

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: July 17, 2018 (B of T) Date: July 19, 2018

TITLE: Ordinance Regarding Sale and Consumption of Alcoholic Beverages in the Public  
Right-of-Way in Connection with Cruise Nights & Summer Concerts Season Finale

BACKGROUND/POLICY IMPLICATIONS:

Attached please find information pertaining to approval of Class J liquor licenses for four downtown businesses in connection with the season finale of the Cruise Nights & Summer Concerts series. The event will take place on Saturday, August 25, 2018 and will feature a concert by American English in the right-of-way on St. Charles Road and South Park Avenue. The proposed liquor license would authorize issuance of a special event liquor license to existing liquor license holders immediately adjacent to the event space that would allow for outdoor consumption of alcohol in the proposed concert viewing area.

Review (as necessary):

Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_  
Finance Director X \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager X \_\_\_\_\_ Date \_\_\_\_\_



**MEMORANDUM**

**TO:** Scott Niehaus, Village Manager  
**FROM:** Nicole Aranas, Assistant Village Manager  
**DATE:** July 16, 2017  
**SUBJECT:** **ORDINANCE REGARDING SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN THE PUBLIC RIGHT-OF-WAY IN CONNECTION WITH CRUISE NIGHTS & SUMMER CONCERTS SEASON FINALE**

Attached please find information pertaining to for approval of Class J liquor licenses for four downtown businesses in connection with the Cruise Nights & Summer Concerts Season Finale to take place on Saturday, August 25, 2018. The private businesses that would be eligible to participate in the event are Babcock's Grove House, Marquette Kitchen & Tap, Punky's Irish Pub and Shannon's Butcher Shoppe and Deli.

The Village Cruise Nights & Summer Concerts series will end this season with a final concert for American English in the t

The private businesses referenced above would be authorized to serve alcohol for consumption beer and/or wine that may be consumed in a defined event area designated as St. Charles between Main Street to Lincoln and Park Avenue, from Michael McGuire to Orchard. LTC is seeking a Class J not-for-profit license to sell beer from a beer tent on Park Avenue. Existing liquor license holders are seeking a Class J license for sale within their establishment or within ten (10) feet of their main entrance for consumption throughout the event space.

Certain conditions have been placed upon the sale of alcohol under the proposed Class J liquor license. These restrictions include:

- Sales must be restricted to plastic cups with a 16 oz. maximum capacity;
- No more than 2 beverages may be purchased by any one person at the same time;
- Requirement of wristbands for individuals purchasing or consuming alcohol; and,
- Alcohol to be restricted to beer and wine only

A temporary special event permit application has been submitted by LTC and the participating private businesses and is pending review and approval by Village staff. A copy of the special event permit application is attached here for your review to provide background information regarding the event.

In the meantime, 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) OF THE LOMBARD VILLAGE CODE 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) of the Lombard Village Code is amended by adding new subsection (7) thereto, effective upon the adoption of this Ordinance through 11:59 p.m. on Saturday, August 25, 2018, which shall read in its entirety as follows:

“(7) In light of the fact that Shannon’s on Park, Inc. d/b/a & Deli located at 11-15 South Park Avenue, Bill and Punky’s Step Up Inn, Ltd. d/b/a Punky’s Pub, located at 16 South Park Avenue, Topaz RG, LLC d/b/a Babcock’s Grove House, located at 101 West St. Charles Road and Chicago Tavern Group, LLC-Lombard d/b/a Marquette Kitchen & Tap (hereinafter individually a “Liquor Licensee” and collectively the “Liquor Licensees”), will be co-sponsoring and participating in one (1) temporary event known as Cruise Nights and the Summer Concerts Season Finale on August 25, 2018, 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 within the St. Charles Road and Park Avenue right-of-ways to be approved by the Village pursuant to the issuance of a temporary event permit under Chapter 110 of the Village Code on August 25, 2018, from 6:00 p.m. to 10:30 p.m. 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 each of the Liquor Licensees. No liquor license shall be issued under this subsection (7), to a Liquor Licensee, until such time as said Liquor Licensee 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), each Liquor Licensee that is issued a liquor license 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 building on the premises for which the Liquor Licensee has 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 provide documentation showing that they are at least twenty-one (21) years of age and each Liquor Licensee shall be responsible for the verification of age for their patrons;
- (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;

**SECTION 2:** That, effective at 11:59 p.m. on Saturday, August 25, 2018, 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 19<sup>th</sup> day of July, 2018

First reading waived by action of the Board of Trustees this 19<sup>th</sup> day of July, 2018.

Passed on second reading this 19<sup>th</sup> day of July, 2018.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Abstain: \_\_\_\_\_

Approved this 19<sup>th</sup> day of July, 2018.

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Keith T. Giagnorio  
Village President

ATTEST:

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Sharon Kuderna  
Village Clerk

Published by me in pamphlet form on this 20<sup>th</sup> day of July, 2018.

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Sharon Kuderna  
Village Clerk