

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: May 6, 2024 (B of T) Date: May 16, 2024

TITLE: Title XI, Chapter 112, Section 112.24(E) Definitions 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 XI, Chapter 112, Section 112.24(E) of the Lombard Village Code in regard to the Outdoor Seating and Service Area.

Staff is requesting a waiver of first reading.

Please place this item on the May 16, 2024, Board of Trustees agenda for consideration.

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: May 6, 2024

SUBJECT: Title XI, Chapter 112, Section 112.24(e) of the Lombard Village Code in regard to Outdoor Seating and Service Area.

It has come to the attention of staff regarding the service and use of glass bottles and glassware for beverages served on a rooftop, of an establishment, to amend language and set parameters that would prohibit the service and use of glass bottles and glassware if the rooftop/outdoor seating and service area is situated within 10 feet (10') of the property line of the premises or public right-of-way.

Attached is an ordinance amending Lombard Village Code Title XI, Chapter 112, Section 112.24 in regard to the Outdoor Seating and Service Area.

(E) If the outdoor seating and service area on the licensed premises, as referenced in subsection (B) above, is other than on the ground floor of the licensed premises (i.e., on a rooftop or on an open air balcony or porch on a second or higher floor), it shall be unlawful to serve any beverages, including alcoholic beverages, in glass bottles or glassware, within the outdoor seating and service area.

The following includes the above as an amended under Section 112.24 "Additional Conditions of the License" Subsection (E) to read as:

(E) If the outdoor seating and service area on the licensed premises, as referenced in subsection (B) above, is other than on the ground floor of the licensed premises (i.e., on a rooftop or on an open air balcony or porch on a second or higher floor), and is situated within ten feet (10') of the property line of the licensed premises or a public right-of-way, such as a public sidewalk or street, it shall be unlawful to serve any beverages, including alcoholic beverages, in glass bottles or glassware, within the outdoor seating and service area.

Staff is requesting a waiver of first reading.

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

ORDINANCE NO. _____

**AN ORDINANCE AMENDING SECTION 112.24 OF ARTICLE II OF CHAPTER 112
OF TITLE XI OF THE LOMBARD VILLAGE CODE
IN REGARD TO OUTDOOR SEATING AND SERVICE AREAS**

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, Article II, Section 112.24, Subsection (E) of the Lombard Village Code, is hereby amended, to read in its entirety as follows:

(E) If the outdoor seating and service area on the licensed premises, as referenced in subsection (B) above, is other than on the ground floor of the licensed premises (i.e., on a rooftop or on an open air balcony or porch on a second or higher floor), and is situated within ten feet (10') of the property line of the licensed premises or a public right-of-way, such as a public sidewalk or street, it shall be unlawful to serve any beverages, including alcoholic beverages, in glass bottles or glassware, within the outdoor seating and service area.

SECTION 2: 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 _____, 2024.

First reading waived by action of the Board of Trustees this 16th day of May 2024.

Passed on second reading this 16th day of May 2024, pursuant to a roll call vote as follows.

AYES: Trustee LaVaque, Puccio, Honig, Militello and Bachner

NAYS: None

ABSENT: Trustee Dudek

APPROVED by me this 16th day of May 2024.

Keith Giagnorio, Village President

ATTEST:

Elizabeth Brezinski, Village Clerk

Published by me in pamphlet form this 17th day of May 2024.

Elizabeth Brezinski, Village Clerk