

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: November 9, 2016 (B of T) Date: November 17, 2016

TITLE: Title 11, Chapter 112 of the Lombard Village Code  
Brauerhouse – 1000 N. Rohlwing Road, Units 12 and 13

SUBMITTED BY: Keith Giagnorio  
Liquor Control Commissioner  
Village President

BACKGROUND/POLICY IMPLICATIONS:

Attached for your consideration is an ordinance amending Title 11, Chapter 112 of the Lombard Village Code in regard to Alcoholic Beverages creating a new Class "XX" Liquor License Category, issuing a Class "XX" liquor license to SBBL LLC d/b/a Brauerhouse, decreasing the Class "A/B-III" liquor license category by one and revising other sections of Title 11, Chapter 112 affected by the addition of a new Class "XX" liquor license classification. These actions would take effect December 1, 2016.

Staff is requesting a waiver of first reading to accommodate the new liquor licensing term.

Please place this item on the November 17, 2016 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 T. Giagnorio  
Local Liquor Control Commissioner  
Village President

**DATE:** November 9, 2016

**SUBJECT:** **Title 11, Chapter 112, of the Lombard Village Code  
Brauerhouse, 1000 N. Rohlwing Road, Units 12 and 13**

SBBL LLC d/b/a Brauerhouse currently holds a Class "A/B-III" liquor license which allows for alcoholic beverages to be served as an adjunct to food service with no package sales allowed. The owner of Brauerhouse approached Village staff with the idea of expanding his current business to encompass the now vacant adjacent tenant space formerly leased by His Grace Christian Child Care Montessori. The combined tenant spaces would be used as restaurant and live entertainment venue with a full-service kitchen (see attached concept plan), and requested a liquor license for this proposed expansion.

Currently, Village Code does not have a liquor license classification that would fit Brauerhouse's liquor license request. After discussions and meetings with the owner as well as an on-site visit to the business, staff requested that Village Counsel prepare an ordinance creating a new Class "XX" liquor license classification as well as amend other sections of Village Code within Chapter 112 which will be affected by the creation of the "XX" liquor classification. If the Village Board approves the ordinance for the Class "XX" liquor license (which would be effective for the start of the new liquor licensing term of December 1, 2016 through May 31, 2017), SBBL LLC d/b/a Brauerhouse would not be renewing their Class "A/B-III" liquor license and instead operate under their new Class "XX" liquor license.

Staff has requested that first reading be waived to accommodate the new liquor licensing term.

Should you need additional information, please feel free to contact me.





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

**AN ORDINANCE AMENDING TITLE 11, CHAPTER 112 OF THE LOMBARD VILLAGE CODE IN REGARD TO ALCOHOLIC BEVERAGES AND A NEW CLASS "XX" 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, effective December 1, 2016, Title 11, Chapter 112, Section 112.12(A) of the Lombard Village Code is amended by adding language thereto, relative to a new Class "XX" liquor license category, to read in its entirety as follows:

"Class "XX" – Alcoholic beverages, served as an adjunct to a live entertainment establishment, subject to the following restrictions and requirements:

- (1) The establishment must have a full service kitchen for the preparation of meals for the patrons of the establishment, with said full service kitchen to remain open, and food service to be offered at the establishment, each day that the establishment is open for business, from the opening time until at least 10:00 p.m.
- (2) As the establishment is primarily a live entertainment venue, the liquor license fee, as set forth in Section 112.14(A) of this Code, shall cover the licensing relative to the live entertainment at the establishment, and no separate live entertainment license shall be required under Section 112.39 of this Code.
- (3) No individual under the age of twenty-one (21) years shall be allowed in the licensed premises at any time period that live entertainment is taking place, including during any break periods for said live entertainment, or during any time period that the full service kitchen is closed, and food service is not being offered.
- (4) No package sales of alcoholic beverages shall be allowed."

**SECTION 2:** That, effective December 1, 2016, Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code is amended by revising the language relative to the Class "A/B-III" liquor license to read in its entirety as follows:

"Class "A/B-III" – 13"

This decrease in the number of Class "A/B-III" liquor licenses reflects the non-renewal of the Class "A/B-III" liquor licenses issued to SBBL, LLC d/b/a Brauerhouse, located at 1000 North Rohlwing Road, Units 11 and 12, Lombard, Illinois.

**SECTION 3:** That, effective December 1, 2016, Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code is amended by adding language relative to a new Class "XX" liquor license thereto, which shall read in its entirety as follows:

"Class "XX" – 1"

This increase in the number of Class "XX" liquor licenses reflects the issuance of a new Class "XX" liquor license to SBBL, LLC d/b/a Brauerhouse, located at 1000 North Rohlwing Road, Units 12 and 13, Lombard, Illinois.

**SECTION 4:** That, effective December 1, 2016, Title 11, Chapter 112, Section 112.14(A) of the Lombard Village Code is amended by adding language thereto, relative to a new Class "XX" liquor license category, to read in its entirety as follows:

"Class "XX" – \$4,000.00"

**SECTION 5:** That, effective December 1, 2016, Title 11, Chapter 112, Section 112.40(A) of the Lombard Village Code is amended by revising the reference therein to "all Class A/B-I, A/B-II, A/B-III, A/B-IV, C, D, E, I, K, L-I, L-II, M, O, R, S, T-I, T-II, T-III, U, V, VV, X and Z liquor license holders," to read, "all Class A/B-I, A/B-II, A/B-III, A/B-IV, C, D, E, I, K, L-I, L-II, M, O, R, S, T-I, T-II, T-III, U, V, VV, X, XX and Z liquor license holders."

**SECTION 6:** 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 \_\_\_\_\_, 2016.

First reading waived by action of the Board of Trustees this \_\_\_ day of \_\_\_\_\_, 2016.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2016,  
pursuant to a roll call vote as follows.

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

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

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

**APPROVED** by me this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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

**ATTEST:**

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

Published by me in pamphlet form this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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