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**VILLAGE OF MELROSE PARK
COOK COUNTY, ILLINOIS**

ORDINANCE NO. 1114

**AN ORDINANCE AMENDING CHAPTER 5.12 OF THE VILLAGE
OF MELROSE PARK MUNICIPAL CODE REGARDING
ALCOHOLIC BEVERAGES, FOR THE VILLAGE OF MELROSE
PARK, COUNTY OF COOK, STATE OF ILLINOIS.**

**ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF MELROSE PARK**

THIS 13TH DAY OF NOVEMBER 2007

**RONALD M. SERPICO, Village President
MARY ANN PAOLANTONIO SALEMI, Village Clerk**

Board Of Trustees

**JOHN S. CONTEDEUCA
CATHLEEN COSSIDENT ITALIA
THOMAS KLEIN
ARTURO J. MOTA
ANTHONY J. PRIGNANO
MARY RAMIREZ TACONI**

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**Published by authority of the
President and Board of Trustees
Of the Village of Melrose Park,
Cook County, Illinois on
This 14TH day of NOVEMBER 2007**

ORDINANCE NO. 1114

AN ORDINANCE AMENDING CHAPTER 5.12 OF THE VILLAGE OF MELROSE PARK MUNICIPAL CODE REGARDING ALCOHOLIC BEVERAGES, FOR THE VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS.

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WHEREAS, the Village of Melrose Park, County of Cook, State of Illinois (the “Village”) is a duly organized and existing municipality and unit of local government created under the provisions of the laws of the State of Illinois, and is operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances and adopt resolutions for the benefit of the residents of the Village; and

WHEREAS, the Village President (the “President”), the Honorable Ronald M. Serpico, the Village Clerk, the Honorable Mary Ann Paolantonio Salemi, having taken office on May 2, 2005, and the Board of Trustees of the Village (the “Village Board”), the Honorable John S. Conteduca, Cathleen Cossident Italia, Thomas “T.K.” Klein, Arturo J. Mota, Anthony J. Prignano and Mary Ramirez Taconi, having taken office on May 14, 2007, constitute the duly elected, qualified and acting officials of the Village; and

WHEREAS, the President and Village Board (collectively, the “Corporate Authorities”) have determined that it is both advisable and in the best interests of the Village and its residents to adopt this Ordinance which amends the Village of Melrose Park Municipal Code (the “Code”) regarding alcoholic beverages to adjust license fees and restrict hours during which liquor may be sold in the Village; and

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

**ARTICLE I.
IN GENERAL**

Section 01. Incorporation Clause.

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

Section 02. Purpose.

The purpose of this Ordinance is to amend Chapter 5.12 of the Village Code regarding alcoholic beverages to adjust license fees and restrict hours during which liquor may be sold in the Village.

Section 03. Invocation of Authority.

This Ordinance is enacted pursuant to the authority granted to this Village by the Constitution of the State of Illinois and the Illinois Compiled Statutes.

Section 04. State Law Adopted.

All applicable provisions of the Illinois Compiled Statutes, including the Illinois Municipal Code, as may be amended from time to time, relating to the purposes of this Ordinance are hereby incorporated herein by reference.

Sections 05-09. Reserved.

**ARTICLE II.
AMENDMENT TO CHAPTER 5.12 OF THE
VILLAGE OF MELROSE PARK MUNICIPAL CODE**

Section 10.00 Amendment to Subsection 5.12.100.A.1.

That Subsection 5.12.100.A.1 of the Village Code is hereby amended, notwithstanding anything to the contrary, by deleting it in its entirety and inserting the following language:

1. Class "A" Late License. This license shall authorize the retail sale alcoholic liquor for consumption only, on the premises specified. The fee for such license shall be three thousand dollars (\$3,000.00) per year.

Section 10.01 Amendment to Subsection 5.12.100.A.2.

That Subsection 5.12.100.A.2 of the Village Code is hereby amended, notwithstanding anything to the contrary, by deleting it in its entirety and inserting the following language:

2. (Reserved.)

Section 10.02 Amendment to Subsection 5.12.100.A.3.

That Subsection 5.12.100.A.3 of the Village Code is hereby amended, notwithstanding anything to the contrary, by deleting it in its entirety and inserting the following language:

3. Class “B” Tavern License. This license shall authorize the retail sale of alcoholic liquor for consumption only, on the premises specified. The fee for such license shall be three thousand dollars (\$3,000.00) per year.

Section 10.03 Amendment to Subsection 5.12.100.A.5.

That Subsection 5.12.100.A.5 of the Village Code is hereby amended, notwithstanding anything to the contrary, by deleting it in its entirety and inserting the following language:

5. Class “C1” License—Grocery Retail Sales. This license shall allow a retail sales establishment of which ninety (90) percent or more of its primary business is devoted to nonalcoholic sales, to sell, or offer for sale at retail, alcoholic liquor intended only for off-premise consumption and not for resale in any form. The fee for such license shall be three thousand dollars (\$3,000.00) per year.

Section 10.05 Amendment to Section 5.12.140, Closing hours.

That Section 5.12.140 of the Village Code, entitled “Closing hours,” is hereby amended, notwithstanding anything to the contrary, by deleting it in its entirety and inserting the following language:

It is unlawful to sell or offer for sale any alcoholic liquor between the hours of two a.m. and six a.m. No tavern or liquor store shall offer for sale any alcoholic liquor on the day of any national, state, county or municipal elections, during the time that the polls are open.

Section 10.06 Other Actions Authorized.

The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the amendments contemplated by this Ordinance and shall take all action necessary in conformity therewith including, without limitation, the execution and delivery of any and all documents required to be delivered in connection with this Ordinance.

Sections 11.00 – 15.00. Reserved.

**ARTICLE III.
SAVINGS CLAUSES,
PUBLICATION, EFFECTIVE DATE**

Section 16.00 Headings.

The headings for the articles, sections, paragraphs, and sub-paragraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provisions of this Ordinance.

Section 17.00 Severability.

The provisions of this Ordinance are hereby declared to be severable and should any provision, clause, sentence, paragraph, sub-paragraph, section, or part of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision, clause, sentence, paragraph, sub-paragraph, section, or part shall be excluded and deemed inoperative, unenforceable, and as though not provided for herein, and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect. It is hereby declared to be the legislative intent of the Corporate Authorities that this Ordinance would have been adopted had not such unconstitutional or invalid provision, clause, sentence, paragraph, sub-paragraph, section, or part thereof been included.

Section 18.00 Superseder.

All code provisions, ordinances, resolutions and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

Section 19.00 Publication.

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

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Section 20.00 Effective Date. This Ordinance shall be in full force and effect ten (10) days following its passage, approval and publication, as provided by law.

On The Individual Poll And Voice Vote Of The Board Of Trustees:

AYE VOTES: Trustee Conteduca, Trustee Italia, Trustee Klein,
Trustee Mota, Trustee Prignano

NAY VOTES:

ABSTAIN:

ABSENT: Trustee Taconi

SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE
OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS THIRTEENTH OF
NOVEMBER, 2007, A.D.

APPROVED:



RONALD M. SERPICO,
VILLAGE PRESIDENT

ATTEST:



Mary Ann Paolantonio Salemi
Village Clerk

(SEAL)

Recorded in the Municipal Records: November 13, 2007
Published in pamphlet form on: November 14, 2007