

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: April 10, 2024 (B of T) Date: April 18, 2024

TITLE: 801 E. Roosevelt Rd – Sebastian’s Ale & Whiskey House Special Event

SUBMITTED BY: Keith Giagnorio
Liquor Control Commissioner
Village President

BACKGROUND/POLICY IMPLICATIONS:

Attached for your consideration is 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 beer in connection with a temporary special event known as Veteran Suicide/PTSD Awareness Fundraiser on April 28, 2024.

Staff is requesting a waiver of first reading due to time constraints.

Please place this item on the April 18, 2024 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: April 10, 2024

SUBJECT: **Sebastian's Ale & Whiskey House Special Event
Veteran Suicide/PTSD Awareness Fundraiser
801 E. Roosevelt Road**

Sebastian's Ale and Whiskey House applied for a Special Event Permit for a one-day, temporary event called Veteran Suicide/PTSD Awareness Fundraiser from 11:00 a.m. to 9:00 p.m. on Sunday, April 28, 2024. As part of the event, Sebastian's Ale and Whiskey House Licensee is requesting permission to serve beer in a defined, roped-off area of the parking lot under a 20' x 30' tent in the parking lot adjacent to the establishment.

SNA Restaurant Group Inc., d/b/a Sebastian's Ale and Whiskey House, currently holds a Class "A/B-II-VG" liquor license. The licensee is allowed to serve alcoholic beverages as an adjunct to food and the operation of Video Gaming is allowed.

As Village Code does not consider the parking lot part of the licensed premises, Village Board approval is needed. This is the second fundraiser type of event for the licensee requesting a Class "J" liquor license. The first request was passed on Consent Agenda at the April 30, 2023, Board of Trustees meeting.

Attached is an ordinance amending Village Code Title 11, Chapter 112, Section 112.18(B) to allow the sale of beer within the specified area of the parking lot for this one-day, temporary, special event.

Staff is asking for a waiver of first reading in order to allow the licensee enough time to secure a State liquor license in time for the event.

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

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE XI, CHAPTER 112, SECTION 112.18(B)
OF THE LOMBARD VILLAGE CODE IN REGARD TO ALCOHOLIC BEVERAGES,
PROVIDING FOR THE SALE AND CONSUMPTION OF BEER
IN CONNECTION WITH A TEMPORARY EVENT
AT 801 EAST ROOSEVELT ROAD ON APRIL 28, 2024**

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 112.18(B) of the Lombard Village Code is amended by adding a new subsection (5) thereto, effective upon the adoption of this Ordinance through 9:00 p.m. on Sunday, April 28, 2024, which shall read in its entirety as follows:

“(5) In light of the fact that SNA Restaurant Group, Inc. d/b/a Sebastian’s Ale and Whiskey House, located at 801 East Roosevelt Road, (hereinafter the “Liquor Licensee”), will be holding a temporary Veteran Suicide/PTSD Awareness Fundraiser event on April 28, 2024, between the hours of 11:00 a.m. and 9:00 p.m., said Liquor Licensee shall be eligible for a Class “J” liquor license, in addition to the Village liquor license currently issued to the Liquor Licensee, despite the fact that said Liquor Licensee is a for-profit business entity, for the sole purpose of selling beer only for consumption in a designated and secured area of the parking lot adjacent to said Liquor Licensee’s currently licensed premises, to be approved by the Village pursuant to the issuance of a temporary event permit under Chapter 110 of the Village Code. The liquor license to be issued under this subsection (5) 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 Licensee. No liquor license shall be issued under this subsection (5) until such time as the 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 for temporary events. In addition, if such liquor license is issued by the Local Liquor Commissioner under this subsection (5), said Liquor Licensee shall, notwithstanding any other provisions of this Chapter 112, be subject to the following additional requirements:

- (a) The sale of beer only shall occur within a defined area, as set forth in the temporary event permit under Chapter 110 of the Village Code, adjacent to the building on the premises for which the Liquor Licensee has a valid non-Class “J” liquor license (the defined area subject to this Class “J” liquor license is referred to herein as the “Licensed Premises”), in which the temporary event is taking place;

- (b) The sales and dispensing of beer in pitchers is prohibited;
- (c) No more than two (2) cups of beer may be purchased by any person at the same time;
- (d) All individuals purchasing or consuming beer shall be required to wear a wristband, to indicate that they are at least twenty-one (21) years of age, and the Liquor Licensee shall be responsible for the verification of age and distribution of said wristbands; and
- (e) Beer sold under this Class "J" liquor license shall be consumed on the Licensed Premises only."

SECTION 2: That, effective at 9:00 p.m. on Sunday, April 28, 2024, Title XI, Chapter 112, Section 112.18(B)(5) 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 _____, 2024.

First reading waived by action of the Board of Trustees, this 18th day of April 2024.

Passed on second reading this 18th day of April 2024, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED by me this 18th day of April 2024.

Keith Giagnorio, Village President

ATTEST:

Elizabeth Brezinski, Village Clerk