

**ORDINANCE NO. 2007-38**

**AN ORDINANCE GRANTING APPROVAL  
TO OPERATE AN OUTDOOR DINING AND  
SEATING ESTABLISHMENT FOR THE  
PEACOCK INDIAN LOCATED IN HAWTHORN  
FASHION SQUARE AT 700 N. MILWAUKEE  
AVENUE, UNIT 130 IN THE VILLAGE OF  
VERNON HILLS, LAKE COUNTY.**

**WHEREAS**, Shakuntala Chhabria, representing The Peacock Indian located in Hawthorn Fashion Square at 700 N. Milwaukee Avenue Unit 130 has submitted an Outdoor Establishment permit application and plan for authorization to serve food and beverages outdoors; and

**WHEREAS**, the Board of Trustees of the Village of Vernon Hills, on August 15, 2000, approved Ordinance 2000-61 requiring business owners to seek approval from the Board of Trustees prior to operating an Outdoor Establishment; and

**WHEREAS**, the Board of Trustees, having reviewed and considered the Peacock Indian Outdoor Establishment permit application and plan at the Committee of the Whole meeting on June 5, 2007, found that the application and plan sufficiently comply with the operational requirements and standards of Ordinance 2000-61 and which, in its judgement, would justify it in recommending approval of an Outdoor Establishment permit; and

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF VERNON HILLS, COUNTY OF LAKE AND STATE OF ILLINOIS:**

**SECTION I.** Pursuant to the Vernon Hills Code of Ordinances, as amended, the Outdoor Establishment permit for The Peacock Indian at Hawthorn Fashion Square, 700 N. Milwaukee Avenue Unit 130 is hereby granted subject to the following conditions:

1. Compliance with the requirements described in the Village of Vernon Hills Code of Ordinances, Chapter 10, Article IV.
2. Compliance with the application and plan approved by the Village of Vernon Hills at the Committee of the Whole meeting on June 5, 2007 and on file in the Community Development Department.
3. The management not allowing the sale, service or consumption of any alcoholic beverages, outdoors.

**SECTION II. SEVERABILITY.** In the event that any section, clause, provision, or part of this ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect. If any part of this ordinance is found to be invalid in any one or more of its several applications, all valid applications that are severable from the invalid applications shall remain in effect.

**SECTION III. REPEAL AND SAVINGS CLAUSE.** All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions or causes of action which shall have accrued to the Village of Vernon Hills prior to the effective date of this ordinance.

**SECTION IV. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

**SECTION V. ORDINANCE NUMBER.** This ordinance shall be known as Ordinance Number 2007-38.

Adopted by roll call vote as follows:

AYES: 4-Koch, Marquardt, Williams, Hebda

NAYS: 0-None

ABSENT AND NOT VOTING: 2-Schultz, Schwartz

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Roger L. Byrne, Village President

PASSED: 6/19/2007

APPROVED: 6/19/2007

PUBLISHED IN PAMPHLET FORM: 6/19/2007

ATTEST:

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Linda Pelletier, Village Clerk