

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 R. Niehaus, Village Manager

DATE: June 6, 2017 (B of T) Date: June 15, 2017

TITLE: Amending Title 11, Chapter 112 of the Lombard Village Code – Alcoholic
Beverages
New Class “GGG” Liquor License Category

SUBMITTED BY: Keith Giagnorio
Local Liquor Commissioner
Village President

BACKGROUND/POLICY IMPLICATIONS:

Please find attached an Ordinance amending Title 11, Chapter 112 of the Lombard Village Code relative to the creation of a new Class “GGG” liquor license category.

Please place this item on the June 15, 2017 Board of Trustees agenda under Items for Separate Action.

Staff is requesting a waiver of first reading.

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: June 6, 2017

SUBJECT: **Title 11, Chapter 112, of the Lombard Village Code – Alcoholic Beverages
New Liquor Classification – “GGG”**

In response to an inquiry from a new grocery store establishment (Mariano’s) seeking to have the ability for onsite consumption and packaged sales of alcohol, Village staff met with Village Counsel who drafted the attached ordinance for Village Board consideration. The ordinance creates a new Class “GGG” liquor license category and amends other sections of Chapter 112 that would be affected by the creation of this new classification. This new liquor classification would enable the grocery store establishment to conduct business per their business model and in a similar fashion to their other stores.

Please place this item for consideration on the June 15, 2017 Village Board agenda under Items for Separate Action.

Staff is requesting a waiver of first reading in order for the classification to be in effect in anticipation of Mariano’s applying for a Class “GGG” liquor license at the July Village Board meeting.

Should you need additional information, please feel free to contact me.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE 11, CHAPTER 112 OF THE
LOMBARD VILLAGE CODE IN REGARD TO ALCOHOLIC BEVERAGES
AND A NEW CLASS "GGG" 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 "GGG" liquor license category, to read in its entirety as follows:

"Class "GGG" – Package sales of alcoholic liquor allowed as an adjunct to a grocery store establishment, wherein the interior retail floor area designated for sales exceeds 50,000 square feet, inclusive of any on-site eating areas. The interior retail floor area set aside for package sales of alcoholic liquor shall be not more than ten percent (10%) of the total interior retail floor area of the licensed premises. In addition to the package sales of alcoholic liquor, the service of alcoholic liquor, for consumption on the licensed premises, shall be allowed, subject to the following requirements:

- (1) Alcoholic liquor sold in original packages, and intended for off-premises consumption, shall not be opened or consumed on the licensed premises or in any designated seating/serving area.
- (2) Tastings of alcoholic liquor shall be permitted on the licensed premises in accordance with Section 112.32(B) of this Code.
- (3) The sale of alcoholic liquor intended for consumption on the licensed premises shall be limited to individual servings.
- (4) The sale of alcoholic liquor, for consumption on the licensed premises, shall take place only in a designated seating/serving area, including, but not limited to, those areas where food is prepared and regularly served on the licensed premises.
- (5) The consumption of alcoholic liquor on the licensed premises shall be permitted in the designated seating/serving areas, as well as the shopping areas throughout the licensed premises; however, the licensee shall mark, with conspicuous signage, the area past which the consumption of alcoholic liquor is no longer permitted.

- (6) The designated seating/serving area for customers consuming alcoholic liquor on the licensed premises, whether inside or in an outdoor seating area, shall be limited to no more than seven percent (7%) of the interior retail floor area of the licensed premises.
- (7) As it is intended that the service of alcoholic liquor on the licensed premises is merely an adjunct to the operation of a grocery store establishment, the licensed premises shall not be advertised or otherwise held out to be an alcoholic liquor drinking establishment.
- (8) The hours for the sale of alcoholic liquor on the licensed premises, whether for consumption on the licensed premises or package sales of alcoholic liquor, shall be in accordance with Section 112.36 of this Code, but in no case shall the sale of alcoholic liquor on the licensed premises take place outside of the normal business hours of the grocery store portion of the licensed premises.”

SECTION 2: That Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code is amended by adding language relative to a new Class “GGG” liquor license thereto, which shall read in its entirety as follows:

“Class “GGG” – 0”

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 “GGG” liquor license category, to read in its entirety as follows:

“Class “GGG” – \$2,500.00”

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-I, L-II, M, O, R, S, T-I, T-II, T-III, U, V, VV, 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, GGG, I, K, L-I, L-II, M, N-I, N-II, O, R, S, T-I, T-II, T-III, U, V, VV, 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 _____, 2017.

First reading waived by action of the Board of Trustees this ___ day of _____, 2017.

Passed on second reading this _____ day of _____, 2017, pursuant to a roll call vote as follows.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this _____ day of _____, 2017.

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published by me in pamphlet form this _____ day of _____, 2017.

Sharon Kuderna, Village Clerk