

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 R. Niehaus, Village Manager
DATE: June 7, 2019 (B of T) Date: June 20, 2019
TITLE: Amending Village Code Title XI, Chapter 112, Section 112.24
Outdoor Seating Areas
SUBMITTED BY: Keith Giagnorio
Local Liquor Commissioner
Village President

BACKGROUND/POLICY IMPLICATIONS:

Please find attached an ordinance amending Title XI, Chapter 112, Section 112.24 of the Lombard Village Code prohibiting the use of glass bottles and glassware in an outdoor seating area that is located other than on the ground floor of a licensed premises.

Please place this item for consideration on the June 20, 2019 Board of Trustees agenda.

Staff is requesting a waiver of first reading.

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 Giagnorio, Local Liquor Commissioner

DATE: June 7, 2019

SUBJECT: **Text Amendment to Title XI, Chapter 112, Section 112.24
Alcoholic Beverages - Outdoor Seating Areas**

Staff has been receiving inquiries relative to businesses being allowed to serve and consume alcohol on upper and rooftop levels of business establishments. After discussions among Village staff, including the Police Department, it was recommended that in an effort to maintain the safety and welfare of the public, that the use of glass bottles or glassware should be prohibited if the outdoor seating area is other than on the ground floor of the licensed premises.

Village Counsel was asked to draft an ordinance which is attached for your consideration. A new subsection (E) has been added to Title XI, Chapter 112, Section 112.24 containing the proposed language.

Staff is requesting a waiver of first reading in order to effectuate this new Section of Village Code.

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

/jd

ORDINANCE NO. _____

**AN ORDINANCE AMENDING
TITLE XI, CHAPTER 112, SECTION 112.24
OF THE LOMBARD VILLAGE CODE
IN REGARD TO ALCOHOLIC BEVERAGES
AND OUTDOOR SEATING AREAS**

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 112.24 of the Lombard Village Code is amended by adding a new subsection (E) thereto, which shall read in its entirety as follows:

“(E) If the outdoor seating and service area on the licensed premises, as referenced in subsection (B) above, is other than on the ground floor of the licensed premises (i.e., on a rooftop or on an open air balcony or porch on a second or higher floor), it shall be unlawful to serve any beverages, including alcoholic beverages, in glass bottles or glassware, within the outdoor seating and service area.”

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 _____, 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