

ORDINANCE NO. 6935
AN ORDINANCE AMENDING TITLE 11, CHAPTER 112 OF THE
LOMBARD VILLAGE CODE IN REGARD TO ALCOHOLIC BEVERAGES
AND THE CLASS "X" MOVIE THEATER 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 112.02 of the Lombard Village Code is amended by adding the following definitions thereto:

"ALCOHOL WRISTBAND: An indicia of eligibility (worn on the wrist of a movie theater patron) to be served an alcoholic beverage by a Class "X" liquor licensee.

MOVIE THEATER: Any building to which the public is invited and pays consideration for the purpose of viewing motion pictures.

MOVIE THEATER AUDITORIUM: That portion (or those portions) of a movie theater where patrons are seated for the actual viewing of motion pictures."

SECTION 2: That, effective December 1, 2014, Title 11, Chapter 112, Section 112.12(A) of the Lombard Village Code is amended by revising the description of the Class "X" Liquor License, as contained therein, to read in its entirety as follows:

"Class "X" – Alcoholic beverages served as an adjunct to a movie theater, subject to the following restrictions:

- (1) Preparation of alcoholic beverages shall be limited to a designated lobby bar area.
- (2) Service of alcoholic beverages may be made only to persons wearing a wristband approved by the Village's police department ("alcohol wristband" or "alcohol wristbands"). The person dispensing alcohol wristbands shall have completed a certified alcohol awareness training course as set forth in Section 112.40 of this Chapter. The alcohol wristband shall be valid only for the date on which it is obtained from the movie theater. At the end of one year after the issuance of the initial liquor license or at the end of one year from the issuance of a disposition as referenced in the last sentence of this subsection, at the option of the licensee, and

provided that there have been no violations of Section 112.30(A) of the Village Code by the liquor licensee during said one year period, the use of alcohol wristbands may be discontinued. Prior to such discontinuance, written notice of such intent shall be provided to the Local Liquor Control Commissioner. If the liquor licensee has been found to be in violation of Section 112.30(A) of the Village Code, whether as a result of a voluntary admission by the liquor licensee, or after notice and the required hearing, the Local Liquor Control Commissioner may impose an alcohol wristband requirement as part or all of any disposition.

- (3) Alcoholic beverages may be delivered and consumed in the movie theater auditorium or the lobby bar area.
- (4) The containers in which alcoholic beverages are served must be of a different color, size and design than those in which non-alcoholic beverages are served.
- (5) Beer may be sold only in individual containers holding thirty-two (32) ounces or less. All other alcoholic beverages may be sold only in individual containers holding sixteen (16) ounces or less. Alcoholic spirits (alcoholic beverages other than beer or wine) will be restricted to three (3) ounces or less total volume in any individual container. Wine may be sold by the bottle, for consumption in the movie theater auditorium or the lobby bar area, provided that a minimum of two patrons are consuming the wine.
- (6) No more than one alcoholic beverage may be delivered to a customer at any one time.
- (7) There may be no service of alcoholic beverages unless the movie theater is actually open for the showing of movies or for the holding of private rentals and events. Alcoholic beverages may never be served more than one (1) hour prior to the advertised showing time of the first movie to be shown on any day, except for private rentals and events
- (8) The lobby bar and the lounge area associated with the bar may comprise no more than twenty percent (20%) of the floor area outside of the movie theater auditoriums.
- (9) An employee of the licensee, who has completed the certified alcohol awareness training course, referenced in Section 112.40 of this Chapter, shall be designated to monitor compliance with alcohol laws and be on duty on the premises whenever there is service of alcoholic beverages.
- (10) The Class "X" liquor licensee shall be responsible if any alcoholic beverage is consumed by any minor at any location within or on the movie theater premises, whether the alcohol was purchased at the movie theater or not.

Food service may be provided as an adjunct to the movie theater and the service of alcoholic beverages. No package sales, other than bottles of wine as described in item (5) above, shall be allowed."

SECTION 3: That, effective December 1, 2014, Title 11, Chapter 112, Section 112.33(B) of the Lombard Village Code is amended by revising the reference therein to "Class "A/B-III" or "Z" liquor license" to read, "Class "A/B-III," "X" or "Z" liquor license."

SECTION 4: 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 _____, 2014.

First reading waived by action of the Board of Trustees this 17th day of April, 2014.

Passed on second reading this 17th day of April, 2014.

Ayes: Trustee Fugiel, Foltyniewicz, Breen, Fitzpatrick and Ware

Nays: None

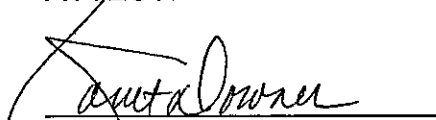
Absent: Whittington

Approved this 17th day of April, 2014.



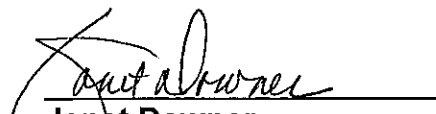
Keith T. Giagnorio
Village President

ATTEST:



Janet Downer
Deputy Village Clerk

Published by me in pamphlet form on this 18th day of April, 2014.



Janet Downer
Deputy Village Clerk