

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 8, 2019 (B of T) Date: May 16, 2019

TITLE: Amending the Alcoholic Liquor Code  
Punky's Pub – 16 S. Park Avenue

SUBMITTED BY: Keith T. Giagnorio  
Liquor Control Commissioner

BACKGROUND/POLICY IMPLICATIONS:

Amending Title 11, Chapter 112, Section 112.13(A) decreasing the number of entries in the Class "D" liquor license category by one to account for the termination of the liquor license issued to Bill & Punky's Step Up Inn Ltd. d/b/a Punky's Pub and issuing a new Class "D-VG" liquor license to Fitz's Five Leaf Clover Inc. d/b/a Punky's Irish Pub upon notification of their closing but no later than June 28, 2019.

Please place this item on the May 16, 2019 Board of Trustees agenda for consideration.

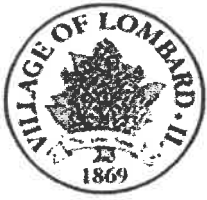
The petitioner is requesting a waiver of first reading due to the timing of the closing and the Village Board's summer schedule.

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:** November 8, 2017

**SUBJECT:** **Amending Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code  
Punky's Pub – 16 S. Park**

Punky's Pub located at 16 S. Park Avenue currently holds a Class "D" liquor license. The primary purpose of the establishment is a tavern which allows the sale of alcoholic beverages together with the sale of packaged goods. Bill & Punky's Step Up Inn Ltd. d/b/a Punky's Pub is being sold and the new the owner, Fitz's Five Leaf Clover Inc. d/b/a Punky's Irish Pub is requesting a Class "D-VG" liquor license which would allow the establishment to continue to operate as a tavern but would include the video gaming component. The sale of the business and new ownership is expected to take effect no later than June 28, 2019.

Attached is an ordinance decreasing the entry in the Class "D" liquor licenses by one to reflect the termination of the liquor license issued to Bill & Punky's Step Up Inn Ltd. d/b/a Punky's Pub and issuance of a Class "D-VG" liquor license to Fitz's Five Leaf Clover Inc. d/b/a Punky's Irish Pub upon notification of their closing but no later than noon on June 28, 2019.

The petitioner is requesting a waiver of first reading due to the timing of the closing and the Village Board's summer schedule.

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

/jd

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING TITLE XI, CHAPTER 112, SECTION 112.13(A) OF THE LOMBARD VILLAGE CODE IN REGARD TO ALCOHOLIC BEVERAGES AND THE CLASS "D" AND CLASS "D-VG" LIQUOR LICENSE CATEGORIES**

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

**SECTION 1:** That, subject to the Local Liquor Control Commissioner receiving written notice that Fitz's Five Leaf Clover Inc. has acquired Punky's Pub, located at 16 S. Park Avenue, Lombard, Illinois, on or before Noon on June 28, 2019, (the "Notice"), effective with the date of said Notice, the provision of Title XI, Chapter 112, Section 112.13(A) of the Lombard Village Code, relative to the Class "D" liquor license category, is amended to read in its entirety as follows:

"Class "D" – 2"

This reduction in the number of the Class "D" liquor licenses reflects the termination of the Class "D" liquor license issued to Bill & Punky's Step Up Inn, Ltd. d/b/a Punky's Pub, located at 16 S. Park Avenue, Lombard, Illinois.

**SECTION 2:** That, subject to the Local Liquor Control Commissioner receiving written notice that Fitz's Five Leaf Clover, Inc. has acquired Punky's Pub, located at 16 S. Park Avenue, Lombard, Illinois, on or before Noon on June 28, 2019, (the "Notice"), effective with the date of said Notice, the provision of Title XI, Chapter 112, Section

112.13(A) of the Lombard Village Code, relative to the Class "D-VG" liquor license category, shall be amended to read in its entirety as follows:

"Class "D-VG" – 1"

This increase in the number of Class "D-VG" liquor licenses reflects the issuance of a new Class "D-VG" liquor license to Fitz's Five Leaf Clover Inc. d/b/a Punky's Irish Pub, located at 16 S. Park Avenue, Lombard, Illinois.

**SECTION 3:** In the event that the Notice, as referenced in Sections 1 and 2 above, is not received on or before Noon on June 28, 2019, the provisions of Sections 1 and 2 above shall be null and void; the reference to the Class "D" liquor license category in Title XI, Chapter 112, Section 112.13(A) of the Lombard Village Code shall continue to read as "Class "D - 3"; and the reference to the "Class "D-VG" liquor license category in Title XI, Chapter 112, Section 112.13(A) of the Lombard Village Code shall continue to read as, "Class "D-VG"- 0".

**SECTION 4:** That this Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

Passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2019.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of May, 2019.

Passed on second reading this \_\_\_\_ day of May, 2019.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

**APPROVED** this \_\_\_\_\_ day of May, 2019.

\_\_\_\_\_  
**Keith Giagnorio, Village President**

**ATTEST:**

\_\_\_\_\_  
**Sharon Kuderna, Village Clerk**