

**VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION**

 X Resolution or Ordinance (Blue) Waiver of First requested X
 Recommendations of Boards, Commissions & Committees (Green)
 Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE: May 7, 2024 (B of T) Date: May 16, 2024

TITLE: 800 E. Roosevelt Road – Noon Whistle Brewing Company
Special Event – Summerfest 2024

SUBMITTED BY: Keith T. Giagnorio
Local Liquor Control Commissioner
Village President

BACKGROUND/POLICY IMPLICATIONS:

Attached for your consideration is 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 special event known as Summerfest on June 14 and June 15, 2024.

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

Please place this item on the May 16, 2024, Board of Trustees agenda for consideration.

FISCAL IMPACT/FUNDING SOURCE:

Review (as necessary):

Village Attorney _____ Date _____

Finance Director _____ Date _____

Village Manager _____ Date _____



MEMORANDUM

TO: Scott Niehaus, Village Manager

FROM: Keith T. Giagnorio
Local Liquor Control Commissioner
Village President

DATE: May 7, 2024

SUBJECT: **Noon Whistle Brewing Company Special Event
800 E. Roosevelt**

Noon Whistle Brewing Company applied for a Special Event Permit, May 6, 2024, for a two-day, temporary event called Summerfest for Friday, June 14, 2024, from 3:00 p.m. to 11:00 p.m. and Saturday, June 15, 2024, from 11:00 a.m. to 11:00 p.m. In conjunction with that event, Noon Whistle requested permission for a Class "J" liquor license, on May 7, 2024, in order to serve beer in a defined, fenced-in area of the parking lot adjacent to their premises. The area in which the special event will take place is an expansion of the approved footprint beyond what they currently have.

Troika Brewing Company LLC d/b/a Noon Whistle Brewing Company currently holds a Class "S" liquor license which allows them to manufacture and consume beer products on the licensed premises as well as serve beer, cider and wine, that are not manufactured on the licensed premises.

As the Village Code does not consider the parking lot part of the licensed premises, Village Board approval is needed. As you will recall, the Village Board previously approved other Class "J" liquor licenses to Troika Brewing Company LLC for their Summerfest and Oktoberfest events as well as for their anniversary party.

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

The petitioner and staff request a waiver of first reading due to time constraints.

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 800 EAST ROOSEVELT ROAD ON JUNE 14 AND JUNE 15, 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 11:00 p.m. on Saturday, June 15, 2024, which shall read in its entirety as follows:

“(5) In light of the fact that Troika Brewing Company, LLC d/b/a Noon Whistle Brewing Company, located at 800 East Roosevelt Road, Unit C, (hereinafter the “Liquor Licensee”), will be holding a temporary Summerfest event on Friday, June 14, 2024 between the hours of 3:00 p.m. and 11:00 p.m. and Saturday, June 15, 2024, between the hours of 11:00 a.m. and 11:00 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 manufactured on the licensed premises 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 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 a defined, fenced in area of the parking lot, adjacent to the Licensed Premises, in which the temporary event is taking place;

- (b) The sales and dispensing of beer in pitchers are 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, that is sold for consumption outside of the Licensed Premises, must be served in plastic cups with a capacity of no more than fourteen (14) ounces.”

SECTION 2: That, effective at 11:00 p.m. on Saturday, June 15, 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 16th day of May 2024.

Passed on second reading this 16th day of May 2024, pursuant to a roll call vote as follows:

AYES: Trustee Puccio, Honig, Militello, and Bachner

ABSTAIN: Trustee LaVaque

NAYS: None

ABSENT: Trustee Dudek

APPROVED by me this 16th day of May 2024.

Keith Giagnorio, Village President

ATTEST:

Elizabeth Brezinski, Village Clerk