

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 16, 2019 (B of T) Date: July 18, 2019
TITLE: Ordinance Regarding Sale and Consumption of Alcoholic Beverages in the Public Right-of-Way in Connection with Cruise Nights & Summer Concerts Season Finale

BACKGROUND/POLICY IMPLICATIONS:

Attached please find information pertaining to approval of Class J liquor licenses for four downtown businesses in connection with the season finale of the Cruise Nights & Summer Concerts series. The event will take place on Saturday, August 24, 2019 and will feature a concert by American English in the right-of-way on St. Charles Road and South Park Avenue. The proposed liquor license would authorize issuance of a special event liquor license to existing liquor license holders immediately adjacent to the event space that would allow for outdoor consumption of alcohol in the proposed concert viewing area. While approval of this ordinance would permit the issuance of Class J liquor license by staff, the actual issuance of the licenses will remain dependent on the interest, application, payment and permitting of the individual licensee following approval of this ordinance.

Review (as necessary):

Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X Scott Niehaus _____ Date 7/16/19

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: Nicole Aranas, Assistant Village Manager *NA*
DATE: July 16, 2019
SUBJECT: **ORDINANCE REGARDING SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN THE PUBLIC RIGHT-OF-WAY IN CONNECTION WITH CRUISE NIGHTS & SUMMER CONCERTS SEASON FINALE**

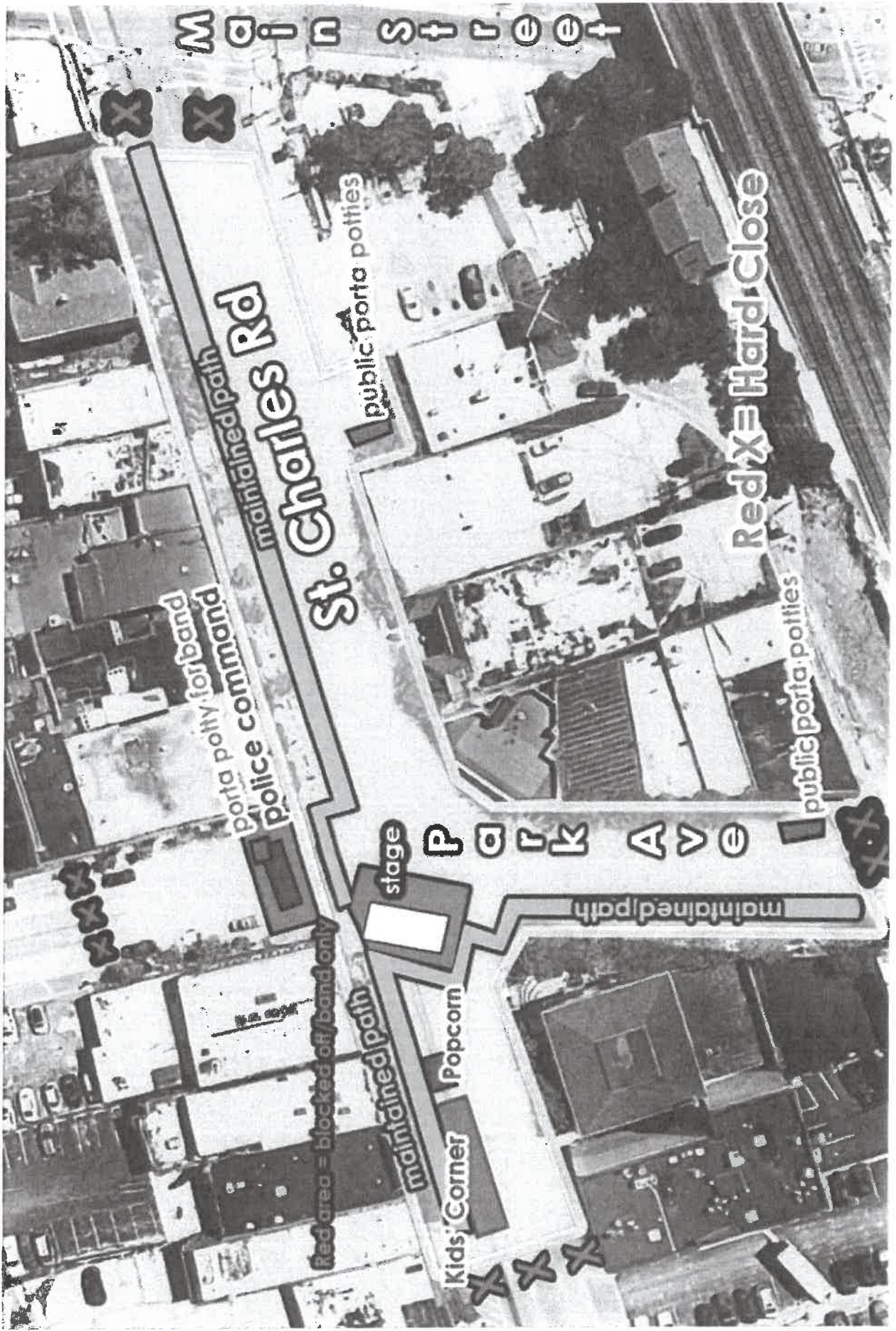
Attached please find information pertaining to approval of Class "J" liquor licenses for four downtown businesses in connection with the Cruise Nights & Summer Concerts Season Finale to take place on Saturday, August 24, 2019. The private businesses that would be eligible to participate in the event, based upon their immediate proximity to the event space, are Babcock's Grove House, Marquette Kitchen & Tap, Punky's Pub and Shannon's Butcher Shoppe and Deli.

The Village Cruise Nights & Summer Concert series will end this season with a final live music concert, featuring American English on August 24, 2019. The viewing audience for the American English concert is anticipated to exceed the capacity of the regular concert viewing area on South Park Avenue. Accordingly, the Village will be shutting down traffic on a portion of St. Charles Road to safely accommodate the volume of anticipated attendees.

While Cruise Nights and Summer Concerts are regularly an alcohol-free event, the proposed ordinance would authorize existing businesses holding local liquor licenses, which are immediately adjacent to the concert viewing area, to serve alcohol for consumption in a defined event area. The proposed event area is described as St. Charles Road, between Main Street to just west of Park Avenue, and Park Avenue from Michael McGuire to south of Orchard. Existing liquor license holders would be permitted to receive a Class "J" license for the sale of alcoholic beverages within the limits of their establishment or within ten (10) feet of their main entrance for consumption throughout the event space as designated within the Village special event permit.

Certain conditions have been placed upon the sale of alcohol under the proposed Class "J" liquor license. These restrictions include:

- Sales of alcohol for outdoor consumption must be restricted to plastic cups with a 16 oz. maximum capacity (no glass drinkware or bottles);
- No more than 2 beverages may be purchased by any one person at the same time;
- The sale of alcoholic beverages in pitchers is prohibited;
- Sale may only occur within the licensed premises of the building or outdoors within ten feet of the main entrance of the licensed premises; and,



Main Street

X X

portable toilet for band
police command
St. Charles Rd

public porta potties

Red X = Hard Close

public porta potties

stage
Park Ave

X X

Red area = blocked off/band only

maintained path

Kids' Corner
Popcorn

X X X

maintained path

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 11, CHAPTER 112, SECTION 112.18(B) OF THE LOMBARD VILLAGE CODE IN REGARD TO ALCOHOLIC BEVERAGES, PROVIDING FOR THE SALE AND CONSUMPTION OF ALCOHOL IN CONNECTION WITH A TEMPORARY EVENT WITHIN THE ST. CHARLES ROAD (FROM MAIN STREET TO LINCOLN AVENUE) AND PARK AVENUE (FROM ORCHARD TERRACE TO MICHAEL MCGUIRE DRIVE) PUBLIC RIGHT-OF-WAYS ON AUGUST 24, 2019 RELATIVE TO CRUISE NIGHTS AND THE SUMMER CONCERT SEASON FINALE

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 112.18(B) of the Lombard Village Code is amended by adding new subsection (7) thereto, effective upon the adoption of this Ordinance through 11:59 p.m. on Saturday, August 24, 2018, which shall read in its entirety as follows:

“(7) In light of the fact that Shannon’s on Park, Inc. d/b/a & Deli located at 11-15 South Park Avenue, Fitz’s Five Leaf Clover, Inc. d/b/a Punky’s Irish Pub, located at 16 South Park Avenue, Topaz RG, LLC d/b/a Babcock’s Grove House, located at 101 West St. Charles Road and Chicago Tavern Group, LLC-Lombard d/b/a Marquette Kitchen & Tap (hereinafter individually a “Liquor Licensee” and collectively the “Liquor Licensees”), will be co-sponsoring and participating in one (1) temporary event known as Cruise Nights and the Summer Concerts Season Finale on August 24, 2019, said Liquor Licensees shall each be eligible for a Class “J” liquor license, despite the fact that said Liquor Licensees are for-profit business entities, for the sole purpose of selling alcoholic beverages for consumption in a designated and secured area within the St. Charles Road and Park Avenue right-of-ways to be approved by the Village pursuant to the issuance of a temporary event permit under Chapter 110 of the Village Code on August 24, 2018, from 6:00 p.m. to 10:30 p.m. The liquor licenses to be issued under this subsection (7) may be issued by the Local Liquor Commissioner upon proper application to the Village, and satisfaction of all applicable requirements and conditions by each of the Liquor Licensees. No liquor license shall be issued under this subsection (7), to a Liquor Licensee, until such time as said Liquor Licensee obtains the necessary temporary event permit under Chapter 110 of the Village Code and complies with all requirements and conditions thereof, including, without limitation, the insurance, bond and indemnification requirements of Chapter 110 of the Lombard Village Code in regard to temporary events.

Ordinance No.
Special Event
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Absent: _____

Abstain: _____

Approved this 18th day of July, 2019.

Keith T. Giagnorio
Village President

ATTEST:

Sharon Kuderna
Village Clerk

Published by me in pamphlet form on this 19th day of July, 2019.

Sharon Kuderna
Village Clerk