

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

CERTIFICATION

I, LUS E. CHAVEZ, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Burnham, Cook County, Illinois, (the "Village"), and as such Village Clerk, I am the keeper of the official journal of proceedings, books, records, papers, minutes, entries, documents, resolutions, ordinances, and files of the Village and of the President and Board of Trustees, (the "Corporate Authorities"), thereof, and that attached is a full, true, and correct copy of ORDINANCE NO. 2017-O-001 now on file in my office entitled:

AN ORDINANCE REDUCING THE NUMBER OF LICENSES AND AMENDING CHAPTER 6 -ALCOHOLIC BEVERAGES; SECTION 6-99, NUMBER OF LICENSES, SUBSECTION A, OF THE CODE OF ORDINANCES, VILLAGE OF BURNHAM, COOK COUNTY, STATE OF ILLINOIS

I further certify that said Ordinance No. 2017-O-001 was duly passed on roll call vote by the Board of Trustees of the Village on the 10th day of January, 2017, and approved by the President of the Village on the 10th day of January, 2017, and that said Ordinance attached is now in full force and effect and has not been rescinded.

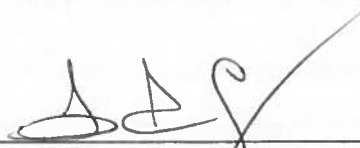
I do further certify that the deliberations of the Corporate Authorities on the passage of said Ordinance was taken openly, that the vote on the passage of said Ordinance was taken openly; that said meeting was held at a specified time and place convenient to the public; that notice of said meeting was duly given to all newspapers, radio or television stations and other news media requesting such notice; and that said meeting was called and held in strict compliance with the provisions of "AN ACT in relation to meeting", approved July 11, 1957, as amended, and the Illinois Municipal Code, as amended, and that the Corporate Authorities have complied will all of the provisions of said Act and said Codes and with all of the procedural rules of the Corporate Authorities.

IN WITNESS WHEREOF, I have affixed hereunto my official signature as

Village Clerk of the Village and the seal of the Village this 10th day of January. 2017.



(SEAL)



LUS E. CHAVEZ
Village Clerk

**THE VILLAGE OF BURNHAM
COOK COUNTY, ILLINOIS**

ORDINANCE NO. 2017 - O - 001

**AN ORDINANCE REDUCING THE NUMBER OF LICENSES AND
AMENDING CHAPTER 6 -ALCOHOLIC BEVERAGES; SECTION 6-99,
NUMBER OF LICENSES, SUBSECTION A, OF THE CODE OF ORDINANCES,
VILLAGE OF BURNHAM, COOK COUNTY, STATE OF ILLINOIS**

WHEREAS, the Village of Burnham, Cook County, Illinois has elected by referendum on March 11, 1980 to become a home rule unit, and accordingly, pursuant to the provisions of the *Constitution of the State of Illinois* of 1970, particularly Article VII Sec. 6 (a) thereof, the Village is a home rule unit; and

WHEREAS, pursuant to the powers of a home rule unit set forth in Article VII, Section 6(a) of the *Constitution of the State of Illinois* of 1970, the Village may exercise any power and perform any function pertaining to its government and affairs including, but not limited to the power to regulate for the protection of the public health, safety, morals and welfare; to license; to tax; and to incur debt; and

WHEREAS, the Corporate authorities of the Village of Burnham passed an Ordinance Number; 2014-O-007 entitled an Ordinance Amending Section 6-21, Section 6-93, and Section 6-99, of the Code of Ordinances, Village of Burnham, Illinois enacted on November 7, 2014; and

WHEREAS, the Corporate authorities of the Village of Burnham passed an Ordinance Number; 2015-O-002 entitled an Ordinance to Clarify and Correct Ordinance No. 2014-O-007; and

WHEREAS, the Corporate Authorities of the Village of Burnham have deemed it advisable and in the best interests of the residents of the Village of Burnham that the total maximum number of liquor licenses authorized to be issued should be reduced to the total maximum number of liquor licenses currently issued to licensees or authorized to issue to licensees at the effective date of this Ordinance; and

NOW THEREFORE BE IT ORDAINED, by the Village President (Mayor) and Board of Trustees of the Village of Burnham, Cook County, Illinois, by and through its home rule powers, as follows:

Section 1. THAT, the Corporate Authorities of the Village hereby find that all the recitals contained in the preambles of this Ordinance are full, true and correct and do incorporate them into this Ordinance by this reference as if they were set forth verbatim in this section; and

Section 2. THAT, Section 6-99, of the Code of Ordinances, Village of Burnham, Illinois is hereby amended to read as follows:

- (a) The maximum number of Class A, Class A-L, Class B, Class B-L, Class E, Class E-L, Class F, Class F-L, Class A-E, Class A-E-L, Class B-E, and Class B-E-L licenses combined is hereby set at three (3). The maximum number of Class C license is hereby set at one (1). The maximum number of Class G license is hereby set at one (1). The maximum number of Class H license is hereby set at one (1). The maximum number of Class I license is hereby set at one (1). The maximum number of Class D licenses is hereby set at five (5). No new license shall be issued after the effective date of the Ordinance from which this section is derived until the number of licenses shall be less than three (3) for Class A, Class A-L, Class B, Class B-L, Class E, Class E-L, Class F, Class F-L, Class A-E, Class A-E-L, Class B-E, and Class B-E-L licenses combined; less than one (1) for Class C license; less than one (1) for Class G license; less than one (1) for Class H license; less than one (1) for Class I license; less than five (5) for Class D license provided, however, that all those who hold a license and are otherwise qualified may obtain such renewal license. It is the intent of this chapter that all who are eligible at this date may continue to secure their license until the number three (3) is reached for Class A, Class A-L, Class B, Class B-L, Class E, Class E-L, Class F, Class F-L, Class A-E, Class A-E-L, Class B-E, and Class B-E-L licenses combined, until the number one (1) is reached for Class C license, until the number one (1) is reached for Class G license, until the number one (1) is reached for Class H license, until the number one (1) is reached for Class I license, and until the number five (5) is reached for Class D license provided further, however, that the surviving spouse and/or legal heirs of any licensee under this chapter shall be permitted to secure a license the same as though the present licensee were still alive, and the number set as a limitation shall not in any way affect the right of such surviving spouse and/or legal heirs to continue in such business, provided that such surviving spouse and /or legal heirs are otherwise eligible under the provisions of this chapter and make application within sixty (60) days of the death of such licensee. The provisions relating to renewal of licenses set forth in this subsection (a) shall in no way apply in case a license is revoked or permitted to lapse.

Section 3. THAT, this Ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such Ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or, (b) legislate in a manner or regarding a manner not delegated to municipalities by state law. It is the intent of the Corporate Authorities of the Village of Burnham, Cook County, Illinois that to the extent that the terms of this Ordinance should be inconsistent with any no-preemptive state law that this Ordinance should supersede state law in that regard within its jurisdiction.

Section 4. THAT, if any section, paragraph, clause or provision of this Ordinance shall be held invalid, and the invalidity thereof shall not affect any other provision of this Ordinance.

Section 5. THAT, all Ordinances, Resolutions, Motions or Orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 6. THAT, this Ordinance shall be in full force and effect after its passage, approval and publication according to law.

Section 7. THAT, this Ordinance shall be published in pamphlet form by the authority of the Village President (Mayor) and the Board of Trustees of the Village of Burnham, Cook County, Illinois.

PASSED by the Village President (Mayor) and Board of Trustees of the Village of Burnham, Cook County, Illinois, this 10th day of January, 2017.

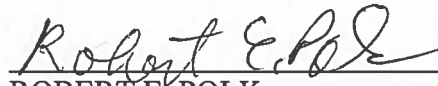
PRESIDENT AND VILLAGE BOARD MEMBERS

	AYES:	NAYS:	ABSENT:	ABSTAIN:
Trustee John Cap Jr.	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Trustee Paris Ellison	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Trustee Grace Garcia	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Trustee Brenda Greer	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Trustee Carmela Richardson	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Trustee Travis Claybrooks	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

ATTEST:



LUS E. CHAVEZ, Village Clerk (SEAL)



ROBERT E. POLK
Village President (Mayor)

Recorded in Village Records:

Published in pamphlet form by authority of the Village President (Mayor) and Board of Trustees of the Village of Burnham, Cook County, Illinois on 10th day of January, 2017.

ATTEST:



LUS E. CHAVEZ, VILLAGE CLERK

(SEAL)