

ORDINANCE NO. 7874

**AN ORDINANCE AMENDING TITLE XI, CHAPTER 112
OF THE LOMBARD VILLAGE CODE IN REGARD TO
THE SALE OF ALCOHOLIC LIQUOR PACKAGED GOODS
AND COCKTAILS TO GO,
IN LIGHT OF THE COVID-19 PANDEMIC**

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

SECTION 1: That Title XI, Chapter 112 of the Lombard Village Code is amended by adding a new Section 112.41 thereto, which shall read in its entirety as follows:

“§ 112.41 Packaged Goods and Cocktails To Go Sales. Local liquor license holders, that are prevented from providing full occupancy indoor on-premises consumption of food or alcoholic beverages, as a result of Executive Orders issued by the Governor of the State of Illinois, in furtherance of the Governor’s issuance of a Disaster Proclamation relative to the COVID-19 pandemic (the “Governor’s Executive Orders”), may temporarily conduct packaged goods sales of alcoholic beverages “in-person,” on a “to-go” basis, and by delivery, for off-premises consumption, for so long as the full occupancy indoor on-premises consumption of food or alcoholic beverages is prevented by the Governor’s Executive Orders. The alcoholic beverages which may be sold for off-premises consumption shall be limited to only those types of alcoholic beverages which are authorized by the current local liquor license class of the liquor licensee for on-premises consumption. All alcoholic beverages sold pursuant to this Section shall be packaged goods corked, capped, sealed and labeled by the manufacturer of the alcoholic liquor, sold in said corked, capped, sealed and labeled condition, for consumption at a location other than the premises where sold, consistent with the definition of packaged goods as set forth in Section 112.02 of this Code. Notwithstanding the foregoing sentence, pursuant to 235 ILCS 5/6-28.8, relative to the sale of cocktails and mixed drinks for off-premises consumption, local liquor license holders with liquor licenses that allow for the sale of cocktails and mixed drinks on the licensed premises, that are prevented from providing full occupancy indoor on-premises consumption of food or alcoholic beverages, as a result of the Governor’s Executive Orders, may temporarily conduct the sale of cocktails and mixed drinks “in-person,” on a “to-go” basis, and by delivery, for off-premises

consumption, in full compliance with the provisions of 235 ILCS 5/6-28.8, for so long as the full occupancy indoor on-premises consumption of food or alcoholic beverages is prevented by the Governor's Executive Orders, or until June 1, 2021, whichever occurs first. The authority granted by this Section shall immediately cease upon the resumption of the ability of the local liquor licensee to sell food and alcoholic beverages for consumption indoors on the licensed premises, based on the full occupancy of the licensed premises, or, in the case of the sale of cocktails and mixed drinks for off-premises consumption, June 2, 2021, if said date is sooner than the resumption of the ability of the local liquor licensee to sell food and alcoholic beverages for consumption indoors on the licensed premises, based on the full occupancy of the licensed premises."

SECTION 2: That, in light of the fact that Executive Order No. 2020-11 of the Village President, covering the topic of this Ordinance, will terminate as of the adjournment of the October 15, 2020 Village Board meeting, and, therefore, the provisions of this Ordinance need to take effect immediately upon the passage and approval of this Ordinance, so as to keep the provisions set forth in said Executive Order No. 2020-11 in effect, this Ordinance shall be in full force and effect from and after its passage and approval by a two-thirds (2/3rds) vote of the members of the Corporate Authorities holding office as of the date of this Ordinance, as provided by law.

Passed on first reading this _____ day of _____, 2020.

First reading waived by action of the Board of Trustees this 15th day of October, 2020.

Passed on second reading this 15th day of October, 2020, pursuant to a roll call vote as follows.

AYES: Village President Giagnorio, Trustee Whittington, Puccio, Foltyniewicz, Honig and Militello

NAYS: None

ABSENT: Trustee Ware

APPROVED by me this 15th day of October, 2020.


Keith Giagnorio, Village President

ATTEST:


Sharon Kuderna, Village Clerk