

VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION

  X   Resolution or Ordinance (Blue)      Waiver of First requested   X    
       Recommendations of Boards, Commissions & Committees (Green)  
       Other Business (Pink)

TO:            PRESIDENT AND BOARD OF TRUSTEES

FROM:        Scott R. Niehaus, Village Manager

DATE:        March 7, 2024            (B of T) Date: March 21, 2024

TITLE:        Amending the Alcohol Liquor Code  
As a result of DK Flat Top Grill, LLC d/b/a Flat Top Grill no longer conducting  
business at 305 Yorktown Mall Dr.

SUBMITTED BY: Keith T. Giagnorio  
Local Liquor Control Commissioner  
Village President

BACKGROUND/POLICY IMPLICATIONS:

Attached for your consideration is an ordinance amending Title XI, Chapter 112, Section 112.13(A) reducing the number of Class "A/B-II" liquor license entries by one (1) due to DK Flat Top Grill, LLC d/b/a Flat Top Grill no longer conducting business at 305 Yorktown Mall Dr.

Staff is requesting a waiver of first reading.

Please place this item on the March 21, 2024, Board of Trustees agenda.

FISCAL IMPACT/FUNDING SOURCE:

Review (as necessary):

Village Attorney \_\_\_\_\_ Date \_\_\_\_\_

Finance Director \_\_\_\_\_ Date \_\_\_\_\_

Village Manager \_\_\_\_\_ Date \_\_\_\_\_



## MEMORANDUM

**TO:** Scott Niehaus, Village Manager

**FROM:** Keith T. Giagnorio  
Local Liquor Control Commissioner  
Village President

**DATE:** March 15, 2024

**SUBJECT: Liquor License  
DK Flat Top Grill, LLC d/b/a Flat Top Grill**

DK Flat Top Grill d/b/a Flat Top Grill, located at 305 Yorktown, currently holds a Class “A/B-II” liquor license. The Licensee Licencing Division notified the Village, January 2, 2024, that the establishment is closed and moving locations; there no longer conducting business at 305 Yorktown.

Attached is an Ordinance reflecting the decrease in the “A/B-II Liquor License Class and terminating the liquor license issued to DK Flat Top Grill, LLC d/b/a Flat Top Grill, located at 305 Yorktown Center, pursuant to Title XI, Chapter 112, Section 112.27 of the Lombard Village Code:

§ 112.27 - Cessation of business.

In the event a licensee ceases to do business at the licensed premises, other than temporarily for a period of not to exceed 45 successive days, for purposes of remodeling, or for purposes other than remodeling but with the prior written approval of the Local Liquor Control Commissioner, the number of authorized licenses in the particular class shall automatically be reduced by one at the time the licensee ceases to do business. If any licensee desires to close the business or place of business for more than 45 successive days, said licensee shall so notify the Local Liquor Commissioner in writing, including the reasons therefor and requesting an extension, and the Liquor Control Commissioner may grant such an extension on a showing of good cause. The Local Liquor Commissioner shall notify in writing the Village Clerk and Board of Trustees of any cessation of business by a license, in excess of 45 days, within ten days of such occurrence.

Staff is requesting a waiver of first reading in order to bring the number of entries in the Liquor License Class A/B-II current.

Please place this item on the March 21, 2024, Village Board of Trustees agenda for consideration.

**ORDINANCE NO.**

**AN ORDINANCE AMENDING TITLE XI, CHAPTER 112,  
SECTION 112.13(A) OF THE LOMBARD VILLAGE CODE TO REDUCE THE NUMBER  
OF AVAILABLE LIQUOR LICENSES IN THE  
CLASS "A/B-II" LIQUOR LICENSE CATEGORY**

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

**SECTION 1:** That Title XI, Chapter 112, Section 112.13(A) of the Lombard Village Code is amended by revising the entry relative to the Class "A/B-II" liquor licenses, contained therein, to read as follows:

Class "A/B-III" – 6

**SECTION 3:** That the decrease in the number of Class "A/B-II" liquor licenses as set forth in Sections 1 above is a result of DK Flat Top Grill, LLCLLC d/b/a Flat Top Grill no longer conducting business at 305 Yorktown Mall Drive.

**SECTION 4:** This Ordinance shall be in full force and effect from and after its passage and approval as required by law.

Passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2024.

First reading waived by action of the Board of Trustees, this 6<sup>th</sup> day of October 2024.

Passed on second reading this 21<sup>st</sup> day of March 2024, pursuant to a roll call vote as follows:

Ayes: Trustee LaVaque, Puccio, Dudek, Honig, Militello, and Bachner

Nays: None

Absent: None

Approved by me this 21<sup>st</sup> day of March 2024.

---

Keith T. Giagnorio  
Village President

ATTEST:

---

Elizabeth Brezinski  
Village Clerk