

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: March 8, 2022 (B of T) Date: March 17, 2022

TITLE: Title XI, Chapter 112, Sections 112.12(A) of the Lombard Village Code
Noon Whistle Brewing Company – 800 E. Roosevelt Road

SUBMITTED BY: Keith Giagnorio
Liquor Control Commissioner
Village President

BACKGROUND/POLICY IMPLICATIONS:

Attached for your consideration is an ordinance amending Title XI, Chapter 112, Section 112.12(A) of the Lombard Village Code in regard to use of a limited menu under the Class “S” Liquor License category relative to Noon Whistle Brewing Company located at 800 E. Roosevelt Road.

Staff is requesting a waiver of first reading.

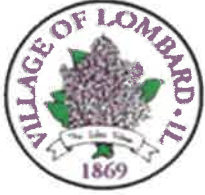
Please place this item on the March 17, 2022 Board of Trustees agenda for consideration.

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: March 8, 2022

SUBJECT: Title XI, Chapter 112, Section 112.12(A) of the Lombard Village Code in regard to Use of a Limited Menu under the Class “S” Liquor License Category

Noon Whistle currently holds a Class “S” liquor license. Village Code Title XI, Chapter 112, Section 112.12(A) defines the Class “S” liquor classification as follows:

“Class “S” – The manufacturing of beer products on the licensed premises, for consumption on the licensed premises, along with the sale of said beer products manufactured on the licensed premises, as well as beer products manufactured by the licensee off of the licensed premises, for consumption off of the licensed premises. In addition to beer products manufactured on the licensed premises, beer, cider, wine and spirits not manufactured on the licensed premises may be sold for consumption on the licensed premises; provided, however, spirits may only be sold for consumption on the licensed premises: (i) at special events, not open to the general public; or (ii) as a single “spirits drink of the day” to the general public, provided that, for the “spirits drink of the day,” no more than one drink type containing spirits (i.e., a Manhattan) shall be sold to the general public for consumption on the licensed premises on any day that the licensed premises are open to the public. Tasting of all alcoholic beverages sold on the licensed premises are allowed. A kitchen, offering food service to the public at all times while the licensed premises is open for business, except for the last hour during which the licensed premises is open to the public, and providing food service relative to special events not open to the public, is required. Catered food may be brought in relation to special events not open to the public.”

The proposed Ordinance, if adopted, will now remove the limits on spirits sold for consumption on the licensed premises and will no longer include a “spirits drink of the day” for consumption on the licensed premises at special events, not open to the general public; or (ii) as a single “spirits drink of the day”, no more than one drink type containing spirits (i.e. a Manhattan) shall be sold to the general public for consumption on the licensed premises on any day that the licensed premises are open to the public, as noted above, and to include an adequately staffed full-service commercial kitchen, offering food service to the public at all times from a reasonably full menu, while the licensed premises is open for business,

except for the last hour during which the licensed premises is open to the public. However, a limited menu of three (3) hot and freshly prepared items, which shall contain at least one entrée and one appetizer, may be offered to the public during business hours on Mondays, Tuesdays and Wednesdays, and until 4:00 p.m. on Thursdays. Cold sandwiches, prepackaged snacks and items heated in a microwave shall not qualify as one of the three (3) required items of a limited menu. Catered food may be brought in relation to special events not open to the public.

Staff is requesting a waiver of first reading.

If you have any questions, please feel free to contact me.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE XI, CHAPTER 112,
SECTION 112.12(A) OF THE LOMBARD VILLAGE CODE
IN REGARD TO USE OF A LIMITED MENU UNDER
THE CLASS "S" 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, relative to the description of the Class "S" liquor license category, to read in its entirety as follows:

"Class "S"—The manufacturing of beer products on the licensed premises, for consumption on the licensed premises, along with the sale of said beer products manufactured on the licensed premises, as well as beer products manufactured by the licensee off of the licensed premises, for consumption off of the licensed premises. In addition to beer products manufactured on the licensed premises, beer, cider, wine and spirits not manufactured on the licensed premises may be sold for consumption on the licensed premises. Tasting of all alcoholic beverages sold on the licensed premises is allowed. An adequately staffed full-service commercial kitchen, offering food service to the public at all times from a reasonably full menu, while the licensed premises is open for business, except for the last hour during which the licensed premises is open to the public, is required. However, a limited menu of three (3) hot and freshly prepared items, which shall contain at least one entrée and one appetizer, may be offered to the public during business hours on Mondays, Tuesdays and Wednesdays, and until 4:00 p.m. on Thursdays. Cold sandwiches, prepackaged snacks and items heated in a microwave shall not qualify as one of the three (3) required items of a limited menu. Catered food may be brought in relation to special events not open to the public. Video gaming, as provided for under the Illinois Video Gaming Act, shall not be allowed on the licensed premises."

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 _____, 2022.

First reading waived by action of the Board of Trustees this ____ day of _____, 2022.

Passed on second reading this _____ day of _____, 2022, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this ____ day of _____, 2022.

Keith Giagnorio, Village President

ATTEST:

Elizabeth Brezinski, Village Clerk

Published by me in pamphlet form this _____ day of _____, 2022.

Elizabeth Brezinski, Village Clerk