

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: January 28, 2014 (B of T) Date: February 6, 2014

TITLE: Amending Title 11, Chapter 112 of Lombard Village Code - Alcoholic Liquor Code  
New Class "JJ" Liquor License Category

SUBMITTED BY: Janet Downer, Business Administrator



BACKGROUND/POLICY IMPLICATIONS:

Attached for your consideration is an ordinance amending Title 11, Chapter 112 of the Lombard Village Code in regard to Alcoholic Beverages and a new Class "JJ" Liquor License Category relative to a Binny's Beverage Depot's one-day wine tasting event at the Westin Lombard on March 2, 2014.

Binny's Beverage Depot is requesting a waiver of first reading in order to begin selling tickets for this event.

Please place this item on the February 6, 2014 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:** Scott Niehaus, Village Manager

**FROM:** Janet Downer, Business Administrator

**DATE:** February 6, 2014

**SUBJECT:** **Text Amendment to Title 11, Chapter 112 – Alcoholic Beverages**  
**New Class “JJ” Liquor License Category**

Gold Standard Enterprises, Inc. d/b/a Binny's Beverage Depot will be hosting a one day wine tasting event at the Westin Lombard on March 2, 2014. Binny's will partner with various distributors who will supply approximately 450-500 different wines and will be present to provide knowledge, expertise and manpower. Binny's will be pre-selling 1,500 tickets on their website at a cost of \$50.00 per ticket for admittance to this event. The proceeds from the tickets will be retained by Binny's with a portion going to charity. No packaged sales will occur at this event. If a consumer desires to order one or more of the sampled wines, Binny's will take the order from the consumer with payment being made at the time of pick up in any of their 30 stores. No money is brought or exchanged at this venue.

The Westin Lombard currently holds a Class O liquor license. Because Binny's is retaining the proceeds from the tickets (and not the Westin), Binny's would be making the sale of liquor at retail and would be required to hold a liquor license. As Village Code currently does not have a liquor license classification for this type of event, Village Counsel has drafted an ordinance providing for a new "JJ" liquor classification at a cost of \$250.00 which is attached for the Village Board's consideration.

Binny's Beverage Depot is requesting a waiver of first reading so they may begin to sell the tickets for this event.

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

/jd

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING TITLE 11, CHAPTER 112 OF THE  
LOMBARD VILLAGE CODE IN REGARD TO ALCOHOLIC BEVERAGES  
AND A NEW CLASS “JJ” 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 language thereto, relative to a new Class “JJ” liquor license category, to read in its entirety as follows:

“Class “JJ” – The service of wine for immediate consumption by the attendees of a single-day wine tasting event sponsored by a for-profit entity, in relation to which a fee is charged by the for-profit sponsoring entity for access to the wine tasting event, where the for-profit sponsoring entity does not hold a Lombard liquor license that would allow for the service of wine by the for-profit sponsoring entity at the location at which the wine tasting event is being held. No package sales of wine shall be allowed at said wine tasting event, unless any such sale is consummated in a manner that provides for the sales tax on such sale to come to the Village. Notwithstanding the foregoing, the for-profit sponsoring entity may take orders for wine at the wine tasting event, provided that those attendees placing said orders do not pay for the wine ordered, in any manner whatsoever, at the wine tasting event.”

**SECTION 2:** That Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code is amended by adding the following language thereto, relative to the new Class “JJ” liquor license category:

“Class “JJ – 1”

The increase in the number of the Class “JJ” liquor licenses, as referenced in this Section, reflects the issuance of a Class “JJ” liquor license to Gold Standard Enterprises, Inc. d/b/a Binny’s Beverage Depot for a wine tasting event to occur at the

Westin Lombard Yorktown Center, located at 70 Yorktown Shopping Center, Lombard, Illinois 60148, on Saturday, March 2, 2014.

**SECTION 3:** That, effective at 12:00 a.m. on Sunday, March 3, 2014, Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code shall be amended, without any need for any further action by the President and Board of Trustees, by revising the language therein, relative to the Class "JJ" liquor license, to read in its entirety as follows:

"Class "JJ" – 0"

**SECTION 4:** That Title 11, Chapter 112, Section 112.14(A) of the Lombard Village Code is amended by adding language thereto, relative to a new Class "JJ" liquor license category, to read in its entirety as follows:

"Class "JJ" – \$250.00"

**SECTION 5:** 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 \_\_\_\_\_, 2014.

First reading waived by action of the Board of Trustees this \_\_\_ day of \_\_\_\_\_, 2014.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Keith Giagnorio, Village President

**ATTEST:**

\_\_\_\_\_  
Janet Downer, Deputy Village Clerk

Published by me in pamphlet form this \_\_\_\_\_ day of \_\_\_\_\_,  
2014.

\_\_\_\_\_  
Janet Downer, Deputy Village Clerk