

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: November 8, 2017 (B of T) Date: November 16, 2017

TITLE: Amending the Alcoholic Liquor Code  
Johnson's Door County Fish & Shrimp – 908 E. Roosevelt Rd.

SUBMITTED BY: Keith T. Giagnorio  
Liquor Control Commissioner

BACKGROUND/POLICY IMPLICATIONS:

Effective December 1, 2017, amending Title 11, Chapter 112, Section 112.13(A) decreasing the number of entries in the Class "A/B-I" liquor license category by one to account for the voluntary, non-renewal of the liquor license issued to Johnson's Door County Fish & Shrimp Inc. d/b/a Johnson's Door County Fish & Shrimp and issuing a new Class "A/B-I" liquor license to LFJ, LLC d/b/a Johnson's Door County Fish & Shrimp to become effective no later than December 18, 2017.

Staff is requesting a waiver of first reading to reflect the correct number of liquor license entries in the Class "A/B-I" category concurrent with the December 1, 2017 liquor licensing term.

Please place this item on the November 16, 2017 Board of Trustees agenda under Items for Separate Action.

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:** November 8, 2017

**SUBJECT:** **Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code  
Johnson's Door County Fish & Shrimp – 908 E. Roosevelt Road**

Johnson's Door County Fish & Shrimp located at 908 E. Roosevelt Road currently holds a Class "A/B-I" liquor license which allows alcoholic beverages served as an adjunct to food service with no package sales allowed. Johnson's Door County Fish & Shrimp Inc. d/b/a Johnson's Door County Fish & Shrimp is being sold and the new the owner, LFJ, LLC d/b/a Johnson's Door County Fish & Shrimp is requesting the same classification of liquor license.

The sale of the business and new ownership is expected to take effect on December 11, 2017. As the current liquor licensing term ends November 30, 2017 and the new liquor licensing term begins December 1, 2017, the current owner, Johnson's Door County Fish & Shrimp Inc. d/b/a Johnson's Door County Fish & Shrimp, has voluntarily decided not to renew their liquor license for the December 1, 2017 licensing term and will cease selling alcohol as of December 1, 2017.

Attached is an ordinance decreasing and increasing the entry in the Class "A/B-I" liquor licenses by one to reflect the termination of the liquor license issued to Johnson's Door County Fish & Shrimp Inc. d/b/a Johnson's Door County Fish & Shrimp effective December 1, 2017 and issuance of a liquor license to LFJ, LLC d/b/a Johnson's Door County Fish & Shrimp upon notification of their closing but no later than December 18, 2017.

Staff is requesting a waiver of first reading to reflect the correct number of liquor license entries in the Class "A/B-I" category concurrent with the December 1, 2017 liquor licensing term.

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

/jd

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING TITLE 11, CHAPTER 112, SECTION 112.13(A) OF THE LOMBARD VILLAGE CODE IN REGARD TO ALCOHOLIC BEVERAGES BY TERMINATING A CLASS "A/B-I" LIQUOR LICENSE AND ISSUING A NEW CLASS "A/B-I" LIQUOR LICENSE, SUBJECT TO CERTAIN CONDITIONS

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

**SECTION 1:** That, effective December 1, 2017, Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code is amended by revising the entry relative to the Class "A/B-I" liquor license contained therein, to read as follows:

"Class 'A/B-I' – 6"

This decrease in the number of Class "A/B-I" liquor licenses reflects the voluntary non-renewal of the Class "A/B-I" liquor license issued to Johnson's Door County Fish & Shrimp Inc. d/b/a Johnson's Door County Fish & Shrimp located at 908 E. Roosevelt Road, Lombard, Illinois.

**SECTION 2:** That, subject to the Local Liquor Control Commissioner receiving written notice that LFJ, LLC has acquired Johnson's Door County Fish & Shrimp, located at 908 E. Roosevelt Road, Lombard Illinois, on or before December 18, 2017, (the "Notice"), effective with the date of said Notice, Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code is amended as follows:

A. The language therein, relative to the Class "A/B-I" liquor license category, is amended to read in its entirety as follows:

"Class 'A/B-I' – 7"

This increase in the number of Class "A/B-I" liquor licenses reflects the issuance of a new Class "A/B-I" liquor license to LFJ, LLC d/b/a Johnson's Door County Fish & Shrimp, located at 908 E. Roosevelt Road, Lombard, Illinois, provided the Village is in receipt of the Notice on or before December 18, 2017.

In the event that the aforementioned Notice is not received on or before December 18, 2017, the Lombard Village Board shall, at the December 21, 2017, Village Board meeting, pass an Ordinance specifically repealing this Section 2.

**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 \_\_\_\_\_, 2017.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2017.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2017, pursuant to a roll call vote as follows:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED** by me this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Keith Giagnorio, Village President

**ATTEST:**

\_\_\_\_\_  
Sharon Kuderna, Village Clerk

Published by me in pamphlet form this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Sharon Kuderna, Village Clerk