

ORDINANCE NO. 6356

**AN ORDINANCE AMENDING TITLE 15,
CHAPTER 155 OF THE LOMBARD VILLAGE CODE**

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

SECTION 1: The President and Board of Trustees find as follows:

- A. That on June 15, 2009, the Plan Commission held a public hearing, pursuant to notice duly published in accordance with law, in connection with the Zoning Ordinance amendments set forth below.
- B. That on June 15, 2009, the Plan Commission recommended the Zoning Ordinance amendments hereinafter set forth to the President and Board of Trustees.
- C. The President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations of the Plan Commission herein by reference as if they were fully set forth herein.

SECTION 2: That Title 15, Chapter 155 of the Lombard Village Code is hereby amended by adding a new Section 155.223 thereto, which shall read, in its entirety, as follows:

“SECTION 155.223 LIVE ENTERTAINMENT

Live entertainment shall be permitted as an accessory use in the O, I , B1, B2, B3, B4, B4A, B5, B5A Districts, subject to the following standards and requirements:

- (A) The performance area used for the Live Entertainment shall not exceed twenty-five percent (25%) of the gross floor area of the business.
- (B) All Live Entertainment activities conducted on site shall be conducted within the confines of the building.
- (C) No toxic, explosive, flammable, or other hazardous materials, as defined by the BOCA Basic Fire Prevention Code, as adopted by reference in the Building Code of the Village of Lombard (Chapter 150 of the Village Code), shall be used for any Live Entertainment purposes.
- (D) All Live Entertainment activities shall fully comply with all other provisions of the Village Code.

(E) Any business serving alcoholic beverages shall be required to meet all of the provisions of Chapter 112 of the Village Code, which regulates Alcoholic Beverages.

(F) Prior to offering Live Entertainment, a live entertainment permit shall be obtained pursuant to Title 11, Chapter 110 of the Village Code, or Section 112.39 of the Village Code if liquor is being served at the licensed premises.”

SECTION 3: That Title 15, Chapter 155, Section 155.412(C)(15) of the Lombard Village Code is hereby amended to read in its entirety as follows: “Restaurants”.

SECTION 4: That Title 15, Chapter 155, Section 155.415(C) of the Lombard Village Code is hereby amended by repealing subsection (27) thereof, and relabeling current subsections (28) through (30) thereof, as subsections (27) through (29).

SECTION 5: That Title 15, Chapter 155, Section 155.416(C) of the Lombard Village Code is hereby amended by repealing subsection (29) thereof, and relabeling current subsections (30) through (35) thereof, as subsections (29) through (34).

SECTION 6: That Title 15, Chapter 155, Section 155.417(G)(2)(a) of the Lombard Village Code is hereby amended by repealing subsection (6) thereof, and relabeling current subsection (7) thereof, as subsection (6).

SECTION 7: That Title 15, Chapter 155, Section 155.802 of the Lombard Village Code is hereby amended by adding a definition for “Live Entertainment”, which shall read in its entirety as follows:

“LIVE ENTERTAINMENT is any performance, musical act, (including karaoke), theatrical act (including stand-up comedy), play, revue, dance act, song and dance act, disc jockey, or any combination of these, or similar activity performed live by one or more persons, whether or not done for compensation, and whether or not admission is charged and is clearly an accessory use to either a permitted or an approved conditional use. Live entertainment does not include adult uses.”

SECTION 8: 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 _____, 2009.

First reading waived by action of the Board of Trustees this 20 day of August, 2009.

Passed on second reading this 20 day of August, 2009.

Ordinance No. 6356

Re: Live Entertainment

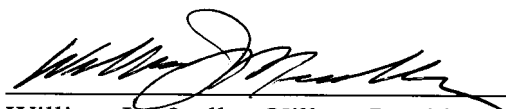
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Ayes: Trustees Gron, Tross, Wilson, Fitzpatrick and Ware

Nays: None

Absent: Trustee Moreau

Approved by me this 20 day of August, 2009.


William J. Mueller, Village President

ATTEST:


Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this 24 day of August, 2009.


Brigitte O'Brien, Village Clerk