

VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION  
For Inclusion on Board Agenda

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE: March 28, 2017 (B of T) Date: April 6, 2017

TITLE: Amending Title 11, Chapter 112, Section 112.12(A) – Alcoholic Beverages  
Class “FF” Liquor License Category Description

SUBMITTED BY: Keith Giagnorio  
Local Liquor Commissioner  
Village President

BACKGROUND/POLICY IMPLICATIONS:

Please find attached an Ordinance amending Title 11, Chapter 112, Section 112.12(A) of the Lombard Village Code relative to removing the reference to “members of a wine club” in the Class “FF” liquor license category description.

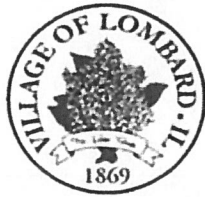
Please place this item on the April 6, 2017 Board of Trustees agenda under Items for Separate Action.

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 Giagnorio  
Local Liquor Control Commissioner  
Village President

**DATE:** April 6, 2017

**SUBJECT:** **Amending Title 11, Chapter 112, Section 112.12(A)  
Class "FF" Liquor License Category Description**

Village Code Title 11, Chapter 112, Section 112.12(A) includes a Class "FF" liquor license category description which provides for packaged sales of wine and champagne only, for delivery to members of a wine club, in response to internet orders, telephone orders and mail orders. The delivery of the wine and champagne, to the members, shall take place in a manner other than on the licensed premises. The licensed premises cannot be open for entry by the public, and the sales delivered to the members shall provide for sales tax coming to the Village. Currently, there is one liquor license issued in the Class "FF" liquor license category.

In response to an inquiry from a potential new business seeking to sell wine and champagne via phone, internet and mail, staff recently reviewed the definition of the Class "FF" license as it relates to the required membership to a wine club. In evaluating the definition of the Class "FF" license, staff is recommending that the requirement that sales be restricted to members of a "wine club" is not necessary and should be eliminated. The elimination of the "wine club" requirement would meet the needs of the proposed business without impacting the current Class "FF" license holder.

Staff met with Village Counsel who drafted the attached ordinance for Village Board consideration. The ordinance amends the Class "FF" liquor license category description by removing the reference to "members of a wine club". This proposed amendment was shared with the Class "FF" liquor licensee who had no issues with the amendment after confirming with staff that it would not have an effect on their ability to conduct business as it presently exists, as it expands, rather than restricts their license.

Please place this item for consideration on the April 6, 2017 Village Board agenda under Items for Separate Action.

/jd

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

**AN ORDINANCE AMENDING TITLE XI, CHAPTER 112,  
SECTION 112.12(A) OF THE LOMBARD VILLAGE CODE  
IN REGARD TO THE CLASS "FF" 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 XI, Chapter 112, Section 112.12(A) of the Lombard Village Code is amended by revising the description of the Class "FF" liquor license category, as set forth therein, to read in its entirety as follows:

"Class "FF" – Package sales of wine and champagne only, for delivery in response to internet orders, telephone orders and mail orders. The deliveries of the wine and champagne shall take place in a manner other than on the licensed premises. The licensed premises shall not be open for entry by the public; however, all sales, of the wine and champagne, shall be consummated in a manner that provides for the sales tax on such sales to come to the Village."

**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 \_\_\_\_\_, 2017.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2017.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2017, pursuant to a roll call vote as follows.

AYES: \_\_\_\_\_  
NAYS: \_\_\_\_\_  
ABSENT: \_\_\_\_\_

**APPROVED** by me this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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

**ATTEST:**

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

Published by me in pamphlet form this \_\_\_\_ day of \_\_\_\_\_, 2017

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