

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 R. Niehaus, Village Manager

DATE: September 7, 2016 (B of T) Date: September 15, 2016

TITLE: Special Event Liquor Licenses for Punky's Pub, Shannon's Deli, and Babcock's Grove House for the 2016 Chicago Bears versus Green Bay Packers Game and one potential Chicago Cubs Playoff Game and one potential Chicago Cubs World Series Game

SUBMITTED BY: Department of Community Development *W*

BACKGROUND/POLICY IMPLICATIONS:

Attached for your consideration are two ordinances amending Title 11 relative to providing three (3) outdoor viewing events in 2016 at Punky's Pub, Shannon's Deli, and Babcock's Grove House.

The first ordinance provides for the sale and consumption of alcohol in connection with a temporary event at 11 and 16 S. Park Avenue and 101 West St. Charles Road on October 20, 2016, regarding a Chicago Bears versus Green Bay Packers game.

The second ordinance provides for the sale and consumption of alcohol in connection with a two tentative temporary events at 11 and 16 S. Park Avenue and 101 West St. Charles Road, between October 4, 2016 and November 3, 2016, regarding one potential Chicago Cubs playoff game and one potential Chicago Cubs World Series game.

Staff recommends waiver of first reading.

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 R. Niehaus, Village Manager

FROM: William J. Heniff, AICP, Community Development Director 

DATE: September 15, 2016

SUBJECT: **Special Event Liquor Licenses for Punky's Pub, Shannon's Deli, and Babcock's Grove House for the 2016 Chicago Bears versus Green Bay Packers Game and one potential Chicago Cubs Playoff Game and one potential Chicago Cubs World Series Game**

Lombard Town Centre (LTC) would like approval to host up to three (3) viewing events in 2016. The first event is a Bears versus Packers game on October 20, 2016 at 7:25 p.m. The next two events are tentative, assuming the Chicago Cubs advance into the playoffs and/or the World Series. Those dates and times are not set, however, seeing as there may not be a Village Board meeting before such event, LTC and staff is requesting approval of all three events at this time.

The ordinances would allow for the sale and consumption of alcoholic beverages with the viewing event. The events would be similar in design and operations as past viewing events.

Attached are two ordinances for the viewing events:

1. AN ORDINANCE AMENDING TITLE 11, CHAPTER 112, SECTION 112.18(B) OF THE LOMBARD VILLAGE CODE IN REGARD TO ALCOHOLIC BEVERAGES, PROVIDING FOR THE SALE AND CONSUMPTION OF ALCOHOL IN CONNECTION WITH A TEMPORARY EVENT AT 11 AND 16 SOUTH PARK AVENUE AND 101 WEST St. CHARLES ROAD, ON OCTOBER 20, 2016
2. AN ORDINANCE AMENDING TITLE 11, CHAPTER 112, SECTION 112.18(B) OF THE LOMBARD VILLAGE CODE IN REGARD TO ALCOHOLIC BEVERAGES, PROVIDING FOR THE SALE AND CONSUMPTION OF ALCOHOL IN CONNECTION WITH TEMPORARY EVENTS AT 11 AND 16 SOUTH PARK AVENUE AND 101 WEST St. CHARLES ROAD, BETWEEN OCTOBER 4, 2016 AND NOVEMBER 3, 2016

Should the aforementioned Ordinance be approved, staff will work with the relevant parties (i.e., Punky's Pub, Shannon's Deli, Babcock's Grove House, and Lombard Town Centre), to finalize the

plans for any such viewing events. Issues to be finalized include specific dates and times, event conflicts, Village staff labor/staffing, equipment availability, and outdoor space availability.

ACTION REQUESTED

This item is being placed on the September 15, 2016 Village Board of Trustees meeting for consideration and approval. Staff recommends waiver of first reading.

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ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE 11, CHAPTER 112, SECTION 112.18(B)
OF THE LOMBARD VILLAGE CODE IN REGARD TO ALCOHOLIC BEVERAGES,
PROVIDING FOR THE SALE AND CONSUMPTION OF ALCOHOL IN CONNECTION
WITH A TEMPORARY EVENT AT 11 AND 16 SOUTH PARK AVENUE AND 101
WEST ST. CHARLES ROAD,
ON OCTOBER 20, 2016**

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) of the Lombard Village Code is amended by adding a new subsection (7) thereto, effective upon the adoption of this Ordinance through 11:59 p.m. on Thursday, October 20, 2016, which shall read in its entirety as follows:

“(7) In light of the fact that Topaz RG, LLC d/b/a Babcock’s Grove House, located at 101 West St. Charles Road, Shannons on Park, Inc. d/b/a Shannon’s Deli, located at 11 South Park Avenue, and Bill and Punky’s Step Up Inn, Ltd. d/b/a Punky’s Pub, located at 16 South Park Avenue (hereinafter collectively the “Liquor Licensees”), will be holding one (1) temporary event for the viewing of one (1) Chicago Bears regular season game, on October 20, 2016, should the Chicago Bears play on said date, said Liquor Licensees shall each be eligible for a Class “J” liquor license, despite the fact that said Liquor Licensees are for-profit business entities, for the sole purpose of selling alcoholic beverages for consumption in a designated and secured area adjacent to each of said licensed premises, to be approved by the Village pursuant to the issuance of a temporary event permit under Chapter 110 of the Village Code, beginning two (2) hours prior to the start of one (1) Chicago Bears regular season game, on October 20, 2016, should the Chicago Bears play on the said date, and terminating thirty (30) minutes after the conclusion of said regular season game. The liquor licenses to be issued under this subsection (7) may be issued by the Local Liquor Commissioner upon proper application to the Village, and satisfaction of all applicable requirements and conditions by the Liquor Licensees. No liquor license shall be issued under this subsection (7) until such time as each of said Liquor Licensees obtains the necessary temporary event permit under Chapter 110 of the Village Code and complies with all requirements and conditions thereof, including,

without limitation, the insurance, bond and indemnification requirements of Chapter 110 of the Lombard Village Code in regard to temporary events.

In addition, if such Liquor Licensees are issued liquor licenses by the Local Liquor Commissioner under this subsection (7), said Liquor Licensees shall, notwithstanding any other provisions of this Chapter 112, be subject to the following additional requirements:

- (a) The sale of alcoholic beverages shall occur within the buildings on the premises for which the Liquor Licensees each have a valid non-Class "J" liquor license (the "Licensed Premises") or outdoors, but within ten (10) feet of the main entrance of the Licensed Premises;
- (b) The sales and dispensing of alcoholic beverages in pitchers is prohibited;
- (c) No more than two (2) alcoholic beverages may be purchased by any person at the same time;
- (d) All individuals purchasing or consuming alcoholic beverages shall be required to wear a wristband, to indicate that they are at least twenty-one (21) years of age, and the Liquor Licensees shall be responsible for the verification of age and distribution of said wristbands;
- (e) Alcoholic beverages, that are sold for consumption outside of the Licensed Premises, must be served in plastic cups with a capacity of no more than sixteen (16) ounces;
- (f) If the temporary event requires the use of the Village controlled public right-of-way and the temporary event necessitates the Village's providing of Police, Public Works and/or technical audio-visual services (the "Village Services"), the Liquor Licensees shall reimburse the Village for the costs incurred by the Village relative to said Village Services, within fifteen (15) days of the Village providing the Liquor Licenses with a bill for said Village Services. In the event said bill is not paid within said fifteen (15) day period, said bill shall accrue interest at the rate of two percent (2%) per month, with the minimum interest amount being for a one (1) month period."

SECTION 2: That, effective at 11:59 p.m. on Thursday, October 20, 2016, Title 11, Chapter 112, Section 112.18(B)(7) of the Lombard Village Code, as set forth in Section 1 above, is hereby repealed, without need for any further action by the President and Board of Trustees.

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 _____, 2016.

First reading waived by action of the Board of Trustees this 15th day of September, 2016.

Passed on second reading this 15th day of September, 2016 pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this 15th day of September, 2016.

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE 11, CHAPTER 112, SECTION 112.18(B)
OF THE LOMBARD VILLAGE CODE IN REGARD TO ALCOHOLIC BEVERAGES,
PROVIDING FOR THE SALE AND CONSUMPTION OF ALCOHOL IN CONNECTION
WITH TEMPORARY EVENTS AT 11 AND 16 SOUTH PARK AVENUE AND 101
WEST ST. CHARLES ROAD,
BETWEEN OCTOBER 4, 2016 AND NOVEMBER 3, 2016**

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) of the Lombard Village Code is amended by adding a new subsection (8) thereto, effective upon the adoption of this Ordinance through 11:59 p.m. on Thursday, November 3, 2016, which shall read in its entirety as follows:

“(8) In light of the fact that Topaz RG, LLC d/b/a Babcock’s Grove House, located at 101 West St. Charles Road, Shannons on Park, Inc. d/b/a Shannon’s Deli, located at 11 South Park Avenue, and Bill and Punky’s Step Up Inn, Ltd. d/b/a Punky’s Pub, located at 16 South Park Avenue (hereinafter collectively the “Liquor Licensees”), will be holding two (2) temporary events for the viewing of one (1) Chicago Cubs non-World Series playoff game and one (1) Chicago Cubs World Series game, between October 4, 2016 and November 3, 2106, should the Chicago Cubs make the playoffs and the World Series, said Liquor Licensees shall each be eligible for a Class “J” liquor license, despite the fact that said Liquor Licensees are for-profit business entities, for the sole purpose of selling alcoholic beverages for consumption in a designated and secured area adjacent to each of said licensed premises, to be approved by the Village pursuant to the issuance of a temporary event permit under Chapter 110 of the Village Code, beginning two (2) hours prior to the start of two (2) temporary events for the viewing of one (1) Chicago Cubs non-World Series playoff game and one (1) Chicago Cubs World Series game, between October 4, 2016 and November 3, 2106, should the Chicago Cubs make the playoffs and the World Series, and terminating thirty (30) minutes after the conclusion of each of said games. The liquor licenses to be issued under this subsection (8) may be issued by the Local Liquor Commissioner upon proper application to the Village, and satisfaction of all applicable requirements and conditions by the Liquor Licensees. No liquor license shall be issued under this subsection (8) until such time as

each of said Liquor Licensees obtains the necessary temporary event permit under Chapter 110 of the Lombard Village Code and complies with all requirements and conditions thereof, including, without limitation, the insurance, bond and indemnification requirements of Chapter 110 of the Lombard Village Code in regard to temporary events.

In addition, if such Liquor Licensees are issued liquor licenses by the Local Liquor Commissioner under this subsection (8), said Liquor Licensees shall, notwithstanding any other provisions of this Chapter 112, be subject to the following additional requirements:

- (a) The sale of alcoholic beverages shall occur within the buildings on the premises for which the Liquor Licensees each have a valid non-Class "J" liquor license (the "Licensed Premises") or outdoors, but within ten (10) feet of the main entrance of the Licensed Premises;
- (b) The sales and dispensing of alcoholic beverages in pitchers is prohibited;
- (c) No more than two (2) alcoholic beverages may be purchased by any person at the same time;
- (d) All individuals purchasing or consuming alcoholic beverages shall be required to wear a wristband, to indicate that they are at least twenty-one (21) years of age, and the Liquor Licensees shall be responsible for the verification of age and distribution of said wristbands;
- (e) Alcoholic beverages, that are sold for consumption outside of the Licensed Premises, must be served in plastic cups with a capacity of no more than sixteen (16) ounces;
- (f) If the temporary event requires the use of the Village controlled public right-of-way and the temporary event necessitates the Village's providing of Police, Public Works and/or technical audio-visual services (the "Village Services"), the Liquor Licensees shall reimburse the Village for the costs incurred by the Village relative to said Village Services, within fifteen (15) days of the Village providing the Liquor Licenses with a bill for said Village Services. In the event said bill is not paid within said fifteen (15) day period, said bill shall accrue interest at the rate of two percent (2%) per month, with the minimum interest amount being for a one (1) month period;
- (g) In light of the fact that the two (2) temporary event dates are unknown as of the date of the Ordinance approving this subsection (8), the Village reserves the right to approve the date of each temporary event, to change the date of each temporary event after the date(s) are determined, and to cancel each temporary event, in the Village' sole and absolute discretion."

SECTION 2: That, effective at 11:59 p.m. on Thursday, November 3, 2016, Title 11, Chapter 112, Section 112.18(B)(8) of the Lombard Village Code, as set forth in

Section 1 above, is hereby repealed, without need for any further action by the President and Board of Trustees.

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 _____, 2016.

First reading waived by action of the Board of Trustees this 15th day of September, 2016.

Passed on second reading this 15th day of September, 2016, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this 15th day of September, 2016.

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk