

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 27, 2019 (B of T) Date: April 4, 2019

TITLE: Title XI, Chapter 112 , Sections 112.12(A) and 112.14(A) of the Lombard Village Code - Noon Whistle Brewing Company – 800 E. Roosevelt Rd.

SUBMITTED BY: Keith Giagnorio
Liquor Control Commissioner
Village President

BACKGROUND/POLICY IMPLICATIONS:

Attached for your consideration is an ordinance amending Title XI, Chapter 112, Sections 112.12(A) and 112.14(A) of the Lombard Village Code revising the Class “S” liquor license classification description and the liquor license fee relative to the Noon Whistle Brewing Company located at 800 E Roosevelt Road.

Staff is requesting a waiver of first reading.

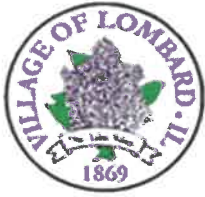
Please place this item on the April 4, 2019 Board of Trustees agenda for consideration.

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 27, 2019

SUBJECT: **Title XI, Chapter 112, Sections 112.12(A) and 112.14(A) of the Lombard Village Code - Noon Whistle Brewing Company – 800 E. Roosevelt Road**

Noon Whistle current 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 for consumption off the licensed premises. In addition to beer products manufactured on the licensed premises, beer, cider and wine, that are 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 are allowed”.

Noon Whistle is proposing to expand their business into the adjacent existing tenant space for the purposes of accommodating special events such as team outings, small weddings and business meetings. They will be adding a small kitchen, banquet space, private meeting room, expanded tasting area as well as outdoor seating.

Mike Condon, owner of Noon Whistle, has approached Village staff requesting a change to their current liquor license description. Staff has discussed their request and met with Village Counsel who prepared the attached ordinance.

The proposed ordinance, if adopted, will allow, in addition to the activities described in the Class “S” description noted above, the consumption and sale of beer manufactured by the licensee off of the licensed premises. Spirits may be also be sold on the licensed premises for consumption on the licensed premises at special events, not open to the general public, or as a single "spirits drink of the day" to the general public. Tasting of all alcoholic beverages sold on the licensed premises are allowed. A kitchen offering food service to the public must be open at all times while the licensed premises is open for business, except for the last hour, and catered food may brought in for special

events not open to the public. Lastly, the liquor license fee will be increased from \$750 to \$1,000 per licensing term.

Staff is requesting a waiver of first reading so that this item can be considered simultaneously with the Video Gaming Liquor License Ordinance which is on the agenda for second reading. The Video Gaming Liquor License Ordinance will also reflect the new liquor license description under the Class "S-VG" liquor license category and the fee will be increased accordingly.

Should you need additional information, 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 THE CLASS “S” LIQUOR LICENSE**

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 by revising the description of the Class “S” liquor license, as contained therein, 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; 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.”

SECTION 2: That Title XI, Chapter 112, Section 112.14(A) of the Lombard Village Code is amended by revising the reference therein to the Class “S” liquor license category to read in its entirety as follows:

“Class “S” - \$1,000.00”

SECTION 3: 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 _____, 2019.

First reading waived by action of the Board of Trustees this ____ day of _____, 2019.

Passed on second reading this ____ day of _____, 2019, pursuant to a roll call vote as follows.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this _____ day of _____, 2019.

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published by me in pamphlet form this _____ day of _____, 2019.

Sharon Kuderna, Village Clerk