

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

 X Resolution or Ordinance (Blue) X *Waiver of First Requested*
 Recommendations of Boards, Commissions & Committees (Green)
 Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Timothy Sexton, Acting Village Manager

DATE: November 26, 2013 (B of T) Date: December 5, 2013

TITLE: Amending the Alcoholic Liquor Code
Rocco Food Group, Inc d/b/a Rancho Viejo

SUBMITTED BY: Janet Downer, Business Administrator



BACKGROUND/POLICY IMPLICATIONS:

Attached for your consideration is an ordinance reducing the Class A/B-I liquor license category by one (1) to reflect the non-renewal of the liquor license by Rocco Food Group, Inc. d/b/a Rancho Viejo located at 708 S. Main Street.

Staff is requesting a waiver of first reading.

Please place this item on the December 5, 2013 Board of Trustees agenda.

Fiscal Impact/Funding Source:


Review (as necessary):
Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



MEMORANDUM

TO: Timothy Sexton, Acting Village Manager

FROM: Janet Downer, Business Administrator 

DATE: November 26, 2013

SUBJECT: **Text Amendment to Title 11, Chapter 112, Section 112.13(A)**
Number of Authorized Liquor Licenses

Rocco Food Group, Inc. d/b/a Rancho Viejo located at 708 S. Main St. currently holds an A/B-I liquor license which is effective through November 30, 2013.

Village Staff, through the liquor license renewal process, has made repeated attempts to contact the Licensee by both telephone and letter (see attached letter dated November 15, 2013) in order to determine if they intended to renew their liquor license as their renewal application and fee had not been received. The letter stated that if staff did not receive a reply by November 22, 2013, staff would interpret that to mean that they were not interested in renewing their liquor license. To date we have not received a response. Also, subsequent to the letter being sent, the DuPage County Health Department has "tagged" the business as "not approved for occupancy".

Due to the aforementioned reasons, staff has attached an ordinance decreasing the A/B-I liquor license classification by one to reflect the non-renewal of the liquor license by Rancho Viejo. Staff is requesting a waiver of first reading to bring the number of licenses available in the A/B-I classification current as their liquor license expired on November 30, 2013.

If you have any questions, please feel free to contact me.

/jd



VILLAGE OF LOMBARD

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November 15, 2013

Village President
Keith T. Giagnorio

Village Clerk
Sharon Kuderna

Trustees
Dan Whittington, Dist. 1
Michael A. Fugiel, Dist. 2
Reid Foltyniewicz, Dist. 3
Peter Breen, Dist. 4
Laura A. Fitzpatrick, Dist. 5
William "Bill" Ware, Dist. 6

Acting Village Manager
Timothy Sexton

"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."

"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."

Angel Camacho
c/o Rancho Viejo
708 S. Main St.
Lombard IL 60148

RE: Liquor License Renewal
Rocca Food Group, Inc. d/b/a Rancho Viejo
708 S Main St., Lombard, IL

Dear Mr. Camacho:

Please be advised that the Village of Lombard has not received your Application for Renewal of Liquor License with the required documentation and fee for the December 1, 2013 to May 31, 2014 license period. The Lombard Village Code requires that a liquor licensee shall file an application for renewal of a liquor license accompanied by the appropriate license fee by the first day of November for this license period.

Due to the lack of response, I have left several telephone messages requesting that you contact me to state your intentions relative to your liquor license renewal. As of this writing, I have not received a reply.

Please be advised that this letter serves as notification that your current liquor license expires November 30, 2013. If the required documentation and fee \$550.00 (which includes a 10% penalty) are not received by November 22, 2013 the Village of Lombard will interpret this to mean that you no longer desire to renew your liquor license, and Rocca Food Group, Inc d/b/a Rancho Viejo must cease serving alcohol on December 1, 2013. Further, the Village Board of Trustees, at their December 5, 2013 meeting, will vote on an ordinance reducing the number of Class A/B-I liquor licenses by one, to reflect the non-renewal of your liquor license. If the Lombard Village Board takes such action, and, should you desire to obtain a liquor license in the future, you will be required to go through the entire liquor license application process.

Please contact me at 630-620-5913 to discuss this matter or if you have any questions.

Very truly yours,

VILLAGE OF LOMBARD

A handwritten signature in cursive script, appearing to read "Janet Downer". The signature is written in black ink and is positioned above the printed name and title.

Janet Downer
Business Administrator

cc: Kenneth Horning, Registered Agent
20 W 356 Belmont Place
Addison IL 60101

ORDINANCE _____

AN ORDINANCE AMENDING TITLE 11, CHAPTER 112,
SECTION 112.13 OF THE LOMBARD VILLAGE CODE IN
REGARD TO ALCOHOLIC BEVERAGES

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS as follows:

Section 1: That Title 11, Chapter 112, Section 112.13(A) of the Lombard Village
Code is amended BY REVISING THE ENTRY RELATIVE TO THE Class A/B-I liquor
licenses contained therein, to read as follows:

“Class A/B-I – 7”

Section 2: That the change in the number of Class A/B-I liquor licenses set forth
in Section 1 above, is a result of Rocca Food Group, Inc. d/b/a Rancho Viejo no longer
conducting business at 708 S Main St.

Section 3: This Ordinance shall be in full force and effect from and after its
passage and approval as required by law.

Passed on first reading this _____ day of _____, 2013

First reading waived by action of the Board of Trustees this _____ day of
_____, 2013.

Passed on second reading this _____ day of _____, 2013

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2013

Keith T. Giagnorio
Village President

ATTEST:

Janet Downer
Deputy Village Clerk