

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: February 10, 2023 (B of T) Date: February 16, 2023

TITLE: Amending Title XI, Chapter 112, Section 112.13(A) of the Lombard Village Code  
NVP1 Corp d/b/a Fas Market #8 Non-Renewal and Sale of Business

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

BACKGROUND/POLICY IMPLICATIONS:

Attached is an ordinance, amending Title XI, Chapter 112, Section 112.13(A) of the Village Code decreasing the number of entries in the Class "ZZ" liquor license classification as a result of NVP1 Corp d/b/a Fas Market #8, located at 909 E. Roosevelt Road voluntarily not renewing their liquor license and for sale of the business. NVP1 Corp d/b/a Fas Market #8, has not renewed their license since the end of the January 1 – June 30, 2022 term.

Staff is requesting a waiver of first reading in order to bring the number of licenses in this liquor license category current.

Please place this item for consideration on the February 16, 2023 Board of Trustees 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:** February 10, 2023

**SUBJECT:** **Title XI, Chapter 112, Section 112.13(A) of the Lombard Village Code**  
**Alcoholic Beverages**  
**Voluntary Non-Renewal of Liquor License – Sale of Business**

Attached is an ordinance decreasing the number of entries in the “ZZ” liquor license classification from one to zero. There are currently no “ZZ” liquor license holders. The last holder of “ZZ” liquor license was NVP1 Corp d/b/a Fas Market #8, which has not renewed their license since the end of the January 1 – June 30, 2022 licensing term and has subsequently been sold.

Village staff was notified of the sale of NVP1 Corp d/b/a Fas Market #8 909 E. Roosevelt Road, via verbal and email communication, by the original owners/licensees, on January 31, 2023.

Pursuant to Title XI, Chapter 112 Article II, Section 112.20(D):

*When the licensee is a partnership, limited liability company or a corporation whose stock is not publicly traded on a recognized stock exchange, the license shall terminate whenever 50 percent or more of the ownership interest therein changes from that shown on the original license application . . .*

The new owners of the NVP1 Corp d/b/a Fas Fuel, confirmed verbally in person, on January 31, 2023, and via email, Friday, February 10, 2023, that they are not interested in applying for a new liquor license.

Staff is requesting a waiver of first reading in order to bring the number of entries in the “ZZ” liquor classification current.

Please place this item on the February 16, 2022 Village Board of Trustees agenda for consideration.

**ORDINANCE**

**AN ORDINANCE AMENDING TITLE XI, CHAPTER 112,  
SECTION 112.13(A) OF THE LOMBARD VILLAGE CODE TO REDUCE THE  
NUMBER OF AVAILABLE LIQUOR LICENSES IN THE CLASS  
“ZZ” LIQUOR LICENSE CATEGORY**

**BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF  
THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS** as follows:

**SECTION 1:** That, Title XI, Chapter 112, Section 112.13(A) of the Lombard Village Code is amended by decreasing the entries relative to the Class “ZZ” liquor licenses, contained therein, to read as follows:

Class “ZZ” – 0

**SECTION 2:** That, the decrease in the number of Class “ZZ” liquor licenses set forth in Section 1 above is a result of NVP1 Corp d/b/a Fas Market #8, 909 E. Roosevelt Rd., not renewing their liquor license for the January 1, through June 30, 2023 liquor licensing term.

**SECTION 3:** This Ordinance shall be in full force and effect from and after its passage and approval as required by law.

Passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

First reading waived by action of the Board of Trustees this 16<sup>th</sup> day of February, 2023.

Passed on second reading this 16<sup>th</sup> day of September, 2023, pursuant to a roll call vote as follows:

Ayes: Trustee LaVaque, Puccio, Dudek, Honig, Militello and Bachner

Nays: None

Absent: None

Approved by me this 16<sup>th</sup> day of February, 2023

\_\_\_\_\_  
Keith T. Giagnorio  
Village President

ATTEST:

\_\_\_\_\_  
Elizabeth Brezinski  
Village Clerk