of business for a period not to exceed thirty (30) days as expressly permitted under section 6-5 of the Liquor Control Act of 1934) from any manufacturer, importing distributor or distributor or from any representative of any such manufacturer, importing distributor, or distributor; and a statement that the applicant has not been a party in any way, directly or indirectly, to any violation by a manufacturer, importing distributor or distributor of section 6-6 of the Liquor Control Act of 1934.
- (7) A statement whether the applicant or any other person having a direct interest in the applicant's place of business is a public or law enforcing official, and identification of such office or position.
- (8) A statement whether the applicant possesses a current federal wagering stamp and, if so, the reasons for such possession.
- (9) A statement whether the applicant has ever applied for a liquor license for a different premises than the premises described in the application, whether such application was approved or denied, and the reasons for any denial.
- (10) A statement whether the applicant has ever been convicted of a felony or is otherwise disqualified to receive a license by reason of any matter or thing contained in this chapter, the laws of this state, or the ordinances of this village.
- (11) A statement whether a previous license issued by any state, any local governmental entity, or by the federal government has been suspended or revoked, and the reasons for such suspension or revocation.
- (12) A statement that the applicant will not violate any of the laws of the state or of the United States, or any provisions of this code or other ordinances of the village in the conduct of the applicant's place of business.

- (13) The name, date of birth, Social Security number, telephone number, e-mail address, and residence address of the manager or agent of the applicant in charge of the premises for which the license is being applied.
 - (14) A certification that the manager or agent of the applicant in charge of the premises for which the license is being applied is employed on said premises at least thirty (30) hours per week.
- (b) (c) If the applicant reports a felony conviction, as required under subsection (a)(10) of this section, such conviction may be considered by the local liquor control commissioner in accordance with section 6-2.5 of the Liquor Control Act of 1934 in determining qualifications for licensing, but shall not operate as a bar to licensing.
- (e) (d) All applications for licenses shall include the fingerprints of the persons described in subsections (a)(1) and (a)(13) of this section on such forms and in such manner as prescribed by the local liquor control commissioner. The applicant shall ensure that said persons submit themselves for fingerprinting by the police department, and each person shall pay a nonrefundable processing fee, so that the police department may perform adequate investigation of such persons to enable the local liquor control commission to ascertain that issuance of any such license will comply with the statutes of the state and all applicable ordinances of the village.
- (e) (e) All applications for licenses shall include proof of dram shop insurance coverage, in the form of a certificate of insurance issued by an insurance company authorized to do business in Illinois, insuring the applicant and the premises for the duration of the license period, in accordance with the requirements of section 3-2-13(e) of this chapter and proof that the Village of Franklin Park is named as an additional insured under the dram shop insurance policy, in the form of an endorsement to the insurance policy or a copy of the applicable insurance policy.
- (e) (f) All applications for licenses shall include proof of payment of annual corporation fees and charges imposed by the State of Illinois and information to show that operations on the premises are being undertaken in a safe and responsible manner and that the operations are fiscally supportive of such maintenance and operation, which additional information may be further required and specified by the local liquor control commissioner or by the local liquor control commissioner's delegated agents or officers.
- (e) (g) All applications for licenses, except an application for a class G or class H liquor license, shall include proof of completion of a state certified beverage alcohol sellers and servers education and training (BASSET) program for all individuals required in section 3-2-16 of this chapter.

- ~~(g)~~ (h) All applications for renewal shall include proof of a valid state retailer's liquor license for the premises.
- ~~(h)~~ (i) All applications for initial issuance, at the time of submittal of an application, except an application for a class G liquor license, a class I liquor license, a class I-1 liquor license, a class J liquor license, or a class K liquor license, shall be accompanied by an administrative application fee in the amount of four hundred dollars (\$400.00) to cover the cost of reviewing, investigating and processing such application, which shall be nonrefundable and in addition to the annual license fee.
- ~~(i)~~ (j) Following the issuance of any license, the licensee shall report in writing any changes in the licensee's residence, management, partnership, officers, members, directors, persons holding directly or beneficially an aggregate of more than five (5) percent of the stock or ownership interest in the licensee, or managers of the licensed premises, or the licensee's legal name or the licensee's assumed name. Said report shall be made to the local liquor control commissioner no less than thirty (30) days prior to any such change, and all such persons becoming partners, officers, members, directors, managers, or persons holding such ownership interest (as the case may be) shall meet all of the applicable standards and requirements of this chapter.
- ~~(j)~~ (k) Any license issued shall automatically terminate upon a change in the use of the premises described in the license. If any licensee intends to change the use of the premises described in the license, the licensee shall complete and submit a new application for a ~~retail dealer's~~ local liquor license to the local liquor control commissioner in accordance with the requirements set forth in this section, including but not limited to paying the nonrefundable administrative application fee. Said application shall be made to the local liquor control commissioner no less than thirty (30) days prior to any such proposed change in use taking effect.

3-2-6. - Classification and fees.

- (a) Licenses required by the provisions of this chapter are hereby divided into the following classifications:
 - (1) *Class A license.* A class A license shall authorize the sale at retail on the premises specified of alcoholic liquor for consumption on the premises and for the sale of alcoholic liquor in original package not to be consumed on the premises. Alcoholic liquor displayed for sale for off-premises consumption must be confined to an area separate and at least five (5) feet from any non-alcoholic beverages in original package not to be consumed on the premises. Video gaming terminals, as defined in the Illinois Video Gaming Act, shall not be located or operated on the premises. The annual fee for such license shall be as provided in section 11-1-4 of this code per

year, payable annually from May 1 of each year, or, at the option of the licensee, in two (2) equal installments, payable on May 1 and November 1 of each year. No license shall be valid unless the annual fee has been paid as required. If a licensee that elects to pay the annual fee in two (2) equal installments fails to pay the second installment by November 2, the licensee shall be assessed a late fee in the amount of ten (10) percent of the amount due for the second installment. Said late fee will be in addition to any fines or penalties ordered for operating without a valid license. This license shall also permit the sale of soft drinks.

- a. Class A-1 license. The A class A-1 license shall authorize the sale at retail, on the premises specified, of alcoholic liquor in its original package not to be consumed on the premises and the sale at retail of beer and wine for consumption on the premises of alcoholic liquor for consumption on the premises and for the sale of alcoholic liquor in original package not to be consumed on the premises. Alcoholic liquor displayed for sale for off-premises consumption must be confined to an area separate and at least five (5) feet from any non-alcoholic beverages in original package not to be consumed on the premises. The annual fee for such license shall be as provided in section 11-1-4 of this code per year, payable annually from May 1 of each year, or, at the option of the licensee, in two (2) equal installments, payable on May 1 and November 1 of each year. No license shall be valid unless the annual fee has been paid as required. If a licensee that elects to pay the annual fee in two (2) equal installments fails to pay the second installment by November 2, the licensee shall be assessed a late fee in the amount of ten (10) percent of the amount due for the second installment. Said late fee will be in addition to any fines or penalties ordered for operating without a valid license. This license shall also permit the sale of soft drinks the operation of video gaming terminals, as defined in the Illinois Video Gaming Act, on the premises provided the licensee has obtained and maintains in good standing any video gaming licenses required and issued by the Illinois Gaming Board in accordance with the provisions of the Illinois Video Gaming Act; has obtained and maintains in good standing a valid video gaming terminal license from the village for each video gaming terminal on the premises in accordance with the provisions of this code; generates at least fifty (50) percent of its total annual revenue from the sale of food, beverages, and alcoholic liquor; and complies with all of the provisions of this chapter, all of the provisions of Article H of Chapter 3 of Title 3 of this code, the Illinois Video Gaming Act, and all rules, regulations and restrictions imposed by the Illinois Gaming Board. The licensee shall be prepared to establish that the licensee

has met the fifty (50) percent threshold for sale of food, beverages, and alcoholic liquor upon the request of the village and this determination shall be based upon, but not be limited to, audited financial statements, corporate financial reports, tax return information, state liquor license reports, or any other form of documentation or information deemed acceptable by the village. At the village's discretion, the licensee shall be subject to an annual audit to verify compliance with said threshold.

b. ~~*Class A2 license.* A class A2 license shall authorize the sale at retail, on the premises specified, of alcoholic liquor for consumption on the premises and for the sale of beer and wine in its original package not to be consumed on the premises. The annual fee for such license shall be provided in section 11-1-4 of this code per year, payable annually from May 1 of each year, or, at the option of the licensee, in two (2) equal installments, payable on May 1 and November 1 of each year. This license shall also permit the sale of soft drinks.~~

(2) *Class B license.* A class B license shall authorize the sale at retail on the premises specified of alcoholic liquor for consumption on the premises only. Video gaming terminals, as defined in the Illinois Video Gaming Act, shall not be located or operated on the premises. The annual fee for such license shall be as provided in section 11-1-4 of this code per year, payable annually from May 1 of each year, or, at the option of the licensee, in two (2) equal installments, payable on May 1 and November 1 of each year. No license shall be valid unless the annual fee has been paid as required. If a licensee that elects to pay the annual fee in two (2) equal installments fails to pay the second installment by November 2, the licensee shall be assessed a late fee in the amount of ten (10) percent of the amount due for the second installment. Said late fee will be in addition to any fines or penalties ordered for operating without a valid license. This license shall also permit the sale of soft drinks.

a. ~~*Class B-1 license.* The class B1 license shall authorize the sale at retail, on the premises specified, of alcoholic liquor for consumption at a sidewalk cafe. The class B1 license shall authorize the sale of alcoholic liquor only until twelve o'clock (12:00) midnight on any night. The class B1 license shall authorize the sale of alcoholic liquor between May 1 and November 1 each year, and a class B1 license shall be issued only to the holder of a sidewalk cafe permit as provided in section 7-1-11 of this code. The annual fee for such license shall be as provided in section 11-1-4 of this code per year, payable annually from May 1 of each year, or, at the option of the licensee, in two (2) equal installments, payable on May 1 and~~

November 1 of each year. This license shall also permit the sale of soft drinks.

A class B-1 license shall authorize the sale at retail on the premises specified of alcoholic liquor for consumption on the premises only. The annual fee for such license shall be as provided in section 11-1-4 of this code per year, payable annually from May 1 of each year, or, at the option of the licensee, in two (2) equal installments, payable on May 1 and November 1 of each year. No license shall be valid unless the annual fee has been paid as required. If a licensee that elects to pay the annual fee in two (2) equal installments fails to pay the second installment by November 2, the licensee shall be assessed a late fee in the amount of ten (10) percent of the amount due for the second installment. Said late fee will be in addition to any fines or penalties ordered for operating without a valid license. This license shall permit the operation of video gaming terminals, as defined in the Illinois Video Gaming Act, on the premises provided the licensee has obtained and maintains in good standing any video gaming licenses required and issued by the Illinois Gaming Board in accordance with the provisions of the Illinois Video Gaming Act; has obtained and maintains in good standing a valid video gaming terminal license from the village for each video gaming terminal on the premises in accordance with the provisions of this code; generates at least fifty (50) percent of its total annual revenue from the sale of food prepared on-site with a variety of menu items offered for consumption on the premises, beverages, and alcoholic liquor; and complies with all of the provisions of this chapter, all of the provisions of Article H of Chapter 3 of Title 3 of this code, the Illinois Video Gaming Act, and all rules, regulations and restrictions imposed by the Illinois Gaming Board; and provided the licensed premises has an indoor seating capacity of not less than twelve (12) people. The licensee shall be prepared to establish that the licensee has met the fifty (50) percent threshold for sale of said food, beverages, and alcoholic liquor upon the request of the village and this determination shall be based upon, but not be limited to, audited financial statements, corporate financial reports, tax return information, state liquor license reports, or any other form of documentation or information deemed acceptable by the village. At the village's discretion, the licensee shall be subject to an annual audit to verify compliance with said threshold.

- b. Class B-2 license. A class B-2 license shall authorize the sale at retail on the premises specified of alcoholic liquor for consumption on the premises only. The annual fee for such license shall be as

provided in section 11-1-4 of this code per year, payable annually from May 1 of each year, or, at the option of the licensee, in two (2) equal installments, payable on May 1 and November 1 of each year. No license shall be valid unless the annual fee has been paid as required. If a licensee that elects to pay the annual fee in two (2) equal installments fails to pay the second installment by November 2, the licensee shall be assessed a late fee in the amount of ten (10) percent of the amount due for the second installment. Said late fee will be in addition to any fines or penalties ordered for operating without a valid license. This license shall permit the operation of video gaming terminals on the premises provided the licensee has obtained and maintains in good standing any video gaming licenses required and issued by the Illinois Gaming Board in accordance with the provisions of the Illinois Video Gaming Act; has obtained and maintains in good standing a valid video gaming terminal license from the village for each video gaming terminal on the premises in accordance with the provisions of this code; and complies with all of the provisions of this chapter, all of the provisions of Article H of Chapter 3 of Title 3 of this code, the Illinois Video Gaming Act, and all rules, regulations and restrictions imposed by the Illinois Gaming Board. No more than one class B-2 license shall be in full force and effect at any one time.

- (3) *Class C license.* A class C license shall authorize the sale at retail on the premises specified of alcoholic liquor in original package not to be consumed on the premises. Alcoholic liquor displayed for sale must be confined to an area separate and at least five (5) feet from any non-alcoholic beverages in original package not to be consumed on the premises. Video gaming terminals, as defined in the Illinois Video Gaming Act, shall not be located or operated on the premises. The annual fee for such license shall be as provided in section 11-1-4 of this code per year, payable annually from May 1 of each year, or, at the option of the licensee, in two (2) equal installments, payable on May 1 and November 1 of each year. No license shall be valid unless the annual fee has been paid as required. If a licensee that elects to pay the annual fee in two (2) equal installments fails to pay the second installment by November 2, the licensee shall be assessed a late fee in the amount of ten (10) percent of the amount due for the second installment. Said late fee will be in addition to any fines or penalties ordered for operating without a valid license. ~~This license shall also permit the sale of soft drinks.~~
- (4) *Class D license.* A class D license shall authorize the sale at retail on the premises specified of beer and wine for consumption on the premises only. Video gaming terminals, as defined in the Illinois Video Gaming Act, shall

not be located or operated on the premises. The annual fee for such license shall be as provided in section 11-1-4 of this code per year, payable annually from May 1 of each year, or, at the option of the licensee, in two (2) equal installments, payable on May 1 and November 1 of each year. No license shall be valid unless the annual fee has been paid as required. If a licensee that elects to pay the annual fee in two (2) equal installments fails to pay the second installment by November 2, the licensee shall be assessed a late fee in the amount of ten (10) percent of the amount due for the second installment. Said late fee will be in addition to any fines or penalties ordered for operating without a valid license. This license shall also permit the sale of soft drinks.

- a. *Class D-1 license.* A class D-1 license shall authorize the sale at retail on the premises specified of beer and wine for consumption on the premises only. The annual fee for such license shall be as provided in section 11-1-4 of this code per year, payable annually from May 1 of each year, or, at the option of the licensee, in two (2) equal installments, payable on May 1 and November 1 of each year. No license shall be valid unless the annual fee has been paid as required. If a licensee that elects to pay the annual fee in two (2) equal installments fails to pay the second installment by November 2, the licensee shall be assessed a late fee in the amount of ten (10) percent of the amount due for the second installment. Said late fee will be in addition to any fines or penalties ordered for operating without a valid license. This license shall permit the operation of video gaming terminals, as defined in the Illinois Video Gaming Act, on the premises provided the licensee has obtained and maintains in good standing any video gaming licenses required and issued by the Illinois Gaming Board in accordance with the provisions of the Illinois Video Gaming Act; has obtained and maintains in good standing a valid video gaming terminal license from the village for each video gaming terminal on the premises in accordance with the provisions of this code; generates at least fifty (50) percent of its total annual revenue from the sale of food prepared on-site with a variety of menu items offered for consumption on the premises, beverages, beer, and wine; and complies with all of the provisions of this chapter, all of the provisions of Article H of Chapter 3 of Title 3 of this code, the Illinois Video Gaming Act, and all rules, regulations and restrictions imposed by the Illinois Gaming Board; and provided the licensed premises has an indoor seating capacity of not less than twelve (12) people. The licensee shall be prepared to establish that the licensee has met the fifty (50) percent threshold for sale of said food, beverages, beer and wine upon the request of the village and this

determination shall be based upon, but not be limited to, audited financial statements, corporate financial reports, tax return information, state liquor license reports, or any other form of documentation or information deemed acceptable by the village. At the village's discretion, the licensee shall be subject to an annual audit to verify compliance with said threshold.

a. b. *Class D-2 license.* A class D-2 license shall authorize the sale at retail on the premises specified of beer and wine for consumption on the premises only. The class D-2 license shall authorize the sale of beer and wine from six o'clock (6:00) A.M. until eleven o'clock (11:00) P.M., but only between the hours of eight o'clock (8:00) A.M. until eleven o'clock (11:00) P.M. on Sundays. The annual fee for such license shall be as provided in section 11-1-4 of this code per year, payable annually from May 1 of each year, or, at the option of the licensee, in two (2) equal installments, payable on May 1 and November 1 of each year. No license shall be valid unless the annual fee has been paid as required. If a licensee that elects to pay the annual fee in two (2) equal installments fails to pay the second installment by November 2, the licensee shall be assessed a late fee in the amount of ten (10) percent of the amount due for the second installment. Said late fee will be in addition to any fines or penalties ordered for operating without a valid license. This license shall ~~also permit the sale of soft drinks~~ the operation of video gaming terminals on the premises provided the licensee has obtained and maintains in good standing any video gaming licenses required and issued by the Illinois Gaming Board in accordance with the provisions of the Illinois Video Gaming Act; has obtained and maintains in good standing a valid video gaming terminal license from the village for each video gaming terminal on the premises in accordance with the provisions of this code; and complies with all of the provisions of this chapter, all of the provisions of Article H of Chapter 3 of Title 3 of this code, the Illinois Video Gaming Act, and all rules, regulations and restrictions imposed by the Illinois Gaming Board. No more than one class D-2 license shall be in full force and effect at any one time.

(5) *Class E license.* A class E license shall authorize the sale at retail on the premises specified of beer and wine in original package not to be consumed on the premises. The display of any beer and wine as herein described shall be confined to a specific display area within a designated portion of the premises separate and at least five (5) feet from any non-alcoholic beverages in original package not to be consumed on the premises, as approved by the local liquor control commissioner, which shall include all beer and wine

available for purchase, provided, without limitation, there shall be no aisle displays, advertising or stocking of beer and wine in any public area of the premises, except in the designated display area. Any changes to the location or size of a display area shall be approved by the local liquor control commissioner. At no time shall the size of a display area exceed twenty-five (25) percent (25%) of the gross retail floor area of the structure containing the display area on the premises. The licensee shall cause a sign advising that the display area is closed to be conspicuously posted within the display area during those hours that sales are prohibited. Video gaming terminals, as defined in the Illinois Video Gaming Act, shall not be located or operated on the premises. The annual fee for such license shall be as provided in section 11-1-4 of this code per year, payable annually from May 1 of each year, or, at the option of the licensee, in two (2) equal installments, payable on May 1 and November 1 of each year. No license shall be valid unless the annual fee has been paid as required. If a licensee that elects to pay the annual fee in two (2) equal installments fails to pay the second installment by November 2, the licensee shall be assessed a late fee in the amount of ten (10) percent of the amount due for the second installment. Said late fee will be in addition to any fines or penalties ordered for operating without a valid license. This license shall also permit the sale of soft drinks.

- (6) *Class F license.* A class F license shall authorize the sale at retail on the premises specified by a club, as defined in section 3-2-1 of this chapter, of alcoholic liquor for consumption on the premises only. Video gaming terminals, as defined in the Illinois Video Gaming Act, shall not be located or operated on the premises. The annual fee for such license shall be as provided in section 11-1-4 of this code per year, payable annually from May 1 of each year. No license shall be valid unless the annual fee has been paid as required. A class F license shall not be included in determining the number of licenses issued under section 3-2-7 of this chapter, however, no more than two (2) such licenses shall be in full force and effect at any one time.

- a. *Class F-1 license.* A class F-1 license shall authorize the sale at retail on the premises specified by a club, as defined in section 3-2-1 of this chapter, of alcoholic liquor for consumption on the premises only. The annual fee for such license shall be as provided in section 11-1-4 of this code per year, payable annually from May 1 of each year. No license shall be valid unless the annual fee has been paid as required. This license shall permit the operation of video gaming terminals on the premises provided the licensee has obtained and maintains in good standing any video gaming licenses required and issued by the Illinois Gaming Board in accordance with the provisions of the Illinois Video Gaming Act; has obtained and

maintains in good standing a valid video gaming terminal license from the village for each video gaming terminal on the premises in accordance with the provisions of this code; and complies with all of the provisions of this chapter, all of the provisions of Article H of Chapter 3 of Title 3 of this code, the Illinois Video Gaming Act, and all rules, regulations and restrictions imposed by the Illinois Gaming Board.

- (7) *Class G license.* A class G license shall authorize the sale at retail on the premises specified of alcoholic liquor for consumption on the premises only for a limited period of time not to exceed five (5) consecutive days for any carnival, picnic, banquet, festival, entertainment or dance given for the benefit of charity, charitable institutions, churches, political subdivisions, or fraternal organizations who are not in the business for personal gain. Applications for a class G license shall be filed on forms provided by the local liquor control commissioner. The application shall include such information as the local liquor control commissioner determines is necessary to process such application, which information may include, but shall not be limited to, information regarding the manner in which alcoholic liquor will be dispensed and consumed, the applicant's right to occupy the premises during the duration of the respective event, and the steps to be taken by the applicant to ensure that minors are not served alcoholic beverages. The applicant shall comply with all applicable provisions of this code, including, but not limited to, zoning, building, and health and safety regulations. Every class G licensee shall comply with the requirements of section 3-2-13(e) of this chapter regarding dram shop insurance coverage. Video gaming terminals, as defined in the Illinois Video Gaming Act, shall not be located or operated on the premises. The fee for such license shall be as provided in section 11-1-4 of this code per day. No license shall be valid unless the fee has been paid. A class G license shall not be included in determining the number of licenses issued under section 3-2-7 of this chapter, however, no more than two (2) such licenses shall be in full force and effect at any one time.
- (8) *Class H (Catering) license.* A class H liquor license shall authorize a duly licensed caterer, whose principal business is catering and food preparation and not the sale of alcoholic liquor, to sell alcoholic liquor at retail in the original packaging for consumption off the licensed premises only. The annual fee for such license shall be as provided in section 11-1-4 of this code, payable annually from May 1 of each year. No license shall be valid unless the annual fee has been paid as required. A class H license shall not be included in determining the number of liquor licenses issued under section 3-2-7 of this chapter.

- a. In addition to any other regulations provided by this chapter:
1. No alcoholic liquor shall be sold, transferred or delivered by a caterer without first having determined that the purchaser, recipient or host of the catered event is at least twenty-one (21) years of age as evidenced by a state or federal issued form of pictured identification such as a driver's license or state identification card; and
 2. No alcoholic liquor shall be delivered or transferred by the licensee unless the transferee signs a delivery receipt containing the name and address of the person accepting delivery and an acknowledgment that the person accepting delivery is at least twenty-one (21) years of age. All such receipts shall be maintained by the licensee for a period of three (3) years from the date of issuance and shall be further subject to inspection by the local liquor control commissioner or ~~his~~ the local liquor control commissioner's designee.
- (9) *Class I license.* A class I liquor license shall authorize the sale at retail and consumption of alcoholic liquor outdoors on the premises where sold on private property owned or leased by the licensee in an area approved by the local liquor control commissioner. Such sale shall be only by persons or entities possessing a valid liquor license from the village for the sale of alcoholic liquor at retail for consumption on the premises and a valid outdoor eating cafe permit as provided in section 3-8-36 of this code and shall be allowed for limited periods of time at the hours specified. The outdoor area must be contiguous and adjacent to the primary structure located on the licensed premises, and must be located on a hard and level surface and cordoned off and screened from adjacent properties as approved by the local liquor control commissioner. Alcoholic liquor may only be sold and consumed in said designated area between the hours of twelve o'clock (12:00) noon and ten o'clock (10:00) P.M. on any day of the week. No live entertainment, ~~or~~ music, or amplification device shall be permitted. Emergency ingress and egress shall be reviewed and approved by the bureau of fire chief prevention. Video gaming terminals, as defined in the Illinois Video Gaming Act, shall not be located or operated outdoors. A class I license shall only be valid from May 1 through November 1 each year. The annual fee for such license shall be as provided in section 11-1-4 of this code per year, payable annually from May 1 of each year ~~or, at the option of the licensee, in two (2) equal installments, payable on May 1 and November 1 of each year.~~ No license shall be valid unless the annual fee has been paid as required.

- a. Class I-1 license. A class I-1 license shall authorize the sale at retail and consumption of alcoholic liquor outdoors on public property in an area approved by the local liquor control commissioner. Such sale shall be only by persons or entities possessing a valid liquor license from the village for the sale of alcoholic liquor at retail for consumption on the premises and a valid sidewalk cafe permit as provided in section 3-8-37 of this code and shall be allowed for limited periods of time at the hours specified. The outdoor area must be contiguous and adjacent to the primary structure located on the licensed premises. Alcoholic liquor may only be sold and consumed in said designated area between the hours of twelve o'clock (12:00) noon and ten o'clock (10:00) P.M. on any day of the week. No live entertainment, music, or amplification device shall be permitted. Video gaming terminals, as defined in the Illinois Video Gaming Act, shall not be located or operated outdoors. A class I-1 license shall only be valid from May 1 through November 1 each year. The annual fee for such license shall be as provided in section 11-1-4 of this code per year, payable annually from May 1 of each year. No license shall be valid unless the annual fee has been paid as required.
- (10) Class J license. The class J license may only be issued to the holder of a class C license, and subject to the following regulations, shall authorize the licensee to offer tasting samples of alcoholic liquor for consumption within the licensed premises to consumers of such products of the age of twenty-one (21) years or older. The annual fee for such license shall be as provided in section 11-1-4 of this code per year, payable annually from May 1 of each year, ~~or, at the option of the licensee, in two (2) equal installments, payable on May 1 and November 1 of each year.~~ No license shall be valid unless the annual fee has been paid as required.
- a. Tastings are limited to no more than four (4) per year. No tasting shall be held before eleven o'clock (11:00) A.M. or past ten o'clock (10:00) P.M. The licensee shall notify the local liquor control commissioner not less than seven (7) days in advance in writing of the tasting event. No tasting event shall be held unless such notice is received by the local liquor control commissioner.
- b. The licensee shall be registered with the state liquor control commission and must follow the commission's rules and regulations regarding tasting and sampling of alcohol and only products registered with the commission may be tasted.
- c. Tasting samples shall be limited to the following amounts: one-fourth (1/4) ounce of distilled spirits, one ounce for wine and two (2)

ounces for beer and samples shall be limited to no more than four (4) per customer per tasting event. All tastings shall be attended and supervised by a full time employee of the licensee.

- d. There shall be no sales of wine or beer by the glass for consumption on premises.
- e. It shall be unlawful to advertise the availability of a tasting through any public media or other means of communication other than on the premises where the tasting is being conducted.
- f. The licensee shall comply with all state training requirements for servers of alcoholic beverages.
- g. The samples shall be served in a container that shall be disposed of following the sampling.

(11) *Class K license.* A class K license shall authorize the sale at retail of alcoholic liquor at a special event not in excess of five (5) consecutive days in any twelve (12) month period to be held by a person or entity that possesses a valid liquor license from the village for the retail sale of alcoholic liquor for on-premises consumption at a location other than the location for which such local liquor license has been issued. No sale of alcoholic liquor shall be permitted under a class K license until the licensee has obtained a valid State of Illinois special use permit license for the respective special event in accordance with section 5-1(q) of the Liquor Control Act of 1934. Applications for a class K license shall be filed on forms provided by the local liquor control commissioner, and applications must be made at least twenty (20) calendar days prior to the scheduled date of the respective special event. The application shall include such information as the local liquor control commissioner determines is necessary to process such application, which information may include, but shall not be limited to, the estimated number of persons attending the event, the location and layout of alcoholic liquor sales at the event, the persons responsible for dispensing alcoholic liquor and information regarding the manner in which alcoholic liquor will be dispensed and consumed, proof of the applicant's right to occupy the premises during the duration of the respective special event, the plans for general security and crowd control, and the steps to be taken by the applicant to ensure that minors are not served alcoholic beverages. The applicant shall comply with all applicable provisions of this code, including, but not limited to, zoning, building, and health and safety regulations. The applicant shall also provide the local liquor control commissioner with a certificate or policy of insurance as evidence that it has obtained general liability insurance coverage for the

special event and at the proposed location. Every class K licensee shall comply with the requirements of section 3-2-13(e) of this chapter regarding dram shop insurance coverage. Video gaming terminals, as defined in the Illinois Video Gaming Act, shall not be located or operated on the premises. The fee for such license shall be as provided in section 11-1-4 of this code per day. No license shall be valid unless the fee has been paid. A class K license shall not be included in determining the number of licenses issued under section 3-2-7 of this chapter, however, no more than two (2) such licenses shall be in full force and effect at any one time.

(12) Class L (BYOB) license. A class L (BYOB) license shall authorize the consumption of beer and wine which has been brought onto the premises of a business operating as a restaurant by a patron twenty-one (21) years of age or older for personal consumption, including consumption by the patron's dining guest(s) who are twenty-one (21) years of age or older, as a complement to the purchase of food. For purposes of this subsection, restaurant shall mean any public place kept, used, maintained, advertised, and held out to the public as a place where meals consisting of lunches and/or full-course dinners prepared on-site are actually and regularly served to the general public, such space being provided with adequate and sanitary kitchen and dining room equipment and an indoor seating capacity of not less than thirty (30) people and having employed therein a sufficient number and kind of employees to prepare, cook, and serve suitable food for its guests. A restaurant shall not include a drive-in restaurant, self-service restaurant, or a carry-out restaurant. The annual fee for such license shall be as provided in section 11-1-4 of this code per year, payable annually from May 1 of each year. No license shall be valid unless the annual fee has been paid as required. No more than two (2) class L (BYOB) licenses shall be in full force and effect at any one time.

a. Any person or entity who wishes to apply for a class L (BYOB) license shall submit to the local liquor control commissioner a letter of request containing information related to the identity, current and past business experience (including, but not limited to, handling of alcoholic liquor) of the prospective applicant; the location and nature of the business proposed; the goods proposed for sale at retail and proposed menu items; and any additional information relevant to the prospective applicant's qualifications for a class L (BYOB) license. Upon such written request, the prospective applicant will receive information concerning the availability of a class L (BYOB) license and applicable application procedures. Following the initial letter of request, and the village's response to it, a person or entity wishing to file an application for a class L (BYOB) license may obtain an application form from the local liquor control

commissioner. Applications shall be filed with the local liquor control commissioner; signed by the applicant, if an individual, or by a duly authorized officer, if a copartnership, limited liability company, or corporation; and verified by oath or affidavit. An application for initial issuance, at the time of submittal of the application, shall be accompanied by an administrative application fee in the amount of four hundred dollars (\$400.00) to cover the cost of reviewing, investigating and processing such application, which shall be nonrefundable and in addition to the annual license fee.

- b. A certificate of insurance, reflecting commercial general liability insurance for the licensed premises with a limit of not less than \$2,000,000.00 each occurrence and an aggregate limit of not less than \$4,000,000.00 covering the premises for the entire license period, shall be presented to the village by the applicant at the time of application for a class L (BYOB) license, and the Village of Franklin Park shall be named as an additional insured on the applicant's insurance policy. The applicant shall provide the village with a copy of the insurance policy language or the applicable endorsement to the insurance policy evidencing proof that the village is named as an additional insured. Further, the applicant shall agree in writing to indemnify and save and hold harmless the village, and its officers, agents, employees, attorneys, elected officials, and appointed officials from any and all claims or actions arising out of the consumption of alcoholic liquor on the premises as a condition of the license.
- c. No class L (BYOB) license shall be issued to a new license applicant or renewed until the applicant submits to the local liquor control commissioner proof of completion of a state certified beverage alcohol sellers and servers education and training (BASSET) program for all persons employed as waiters or waitresses at the premises, all management personnel working on premises, and anyone whose job description entails the checking of identification for the consumption of beer or wine or for entry into the licensed premises, pursuant to that license. Such required individuals shall maintain a valid BASSET certificate of completion during the license term. A certificate of completion shall be good for three (3) years. A photocopy of the certificate of completion shall be submitted to the local liquor control commissioner within ten (10) days after receipt by the individual required to complete a BASSET program. Any new owner, manager, employee, or agent of an existing establishment holding a class L (BYOB) license requiring BASSET training shall within one hundred twenty (120) days from

the beginning of their employment with that licensee complete a state certified BASSET program and shall until completion of the BASSET program work under the supervision of a person who has completed BASSET training. A photocopy of the certificate of completion shall be submitted to the local liquor control commissioner within ten (10) days after receipt by such new owner, manager, employee, or agent. A photocopy of the certificate of completion for all owners, managers, employees, or agents required by this subsection to have BASSET training shall be maintained, by the licensee, in a manner that will allow inspection, upon demand, by any designee of both the state or local liquor control authorities. In addition, all persons required by this subsection to have BASSET training shall at all times while engaged in the performance of their duties for the licensee have on their person a BASSET card issued to that person evidencing successful completion of the BASSET course. Failure of an owner, manager, employee, or agent to complete a BASSET program required by this subsection shall constitute a violation of this subsection by the licensee.

- d. Following the issuance of a class L (BYOB) license, the licensee shall report in writing any changes in the licensee's residence, management, partnership, officers, members, directors, persons holding directly or beneficially an aggregate of more than five (5) percent of the stock or ownership interest in the licensee, or managers of the licensed premises, or the licensee's legal name or the licensee's assumed name. Said report shall be made to the local liquor control commissioner no less than thirty (30) days prior to any such change, and all such persons becoming partners, officers, members, directors, managers, or persons holding such ownership interest (as the case may be) shall meet all of the applicable standards and requirements of this chapter.
- e. The licensee and its agents, managers, and employees are prohibited from selling or offering for sale any alcoholic liquor on the premises.
- f. The licensee and its agents, managers, and employees are prohibited from serving, pouring, or storing any wine or beer for its patrons.
- g. The licensee and its agents, managers, and employees may only provide glasses, ice, and an ice holder for its patrons.
- h. It shall be unlawful for the licensee and its agents, managers, and employees to permit any patron to leave the licensed premises with open wine or beer, and the licensee shall require that patrons who

leave with any of their own wine that has not been consumed do so only with a recorked wine bottle that has been sealed in a transparent one-time use tamper-proof carryout bag in compliance with the Liquor Control Act of 1934.

- i. The licensee may charge a corkage fee to the patron.
 - j. A licensee may permit consumption of beer and wine on its licensed premises from eleven o'clock (11:00) A.M. until ten o'clock (10:00) P.M. only.
 - k. It shall be unlawful for the licensee and its agents, managers, and employee to permit the consumption of beer or wine on the licensed premises by any person under the age of twenty-one (21) years.
 - l. Video gaming terminals, as defined in the Illinois Video Gaming Act, shall not be located or operated on the premises.
 - m. A class L (BYOB) license shall permit the consumption of wine or beer only in the premises described in the application and license. No change of location shall be permitted.
- (b) The license fee to be paid shall be reduced in proportion to the full calendar months which have expired in the year prior to the issuance of the license, but no license shall be issued for less than one-half (½) of the annual fee.
- (e) ~~It shall be unlawful for any licensed premises to operate a video gaming terminal, except for a Class A, Class A1, Class A2, Class B, Class D, Class D2, Class F and Class I liquor licensed premises that has and maintains in good standing a video gaming license issued by the Illinois Gaming Board in accordance with the provisions of the Video Gaming Act and who has and maintains a current video gaming license from the village for a video gaming terminal. Only eleven (11) liquor licensed premises in any of the above referenced liquor license classifications shall be eligible to obtain a video gaming license from the village and such designation shall be clearly marked on every liquor license issued by the village.~~
- (c) The local liquor control commissioner or board of trustees may, as a condition to the issuance of any local liquor license, impose by ordinance or resolution such conditions and restrictions upon each license as deemed necessary to ensure that operation of the licensed premises shall not be harmful to the safety, morals, or welfare of the community. The conditions and restrictions imposed upon each local liquor license shall be acknowledged by the applicant in the ordinance or resolution and be abided by the licensee at all times.

- (d) All liquor licenses issued pursuant to this chapter shall be subject to any and all changes or amendments which may be hereafter made, and any and all rules adopted by the local liquor control commissioner.

3-2-7. – Number of licenses issued.

- (a) *Maximum number of licenses.* The maximum number of licenses which may be issued for each class shall be as follows:

The total number of class A liquor licenses shall not exceed four (4).

The total number of class A-1 liquor licenses shall not exceed zero.

~~The total number of class A-2 liquor licenses shall not exceed zero.~~

The total number of class B liquor licenses shall not exceed ~~eleven (11)~~ twelve (12).

The total number of class B-1 liquor licenses shall not exceed zero.

The total number of class B-2 liquor licenses shall not exceed zero.

The total number of class C liquor licenses shall not exceed seven (7).

The total number of class D liquor licenses shall not exceed three (3).

The total number of class D-1 liquor licenses shall not exceed zero.

The total number of class D-2 liquor licenses shall not exceed one (1).

The total number of class E liquor licenses shall not exceed seven (7).

The total number of class F liquor licenses shall not exceed two (2).

The total number of class F-1 liquor licenses shall not exceed zero.

The total number of class I liquor licenses shall not exceed one (1).

The total number of class I-1 liquor licenses shall not exceed zero.

The total number of class J liquor licenses shall not exceed zero.

The total number of class L (BYOB) liquor licenses shall not exceed zero.

- (b) *Reduction in the number of licenses.* Whenever a license is revoked, surrendered,

nonrenewed, forfeited or lapsed as herein provided in this chapter, the maximum number of licenses in the class of the license which is revoked, surrendered, nonrenewed, forfeited or lapsed as set forth in subsection (a) of this section shall be automatically and immediately reduced by one without further action by the corporate authorities, notwithstanding the number of such licenses permitted pursuant to this section.

- (c) *Appropriate number of licenses.* The village clerk shall codify the appropriate maximum number of licenses for each class whenever the number of license(s) is reduced by this section.

3-2-8. - Music and entertainment on premises.

There shall be no live music or any other entertainment in or upon a licensed premises ~~licensed for retail liquor sales~~ unless the licensee holds a license for on-premises consumption, has applied for approval from the local liquor control commissioner at least three (3) business days prior to the date that the licensee will provide the live music or other entertainment, has obtained approval from the local liquor control commissioner, and complies with the terms of the zoning ordinance(s) of the village. No approval shall be given for any live music or other entertainment prohibited by section 3-2-13 or any other provision of this chapter. Any licensee providing live music or other entertainment in or upon the licensed premises shall abide by and ensure compliance with all noise ordinances of the village.

3-2-9. - Disposition of fees.

All license fees required by this chapter shall be paid to the local liquor control commissioner at the time application for the license is made, and shall forthwith be turned over to the ~~treasurer~~ village comptroller. In the event the license applied for is denied, the fee shall be returned to the applicant. If the license is granted, then the fee shall be deposited in the general corporate fund or in such other fund as shall have been designated by the board of trustees, by proper action.

3-2-10. - Term; transfer; renewal.

- (a) *Term.* If not sooner terminated, each license shall terminate on April 30 next following its issuance.
- (b) *Transfer.* A license required by this chapter shall be purely a personal privilege, good for no longer than one year after issuance unless sooner revoked as provided in this chapter, and shall not constitute property nor shall it be subject to attachment, garnishment or execution, nor shall it be alienable or transferable, voluntarily or involuntarily, or subject to be encumbered or hypothecated. Such license shall not descend by the laws of testate or intestate devolution, but it shall cease upon the death of the licensee provided that executors or administrators of the estate of any

deceased licensee, and the trustee of any insolvent or bankrupt licensee, when such estate consists in part of alcoholic liquor, may continue the business of the sale or manufacture of alcoholic liquor under order of the appropriate court, and may exercise the privileges of the deceased or insolvent or bankrupt licensee after the death of such decedent, or such insolvency or bankruptcy until the expiration of such license, but not longer than six (6) months after the death, bankruptcy or insolvency of such licensee.

- (c) *Renewal.* Any licensee may renew ~~his or her~~ its license at the expiration of the license, provided ~~he or she~~ it is then qualified to receive a license and the premises for which such renewal license is sought are suitable for such purposes. The renewal privilege herein provided for shall not be construed as a vested right which shall in any case prevent the local liquor control commissioner or the corporate authorities from decreasing the number of licenses to be issued. An application for renewal shall not be considered a valid application unless made prior to the expiration date of the current license, completely filled out, and submitted with the appropriate license fee. No license shall be valid unless the proper license fee has been paid.

3-2-11. – Building and location restrictions.

- (a) *Location restrictions.* No license shall be issued under this chapter for the sale at retail of any alcoholic liquor within one hundred (100) feet of any church, school other than an institution of higher learning, hospital, home for aged or indigent persons or for veterans, their spouses or children, or any military or naval station. This prohibition shall not apply to hotels offering restaurant service, regularly organized clubs, or to restaurants, food shops or other places where sale of alcoholic liquors is not the principal business carried on, nor to the renewal of a license for the sale at retail of alcoholic liquor on premises within one hundred (100) feet of any church or school where such church or school has been established within such one hundred (100) feet since the issuance of the original license. In the case of a church, the distance of one hundred (100) feet shall be measured to the nearest part of any building used for worship services or educational programs and not to property boundaries. Nothing in this section shall prohibit the issuance of a license to a church or private school to sell at retail alcoholic liquor if any such sales are limited to periods when groups are assembled on the premises solely for the promotion of some common object other than the sale or consumption of alcoholic liquors.
- (b) *Change of location.* A ~~retail dealer's~~ local liquor license for retail sale shall permit the sale of alcoholic liquor only in the premises described in the application and license. Such location may be changed only upon authorization to make such change issued by the local liquor control commissioner and approved by the board of trustees. No change of location shall be permitted unless the proposed new

location is a proper one for the retail sale of alcoholic liquor under the laws of this state and the ordinances of the village.

- (c) *View from street.* The licensee shall comply with all village sign regulations. In addition, in premises upon which the sale of alcoholic liquor for consumption upon the premises is licensed, other than as a restaurant, hotel or club, no screen, blind, curtain, partition, article or thing shall be permitted in the windows or upon the doors of such licensed premises nor inside such premises, which shall prevent a full view of the entire interior of such premises from the street, road or sidewalk, at all times, and no booth, screen, partition or other obstruction nor any arrangement of lights or lighting shall be permitted in or about the interior of such premises which shall prevent a full view of the entire interior of such premises from the street, road or sidewalk, and the premises must be so located that there shall be a full view of the entire interior of such premises from the street, road or sidewalk. In restaurants upon which the sale of alcoholic liquor for consumption upon the premises is licensed or that hold a class L (BYOB) license, no screen, blind, curtain, partition, article or thing shall be permitted to cover more than fifty percent (50%) of the area of each of the windows of such licensed premises in a manner which shall prevent a clear view into the interior of such licensed premises from the street, road, or sidewalk at all times and exterior doors shall remain unobstructed and provide a clear view into the interior of such licensed premises from the street, road, or sidewalk at all times. All rooms where liquor is consumed ~~sold for consumption upon the premises~~ shall be continuously lighted during business hours by natural light or artificial white light so that all parts of the interior of the premises shall be clearly visible. In case the view into any such licensed premises shall be willfully obscured by the licensee or willfully suffered to be obscured or in any manner obstructed, then such license shall be subject to revocation in the manner provided in this chapter. In order to enforce the provisions of this section, the local liquor control commissioner shall have the right to require the filing with the local liquor control commissioner of plans, drawings and photographs showing the clearance of the view as above required.
- (d) *Posting license.* Every licensee shall cause ~~his or her~~ its license or licenses to be framed and hung in plain view in a conspicuous place on the licensed premises at all times.
- (e) *Premises.* All premises used for the retail sale of alcoholic liquor, for the consumption of alcoholic liquor, or for the storage of such liquor for sale shall be sanitary and shall be kept in full compliance with the ordinances regulating the condition of premises used for the storage or sale of food for human consumption. Except in the case of hotels and clubs, no alcoholic liquor shall be sold at retail or be made available to the general public by gift or otherwise upon any premises which has any access which leads from such premises to any other portion of the same building or structure used for dwelling or lodging purposes, and which is

permitted to be used or kept accessible for any use of the public; this provision shall not prevent any connection between such premises and such other portion of the building or structure which is used only by the licensee, ~~his or her~~ or the family and personal guests of the licensee.

3-2-12. - Hours and days of operation.

- (a) *Closing hours.* Except as herein provided, it shall be unlawful to sell or to offer for sale at retail any alcoholic liquor in the village or to permit any person to consume any alcoholic liquor in or on any licensed premises between the hours of 2:00 A.M. and 6:00 A.M. Mondays, Tuesdays, Wednesdays, Thursdays, and Fridays, and Saturdays, and between the hours of 2:00 A.M. and 8:00 A.M. on Sundays.

It shall be unlawful to keep open for business, or to admit the public to any premises in or on which alcoholic liquor is sold at retail during the hours within which the sale of such liquor is prohibited, except that in the case of grocery stores, restaurants, clubs and hotels, such establishments may keep open during such hours, but no alcoholic liquor may be sold to or consumed by the public during such hours, but nothing contained in this section shall be deemed to authorize any such grocery store, restaurant, or club to keep open for business or to admit the public to such premises at or during any hour when such premises are required to be closed by virtue of the regulations or restrictions imposed by any other provisions of this code.

3-2-13. - Prohibited acts and conditions.

- (a) *Unlawful sales.* No licensee nor any officer, associate, member, representative, agent or employee of such licensee shall sell, give or deliver alcoholic liquor to any person under the age of twenty-one (21) years, to any intoxicated person or to any person known by the licensee to be a habitual drunkard, a spendthrift, insane, mentally ill, mentally deficient or in need of mental treatment. No person, after purchasing or otherwise obtaining alcoholic liquor, shall sell, give or deliver such alcoholic liquor to another person under the age of twenty-one (21) years, except in the performance of a religious ceremony or a religious service.
 - (1) For the purpose of preventing the violation of this section, any licensee, and any officer, associate, member, representative, agent or employee of such licensee, shall refuse to sell or serve alcoholic beverages to any person who is unable to produce adequate written evidence of identity and of the fact that ~~he or she~~ said person is over the age of twenty-one (21) years.
 - (2) Adequate written evidence of age and identity of the person is a document issued by a federal, state, county, or municipal government, or subdivision or agency of such government entity, including but not limited to a motor vehicle operator's license, a registration certificate issued under the federal Selective Service Act, or an identification card issued to a member of the

Armed Forces. Proof that the licensee, or ~~his~~ its officer, associate, member, representative, agent or employee, demanded, was shown and reasonably relied upon such written evidence in any transaction forbidden by this section is an affirmative defense to any proceedings for the suspension or revocation of any license based thereon. It shall not, however, be an affirmative defense if the licensee, or ~~his~~ its officer, associate, member, representative, agent or employee accepted the written evidence knowing it to be false or fraudulent.

- (3) Any person who sells, gives, or furnishes to any person under the age of twenty-one (21) years any false or fraudulent written, printed or photostatic evidence of the age and identity of such person or who sells, gives or furnishes to any person under the age of twenty-one (21) years evidence of age and identification of any other person shall be deemed to be guilty of a misdemeanor.
 - (4) Any person under the age of twenty-one (21) years who presents or offers to any licensee, ~~his~~ its officer, associate, member, representative, agent or employee, any written, printed or photostatic evidence of age and identity which is false, fraudulent, or not actually ~~his or her~~ the person's own for the purpose of ordering, purchasing, attempting to purchase or otherwise procuring or attempting to procure the serving of any alcoholic beverage, or who has in ~~his or her~~ the person's possession any false or fraudulent written, printed, or photostatic evidence of age and identity, is guilty of a misdemeanor.
 - (5) Any person under the age of twenty-one (21) years who has any alcoholic beverage in ~~his or her~~ the person's possession on any street or highway or in any public place or in any place open to the public is guilty of a misdemeanor. This section does not apply to possession by a person under the age of twenty-one (21) years making an off-premises delivery of an alcoholic beverage in pursuance of the order of ~~his or her~~ the person's parent or in pursuance of ~~his or her~~ the person's employment. A licensee may employ a person eighteen (18) years of age or older as a waiter or waitress, for the service of food in a licensed premises, but said person shall not be permitted to deliver alcoholic beverages. It shall be unlawful for any person under the age of twenty-one (21) years to draw, pour, or mix alcoholic liquor as an employee of any licensee.
- (b) *Youth gatherings prohibited.* It shall be unlawful for any premises licensed under this chapter to be used for events designated to attract persons under the age of twenty-one (21) years into the premises at any time. Events hereby prohibited upon licensed premises include "teen dances", "teen nights" or any other gathering or activity the promotion of which encourages persons under the age of twenty-one

(21) years to seek admission to the premises. Notwithstanding, an organization or group, other than one in which any interest is held by a licensee, may sponsor such an event on one specific day, provided it has filed an application in writing with the local liquor control commissioner at least ten (10) days prior to the event, has received written approval from the local liquor control commissioner and has complied with any conditions or requirements imposed by the local liquor control commissioner.

- (c) *Presence of persons under twenty-one (21) on premises prohibited.* It shall be unlawful for any licensee or any person operating pursuant to a license for a premises, where no full food service or consumption as meals are provided, to permit any person under the age of twenty-one (21) years to be present upon the premises. A liquor licensee operating an establishment as a restaurant or other licensed and regulated food provider, as specified under this code, shall not be subject to the prohibition of this subsection, provided full meals are offered for sale and table seating is available. Licensees operating under class C, E, F, F-1, ~~or~~ G or K are not subject to the prohibition of this section. Additionally, a licensee operating an establishment at which the principal activity is recreational, intended for family involvement and the involvement of persons under the age of twenty-one (21) years, shall not be subject to the prohibition of this subsection; provided, that the licensee submits to the local liquor control commissioner with its annual application a report on the operational procedures to assure that persons under the age of twenty-one (21) years are not engaging in the consumption of alcoholic beverages upon the premises.
- (d) *Alcohol not purchased from licensed premises.* It shall be unlawful for any licensee, its employees, officers or agents to permit, authorize or otherwise allow any person to consume on the licensed premises, alcoholic liquor that was purchased at any location other than the licensed premises where it is consumed, unless the licensee holds a class L (BYOB) license for the licensed premises and the consumption is in accordance with the terms of such license.
- (e) *Dram shop insurance required.* It shall be unlawful for any licensee to fail to keep in full force and effect, during the license period, dram shop insurance coverage, issued by an insurance company authorized to do business in Illinois, in at least the amounts recoverable under the Liquor Control Act of 1934, as amended, insuring the licensee and the licensed premises. All dram shop insurance policies shall also name the Village of Franklin Park as an additional insured. Upon request of the local liquor control commissioner, a licensee shall provide evidence of the required insurance coverage at any time. A licensee shall ensure that the local liquor control commissioner has evidence of valid dram shop insurance coverage as required by this subsection at all times during the license period.
- (f) *Additional prohibited activities.* The following activities are prohibited at the

premises or place of business which operates under a license issued pursuant to this chapter:

- (1) The performance of acts or simulated acts of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, or any other sexual acts.
 - (2) The displaying of moving pictures, videos, DVDs or photographic slide presentation, or use of any device, depicting the acts or simulated acts of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, or any other sexual acts.
 - (3) The actual or simulated displaying of the breasts, nipples, buttocks, pubic hair, anus or genitals.
 - (4) The actual or simulated touching, caressing, or fondling of the breasts, nipples, buttocks, pubic hair, anus or genitals.
 - (5) The licensee, or ~~his/her~~ its agent, manager or employee permitting any person to remain in or upon the licensed premises who exposes for public view ~~his or her~~ the person's entire breast(s), nipple(s) or buttocks.
 - (6) The licensee, or ~~his/her~~ its agent, manager or employee, permitting any person to remain in or upon the licensed premises who exposes to view any portion of ~~his or her~~ the person's genitals, vulva or anus.
 - (7) The licensee, or ~~his~~ its agent, manager or employee, permitting any person to remain in or upon the licensed premises while modeling and/or displaying by wearing a bathing suit, ~~or~~ underwear, undergarments or ~~women's~~ lingerie, whether or not such modeling and/or displaying is part of a fashion show.
 - (8) The performance of lewd or exotic dancing or performance, whether or not part of any live entertainment.
- (g) ~~Conventional gambling~~ Gambling prohibited. There shall be no ~~conventional~~ gambling allowed on any premises licensed under this chapter. For purposes of this chapter, ~~conventional~~ gambling shall mean any and all gambling, including but not limited to cards, table games and sports betting; however, "video gaming" as defined by the Illinois Video Gaming Act 230 ILCS 40/1 et seq. and this code shall not be included in this definition.
- (h) *Game of chance amusement devices prohibited*. There shall be no game of chance amusement device allowed on any premises, or portion thereof, licensed under this

chapter. For purposes of this chapter, game of chance amusement device shall mean a machine or other device activated upon the insertion of cash, electronic cards, coupons, electronic codes, or vouchers or any combination thereof for self-service use, which by application of the element of chance, may deliver or entitle the person playing or operating the device to receive cash, premiums, merchandise or tokens; this definition shall include, but not be limited to, machines or devices that offer games of skill or chance where money or other things of value can be won but no payment or purchase is required to participate. The definition of game of chance amusement device shall not include video gaming terminals licensed by the Illinois Gaming Board.

- (i) *Sales of miniature bottles of alcoholic liquor prohibited.* It shall be unlawful for the holder of any local liquor license in the village to offer for sale or sell for consumption off the premises a single container of alcoholic liquor other than beer, malt liquor or wine, if the volume of the container is 6.4 ounces (or approximately one hundred ninety (190) milliliters) or less. It shall further be unlawful for the holder of any local liquor license in the village to sell any of the items prohibited by this subsection (i) attached together or repacked in any method other than that originally done by the distributor or manufacturer.
- (j) *Equal treatment.* No licensee shall deny or permit ~~his or her~~ its agents, managers and employees to deny any person the full and equal enjoyment of the accommodations, advantages, facilities and privileges of any premises in which alcoholic liquors are authorized to be sold or consumed subject only to the conditions and limitations established by law and/or ordinance and applicable alike to all citizens.
- (k) *Possession by persons under twenty-one (21) prohibited.* It shall be unlawful for any person to whom the sale, gift or delivery of any alcoholic liquor is prohibited because of age to purchase, accept a gift of such alcoholic liquor, or have such alcoholic liquor in ~~his or her~~ said person's possession.
 - (1) If a licensee or ~~his~~ its officers, associates, members, representatives, agents or employees believes or has reason to believe that a sale or delivery of any alcoholic liquor is prohibited because of the non-age of the prospective recipient, ~~he or she~~ said person shall, before making such sale or delivery, demand presentation of some form of positive identification referenced in subsection (a) above, containing proof of age, issued by a public officer in the performance of ~~his or her~~ the public officer's official duties.
 - (2) No person shall transfer, alter, or deface such an identification card; use the identification card of another; carry or use a false or forged identification card; obtain an identification card by means of false information; or otherwise misrepresent ~~his or her~~ the person's age for the purpose of

purchasing or obtaining alcoholic liquor or beverage in any place in the village where such alcoholic liquor or beverage is sold. No person shall purchase, accept delivery, or have possession of alcoholic liquor in violation of this subsection (k)(2). The consumption of alcoholic liquor by any person under the age of twenty-one (21) years is forbidden. Whoever violates the provisions of this section shall be guilty of a misdemeanor.

- (3) The possession and dispensing, or consumption by a person under the age of twenty-one (21) years of alcoholic liquor in the performance of a religious service or ceremony, or the consumption by a person under the age of twenty-one (21) years under the direct supervision and approval of the parents or parent or those persons standing in loco parentis of such person under the age of twenty-one (21) years in the privacy of a home, is not prohibited by this chapter.

- (l) *Warning to minors.* Every place in the village where alcoholic liquor is sold shall display at all times in a prominent place a printed card which shall read substantially as follows:

"WARNING TO MINORS

You are subject to a fine of up to \$750.00 under the ordinances of the Village of Franklin Park if you purchase any alcoholic liquor or misrepresent your age for the purpose of purchasing or obtaining any alcoholic liquor."

- (m) *State liquor license required.* A licensee shall maintain a valid state retailer's liquor license for the licensed premises at all times. In the event the licensee's state retailer's liquor license lapses, is revoked or is not renewed, any license issued to said licensee under this chapter shall be deemed to be forfeited by the licensee and, therefore, null and void. A licensee shall ensure that the local liquor control commissioner has evidence of a valid state retailer's liquor license for the licensed premises at all times. A licensee holding a class L (BYOB) license is exempt from the mandatory requirements of this subsection.

- (n) *Intoxicated persons on licensed premises.* It shall be unlawful for any licensee, its agents, managers or employees to allow an intoxicated person to loiter on or about the licensed premises or outside of the licensed premises or permit any conduct which shall tend to disturb the people or quiet of the neighborhood or the licensed premises.

3-2-14. - List of licenses kept.

The local liquor control commissioner shall keep or cause to be kept a complete record of all licenses issued under the provisions of this chapter.

3-2-15. - Revocation or suspension of license; fines.

- (a) The local liquor control commissioner may suspend for not more than thirty (30) days or revoke any local liquor license issued under the provisions of this chapter, and in addition may fine any licensee, for any violation of any provision of this chapter or of any state law pertaining to the sale of alcoholic liquor; for any violation of any provision of the Illinois Video Gaming Act; or if the licensee is more than sixty (60) days delinquent in the payment of any state or federal taxes, dram shop insurance policy premiums, any local taxes or fees imposed pursuant to law, or any other debt, fine, penalty, judgment, or charge due the village.
- (b) The local liquor control commissioner may impose a fine on a licensee for violation of any provision of this chapter. The fine imposed shall not exceed one thousand dollars (\$1,000.00) for a first violation within a twelve (12) month period, one thousand five hundred dollars (\$1,500.00) for a second violation within a twelve (12) month period, and two thousand five hundred dollars (\$2,500.00) for a third or subsequent violation within a twelve (12) month period. Each day on which a violation continues shall constitute a separate violation, but no more than fifteen thousand dollars (\$15,000.00) in fines may be imposed against any licensee during the period of ~~his~~ its license.
- (c) No liquor license shall be revoked or suspended and no licensee shall be fined, except after a hearing held before the local liquor control commissioner. No such hearing shall be held until at least three (3) days after the licensee has been given written notice affording the licensee an opportunity to appear and defend. All such hearings shall be open to the public. The local liquor control commissioner shall reduce all evidence to writing and shall maintain an official record of the proceedings. If the local liquor control commissioner has reason to believe that any continued operation of any licensed premises poses a threat to the welfare of the community, then the local liquor control commissioner may, on the issuance of a written order stating the reason for such conclusion and without notice or hearing, order a licensed premises closed for not more than seven (7) days, during which time the licensee shall be afforded an opportunity to be heard; except that if such licensee also conducts another business or businesses on the licensed premises, no closing order issued pursuant to this subsection shall be applicable to such other business or businesses.
- (d) Within five (5) days after the hearing, if the local liquor control commissioner determines after such hearing that the license should be revoked or suspended or that the licensee should be fined, the local liquor control commissioner shall state the reason or reasons for such determination in a written order, and either the amount of the fine, the period of suspension, or that the license has been revoked, and shall serve a copy of such order within five (5) days after the hearing upon the licensee.

- (e) Appeals from the decision of the local liquor control commissioner shall be taken to the Illinois Liquor Control Commission in the manner provided by the Illinois Liquor Control Act of 1934. Every review by the state liquor control commission shall be limited to a review of the official record of the proceedings of the local liquor control commissioner.

3-2-16. - Mandatory training for all persons who sell or serve alcoholic beverages; employee regulations.

- (a) No ~~retail dealer's~~ local liquor license authorizing the retail sale of alcoholic beverages shall be issued to a new licensee applicant or renewed until the applicant submits to the local liquor control commissioner proof of completion of a state certified beverage alcohol sellers and servers education and training (BASSET) program for all persons who sell or serve alcoholic beverages, all management personnel working on premises, and anyone whose job description entails the checking of identification for the purchases of alcoholic beverages or for entry into the licensed premises, pursuant to that license. Such required individuals shall maintain a valid BASSET certificate of completion during the license term. A certificate of completion shall be good for three (3) years. A photocopy of the certificate of completion shall be submitted to the local liquor control commissioner within ten (10) days after receipt by the individual required to complete a BASSET program.
- (b) Any new owner, manager, employee, or agent of an existing establishment holding a ~~retail dealer's~~ local liquor license requiring BASSET training shall within one hundred twenty (120) days from the beginning of their employment with that licensee complete a state certified BASSET program and shall until completion of the BASSET program work under the supervision of a person who has completed BASSET training. A photocopy of the certificate of completion shall be submitted to the local liquor control commissioner within ten (10) days after receipt by such new owner, manager, employee, or agent.
- (c) A photocopy of the certificate of completion for all owners, managers, employees, or agents required by this section to have BASSET training shall be maintained, by the licensee, in a manner that will allow inspection, upon demand, by any designee of both the state or local liquor control authorities. In addition, all owners, managers, employees or agents of the licensee involved in the retail sale, delivery or serving of alcoholic liquor shall at all times while engaged in the performance of their duties for the licensee have on their person a BASSET card issued to that person evidencing successful completion of the BASSET course.
- (d) Failure of an owner, manager, employee, or agent to complete a BASSET program required by this section shall constitute a violation of this section by the licensee.

- (e) Not for profit corporations or other charitable, religious, governmental or fraternal organizations holding a class G liquor license and holders of a class H liquor license engaged in the sale or distribution of alcoholic beverages are exempt from the mandatory requirements of this section.
- (f) It shall be unlawful to employ in any licensed premises ~~used for the retail sale of alcoholic liquor~~ any person who is afflicted with, or who is a carrier of any contagious, infectious or venereal disease and it shall be unlawful for any person who is afflicted with or is a carrier of such disease to work in or about any premises or to be engaged in any way in the handling, preparation, or distribution of such liquor.

3-2-17. - On premises consumption licensee responsibility.

- (a) *Definitions.* The following words and phrases as used in this section shall have the meanings respectively ascribed to them:

Adjacent property: 1) Any public way located immediately next to the on premises consumption of alcoholic liquor licensed establishment (licensed establishment), if such public way is used by the licensee or by patrons, agents or employees of the licensee as a means for entry to or egress from the licensed establishment; or 2) any private property that is located immediately next to the licensed establishment, if such private property is owned, leased or rented by the licensee; or 3) any private property separated from the licensed establishment by a public way and located immediately next to such public way, if such private property is owned, leased or rented by the licensee. For purposes of this definition, the term "public way" means any sidewalk, street, alley, highway or other public thoroughfare.

Deleterious impact: An adverse effect on the value of any property, an increased risk of violations of law, or a risk of a substantial increase in noise, disorderly conduct or litter by patrons of the licensee or increase in vehicular congestion.

Employee: Any agent, manager, clerk, bartender, server, host, hostess, waiter, waitress or other such person employed by the licensed establishment, or any person hired or employed on a contractual basis by such establishment, or receiving any remuneration for services in such an establishment.

On premises consumption: A licensed establishment or premises within the village of Franklin Park which authorizes the retail sale of alcoholic liquor for consumption on the premises at the location listed on the license and the primary purpose of the licensed establishment is the sale for consumption of alcoholic liquor on the premises, excluding places of business whereby the sale of alcoholic liquor for consumption on the premises is not the primary purpose of the business of the licensee such as restaurants, hotels and banquet halls.

Public nuisance: Three (3) or more police verified and substantiated incidents or complaints of, including, but not limited to, traffic congestion, disorderly conduct, loitering, panhandling, excessive late night noise, public fighting, excessive liquor related littering, public urination, public sex acts, prostitution/solicitation, gang violence, narcotics trafficking and usage, overflowing dumpsters and public intoxication within any six (6) month period on the licensed premises or adjacent property shall be declared, for purposes of this section, to be a public nuisance.

- (b) *Deleterious impact.* A deleterious impact is presumed to exist whenever there have been six (6) or more separate incidents resulting in the arrest of patrons of the licensed premises for unlawful activities on the licensed premises or within five hundred (500) feet of the licensed premises (measured from the nearest exterior wall of the premises) during the time in which the licensed premises is open for business or within one hour after the close of business within the previous one year, unless the applicant or licensee has adopted a plan of operation that will provide reasonable assurance that the issuance of a license or continued operation of the licensed premises will not have a deleterious impact on the community or neighborhood where the licensed premises is located.
- (c) *Written action plan of operation.* If the local liquor control commissioner determines after a hearing that any on premises consumption licensee to be a public nuisance or determines that the licensed establishment has had a deleterious impact on the property within five hundred (500) feet of the licensed premises, any application for renewal or application for a new license shall be denied unless the applicant can prove by a preponderance of the evidence that ~~he or she~~ the applicant has devised a plan of operation that will provide reasonable assurance that the issuance of the license or continued operation of the licensed premises will not result in a public nuisance or will not have a deleterious impact on property within five hundred (500) feet of the licensed premises. Any such action plan of operation shall include procedures calculated to mitigate or reduce a deleterious impact or public nuisance, including, but not limited to, providing security personnel, restricted hours of operation, providing outdoor lighting, the display of signs, providing additional trash pick up services, or any other reasonable restriction(s) on its business practices. A licensee's failure to adhere to a written action plan of operation approved by the local liquor control commissioner pursuant to this section shall constitute a violation and shall subject the licensee to a fine, suspension and/or revocation of the licensee's liquor license.
- (d) *Plans of operation.*
 - (1) Every action plan of operation must include provisions reasonably calculated to prevent the following conditions:
 - a. Excessive noise caused by patrons leaving or entering the premises;

- b. Loitering or littering by such patrons;
 - c. Fighting or other criminal activity by such patrons; and
 - d. The congregation of departing patrons in such numbers so as to unreasonably impede traffic flow or disturb the residents of any residentially zoned district immediately adjacent to the licensed establishment.
- (e) Licensee's obligation to maintain premises.
- (1) It shall be a violation of this section if the licensee has failed to take reasonable steps to correct those conditions creating a public nuisance or which cause a deleterious impact on the licensed premises or adjacent property while the establishment is open for business and within one hour after the time the establishment is closed for business.
 - (2) In lieu of a formal hearing to fine, suspend, and/or revoke the licensee, the local liquor control commissioner may in ~~his or her~~ the local liquor control commissioner's discretion notify the licensee to appear before the local liquor control commissioner, in the presence of the complaining persons or representatives of the police department or other interested parties, to define, discuss and seek resolution of problems giving rise to the complaint. The local liquor control commissioner may also order subsequent meetings to review progress toward resolution of the problems. Failure of a licensee to appear in response to a notice, or to attend subsequent meetings as ordered by the local liquor control commissioner, shall be grounds for convening a formal hearing before the local liquor control commissioner for the purpose of determining the propriety of the imposition of a fine, suspension and/or revocation of the licensee's license. Informal meetings under this subsection shall be convened at the request of the local liquor control commissioner, the village police chief or any five (5) residents or property owners within five hundred (500) feet of the licensed premises.
 - (3) "Reasonable steps" to correct objectionable conditions include, but are not limited to, the following:
 - a. *Calling the police department.* Timely calls to the police department via "9-1-1". Such calls that are placed by the licensee, or ~~his or her~~ its agents or employees, shall not, in and of themselves, be construed by the local liquor control commissioner as evidence of objectionable conditions that constitute a nuisance.
 - b. Directing those persons engaging in activities causing objectionable

conditions, public nuisance or deleterious impact to cease those activities, unless the licensee, or ~~his or her~~ its agents or employees, reasonably believe that their personal safety would be threatened in making such direction. Directions of this nature may be provided orally or in writing.

- (4) When determining what constitutes "reasonable steps", the local liquor control commissioner shall consider site configuration constraints and other factors related to the unique circumstances of the nature of the licensed premises as well as the frequency of complaints of objectionable conditions and the manner in which the licensee has sought to address such conditions. At the conclusion of a formal hearing, if the local liquor control commissioner finds by a preponderance of the evidence that the licensee's sale of liquor for consumption on the licensed premises is a public nuisance or has created a deleterious impact or that a licensee has failed to take reasonable steps to correct objectionable conditions on the licensed premises or on adjacent property during business hours and within one hour after such business hours, the local liquor control commissioner shall enter an order imposing a fine against the licensee and/or suspending or revoking the local liquor license.

Notwithstanding any other provision of this section, if a licensee has provided satisfactory proof to the local liquor control commissioner that the licensee has, within fourteen (14) days of any written order of the local liquor control commissioner, devised a plan of operation that will provide reasonable assurance that operation of the business at which liquor is sold for consumption on the premises will not cause a public nuisance or create a deleterious impact, the local liquor control commissioner may suspend the effectiveness of any fine, suspension and/or revocation order for a period of six (6) months while that plan is in effect.

If the local liquor control commissioner approves the plan, ~~he or she~~ the local liquor control commissioner shall continue the hearing to a specified date prior to the expiration of the six (6) month period. The plan may include conditions upon the licensee's operation of the premises that are useful or necessary to mitigate a public nuisance or deleterious impact, including, but not limited to: providing security personnel, restricted hours of operation, providing outdoor lighting, the display of signs, providing trash pick up services, or any other reasonable restrictions on business practices. After a continued hearing at which interested persons shall have the opportunity to be heard, the local liquor control commissioner may: a) reimpose the fine, suspension and/or revocation order if the local liquor control commissioner determines that the licensee has failed to adhere to the written plan of operation; b) order the modification of the plan of operation, including the addition or removal of conditions on the operation of the premises; c) vacate the fine, suspension and/or revocation order if the local liquor control commissioner determines that the order is no longer necessary to prevent a public nuisance; and/or d) continue the hearing for an

additional six (6) months, during which the effectiveness of the fine, suspension and/or revocation order may continue to be suspended pending further evaluation of the licensee's efforts to correct objectionable conditions.

Any order issued under this section, other than a final order imposing a fine, suspension and/or revocation or vacating such sanction, shall not be considered a final order.

- (f) *Provisions not a limitation.* The provisions of this section shall not be a limitation upon the local liquor control commissioner, but shall be in addition to any and all authority granted the local liquor control commissioner by this chapter and the ~~liquor control act~~ Liquor Control Act of 1934 ¹.

3-2-18. - Cessation of business.

Any licensee who has ceased to do business or closes the licensed place of business for a period of more than thirty (30) successive days without written permission from the local liquor control commissioner shall be subject to having its license declared forfeited and lapsed by order of the local liquor control commissioner.

3-2-19. - Sale or consumption.

- (a) No liquor shall be sold, offered for sale, kept for sale, displayed, or advertised for sale at retail or delivered (except in the case of a holder of a class H liquor license) to any person purchasing same at retail except at a location, place, or premises described in a ~~retail dealer's~~ local liquor license.
- (b) It shall be unlawful to peddle alcoholic liquor in the village.
- (c) A ~~retail dealer's~~ local liquor license shall permit the sale or consumption of alcoholic liquor only in or from the premises described in the application and license and only in the manner therein authorized and in compliance with the terms thereof.
- (d) It shall be unlawful for anyone not having a license providing for consumption on the premises where sold, to offer for sale, sell or donate any alcoholic beverage for consumption on any premises open to the general public, or to permit an alcoholic beverage to be consumed where sold or donated.
- (e) It shall be unlawful for a licensee to allow the consumption of or for any person to consume alcoholic beverages outdoors unless the premises is specifically licensed for outdoor consumption and such consumption occurs in an authorized and approved designated area.

- (f) No person except a manufacturer or distributor, or importing distributor, shall fill or refill, in whole or in part, any original package of alcoholic liquor with the same or any other kind or quality of alcoholic liquor, and it shall be unlawful for any person to ~~have in his or her possession~~ possess for sale at retail any bottles, casks or other containers containing alcoholic liquor, except in original packages.

3-2-20. - Prohibited happy hours.

- (a) No licensee or employee or agent of such licensee shall:
 - (1) Sell more than one drink of alcoholic liquor for the price of one drink of alcoholic liquor;
 - (2) Sell, offer to sell or serve to any person an unlimited number of drinks of alcoholic liquor during any set period of time for a fixed price, except at private functions not open to the general public or as provided in section 6-28.5 of the Liquor Control Act of 1934, as amended, or section 3-2-21 of this chapter;
 - (3) Increase the volume of alcoholic liquor contained in a drink, or the size of a drink of alcoholic liquor, without increasing proportionately the price regularly charged for the drink on that day;
 - (4) Encourage or permit, on the licensed premises, any game or contest which involves drinking alcoholic liquor or the awarding of drinks of alcoholic liquor as prizes for such game or contest on the licensed premises; or
 - (5) Advertise or promote in any way, whether on or off the licensed premises, any of the practices prohibited under subsections (a)(1) through (4) of this section.
- (b) A violation of this section shall be grounds for suspension or revocation of the ~~retailer's~~ local liquor license as provided by this chapter.

3-2-21. - Permitted happy hours and meal packages, party packages, and entertainment packages.

- (a) As used in this section:

Dedicated event space: A room or rooms or other clearly delineated space within a licensee's premises that is reserved for the exclusive use of party package invitees during the entirety of a party package. Furniture, stanchions and ropes, or other room dividers may be used to clearly delineate a dedicated event space.

Meal package: A food and beverage package, which may or may not include entertainment, where the service of alcoholic liquor is an accompaniment to the food, including, but not limited to, a meal, tour, tasting, or any combination thereof for a fixed price by a retail licensee or any other licensee operating within a sports facility, restaurant, winery, brewery, or distillery.

Party package: A private party, function, or event for a specific social or business occasion, either arranged by invitation or reservation for a defined number of individuals, that is not open to the general public and where attendees are served both food and alcohol for a fixed price in a dedicated event space.

(b) A licensee may:

- (1) Offer free food or entertainment at any time;
- (2) Include drinks of alcoholic liquor as part of a meal package;
- (3) Sell or offer for sale a party package only if the licensee:
 - a. Offers food in the dedicated event space;
 - b. Limits the party package to no more than three (3) hours;
 - c. Distributes wristbands, lanyards, shirts, or any other such wearable items to identify party package attendees so the attendees may be granted access to the dedicated event space; and
 - d. Excludes individuals not participating in the party package from the dedicated event space;
- (4) Include drinks of alcoholic liquor as part of a hotel package;
- (5) Negotiate drinks of alcoholic liquor as part of a hotel package;
- (6) Provide room service to persons renting rooms at a hotel;
- (7) Sell pitchers (or the equivalent, including, but not limited to, buckets of bottled beer), carafes, or bottles of alcoholic liquor which are customarily sold in such manner, or sell bottles of spirits;
- (8) Advertise events permitted under this section;
- (9) Include drinks of alcoholic liquor as part of an entertainment package where the licensee is separately licensed by a village ordinance that (A) restricts

dates of operation to dates during which there is an event at an adjacent stadium, (B) restricts hours of serving alcoholic liquor to two (2) hours before the event and one (1) hour after the event, (C) restricts alcoholic liquor sales to beer and wine, (D) requires tickets for admission to the establishment, and (E) prohibits sale of admission tickets on the day of an event and permits the sale of admission tickets for single events only; and

- (10) Discount any drink of alcoholic liquor during a specified time period only if:
- a. The price of the drink of alcoholic liquor is not changed during the time that it is discounted;
 - b. The period of time during which any drink of alcoholic liquor is discounted does not exceed four (4) hours per day and fifteen (15) hours per week; however, this period of time is not required to be consecutive and may be divided by the licensee in any manner;
 - c. The drink of alcoholic liquor is not discounted between the hours of 10:00 P.M. and the licensed premises' closing hour; and
 - d. Notice of the discount of the drink of alcoholic liquor during a specified time is posted on the licensed premises or on the licensee's publicly available website at least seven (7) days prior to the specified time.
- (c) A violation of this section shall be grounds for suspension or revocation of the ~~retailer's~~ local liquor license as provided by this chapter.
- (d) All licensees affected by this section must also comply with sections 6-16, 6-21, and 6-27.1 of the Liquor Control Act of 1934, as amended.

3-2-22. - Display of birth defects warning signs.

- (a) Every licensee, ~~whether the licensee sells or offers for sale alcoholic liquors for use or consumption on or off the licensed premises,~~ shall cause a sign, not larger in size than eight and one-half (8½) by eleven (11) inches, to be framed and hung in plain view with the following message:

"GOVERNMENT WARNING:

ACCORDING TO THE SURGEON GENERAL, WOMEN SHOULD NOT DRINK
ALCOHOLIC BEVERAGES DURING PREGNANCY BECAUSE OF THE RISK OF
BIRTH DEFECTS. IF YOU NEED ASSISTANCE FOR SUBSTANCE ABUSE,

PLEASE CALL THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE
(OASA) AT 1-800-843-6154."

- (b) In the event there is no warning sign posted on the licensee's premises, for the first violation the licensee shall have thirty (30) days from receipt of a written warning to post such sign on the licensed premises. Thereafter, for a second or subsequent violation, the licensee shall pay a fine of at least twenty dollars (\$20.00) but not more than one hundred dollars (\$100.00) for each such violation. A separate offense shall be deemed to have been committed on each day during or on which a violation occurs.

3-2-23. - Video gaming liquor license operational restrictions.

- (a) The following restrictions shall apply to all local liquor licenses that allow for and authorize the operation of video gaming terminals upon the licensed premises:
 - (1) No more than six (6) video gaming terminals may be located upon a licensed premises;
 - (2) No licensee shall cause or permit any person under twenty-one (21) years of age to use or play a video gaming terminal;
 - (3) All video gaming terminals must be located in an area of the licensed premises that is restricted to persons over twenty-one (21) years of age, the entrance to which is within the view of at least one owner, manager or employee of the licensee who is over twenty-one (21) years of age. Any licensee that allows persons under twenty-one (21) years of age to enter the licensed premises shall separate any video gaming terminals from the area accessible by minors. The placement of video gaming terminals in a licensed premises is subject to Rule 810 of the Illinois Gaming Board;
 - (4) All video gaming terminals must be located in an area of the licensed premises with restricted visibility from areas outside the business and in a location approved by the local liquor control commissioner. Prior to placement of any video gaming terminal on the licensed premises, the licensee shall submit a floor plan to the local liquor control commissioner that shows the proposed location of each video gaming terminal and receive the local liquor control commissioner's approval of the floor plan;
 - (5) An owner, manager or employee of the licensee over twenty-one (21) years of age shall be present during all hours of operation when video gaming terminals are available for use by the public. No video gaming terminal may be played except during the hours of operation for the consumption of alcoholic beverages at the licensed premises;

- (6) The licensee shall prevent access to video gaming terminals by persons who are visibly intoxicated;
- (7) The licensee shall comply with all village sign regulations. It shall also be unlawful to advertise for or promote video gaming on any exterior portion of the licensed premises or on any exterior window. This includes temporary or permanent signage or advertisement that may include a business name, name, identification, description, display, illustration or attention-getting device which is affixed to or painted or represented directly or indirectly upon a building or other outdoor surface or lot, and which directs attention to a person, business, product, service, place, organization, or entertainment;
- (8) The village, its agents and employees shall have unrestricted access to enter the licensed premises to determine compliance with this chapter, Article H of Chapter 3 of Title 3 of this code, the Illinois Video Gaming Act, and all rules, regulations and restrictions imposed by the Illinois Gaming Board; and
- (9) Each video gaming terminal that does not have a valid village video gaming terminal license affixed to it or a valid video gaming license issued by the State of Illinois or is otherwise unlawful shall be considered a gambling device subject to seizure and shall be turned over to the Illinois Gaming Board in accordance with regulations and applicable laws unless otherwise ordered by a court of competent jurisdiction.

3-2-24. - Acts of agent or employee.

Every act or omission constituting a violation of any provision of this chapter or of any state law pertaining to the sale of alcoholic liquor by any officer, director, manager, agent or employee of any licensee shall be deemed and held to be the act of such employer or licensee. The employer or licensee shall be punishable in the same manner as if the act or omission had been done or omitted by the employer or licensee personally.

3-2-25. - Applicability of Other Provisions.

Nothing in this chapter shall excuse or relieve the licensee, owner, proprietor, or person in charge of any place in the village where alcoholic liquor is sold or consumed from the restrictions and requirements of any other provision of this code, other ordinances of the village or of the statutes of the State of Illinois, including but not limited to the Liquor Control Act of 1934, as amended from time to time, and the Illinois Liquor Control Commission Rules and Regulations.

3-2-26. - Penalty for violations.

Any person, firm, corporation, or other entity who violates any provision of this chapter shall be subject to a fine of not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00) for each offense. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

Section 4. Article H ("*Video Gaming Terminals*") of Chapter 3 ("*Amusements*") of Title 3 ("*Business and License Regulations*") of the Village Code of Franklin Park, Illinois, is hereby amended by deleting the following stricken language and adding the underlined language to read, as follows:

3-3H-1. - Purpose; definitions.

- (a) Notwithstanding any other provision in this code to the contrary, video gaming as defined and regulated under the Illinois Video Gaming Act ¹, shall be permitted within the village. At all times a licensed establishment shall comply in all respects with the ~~video gaming act~~ Illinois Video Gaming Act and the regulations of the Illinois Gaming Board, as they each may be amended from time to time.
- (b) The definitions for this article are those definitions set forth in the Illinois Video Gaming Act and any amendments related thereto, which definitions are herein incorporated into this subsection by reference.

Licensed establishment: Any ~~Class A, Class A-1, Class A2, Class B-1, Class B-2, Class D-1, Class D-2, or Class F-1 and Class I~~ liquor license retail establishment licensed by the village where alcoholic liquor is drawn, poured, mixed, or otherwise served for consumption on the premises, whether the establishment operates on a nonprofit or for-profit basis. Licensed establishment does not include a facility operated by an organization licensee, an intertrack wagering licensee, or an intertrack wagering location licensee licensed under the Illinois Horse Racing Act of 1975 or a riverboat licensed under the ~~riverboat gambling act~~ Illinois Gambling Act, except as provided in the Illinois Gaming Act unless waived by the Illinois Gaming Board.

Minor: Any person under the age of twenty-one (21) years.

Terminal operator: Any individual, partnership, corporation, or limited liability company that is licensed under the Illinois Video Gaming Act and that owns, services, and maintains video gaming terminals for placement in licensed establishments, licensed truck stop establishments, licensed large truck stop establishments, licensed fraternal establishments, or licensed veterans establishments.

Video gaming terminal: Any electronic video ~~gaming game~~ machine that, upon insertion of cash, electronic cards or vouchers, or any combination thereof, is available to play or simulate the play of a video game, including, but not limited to, video poker, line up and blackjack, as authorized by the Illinois Gaming Board ~~board~~ utilizing a video display and microprocessors in which the player may receive free games or credits that can be redeemed for cash. The term does not include a machine that directly dispenses coins, cash or tokens or is for amusement purposes only.

3-3H-2. - License required.

- (a) It shall be unlawful for any licensed establishment to install, display, operate or otherwise permit the use and operation of any video gaming terminal without first having obtained a video gaming terminal license from the village. No video gaming terminal license shall be issued to a licensed establishment unless the applicant holds a valid ~~Class A, Class A-1, Class A-2, Class B-1, Class B-2, Class D-1, Class D-2, or Class F-1 and Class I~~ liquor license. ~~The maximum number of liquor licenses eligible to also become a licensed establishment to obtain a video gaming terminal license from the village shall not exceed a total of twelve (12).~~
- (b) The applicant shall supply information about the location and operation of such video gaming terminals on a form supplied by the village; shall provide a copy of the ~~licensee's~~ applicant's application to the Illinois Gaming Board and a copy of the license issued by the Illinois Gaming Board; a copy of the village ~~Class A, Class A-1, Class A-2, Class B-1, Class B-2, Class D-1, Class D-2, or Class F-1 and Class I~~ liquor license; a copy of the state of Illinois liquor license; and any other such information as the local liquor control commissioner may require; and shall pay the fee each year on or before April 30 in conjunction with the ~~licensee's~~ applicant's application for or renewal of a liquor license.

3-3H-3. - License Annual fee.

The annual fee for each video gaming terminal operated within the village shall be as provided in section 11-1-3 of this code. The cost of this fee shall be shared equally between the terminal operator and the applicable licensed establishment. The fee shall be paid each year on or before April 30 in conjunction with the licensed establishment's application for or renewal of a liquor license. The fee is not subject to proration and is non-refundable. ~~The loss or suspension of the state video gaming terminal license will automatically result in the loss or suspension of the village video gaming terminal license without any refund fee.~~

3-3H-4. - License restrictions.

- (a) ~~Not more than six (6) video gaming terminals may be located in a licensed establishment where alcoholic liquor is drawn, poured, mixed or otherwise served for consumption on the premises. Video gaming terminals may also be located at~~

licensed fraternal establishments, licensed veterans' establishments, and licensed truck stop establishments and licensed large truck stop establishments as defined by the ~~video gaming act~~ Illinois Video Gaming Act.

- ~~(b) Video gaming terminals must be located in an area restricted to persons over twenty one (21) years of age, the entrance to which is within the view of at least one employee of the establishment who is over twenty one (21) years of age. Any licensed establishment that allows persons under twenty one (21) years of age to enter must segregate video gaming terminals in a separate area inaccessible to minors.~~
- ~~(c) All video gaming terminals must be located in an area of the licensed establishment with restricted visibility from areas outside the business.~~
- ~~(d) An owner, manager or employee over the age of twenty one (21) shall be present during all hours of operation when video gaming terminals are available for use by the public. Video gaming terminals may be operated only during the hours of operation for the consumption of alcohol at that licensed establishment.~~
- ~~(e) The licensed establishment shall prevent access to video gaming terminals by persons who are visibly intoxicated.~~
- ~~(f) The village and its agents shall have unrestricted access to enter the licensed establishment to determine compliance with this article and the Illinois Video Gaming Act.~~
- ~~(gb) Any licensed establishment that has had its liquor license revoked or suspended by the village, or by the Illinois State Liquor Control Commission or its video gaming license revoked or suspended by the Illinois Gaming Board shall automatically have its village video gaming terminal license revoked or suspended for the same time period as its liquor or gaming board license, whichever the case may be, without refund of any license fee.~~
- (c) No video gaming terminal license issued pursuant to this article may be transferred, sold or assigned to any other person, corporation, association or other entity; nor shall any such license be transferred to any location other than that listed on the application. A video gaming terminal license is personal to the video gaming terminal for which it was issued and shall not be transferred to any other video gaming terminal. A video gaming terminal license shall not descend by the laws of testate or intestate devolution but shall cease upon the cessation of business or death of the licensee.
- (d) All video gaming terminal licenses issued pursuant to this article shall be subject to any and all changes or amendments that may be hereafter made to the provisions of

this article and to any rules or changes in rules adopted by the local liquor control commissioner. No licensee shall have any vested right to the continuation of any provision of this article.

3-3H-5. - Penalty.

Any person, firm, corporation, or other entity who violates any provision of this article shall be subject to a fine not exceeding seven hundred fifty dollars (\$750.00). A separate offense shall be deemed committed each day a violation occurs or continues.

Section 5. Section 11-1-4 ("*Schedule C-License Fees for Alcoholic Beverages*") of Chapter 1 ("*Fees, Rates and Charges*") of Title 11 ("*Fees*") of the Village Code of Franklin Park is hereby amended by deleting the following stricken language and adding the underlined language to read, as follows:

11-1-4. – Schedule C–License fees for alcoholic beverages.

<u>License Classifications</u>	<u>Annual Fee</u>
Class A	\$ 2,700.00
Class A-1	2,700.00
<u>Class A-2</u>	<u>2,700.00</u>
Class B	1,950.00
<u>Class B-1</u>	<u>1,950.00</u>
<u>Class B-2</u>	<u>1,950.00</u>
Class C	2,200.00
Class D	1,600.00
<u>Class D-1</u>	<u>1,600.00</u>
<u>Class D-2</u>	<u>1,600.00</u>
Class E	2,000.00
Class F	200.00
<u>Class F-1</u>	<u>200.00</u>
Class G	25.00 per day
Class H	550.00
Class I	100.00
<u>Class I-1</u>	<u>100.00</u>

Class J	100.00
Class K	<u>50.00 per day</u>
Class L (BYOB)	<u>500.00</u>

Section 6. This Ordinance, and its parts, are declared to be severable and any section, paragraph, clause, provision, or portion of this Ordinance that is declared invalid shall not affect the validity of any other provision of this Ordinance, which shall remain in full force and effect.

Section 7. If any part of this Ordinance is found to be in conflict with any other ordinance, resolution, motion, or order or parts thereof, the most restrictive or highest standard shall prevail.

Section 8. This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

(Intentionally Left Blank)

ADOPTED by the President and Board of Trustees of the Village of Franklin Park, Cook County, Illinois this ____ day of April 2023, pursuant to a roll call vote, as follows:

	YES	NO	ABSTAIN	ABSENT	PRESENT
AVITIA					
HAGERSTROM					
JOHNSON					
RUHL					
SPECIAL					
YBARRA					
PRESIDENT PEDERSEN					
TOTAL					

APPROVED by the President of the Village of Franklin Park, Cook County, Illinois on this ____ day of April 2023.

BARRETT F. PEDERSEN
VILLAGE PRESIDENT

ATTEST:

APRIL ARELLANO
VILLAGE CLERK

THE VILLAGE OF FRANKLIN PARK
COOK COUNTY, ILLINOIS

ORDINANCE

NUMBER 2223-VC- __

**AN ORDINANCE AMENDING CHAPTER TWO OF TITLE THREE OF THE VILLAGE
CODE OF THE VILLAGE OF FRANKLIN PARK, COOK COUNTY, ILLINOIS
(INCREASE NUMBER OF CLASS I LICENSES FOR LAS ISLAS VIP LLC)**

BARRETT F. PEDERSEN, Village President
APRIL ARELLANO, Village Clerk

IRENE AVITIA
GILBERT J. HAGERSTROM
JOHN JOHNSON
WILLIAM RUHL
KAREN SPECIAL
ANDY YBARRA
Trustees

ORDINANCE NUMBER 2223-VC-__

**AN ORDINANCE AMENDING CHAPTER TWO OF TITLE THREE OF THE VILLAGE
CODE OF THE VILLAGE OF FRANKLIN PARK, COOK COUNTY, ILLINOIS
(INCREASE NUMBER OF CLASS I LICENSES FOR LAS ISLAS VIP LLC)**

WHEREAS, the Village of Franklin Park, Cook County, Illinois (the “*Village*”) is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, a Class I Liquor License authorizes the consumption of alcoholic liquor outdoors on the premises where sold provided such premises are already duly licensed for the sale of alcoholic liquor at retail for consumption on the specified premises only (the “*Class I Liquor License*”); and

WHEREAS, the President and Board of Trustees of the Village of Franklin Park (the “*Corporate Authorities*”) regulate the number of liquor licenses that are available for the sale and distribution of alcoholic beverages within the Village; and

WHEREAS, Las Islas VIP LLC is seeking a Class I Liquor License for the premises located at 3560 N. River Road, Franklin Park, Illinois and has further satisfied the requirements for the issuance of said license.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Franklin Park, Cook County, Illinois, as follows:

Section 1. That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. Section 3-2-7 ("*Number of Licenses Issued*") of Chapter 2 ("*Alcoholic Beverages*") of Title 3 ("*Business and License Regulations*") of the Village Code of Franklin Park, Illinois, is hereby amended by deleting the following stricken language and adding the underlined language to read, as follows:

3-2-7. – Number of licenses issued.

- (a) *Maximum number of licenses.* The maximum number of licenses which may be issued for each class shall be as follows:

...

The total number of class I liquor licenses shall not exceed ~~one~~ two (2).

...

- (b) *Reduction in the number of licenses.* Whenever a license is revoked, surrendered, nonrenewed, forfeited or lapsed as herein provided in this chapter, the maximum number of licenses in the class of the license which is revoked, surrendered, nonrenewed, forfeited or lapsed as set forth in subsection (a) of this section shall be automatically and immediately reduced by one without further action by the corporate authorities.
- (c) *Appropriate number of licenses.* The village clerk shall codify the appropriate maximum number of licenses for each class whenever the number of license(s) is reduced by this section.

Section 3. If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

Section 4. All ordinances, resolutions, motions, or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 5. This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

(Intentionally Left Blank)

ADOPTED by the President and Board of Trustees of the Village of Franklin Park, Cook County, Illinois this _____ day of April 2023, pursuant to a roll call vote, as follows:

	YES	NO	ABSTAIN	ABSENT	PRESENT
AVITIA					
HAGERSTROM					
JOHNSON					
RUHL					
SPECIAL					
YBARRA					
PRESIDENT PEDERSEN					
TOTAL					

APPROVED by the President of the Village of Franklin Park, Cook County, Illinois on this _____ day of April 2023.

BARRETT F. PEDERSEN
VILLAGE PRESIDENT

ATTEST:

APRIL ARELLANO
VILLAGE CLERK

THE VILLAGE OF FRANKLIN PARK
COOK COUNTY, ILLINOIS

ORDINANCE

NUMBER 2223-VC-__

**AN ORDINANCE AMENDING CHAPTER EIGHT OF TITLE THREE AND CHAPTER
ONE OF TITLE SEVEN OF THE VILLAGE CODE OF THE VILLAGE OF
FRANKLIN PARK, COOK COUNTY, ILLINOIS REGARDING
OUTDOOR EATING CAFES AND SIDEWALK CAFES**

BARRETT F. PEDERSEN, Village President
APRIL ARELLANO, Village Clerk

IRENE AVITIA
GILBERT J. HAGERSTROM
JOHN JOHNSON
WILLIAM RUHL
KAREN SPECIAL
ANDY YBARRA
Trustees

ORDINANCE NUMBER 2223-VC-__

AN ORDINANCE AMENDING CHAPTER EIGHT OF TITLE THREE AND CHAPTER ONE OF TITLE SEVEN OF THE VILLAGE CODE OF THE VILLAGE OF FRANKLIN PARK, COOK COUNTY, ILLINOIS REGARDING OUTDOOR EATING CAFES AND SIDEWALK CAFES

WHEREAS, the Village of Franklin Park, Cook County, Illinois (the "*Village*") is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, the President and Board of Trustees of the Village of Franklin Park (the "*Corporate Authorities*") are charged with the responsibility of protecting the health, safety and welfare of the residents of the Village; and

WHEREAS, the Corporate Authorities may from time to time amend the text of the Village Code of Franklin Park when it is determined to be in the best interests of the residents of the Village; and

WHEREAS, the Corporate Authorities find that it is in the best interests of the residents of the Village to provide for the regulations herein specified to promote the health, safety and welfare of the residents of the Village and the general public.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Franklin Park, Cook County, Illinois, as follows:

Section 1. That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. Chapter 8 (“*Food and Food Handlers*”) of Title 3 (“*Business and License Regulations*”) of the Village Code of Franklin Park is hereby amended by deleting the following stricken language and adding the underlined language to read, as follows:

...

3-8-36. - Outdoor eating cafes on private property.

- (a) *Definition.* For purposes of this section, an "outdoor eating cafe" shall mean an outdoor eating area, with seats and/or tables located entirely on the property of a licensed food service establishment, for consumption of food, beverages and/or meals by patrons of the food service establishment.
- (b) *Enforcement.* The director of inspectional services or ~~his/her~~ the director's appointed representative shall inspect all outdoor eating areas for compliance with all building, zoning and health codes of the village.
- (c) *Hours and dates of operation.* Outdoor eating cafes may be in operation from May 1 to November 1 of each year and only ~~during the regular business hours of the licensed food service establishment~~ between the hours of twelve o'clock (12:00) noon and ten o'clock (10:00) P.M. on any day of the week.
- (d) *Permit required.* No outdoor eating cafe shall operate without first securing an annual permit from the department of inspectional services. The annual permit fee shall be as indicated in section 11-1-2 of this code.
 - (1) *Permit applications.* All requests for an outdoor eating cafe permit shall be in writing and addressed to the department of inspectional services and all applications or requests shall include:
 - a. The daily times, dates and location of operation of the outdoor eating cafe, a site plan showing the location of tables, chairs, benches and other equipment to be required for first time applicants and whether alcoholic liquor will be served.
- (e) *Restrictions/additional requirements.*
 - (1) No alcoholic liquor may be sold, given, delivered or consumed in the outdoor eating cafe area without a supplemental liquor license having been first issued by the local liquor control commissioner.
 - (2) All alcoholic liquor must be consumed on the premises of the licensed food

service establishment or outdoor eating cafe.

- (3) Outdoor eating cafes shall be maintained in a clean and sanitary condition. All outdoor eating cafes shall be cleaned at the end of each business day and all food, garbage and waste shall be removed and placed in approved waste receptacles. The sidewalk or ground area of the outdoor eating cafe area shall be washed or swept daily to remove any food or drink residue.
 - (4) No outdoor eating cafe permit shall be issued without a certificate of zoning compliance.
 - (5) No food may be stored, cooked or otherwise prepared in the area of the outdoor eating cafe.
 - (6) All outdoor eating cafe areas shall be accessible to persons with disabilities and the permittee shall, at all times, comply with all applicable federal and state laws and village ordinances.
 - (7) All outdoor furnishings, materials and equipment shall be constructed of durable, smooth and easily cleanable materials and shall be kept in sound condition and good repair.
 - (8) All outdoor furnishings shall be designed to withstand a wind pressure of not less than thirty (30) pounds per square foot.
 - (9) The outdoor eating cafe shall be equipped with no less than one trash receptacle located in the outdoor eating area. The trash receptacle shall be constructed of a sturdy and impervious material and equipped with a tightfitting cover.
- (f) *Violation; penalty.* Any person found liable of violating any provision of this section shall be fined in an amount not less than twenty-five dollars (\$25.00) nor more than seven hundred fifty dollars (\$750.00) for each such offense. In addition to any fines imposed, any licensee found liable of violating any provision of this section, a second or subsequent time within any calendar year shall be subject to suspension, for not more than thirty (30) days, or revocation for the balance of the permit year, of the licensee's outdoor eating cafe permit.

No permit shall be suspended or revoked without the licensee first being given the opportunity for a hearing before the village's administrative hearing officer. Notice of said hearing shall be in writing and served upon the licensee no less than seven (7) business days before the hearing. Service of notice shall be by personal service or first class mail, postage prepaid at the address listed on the license application. The notice of the hearing shall contain the date, time and location of the hearing

and a description of the offense charged or basis of the offense sufficient to inform the permittee/licensee of the charge against ~~him~~ the permittee/licensee and the opportunity to prepare a defense.

Any order of suspension or revocation shall be in writing, stating the factual basis for the suspension or revocation, the length of suspension and such order shall be served upon the licensee or permittee/licensee by personal service or first class mail, postage prepaid at the licensed premises or address listed on the license application within five (5) business days following the date of the hearing officer's decision.

- (g) *Emergency closure of outdoor eating cafes.* The director of inspectional services or ~~his or her~~ the director's designee may order the emergency closure of any outdoor eating cafe if, in ~~his or her~~ the director's or such designee's opinion, conditions exist or conduct on the premises of the outdoor eating cafe presents an imminent danger to the health, welfare and safety of the residents of the village or patrons of the outdoor eating cafe. A permittee of an outdoor eating cafe closed on an emergency basis shall receive a hearing before the village's administrative hearing officer within five (5) business days of the date of the emergency closure. The content of the notice of hearing and manner of service of the notice of hearing shall be as provided in subsection F of this section.

3-8-37. - Sidewalk cafe.

- (a) *Permit required.* No person or entity shall operate a sidewalk cafe without a valid sidewalk cafe permit issued by the director of inspectional services. A sidewalk cafe permit is an ancillary permit, and the sidewalk cafe permit shall be in addition to any and all other business permit(s), food service permits, or permits required by this code.
- (b) *Eligibility for permit.*
- (1) A sidewalk cafe permit shall be granted only to a restaurant permittee which is in conformance with the Franklin Park Zoning Code and which holds a valid Franklin Park business permit. Application for a sidewalk cafe permit shall be made on an application provided by the director of inspectional services.
- (2) The following documentation shall be required to be submitted with the permit application:
- a. A completed application form with a letter from the building owner or lessor granting permission for the sidewalk cafe.

- b. A twenty five dollar (\$25.00) application fee.
 - c. A site plan to accurate scale illustrating the location of the proposed sidewalk cafe including all furnishings, equipment, and materials.
 - d. Catalog cuts and/or photographs of all furniture, materials, and other equipment to be located within the sidewalk cafe area.
 - e. A plat of survey for the adjacent restaurant property, which survey shall include the right-of-way between the building and the curb.
- (c) Compliance with code. All sidewalk cafes must comply with all applicable regulations of title 3, chapter 8 of this code, as well as all other applicable state and village laws, ordinances, and regulations.
- (d) General requirements.
- (1) All tables, chairs, and other equipment shall be removed from the public right-of-way and stored inside the premises or, as otherwise approved by the department of inspectional services, at the close of each business day.
 - (2) The sale, delivery, and consumption of alcoholic beverages in the cafe area shall be prohibited unless a class I-1 liquor license as provided by title 3, chapter 2 of this code has been issued.
 - (3) The sidewalk cafe shall be operated in such a manner so as not to create a public nuisance and the operation shall not be detrimental to the health, safety, or general welfare of passersby or persons residing or working in the vicinity.
 - (4) A sidewalk cafe permit shall be valid from May 1 through November 1 of each year and only between the hours of twelve o'clock (12:00) noon and ten o'clock (10:00) P.M. on any day of the week.
 - (5) A sidewalk cafe permit shall be renewed on an annual basis.
 - (6) No food may be stored, cooked, or otherwise prepared in the area of a sidewalk cafe.
 - (7) The sidewalk cafe area including all tables, chairs, and equipment shall at all times be maintained in a clean and sanitary condition.
 - (8) The sidewalk cafe area shall be accessible to all persons with disabilities and the permittee shall, at all times, comply with all applicable federal laws,

state laws, and village ordinances and regulations concerning accessibility and nondiscrimination in the providing of service.

- (9) The operation of the sidewalk cafe shall not interfere with the passage of pedestrian or vehicular traffic, or reduce the open portion of the public sidewalk to less than five (5) feet, clear of all obstructions, measured from the edge of the sidewalk closest to the curb, lamppost, or parking meter.
- (10) In no event shall the operation of, or placement of equipment or furnishings for, the sidewalk cafe obstruct access to any taxi stand, bus stop, crosswalk, mailbox, curb cut, parking space, or any other public property or obstruct any fire exit, fire escape, or other means of ingress and egress nor obstruct access to any fire hydrant, fire escape, or fire door, nor obstruct the clear view of any traffic signal, regulatory sign, or street sign. Whether the placement of equipment or furnishings obstructs access or view to any of the foregoing shall be the sole determination of the director of inspectional services, fire inspector, or their respective designees.
- (11) All sidewalk furnishings, materials, and equipment shall be constructed of durable, smooth, and easily cleanable materials and shall be kept in sound condition and good repair.
- (12) All sidewalk furnishings shall be designed to withstand a wind pressure of not less than thirty (30) pounds per square foot so that the furnishings will not be moved by the wind.
- (13) At least one trash receptacle shall be provided for the sidewalk cafe area within ten (10) feet of all eating areas which shall be constructed of an impervious material and be of sturdy construction equipped with a tightfitting cover and fly attracting devices.

(e) Additional requirements.

- (1) In addition to the requirements set forth above, issuance and continued enjoyment of a sidewalk cafe permit shall be conditioned on the following:
 - a. A sidewalk cafe may be located only along that portion of the perimeter of the restaurant that is coterminous with the interior of the restaurant and shall be subject to the approval of the director of inspectional services.
 - b. Prior to issuance of a sidewalk cafe permit, the permittee shall provide the village in a form acceptable to the village attorney, the following:

1. An agreement to indemnify, defend, and hold harmless the village, its officers, agents, elected officials, and employees from and against any and all claims for liability or damages arising from the operation of the sidewalk cafe or the acts of the permittee, its employees, agents, or invitees; and
 2. A certificate of general liability insurance and workers' compensation insurance. The amount of required general liability coverage shall be not less than one million dollars (\$1,000,000.00) per occurrence and two million dollars (\$2,000,000.00) annual aggregate. The village shall be named as an additional insured on the face of the certificate and the insurer shall have no less than a B++ rating by the most recent "AM Best Insurance Rating Guide". If alcoholic liquor is served, dramshop insurance shall be provided with coverage of not less than one million dollars (\$1,000,000.00) naming the village as an additional insured.
- c. The permittee shall be solely responsible for the maintenance and upkeep of the public area used for the sidewalk cafe and the replacement of damaged public property, including brick pavers. No furniture or furnishings or other equipment may be attached or affixed, by any means, to the sidewalk, right-of-way, or any other public property. Maintenance shall include daily cleaning of the area, including washing of the public sidewalk by an employee of the permittee.
- d. The permittee shall submit, with the application, a plan showing the manner in which the furnishings and equipment will be stored during the hours that the sidewalk cafe portion of the restaurant is closed. The plan shall be subject to approval of the director of inspectional services.
- e. Any seating area where alcoholic beverages are sold or consumed shall be enclosed by a border and shall be supervised at all times by an employee of the restaurant. No alcoholic beverages may be removed from the sidewalk cafe, except to the interior of the restaurant or food service establishment.

(f) Term of permit; renewal; suspension; revocation; fine; termination.

- (1) Term. Each sidewalk cafe permit shall be valid from May 1 through November 1 of each year. A renewal application shall provide the same information as an original application, but copies of the previous year's site

plan may be used if there are no material changes from the prior year's submission.

- (2) *Sanctions for violations.* Sidewalk cafe permits may be suspended, revoked and/or fines imposed if the permittee is found liable for violating the provisions of this chapter or any other provisions of this code related to the maintenance or conduct of the sidewalk cafe provided, however, no such permit may be suspended or revoked or a fine imposed without the permittee first being given the opportunity for a hearing before the village's administrative hearing officer. Notice of said hearing shall be in writing and served upon the permittee no less than seven (7) business days before the hearing. Service of notice shall be by personal service or first class mail, postage prepaid at the address listed on the permit application. The notice of the hearing shall contain the date, time and location of the hearing and a description of the offense charged or basis of the offense sufficient to inform the permittee of the charge against the permittee and the opportunity to prepare a defense.

Any order of suspension or revocation shall be in writing, stating the factual basis for the suspension or revocation, the length of suspension and such order shall be served upon the permittee by personal service or first class mail, postage prepaid at the restaurant premises or address listed on the permit application within five (5) business days following the date of the hearing officer's decision.

- (3) *Emergency closure of sidewalk cafes.* The director of inspectional services or the director's designee may order the emergency closure of any sidewalk cafe if, in the director's or such designee's opinion, conditions exist or conduct on the premises of the sidewalk cafe presents an imminent danger to the health, welfare, and safety of the residents of the village or patrons of the sidewalk cafe. A permittee of a sidewalk cafe closed on an emergency basis shall receive a hearing before the village's administrative hearing officer within five (5) business days of the date of the emergency closure. The content of the notice of hearing and manner of service of the notice of hearing shall be as provided in subsection F(2) of this section.

- (g) *Fee.* The annual permit fee for a sidewalk cafe permit shall be one hundred dollars (\$100.00) plus twenty-five dollars (\$25.00) for each table in the sidewalk cafe area.
- (h) *Penalty.* Any person or owner or operator of any sidewalk cafe violating any of the provisions of this section, upon conviction thereof, shall be fined in an amount not less than twenty-five dollars (\$25.00) nor more than seven hundred fifty dollars (\$750.00). A separate offense shall be deemed committed for each day such violation is committed or permitted to continue and shall be punishable as such

hereunder. In addition to the foregoing, continued or repeated violations may be cause to suspend or revoke the sidewalk cafe permit as herein provided.

Section 3. Chapter 1 (*"Streets, Sidewalks and Other Public Property"*) of Title 7 (*"Public Works and Properties"*) of the Village Code of Franklin Park is hereby amended by deleting Section 7-1-11 (*"Sidewalk Cafe"*) in its entirety.

Section 4. This Ordinance, and its parts, are declared to be severable and any section, paragraph, clause, provision, or portion of this Ordinance that is declared invalid shall not affect the validity of any other provision of this Ordinance, which shall remain in full force and effect.

Section 5. All ordinances, resolutions, motions, or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 6. This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

(Intentionally Left Blank)

ADOPTED by the President and Board of Trustees of the Village of Franklin Park, Cook County, Illinois this ____ day of April 2023, pursuant to a roll call vote, as follows:

	YES	NO	ABSTAIN	ABSENT	PRESENT
AVITIA					
HAGERSTROM					
JOHNSON					
RUHL					
SPECIAL					
YBARRA					
PRESIDENT PEDERSEN					
TOTAL					

APPROVED by the President of the Village of Franklin Park, Cook County, Illinois on this ____ day of April 2023.

BARRETT F. PEDERSEN
VILLAGE PRESIDENT

ATTEST:

APRIL ARELLANO
VILLAGE CLERK

THE VILLAGE OF FRANKLIN PARK
COOK COUNTY, ILLINOIS

ORDINANCE

NUMBER 2223-G- __

**AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT
BY AND BETWEEN THE VILLAGE OF FRANKLIN PARK AND THE VILLAGE
OF ELMWOOD PARK AUTHORIZING CONSTRUCTION RELATED SERVICES
UNDER THE GOVERNMENTAL JOINT PURCHASING ACT**

BARRETT F. PEDERSEN, Village President
APRIL ARELLANO, Village Clerk

IRENE AVITIA
GILBERT J. HAGERSTROM
JOHN JOHNSON
WILLIAM RUHL
KAREN SPECIAL
ANDY YBARRA
Trustees

ORDINANCE NUMBER 2223-G-__

**AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT
BY AND BETWEEN THE VILLAGE OF FRANKLIN PARK AND THE VILLAGE
OF ELMWOOD PARK AUTHORIZING CONSTRUCTION RELATED SERVICES
UNDER THE GOVERNMENTAL JOINT PURCHASING ACT**

WHEREAS, the Village of Franklin Park, Cook County, Illinois (the "*Village*") is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, the Village of Elmwood Park is an Illinois municipal corporation organized and operating under the provisions of the Illinois Municipal Code; and

WHEREAS, Article VII, Section 10 of the Illinois Constitution of 1970 authorizes units of local government to enter into contract to exercise, combine or transfer any power or function not prohibited by law; and

WHEREAS, the Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.*, (the "*Act*") authorizes units of local government to exercise jointly with any public agency of the State, including other units of local government, any power, privilege, or authority which may be exercised by a unit of local government individually, and to enter into contracts for the performance of governmental services, activities, or undertakings; and

WHEREAS, the Village of Elmwood Park advertised for bid proposals for a qualified contractor to perform various construction projects through the General Government Services Contracting procurement method and subsequently entered into a General Government Services Contracting Agreement with F.H. Paschen, S.N. Nielsen & Associates, LLC (the "*Contractor*") on May 4, 2020, and extended on May 2, 2022 (the "*Contract*"); and

WHEREAS, under the Contract any other governmental unit is authorized to procure construction services from the Contractor as part of a joint purchasing agreement between Elmwood Park and the governmental unit; and

WHEREAS, Franklin Park is seeking to enter into an agreement with Elmwood Park under the Governmental Joint Purchasing Act, 30 ILCS 525/0.01, *et seq.*, and the Act that allows governmental units to purchase services jointly with one or more governmental units with the credit or liability of each governmental unit to remain separate and distinct; and

WHEREAS, Franklin Park and Elmwood Park desire to enter into this Agreement in order for Franklin Park to procure the construction services of the Contractor under the Contract pursuant to the Governmental Joint Purchasing Act; and

WHEREAS, Franklin Park and Elmwood Park find that it is in their best interests of the health, safety, and welfare of their respective residents to cooperate with each other as provided in this Agreement and the Governmental Joint Purchasing Act.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Franklin Park, Cook County, Illinois, as follows:

Section 1. That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. The Intergovernmental Agreement between the Village of Franklin Park and the Village of Elmwood Park Authorizing Construction Related Services under the Governmental Joint Purchasing Act (the "*Intergovernmental Agreement*"), a copy of which is attached hereto and made a part hereof as Exhibit A, is hereby approved in the form presented to this Village Board, with such necessary changes as may be authorized by the Village President,

the execution thereof by the Village President to constitute the approval of the Corporate Authorities of any and all changes or revisions therein contained.

Section 3. The Village President and Village Clerk are hereby authorized and directed to execute and deliver the Intergovernmental Agreement and all other documents necessary to implement the provisions, terms, and conditions thereof, as therein described.

Section 4. The officials, officers, employees, engineers, and attorneys of the Village are hereby authorized to take such further actions as are necessary to carry out the intent and purpose of this Ordinance and the Intergovernmental Agreement.

Section 5. If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance.

Section 6. All ordinances, resolutions, motions, or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 7. This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

(Intentionally Left Blank)

ADOPTED by the President and Board of Trustees of the Village of Franklin Park, Cook County, Illinois this ____ day of April 2023, pursuant to a roll call vote, as follows:

	YES	NO	ABSTAIN	ABSENT	PRESENT
AVITIA					
HAGERSTROM					
JOHNSON					
RUHL					
SPECIAL					
YBARRA					
PRESIDENT PEDERSEN					
TOTAL					

APPROVED by the President of the Village of Franklin Park, Cook County, Illinois on this ____ day of April 2023.

BARRETT F. PEDERSEN
VILLAGE PRESIDENT

ATTEST:

APRIL ARELLANO
VILLAGE CLERK

Exhibit A

Intergovernmental Agreement

**FIRST AMENDMENT TO A REDEVELOPMENT AGREEMENT BY AND
BETWEEN THE VILLAGE OF FRANKLIN PARK AND FRANKLIN RETAIL,
LLC FOR THE SALE AND DEVELOPMENT OF A VACANT PARCEL
OF VILLAGE OWNED PROPERTY COMMONLY KNOWN AS
3010 MANNHEIM ROAD, FRANKLIN PARK, ILLINOIS**

THIS FIRST AMENDMENT TO A REDEVELOPMENT AGREEMENT BY AND BETWEEN THE VILLAGE OF FRANKLIN PARK AND FRANKLIN RETAIL, LLC FOR THE SALE AND DEVELOPMENT OF A VACANT PARCEL OF VILLAGE OWNED PROPERTY COMMONLY KNOWN AS 3010 MANNHEIM ROAD, FRANKLIN PARK, ILLINOIS (the “**Amendment**”) is made this 31st day of March 2023 (the “**Amendment Effective Date**”) by and between the VILLAGE OF FRANKLIN PARK, an Illinois municipal corporation (the “**Village**” or “**Seller**”), and FRANKLIN RETAIL, LLC, an Illinois limited liability corporation (the “**Developer**” or “**Purchaser**”). The Village or Seller and Developer or Purchaser shall also be known collectively, as the “Parties.”

WITNESSETH:

WHEREAS, Village and Developer previously entered into a Redevelopment Agreement by and between the Village of Franklin Park and Franklin Retail, LLC for the Sale and Development of a Vacant Parcel of Village Owned Property Commonly Known as 3010 Mannheim Road, Franklin Park, Illinois on November 1, 2022 (the “**Agreement**”) pertaining to the conveyance of approximately 1.29 acres or 56,365 square feet, identified by permanent index numbers (PINs) 12-29-212-002-0000, 12-29-212-003-0000, 12-29-212-008-0000, 12-29-212-009-0000 and 12-29-212-013-0000 and as legally described on Exhibit A of the Agreement; and

WHEREAS, Village and Developer desire to amend the Agreement on the terms and conditions contained in this Amendment.

NOW, THEREFORE, in consideration of TEN AND NO/100THS DOLLARS (\$10.00) and the other mutual covenants herein contained and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the Parties agree as follows:

Section 1. Incorporation. The statements, representations, covenants, and recitations set forth in the foregoing preliminary statements are material to this Amendment and are incorporated into and made a part of this Amendment as though they were fully set forth in this Section 1. The Parties acknowledge the accuracy and validity of such statements, representations, covenants, and recitations.

Section 2. Defined Terms. Capitalized terms not otherwise defined in this Amendment have the meanings respectively ascribed to in the Agreement.

Section 3. Amendment to Agreement.

3.1 Amendment to Section 6.2.1. Section 6.2.1 entitled “*Inspection Period*” of the Agreement is hereby amended by deleting Section 6.2.1 in its entirety and adding the following new language to read, as follows:

“6.2.1 Inspection Period. The obligation of Developer to purchase the Property is subject to the condition that Developer, in its sole and exclusive judgment and discretion based upon the Inspections and analysis at its sole cost and expense, shall have approved the Property for purchase, including, but not limited to, soil tests, engineering reports, environmental reports, zoning and the feasibility of Developer's contemplated use of the Property (the “**Inspection Contingency**”). Developer shall satisfy or waive such Inspection Contingency before Developer shall be obligated to purchase the Property. This Inspection Contingency shall be satisfied or waived by Developer, or this Agreement terminated by Developer, in Developer's sole, exclusive judgment and discretion, no later than the end of the Inspection Period. The “**Inspection Period**” is that period beginning on the Effective Date and ending at 6:00 p.m. Central Time two hundred and ten (210) days after such date (the “**Inspection Date**”). Developer may at any time on or before the expiration of the Inspection Period, do one of the following: (i) send notice of acceptance to the Village (the “**Termination Waiver**”); or (ii) terminate this Agreement by sending written notice to Village (the “**Termination Notice**”). If Developer fails to timely send a Termination Waiver or Termination Notice, Developer shall be deemed to have irrevocably sent a Termination Notice. Upon issuance of the Termination Notice, Village and Developer shall have no further rights and obligations hereunder except those which expressly survive termination of this Agreement and the Earnest Money shall be returned to the Developer in accordance with Section 3.2 of this Agreement. If Developer delivers a Termination Waiver, or deemed issuance, Developer shall have no further right to terminate the Agreement.”

Section 4. Agreement in Full Force and Effect. Except for the provisions of this Amendment, all the terms, covenants, and conditions of the Agreement and all the rights and obligations of the Parties thereunder, shall remain in full force and effect, are not otherwise altered, amended, revised, or changed. In the event of any conflict between the terms of the Agreement and the terms of this Amendment, the terms of this Amendment will control.

Section 5. Counterparts. This Amendment may be executed in counterparts, and all such executed counterparts shall constitute the same agreement.

[EXECUTION PAGE FOLLOWS]

IN WITNESS WHEREOF, the Village and Developer have duly executed this Amendment pursuant to all requisite authorizations as of the date first above written.

VILLAGE OF FRANKLIN PARK, ILLINOIS,
An Illinois municipal corporation

Village President

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

On this ____ day of April 2023, before me, personally appeared Barrett F. Pedersen, personally known, who being by me duly sworn did say that he is the Village President of the Village of Franklin Park, Illinois, an Illinois municipal corporation, that said instrument was signed on behalf of said corporation by authority of its Board of Trustees, and acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Cook County, Illinois the day and year last above written.

Notary Public

Printed Name: _____

My commission expires:

IN WITNESS WHEREOF, the Village and Developer have duly executed this Amendment pursuant to all requisite authorizations as of the date first above written.

Franklin Retail, LLC

By: _____

Its: _____

STATE OF ILLINOIS)
) SS
COUNTY OF _____)

On this ____ day of April 2023, before me, personally appeared _____, personally known, who being by me duly sworn did say that they have read this Agreement and understand they are entering into contract for the purchase of property as a duly qualified and authorized officer of the above-referenced corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Cook County, Illinois the day and year last above written.

Notary Public

Printed Name: _____

My commission expires:

THE VILLAGE OF FRANKLIN PARK
COOK COUNTY, ILLINOIS

ORDINANCE

NUMBER 2223-G-__

**AN ORDINANCE OF THE VILLAGE OF FRANKLIN PARK, COOK COUNTY,
ILLINOIS APPROVING A FIRST AMENDMENT TO THE REDEVELOPMENT
AGREEMENT BY AND BETWEEN THE VILLAGE OF FRANKLIN PARK AND
FRANKLIN RETAIL, LLC FOR THE SALE AND DEVELOPMENT OF A VACANT
PARCEL OF VILLAGE OWNED PROPERTY COMMONLY KNOWN AS 3010
MANNHEIM ROAD, FRANKLIN PARK, ILLINOIS**

BARRETT F. PEDERSEN, Village President
APRIL ARELLANO, Village Clerk

IRENE AVITIA
GILBERT J. HAGERSTROM
JOHN JOHNSON
WILLIAM RUHL
KAREN SPECIAL
ANDY YBARRA
Trustees

ORDINANCE NUMBER 2223-G- __

AN ORDINANCE OF THE VILLAGE OF FRANKLIN PARK, COOK COUNTY, ILLINOIS APPROVING A FIRST AMENDMENT TO THE REDEVELOPMENT AGREEMENT BY AND BETWEEN THE VILLAGE OF FRANKLIN PARK AND FRANKLIN RETAIL, LLC FOR THE SALE AND DEVELOPMENT OF A VACANT PARCEL OF VILLAGE OWNED PROPERTY COMMONLY KNOWN AS 3010 MANNHEIM ROAD, FRANKLIN PARK, ILLINOIS

WHEREAS, the Village of Franklin Park, Cook County, Illinois (the "*Village*") is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, the Village and Franklin Retail, LLC, an Illinois limited liability corporation (the "*Developer*") entered into a Redevelopment Agreement by and between the Village of Franklin Park and Franklin Retail, LLC for the Sale and Development of a Vacant Parcel of Village Owned Property Commonly Known as 3010 Mannheim Road, Franklin Park, Illinois, pertaining to the conveyance of approximately 1.29 acres or 56,365 square feet, identified by permanent index numbers (PINs) 12-29-212-002-0000, 12-29-212-003-0000, 12-29-212-008-0000, 12-29-212-009-0000 and 12-29-212-013-0000 (the "*Agreement*"); and

WHEREAS, the Village and Developer desire to execute a First Amendment to the Agreement, a copy of which is attached hereto and made a part hereof as Exhibit A (the "*First Amendment*") in order to extend the inspection period for an additional sixty (60) day period; and

WHEREAS, the President and Board of Trustees of the Village of Franklin Park, Cook County, Illinois (the "*Corporate Authorities*") find it is in the best interests of the Village to enter into the First Amendment.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Franklin Park, Cook County, Illinois, as follows:

Section 1. That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. That the First Amendment to a Redevelopment Agreement by and between the Village of Franklin Park and Franklin Retail, LLC for the Sale and Development of a Vacant Parcel of Village Owned Property Commonly Known as 3010 Mannheim Road, Franklin Park, Illinois, a copy of which is attached hereto and made a part hereof as Exhibit A, is hereby approved with such necessary changes as determined by the Village President and Director of Community Development and Zoning, with said changes and revisions therein contained being authorized by the Village Board upon execution of the First Amendment by the Village President.

Section 3. The Village President, Village Clerk and Village Attorney are hereby authorized and directed to execute and deliver the First Amendment and any and all other documents necessary to implement the provisions, terms and conditions thereof, as therein described and the Village Engineer and Village Attorney are further authorized to prepare and execute any such document and undertake such action to ensure the conveyance and development of the Property.

Section 4. The officials and officers of the Village are hereby authorized to undertake actions on the part of the Village as contained in the First Amendment to complete satisfaction of the provisions, terms or conditions stated therein.

Section 5. If any section, paragraph, clause, or provision of this Ordinance shall be

held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance.

Section 6. All ordinances, resolutions, motions, or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 7. This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

(Intentionally Left Blank)

ADOPTED by the President and Board of Trustees of the Village of Franklin Park, Cook County, Illinois this _____ day of April 2023, pursuant to a roll call vote, as follows:

	YES	NO	ABSTAIN	ABSENT	PRESENT
AVITIA					
HAGERSTROM					
JOHNSON					
RUHL					
SPECIAL					
YBARRA					
PRESIDENT PEDERSEN					
TOTAL					

APPROVED by the President of the Village of Franklin Park, Cook County, Illinois on this _____ day of April 2023.

BARRETT F. PEDERSEN
VILLAGE PRESIDENT

ATTEST:

APRIL ARELLANO
VILLAGE CLERK

Exhibit A

First Amendment

**FIRST AMENDMENT TO A REDEVELOPMENT AGREEMENT BY AND
BETWEEN THE VILLAGE OF FRANKLIN PARK AND FRANKLIN RETAIL,
LLC FOR THE SALE AND DEVELOPMENT OF A VACANT PARCEL
OF VILLAGE OWNED PROPERTY COMMONLY KNOWN AS
3010 MANNHEIM ROAD, FRANKLIN PARK, ILLINOIS**

THIS FIRST AMENDMENT TO A REDEVELOPMENT AGREEMENT BY AND BETWEEN THE VILLAGE OF FRANKLIN PARK AND FRANKLIN RETAIL, LLC FOR THE SALE AND DEVELOPMENT OF A VACANT PARCEL OF VILLAGE OWNED PROPERTY COMMONLY KNOWN AS 3010 MANNHEIM ROAD, FRANKLIN PARK, ILLINOIS (the “**Amendment**”) is made this 31st day of March 2023 (the “**Amendment Effective Date**”) by and between the VILLAGE OF FRANKLIN PARK, an Illinois municipal corporation (the “**Village**” or “**Seller**”), and FRANKLIN RETAIL, LLC, an Illinois limited liability corporation (the “**Developer**” or “**Purchaser**”). The Village or Seller and Developer or Purchaser shall also be known collectively, as the “**Parties**.”

WITNESSETH:

WHEREAS, Village and Developer previously entered into a Redevelopment Agreement by and between the Village of Franklin Park and Franklin Retail, LLC for the Sale and Development of a Vacant Parcel of Village Owned Property Commonly Known as 3010 Mannheim Road, Franklin Park, Illinois on November 1, 2022 (the “**Agreement**”) pertaining to the conveyance of approximately 1.29 acres or 56,365 square feet, identified by permanent index numbers (PINs) 12-29-212-002-0000, 12-29-212-003-0000, 12-29-212-008-0000, 12-29-212-009-0000 and 12-29-212-013-0000 and as legally described on Exhibit A of the Agreement; and

WHEREAS, Village and Developer desire to amend the Agreement on the terms and conditions contained in this Amendment.

NOW, THEREFORE, in consideration of TEN AND NO/100THS DOLLARS (\$10.00) and the other mutual covenants herein contained and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the Parties agree as follows:

Section 1. Incorporation. The statements, representations, covenants, and recitations set forth in the foregoing preliminary statements are material to this Amendment and are incorporated into and made a part of this Amendment as though they were fully set forth in this Section 1. The Parties acknowledge the accuracy and validity of such statements, representations, covenants, and recitations.

Section 2. Defined Terms. Capitalized terms not otherwise defined in this Amendment have the meanings respectively ascribed to in the Agreement.

Section 3. Amendment to Agreement.

3.1 Amendment to Section 6.2.1 Section 6.2.1 entitled “*Inspection Period*” of the Agreement is hereby amended by deleting the following stricken language and adding the underlined language to read, as follow:

“6.2.1 Inspection Period. The obligation of Developer to purchase the Property is subject to the condition that Developer, in its sole and exclusive judgment and discretion based upon the Inspections and analysis at its sole cost and expense, shall have approved the Property for purchase, including, but not limited to, soil tests, engineering reports, environmental reports, zoning and the feasibility of Developer's contemplated use of the Property (the “**Inspection Contingency**”). Developer shall satisfy or waive such Inspection Contingency before Developer shall be obligated to purchase the Property. This Inspection Contingency shall be satisfied or waived by Developer, or this Agreement terminated by Developer, in Developer's sole, exclusive judgment and discretion, no later than the end of the Inspection Period. The “**Inspection Period**” is that period beginning on the Effective Date and ending at 6:00 p.m. Central Time on the ~~one hundred and fifty (150)~~ two hundred and ten (210) days after such date (the “**Inspection Date**”). Developer may at any time on or before the expiration of the Inspection Period, do one of the following: (i) send notice of acceptance to the Village (the “**Termination Waiver**”); or (ii) terminate this Agreement by sending written notice to Village (the “**Termination Notice**”). If Developer fails to timely send a Termination Waiver or Termination Notice, Developer shall be deemed to have irrevocably sent a Termination ~~Waiver~~ Notice. Upon issuance of the Termination Notice, Village and Developer shall have no further rights and obligations hereunder except those which expressly survive termination of this Agreement and the Earnest Money shall be returned to the Developer in accordance with Section 3.2 of this Agreement. If Developer delivers a Termination Waiver, or deemed issuance, Developer shall have no further right to terminate the Agreement.

Section 4. Agreement in Full Force and Effect. Except for the provisions of this Amendment, all the terms, covenants, and conditions of the Agreement and all the rights and obligations of the Parties thereunder, shall remain in full force and effect, are not otherwise altered, amended, revised, or changed. In the event of any conflict between the terms of the Agreement and the terms of this Amendment, the terms of this Amendment will control.

Section 5. Counterparts. This Amendment may be executed in counterparts, and all such executed counterparts shall constitute the same agreement.

[EXECUTION PAGE FOLLOWS]

IN WITNESS WHEREOF, the Village and Developer have duly executed this Amendment pursuant to all requisite authorizations as of the date first above written.

VILLAGE OF FRANKLIN PARK, ILLINOIS,
An Illinois municipal corporation

Village President

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

On this ____ day of April 2023, before me, personally appeared Barrett F. Pedersen, personally known, who being by me duly sworn did say that he is the Village President of the Village of Franklin Park, Illinois, an Illinois municipal corporation, that said instrument was signed on behalf of said corporation by authority of its Board of Trustees, and acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Cook County, Illinois the day and year last above written.

Notary Public

Printed Name: _____

My commission expires:

IN WITNESS WHEREOF, the Village and Developer have duly executed this Amendment pursuant to all requisite authorizations as of the date first above written.

Franklin Retail, LLC

By: _____

Its: _____

STATE OF ILLINOIS)
) SS
COUNTY OF _____)

On this ____ day of April 2023, before me, personally appeared _____, personally known, who being by me duly sworn did say that they have read this Agreement and understand they are entering into contract for the purchase of property as a duly qualified and authorized officer of the above-referenced corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Cook County, Illinois the day and year last above written.

Notary Public

Printed Name: _____

My commission expires:

**ARBOR DAY PROCLAMATION
VILLAGE OF FRANKLIN PARK
COOK COUNTY, ILLINOIS**

WHEREAS, on May 6, 2023, the Village of Franklin Park, Cook County, Illinois (the "*Village*") will join communities throughout the nation in celebrating Arbor Day. Arbor Day is an annual observance that celebrates the role of trees in our lives and promotes tree planting and care; and

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska. Arbor Day is now observed throughout the nation and specifically in Illinois since 1887; and

WHEREAS, trees reduce erosion, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and are a renewable resource giving us paper, wood for construction, fuel for our fires and countless other wood products; and

WHEREAS, trees in the Village increase property values, enhance the economic vitality of business areas, beautify our community, and whenever they are planted, provide a source of enjoyment.

NOW, THEREFORE, BE IT PROCLAIMED by the Village President and Board of Trustees of the Village of Franklin Park, Cook County, Illinois that the day of May 6, 2023, be Arbor Day in the Village and encourage all residents to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and urge residents to plant and care for trees to promote the well-being of present and future generations.

APPROVED this ____ day of April 2023.

Barrett F. Pedersen, Village President

Attest:

April Arellano, Village Clerk

QUOTE

PLANT ADDICTS

Plants, Planters & Decor Shipped Nationwide

Plant Addicts
5720 N 279th Cir
Valley, NE 68064
(833) 577-0999
Richard.Anderson@plantaddicts.com

DATE
3/28/23
QUOTE NO.
1390278

Payment terms - Due prior to shipping

QUOTE ADDRESS

Joe
9501 Belmont
Franklin Park, IL 60131
jwebster@smithlasalle.com

DESCRIPTION	QTY	UNIT PRICE	TOTAL
ALICANTE PLANTER 22x22x27 (Matte Black) SKU: 69468.22-MDB	16	475.65	\$7,610.40
ALICANTE PLANTER 26x26x32 (Matte Black) SKU:69468.26-MDB	8	591.38	\$4,731.04
			0
			0
			0
			0

Remarks / Payment
Instructions:

SUBTOTAL	\$12,341.44
DISCOUNT	25.00%
TAX RATE	0.00%
TOTAL TAX	\$0
SHIPPING/HANDLING	\$0
Balance Due	\$9,256.08

Quote based on commercial delivery with no lift gate.

Thank you for allowing us an opportunity to earn your business!

FRANKLIN PARK DOWNTOWN BEAUTIFICATION RUBY TO ROSE**PRICES QUOTED 3/29/2023**

ITEM NO.	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL COST
	DEMOLITION				
1	32 GALLON STEEL TRASH CAN WITH RAIN BONNET LID - BLACK - FROM TREETOP PRODUCTS	EACH	20	\$793.91	\$15,878.20
2	32 GALLON STEEL TRASH CAN WITH RAIN BONNET LID - BLUE - FROM TREETOP PRODUCTS	EACH	8	\$793.91	\$6,351.28
3	DELIVERY FROM TREETOP PRODUCTS	L. SUM	1	\$450.58	\$450.58
4	BIKE RACK - 5-LOOP WAVE STYLE WITH 7 BIKE CAPACITY - SURFACE MOUNT - BLACK - FROM ULINE	EACH	6	\$495.00	\$2,970.00
5	DELIVERY FROM ULINE	L. SUM	1	\$69.47	\$69.47
6	PLANTER BOX 32" - BLACK ALICANTE RIBBED ROUND PLANTER 3Y PLANT ADDICTS	EACH	8	\$443.54	\$3,548.28
7	PLANTER BOX 27" - BLACK ALICANTE RIBBED ROUND PLANTER 3Y PLANT ADDICTS	EACH	16	\$356.74	\$5,707.80
8	DELIVERY FROM PLANT ADDICTS	L. SUM	1	\$0.00	\$0.00
				TOTAL	\$34,975.61



REQUEST # 85016409

PROVIDED TO: FRANKLIN PARK VILLAGE OF
9500 BELMONT AVE
FRANKLIN PARK IL 60131-2763

SHIP TO: FRANKLIN PARK VILLAGE OF
9501 BELMONT AVE
FRANKLIN PARK IL 60131

SUB-TOTAL 2,970.00	SALES TAX 185.63	SHIPPING/HANDLING 69.47	TOTAL 3,225.10
-----------------------	---------------------------------	----------------------------	-------------------

DELIVERY TIME 1 BUSINESS DAY VIA JA FRATE TK.
ATTENTION: JOSEPH WEBSTER

Joe Webster

From: TreeTop Products <keyaccounts@treetopproducts.com>
Sent: Wednesday, March 29, 2023 9:48 AM
To: Joe Webster
Subject: Treetop Products: Quote# QUOTRE25912

Dear Joe Webster:

Thank you for your interest in Treetop Products. Below is the updated quote with better pricing. Please advise if any changes are required or when you are ready to place the order.

We look forward to doing business with you.

Thank you,

Amy
Treetop Products
Key Accounts Representative
630-845-5457

Please review our company's Product Warranty, Shipping Policy, and Return Policy as stated at the bottom of our website: www.treetopproducts.com before placing your order.



TreetopProducts.com
Lowest Price Guarantee

Treetop Products Inc.
222 State Street
Batavia IL 60510
(630) 845-5457
keyaccounts@treetopproducts.com

Quote

Account Number - 327625

Estimate # QUOTRE25912

3/28/2023

Customer

Village of Franklin Park
9501 Belmont Ave
Franklin Park IL 60131

Ship To

Village of Franklin Park
9501 Belmont Ave
Franklin Park IL 60131

Item	Qty	Rate	Amount	Estimated Lead Time
42T4282-BL Northgate Receptacle/ 32 Gal Rain Bonnet Lid Receptacle Blue	8	\$793.91	\$6,351.28	Ships in 3 to 5 Days
42T4282-BK Northgate Receptacle/ 32 Gal Rain Bonnet Lid Receptacle Black Onyx	20	\$793.91	\$15,878.20	Ships in 3 to 5 Days

Subtotal \$22,229.48

Tax Total (%) \$0.00

Shipping \$450.58

Total \$22,680.06

* Estimated lead time is based on normal fulfillment time of an order at this moment. Orders with large quantities may require additional time. These estimates are subject to change based on the nationwide supply chain issue.

PRICING FOR THIS QUOTE IS LOCKED IN FOR 30 DAYS



FRANKLIN PARK AMERICAN LEGION POST 974

9757 Pacific Avenue
Franklin Park, Illinois 60131

April 3, 2023

Franklin Park Mayor and Trustees,

I am the American Legion Auxiliary Poppy Chairman, Nancy Stevens. I am requesting permission to solicit from local businesses permission to distribute Poppies for donations on or around their businesses. We will be holding our fundraiser on Thursday, May 25th, Friday, May 26th, and Saturday, May 27th. We also wish to distribute poppies at the Memorial Service on Monday, May 29th with possible donations with emphasis on educating the Poppy for veteran's story.

This is the only fundraiser we hold with funds only designated for use for veterans and their families.

If there are any questions or suggestions, I welcome input. Call me any time @ 708-562-4888 leave a message or text. My email stevenssign@comcast.net.

Nancy Stevens

American Legion Auxiliary 974
Poppy Chairman