

**ORDINANCE 21 – O - 27**

**AN ORDINANCE ADDING ONE CLASS A LIQUOR LICENSE  
TO ALLOW TRACY’S TO MOVE TO A NEW LOCATION**

**WHEREAS**, the Village Board has been petitioned by Tim Axarides, president and chief operating officer of Silver Oaks WH2, Inc., the operator of Tracy’s gaming café currently located in a commercial space located at 1275 Sheridan Road, which petition seeks a Class A liquor license for a new location proposed for the currently vacant former bank building located at 700 Sheridan Road, and

**WHEREAS**, the said petitioner has represented that it is the company’s ultimate intention to move all of its existing operations from the 1275 Sheridan Road location to the 700 Sheridan Road location, but that it needs a liquor license to be issued as a condition of applying for the video gaming license, and that issuance of a gaming license takes a number of months after applying, leading to the request for creation and issuance of a new liquor license at this point to avoid having to close the current business for a significant period of time, and

**WHEREAS**, the Village Attorney has advised the corporate authorities that Illinois law does not permit the Village to enter into contracts for the issuance of licenses and in particular has no provision which allows the easy relocation of gaming licenses although it does allow simple relocation of liquor licensee operations, all of which means that there would be nothing legally preventing the petitioner from continuing to operate the current location and the new one, and that despite this caveat, the petitioner has shown that it has been a good corporate citizen for about a decade with no known operational problems or significant police activity, and that it currently is the highest revenue producer among all the video gaming licensees in Winthrop Harbor, and

**WHEREAS**, because of the serious loss of revenue that would happen to the petitioner and all other entities receiving a portion of the gaming receipts if it were to close for months waiting for the Illinois Gaming Board to review and issue a license to the new location, the Village Board finds that it is appropriate and necessary to accept the risk that despite its representations the petitioner may choose to operate both locations after issuance of a second license, and

**WHEREAS**, the said petitioner has provided the Village Board with a business proposal demonstrating an intention to install a first class cafe in an historic building that fits generally with the downtown redevelopment plans and has the capacity to generate foot traffic to this area, and

**WHEREAS**, the Village Board has considered the application and has determined that the proposal is appropriate for the suggested location and type of business, which would be a unique addition to the commercial businesses located within the Village, and that the petitioner is an appropriate designated licensee, and

**WHEREAS,** the Village Board wishes to expand business opportunities wherever possible, for the overall benefit of the citizens and taxpayers of this Village,

**NOW THEREFORE, BE IT ORDAINED** by the Village of Winthrop Harbor, Lake County, Illinois, as follows:

**SECTION ONE:** The table of authorized licenses set forth in Section 110.15 is amended to show that there is created one (1) additional Class A license effective immediately, but under condition that no sales of alcohol may occur on the premises of 700 Sheridan Road until the petitioner has secured a certificate of occupancy and passed all related building and health code inspections for the premises.

**SECTION TWO:** This Ordinance does not provide any relief from, or in any way impact, the applicable liquor, building and zoning codes, and the petitioner still must comply with all terms, conditions and qualifications appurtenant to the Village's liquor license code as well as any and all licenses of any kind it may seek.

**SECTION THREE:** This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WINTHROP HARBOR, ILLINOIS, ON THIS 16<sup>th</sup> DAY OF NOVEMBER, 2021.

ATTEST:

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DR. MICHAEL BRUNO, MAYOR

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JULIE RITTENHOUSE, VILLAGE CLERK