

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

 X Resolution or Ordinance (Blue) _____ *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: March 8, 2016 (B of T) Date: March 17, 2016

TITLE: Amending Title 11, Chapter 112, Sections 112.02 and 112.12(A) of the Lombard Village Code- Alcoholic Beverages

SUBMITTED BY: Keith Giagnorio
Liquor Control Commissioner
Village President

BACKGROUND/POLICY IMPLICATIONS:

Attached for your consideration is an ordinance amending Title 11, Chapter 112, Sections 112.02 and 112.12(A) amending the definition and description of the Class "M" Restaurant Liquor License.

Please place this item on the March 17, 2016 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: Keith T. Giagnorio
Local Liquor Control Commissioner
Village President

DATE: March 17, 2016

SUBJECT: **Amending Village Code relative to the Class "M" liquor license
Enchanted Castle**

Enchanted Castle located at 1103 S. Main Street, currently holds a Class "M" liquor license which allows them to sell beer and wine. The sale and consumption of the beer and wine is currently restricted to the restaurant area which is an adjunct to an establishment whose principal business is the operation of eight or more coin-operated amusement devices.

Staff received a request from the owner of Enchanted Castle, Frank Sikora, to modify their liquor license in order to allow beer and wine to be consumed outside of the restaurant area. The sale of the alcohol would remain limited to the restaurant area. Mr. Sikora states that his request is based on the changing market of family entertainment which now includes attractions and games that adults enjoy as well as to remain competitive in the marketplace.

Upon staff's direction, Village Counsel has prepared the attached ordinance amending Village Code to accommodate Mr. Sikora's request.

Please place this item for consideration on the March 17, 2016 Board of Trustees agenda.

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

/jd



FPS, LLC

7759 S. Harlem Ave., Burbank, IL. 60459

Phone: (708) 598-8580

Fax: (708) 598-5846

February 12, 2016

Keith Giagnorio
Local Liquor Commissioner
255 E. Wilson Avenue
Lombard, Illinois 60148

Dear Mr. Giagnorio

My name is Frank Sikora and am the new owner of Enchanted Castle. I worked with and was partners in other businesses with the previous owner J. Richard Oltmann for the past 30 years and was the President of his company. Richard passed away last May and I purchased our 3 locations.

I am inquiring about a modification to our existing liquor license. We currently have a beer and wine license that is restricted to our dining areas. To continue to compete in today's' changing market of Family Entertainment is it possible to expand the area that it's acceptable to carry the beverages. Our business is not strictly for children. We have many attractions and games that adults enjoy. We also do a large corporate outing business along with team building activities. We have hosted many corporate meetings as well. Our competition such as Dave and Busters, Main Event, Safari Land, and Brunswick Zones to name a few have full liquor licenses that are less restrictive in where alcoholic beverages are allowed to be carried giving them the edge for the adult crowd.

Would it be possible to extend the area that the alcoholic beverages could be carried to the entire building? Sales of beverages would remain in our restaurant. I realize that we would have to do more policing of our building by our staff and am confident that it would be accomplished. It would not be any different than the businesses mentioned above as well as bowling alleys, sports venues etc. where alcohol is served that adults and children enjoy recreational activities together.

I would like to discuss any ideas or concerns you have in getting this accomplished. I can be reached by phone (708-259-8516) or if you would like to meet I would be glad to at your convenience. Thank you for your time.

Best Regards,

Frank P. Sikora
President / Owner

HAUNTED TRAILS – 7759 S. Harlem Ave., Burbank, IL. 60459 | (708) 598-8580 | www.hauntedtrailsburbank.com

ENCHANTED CASTLE – 1103 S. Main St., Lombard, IL. 60148 | (630) 953-7860 | www.enchanted.com

HAUNTED TRAILS – 1423 N. Broadway (Rt. 53), Joliet, IL. 60435 | (815) 722-7800 | www.hauntedtrailsjoliet.com

ORDINANCE NO. _____

AN ORDINANCE AMENDING
TITLE XI, CHAPTER 112, SECTIONS 112.02 AND 112.12(A)
OF THE LOMBARD VILLAGE CODE IN REGARD TO
THE CLASS M RESTAURANT LIQUOR LICENSE

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, Section 112.02 of the Lombard Village Code is amended by revising the last sentence of the definition of "Class M Restaurant" to read in its entirety as follows:

"Notwithstanding the requirement that the beer and wine may only be sold at the restaurant portion of the establishment, whose principal business is the operation of eight (8) or more coin operated amusement devices, the consumption of the beer and wine so sold may take place in any portion of said establishment, and not just within the restaurant portion of said establishment."

SECTION 2: That Title XI, Chapter 112, Section 112.12(A) of the Lombard Village Code is amended by adding the following to the description of the Class "M" liquor license as contained therein:

"As this liquor license category relates solely to the sale of beer and wine by a Class M Restaurant, as defined in § 112.02 of this Code, see said definition of Class M Restaurant for further requirements applicable to the Class "M" liquor license."

SECTION 3: 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 _____, 201____.

First reading waived by action of the Board of Trustees this _____ day of _____, 201____.

Passed on second reading this ____ day of _____, 201____,
pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this ____ day of _____, 201____.

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published by me in pamphlet form this ____ day of _____, 201____.

Sharon Kuderna, Village Clerk