

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: August 8, 2018 (B of T) Date: August 16, 2018

TITLE: Ordinance Amending the Municipal Code in Regard to Providing for the Sale and Consumption of Alcohol in Connection With Cruise Nights and the Summer Concert Season Finale (Babcock's Grove House)

BACKGROUND/POLICY IMPLICATIONS:

Attached please find information pertaining to a proposed Ordinance amending the Municipal Code in regard to the sale and consumption of alcohol in connection with Cruise Night and Summer Concert Season Finale. The proposed ordinance will permit Babcock's Grove House to conduct sales of alcoholic beverages within ten feet of their entrance at 4 South Park.

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: Nicole Aranas, Assistant Village Manager *NAA*
DATE: August 8, 2018
SUBJECT: **ORDINANCE AMENDING THE VILLAGE CODE REGARDING SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN THE PUBLIC RIGHT-OF-WAY IN CONNECTION WITH CRUISE NIGHTS & SUMMER CONCERTS SEASON FINALE (BABCOCK'S GROVE HOUSE)**

At the last Village Board meeting, the Village Board adopted an Ordinance approving the issuance of Class "J" liquor licenses to four downtown businesses in connection with the Cruise Nights & Summer Concerts Season Finale to take place on Saturday, August 25, 2018. The private businesses eligible to participate in the event were authorized by Code to permit sales of alcoholic beverages for consumption outdoors within ten feet (10') of their main entrance.

The main entrance to Babcock's Grove House is surrounded by a number of steps which prohibits safe and clear placement of an outdoor sales area. Accordingly, Babcock's Grove is requesting permission to amend their permitted area for sales to be ten feet (10') from the entrance to their expansion space at 4 South Park (Bonfil Black), not their main business entrance.

The attached Ordinance provides an amendment to Ordinance No. 7558 to specifically permit sales for Babcock's Grove House within 10' of the entrance to 4 South Park, in light of the stairs located at their main entrance. If approved, the Ordinance will permit the placement of a sales area in close proximity to the 4 S. Park entrance beyond the entrance stairway to the building.

Please let me know of any issues, questions or concerns you may have regarding this matter.

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 11, CHAPTER 112, SECTION 112.18(B)(7) OF THE LOMBARD VILLAGE CODE, AS APPROVED BY ORDINANCE NO. 7558, ADOPTED JULY 19, 2018, IN REGARD TO ALCOHOLIC BEVERAGES, PROVIDING FOR THE SALE AND CONSUMPTION OF ALCOHOL IN CONNECTION WITH A TEMPORARY EVENT WITHIN THE ST. CHARLES ROAD (FROM MAIN STREET TO LINCOLN AVENUE) AND PARK AVENUE (FROM ORCHARD TERRACE TO MICHAEL MCGUIRE DRIVE) PUBLIC RIGHT-OF-WAYS ON AUGUST 25, 2018 RELATIVE TO CRUISE NIGHTS AND THE SUMMER CONCERT SEASON FINALE

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 112.18(B)(7) of the Lombard Village Code, as approved by Ordinance No. 7558, adopted July 19, 2018, is hereby amended by adding the following to the end of subsection (a) thereof:

“, or, in the case of Topaz RG, LLC d/b/a Babcock’s Grove House, within ten (10) feet of the 4 South Park entrance to the building in which Babcock’s Grove House is located, in light of the stairs located at the main entrance of the Licensed Premises for Babcock’s Grove House.”

SECTION 2: That all other provisions of Title 11, Chapter 112, Section 112.18(B)(7) of the Lombard Village Code, as approved by Ordinance No. 7558, adopted July 19, 2018, not amended hereby, shall remain in full force and effect.

SECTION 3: 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 _____, 2018.

First reading waived by action of the Board of Trustees this 16th day of August, 2018.

Passed on second reading this 16th day of August, 2018, pursuant to a roll call vote as follows.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this 16th day of August, 2018.

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk