

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: Scott Niehaus, Village Manager

DATE: July 13, 2016 (B of T) Date: July 21, 2016

TITLE: Amending Title 11, Chapter 112, Section 112.12(A) of the Lombard Village Code
Alcoholic Beverages

SUBMITTED BY: Keith Giagnorio
Liquor Control Commissioner
Village President

BACKGROUND/POLICY IMPLICATIONS:

Attached for your consideration is an ordinance amending Title 11, Chapter 112, Section 112.12(A) amending the definition of the Class "O" liquor license category to allow the packaged sale of beer and wine.

Please place this item on the July 21, 2016 Board of Trustees agenda under Items for Separate Action.

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: Scott Niehaus
Village Manager

FROM: Keith T. Giagnorio
Local Liquor Control Commissioner
Village President

DATE: July 21, 2016

SUBJECT: **Amending Village Code relative to the Class "O" Liquor License Classification Request from Embassy Suites**

Village Code currently contains four liquor license classifications in which Lombard hotels hold liquor licenses. These are:

Class "O" – Alcoholic beverages served for consumption on the premises of a hotel, exhibition hall or convention hall. *There are three hotels that hold a Class "O" liquor license – Embassy Suites, Hyatt Place and Westin Lombard.*

Class "T-I" - Beer and wine only served at no charge for consumption by patrons of the hotel on the premises of a hotel without a restaurant (manager's reception). Beer and wine only packaged sales to patrons of the hotel shall also be allowed provided all beer and wine on display for sale shall be kept in a locked display case with only the cashier being able to unlock said display case. If the hotel currently has a Class "O" liquor license, said hotel need not also obtain a Class "T-I" liquor license. *Residence Inn holds a Class "T-I".*

Class "T-II" - Beer and wine only served at no charge, but limited in number of drinks, for consumption by patrons of a hotel on the premises of a hotel without a restaurant (manager's reception). Beer and wine only packaged sales to patrons of the hotel shall also be allowed provided all beer and wine on display for sale shall be kept in a locked display case with only the cashier being able to unlock said display case. Beer and wine only may also be sold to patrons of the hotel for consumption on the premises of the hotel from a managed bar area. If the hotel currently has a Class "O" liquor license, said hotel need not also obtain a Class "T-II" liquor license. *No licenses issued in this category.*

Class "T-III" - Alcoholic liquor served at no charge, but limited in number of drinks, for consumption by patrons of a hotel on the premises of a hotel without a restaurant (manager's

reception). Alcoholic liquor packaged sales to patrons of the hotel shall also be allowed provided all alcoholic liquor on display for sale shall be kept in a locked display case with only the cashier being able to unlock said display case. Alcoholic liquor may also be sold to patrons of the hotel for consumption on the premises of the hotel from a managed bar area. If the hotel currently has a Class "O" liquor license, said hotel need not also obtain a Class "T-III" liquor license. *Fairfield Inn holds a Class "T-III".*

Embassy Suites located at 707 E. Butterfield contacted the Village to get clarification on the definition of their liquor classification. They indicated that the Hotel is undergoing a renovation which will now include a Market next to their front desk. They would like the Market to have the ability to sell a variety of convenience items to their guests as well as packaged sales of beer and wine. The Market's creation is a result of the closure of the independently owned gift shop (Monal & Jinal, Inc.) which was previously located within the hotel.

As you will note, the Class "O" liquor classification is the only one that does not provide for the packaged sale of beer and wine to patrons of a hotel. Staff met with Village Counsel to discuss Embassy Suite's request and it was decided that the Class "O" definition be amended to allow the packaged sales of beer and wine to hotel patrons similar to what the other hotel liquor classifications ("T-I", "T-II" and "T-III") currently allow.

Attached is an ordinance prepared by Village Counsel adding language to the end of the Class "O" liquor license category to accommodate their request. Please place this item for consideration on the July 21, 2016 Board of Trustees agenda.

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

/jd

ORDINANCE NO. _____

**AN ORDINANCE
AMENDING TITLE 11, CHAPTER 112, SECTION 112.12(A)
OF THE LOMBARD VILLAGE CODE
IN REGARD TO ALCOHOLIC BEVERAGES
AND THE CLASS "O" LIQUOR LICENSE CATEGORY**

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

SECTION 1: That Title 11, Chapter 112, Section 112.12(A) of the Lombard Village Code is amended by adding the following language to the end of the Class "O" liquor license category language contained therein:

"Beer and wine only packaged sales to patrons of the hotel shall also be allowed, provided all beer and wine on display for sale shall be kept in a locked display case with only the cashier being able to unlock said display case."

SECTION 2: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form, as provided by law.

Passed on first reading this _____ day of _____, 2016.

First reading waived by action of the Board of Trustees this ___ day of _____, 2016.

Passed on second reading this _____ day of _____, 2016,
pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this _____ day of _____, 2016.

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published by me in pamphlet form this _____ day of _____, 2016.

Sharon Kuderna, Village Clerk