

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: December 10, 2013 (B of T) Date: December 19, 2013

TITLE: Amending Title 11, Chapter 112 of Lombard Village Code - Alcoholic Liquor Code
Fairfield Inn & Suites

SUBMITTED BY: Janet Downer, Business Administrator



BACKGROUND/POLICY IMPLICATIONS:

Attached for your consideration is an ordinance amending Title 11, Chapter 12 of the Lombard Village Code in regard to Alcoholic Beverages and a new Class T-III Liquor License Category for FFI, LLC d/b/a Fairfield Inn & Suites, located at 645 W. North Avenue.

Staff is requesting a waiver of first reading.

Please place this item on the December 19, 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: December 10, 2013

SUBJECT: **Ordinance Amending Title 11, Chapter 112 of the Lombard Village Code
Alcoholic Beverages and a New Class T-III Liquor License Category**

Lombard Inn & Suites d/b/a Fairfield Inn & Suites, located at 645 W. North Avenue currently holds a Class T-II liquor license which allows them to serve beer and wine as well as provide for beer and wine packaged sales to patrons of the hotel.

The Village of Lombard has received a request from the prospective new owners FFI, LLC d/b/a Fairfield Inn & Suites, for a liquor license that allows them to serve alcoholic liquor instead of just beer and wine. As a result, Village Counsel has prepared an ordinance creating a new T-III classification as well as amending other sections of code within Chapter 112 which will be affected by the creation of the T-III classification. The language of the new T-III classification will mirror the existing T-II classification but will allow alcoholic liquor instead of just beer and wine.

The closing date for FFI, LLC is anticipated to occur sometime during the last week of December or first full week in January, 2014. As a specific date has not yet been established, Village Counsel drafted the ordinance to include a provision for this unknown.

With the cancellation of the January 2, 2014 Village Board meeting, staff has attached this ordinance for approval and requests a waiver of first reading in anticipation of FFI, LLC's closing.

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 "T-III" 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 "T-III" liquor license category, to read in its entirety as follows:

"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."

SECTION 2: That, subject to the Local Liquor Control Commissioner receiving written notice that FFI, LLC has acquired the Fairfield Inn & Suites, located at 645 West North Avenue, Lombard, Illinois, on or before January 13, 2014, (the "Notice"), effective with the date of said Notice, Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code is amended as follows:

A. The language therein, relative to the Class "T-II" liquor license category, is amended to read in its entirety as follows:

"Class "T-II" – O"

B. Language shall be added thereto, relative to the new Class "T-III" liquor license category, to read in its entirety as follows:

"Class "T-III" – 1"

The reduction in the number of the Class "T-II" liquor licenses, and the addition of a Class "T-III" liquor license, as referenced in this Section, reflects the termination of the Class "T-II" liquor license issued to Lombard Inn & Suites, Inc. d/b/a Fairfield Inn & Suites, located at 645 West North Avenue, Lombard, Illinois, and the issuance of a new Class "T-III" liquor license to FFI, LLC d/b/a/ Fairfield Inn & Suites, located at 645 West North Avenue, Lombard, Illinois. In the event that the aforementioned Notice is not received on or before January 13, 2014, the Lombard Village Board shall, at the January 16, 2014 Village Board meeting, pass an Ordinance specifically repealing this Section 2.

SECTION 3: 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 "T-III" liquor license category, to read in its entirety as follows:

"Class "T-III" – \$1,500.00"

SECTION 4: That Title 11, Chapter 112, Section 112.40(A) of the Lombard Village Code is amended by revising the reference therein to "all Class A/B-I, A/B-II, A/B-III, A/B-IV, C, D, E, I, K, L, M, O, R, T-I, T-II, U, X and Z liquor license holders," to read, "all Class A/B-I, A/B-II, A/B-III, A/B-IV, C, D, E, I, K, L, M, O, R, T-I, T-II, T-III, U, X and Z liquor license holders."

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 _____, 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 Giagnorio, Village President

ATTEST:

Janet Downer, Deputy Village Clerk

Published by me in pamphlet form this _____ day of _____,
2013.

Janet Downer, Deputy Village Clerk