

**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: June 12, 2024 (B of T) Date: June 20, 2024

TITLE: Amending the Alcohol Liquor Code
Yorkville Tap, LLC d/b/a Tapville – Drink While You Shop

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, creating a new Class “VVV” liquor classification as well as amending other sections of Code within Chapter 112 which will be affected by the creation of the Class “VVV” liquor classification. The attached ordinance would also issue a class “VVV” liquor license to Yorkville Tap, LLC d/b/a Tapville – Drink While You Shop, 203 Yorktown, C1.

Staff is requesting a waiver of first reading.

Please place this item on the June 20, 2024, Board of Trustees agenda.

FISCAL IMPACT/FUNDING SOURCE:

Review (as necessary):

Village Attorney _____ Date _____

Finance Director _____ Date _____

Village Manager _____ Date _____



MEMORANDUM

TO: Board of Trustees
Village Clerk

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

DATE: June 12, 2024

**SUBJECT: Request for a Class “VVV” Liquor License
Yorkville Tap, LLC d/b/a Tapville – Drink While You Shop**

The franchised owners of Yorkville Tap, LLC d/b/a Tapville – Drink While You Shop is requesting a liquor license to reflect the sale of Beer and Wine only, served from a permanently constructed Kiosk within the public interior space of the Yorktown Shopping Mall.

The Village Code does not have a liquor license classification currently to fit the concept of Tapville – Drink While You Shop’s request for a liquor license. Staff requested Village Counsel to prepare an ordinance creating a new Class “VVV” and amend other sections of Code within Chapter 112 that will be affected by creating Class “VVV” liquor classification.

Attached is an ordinance amending Code to reflect the language added creating the new Class “VVV” and increasing the number of Class “VVV” liquor licenses by one as a result of issuing the new Class “VVV” to Yorkville Tap, LLC d/b/a Tapville – Drink While You Shop, located at 203 Yorktown Mall Dr.,C1.

Staff is requesting a waiver of first reading.

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

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE XI, CHAPTER 112 OF THE
LOMBARD VILLAGE CODE IN REGARD TO ALCOHOLIC BEVERAGES
AND A NEW CLASS “VVV” LIQUOR LICENSE CATEGORY**

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 adding language thereto, relative to a new Class “VVV” liquor license category, to read in its entirety as follows:

“Class “VVV” – Beer and wine only, served from a kiosk within the indoor common area of a regional shopping mall, for consumption only within the public interior space of the regional shopping mall, and package sales of beer and wine only, subject to the following conditions:

1. The hours of operation of the kiosk shall be the same as the hours of operation of the regional shopping mall. Notwithstanding the foregoing, no alcoholic liquor shall be served from the kiosk at a time during which the sale of alcoholic liquor is prohibited pursuant to the provisions of Section 112.36 of this Code, regardless of the hours of operation of the regional shopping mall on any given day.
2. The kiosk shall be manned, at all times during the hours of operation for the kiosk, by a BASSET certified individual (the “Liquor Licensee Representative”), who shall ensure that each individual receiving beer or wine (the “Patron”) is of sufficient legal age to consume alcoholic beverages.
3. After the Liquor Licensee Representative confirms that the Patron is legally able to consume alcoholic beverages, the Liquor Licensee Representative shall issue the Patron:
 - (a) a card, which will allow for the self-pouring of no more than thirty-two (32) ounces of beer and/or wine from the kiosk (the “Pour Pass”);
 - (b) a single container to be used for the consumption of beer or wine from the kiosk, with an emblem identifying the liquor licensee thereon (the “Container”); and

- (c) a wrist band or bracelet, which must be worn at all times by the Patron while consuming beer or wine from the kiosk within the public interior space of the regional shopping mall.
- 4. The Container shall hold no more than sixteen (16) ounces if issued for the consumption of beer, and no more than nine (9) ounces if issued for the consumption of wine.
- 5. The Container shall readily be identified as being used for the consumption of beer or wine from the kiosk, and shall be dissimilar to any other drinking containers being used within the public interior space of the regional shopping mall.
- 6. Other than authorized package sales, all beer and wine having to be consumed, or otherwise disposed of, by the Patron, prior to exiting the public interior space of the regional shopping mall.
- 7. Consumption of the beer and wine shall be limited to the interior common areas of the regional shopping mall, which are open to the general public, as well as within the stores located within said regional shopping mall, unless a store opts to prohibit the consumption of beer and wine, or beverages generally, within the store.
- 8. The liquor licensee shall be responsible for ensuring that no Patron exits the public interior space of the regional shopping mall with beer or wine provided to the Patron by the liquor licensee.
- 9. Once a Pour Pass has been issued to a Patron, an additional Pour Pass shall not be issued to said Patron until the Liquor Licensee Representative verifies that the Patron is not intoxicated, and can be issued another Pour Pass, or have his/her Pour Pass renewed.
- 10. The area of the kiosk dedicated to the display of beer and wine for package sales shall not constitute more than five percent (5%) of the kiosk, and total package sales shall not exceed ten percent (10%) of the gross sales of the kiosk. Package sales of beer and wine shall be for off-premises consumption only and may not be consumed anywhere within or on the property of the regional shopping mall.

Video gaming, as provided for under the Illinois Video Gaming Act, shall not be allowed in conjunction with this liquor license.”

SECTION 2: That Title XI, Chapter 112, Section 112.13(A) of the Lombard Village Code is amended by adding language relative to a new Class “VVV” liquor license thereto, which shall read in its entirety as follows:

“Class “VVV” – 1”

This increase in the number of Class “VVV” liquor licenses reflects the issuance of a new Class “VVV” liquor license to Yorkville Tap, LLC d/b/a Tapville Drink While You Shop – Yorktown Center, located within the Yorktown Shopping Mall, 203 Yorktown Center, Suite C1, Lombard, Illinois.

SECTION 3: That Title XI, Chapter 112, Section 112.14(A) of the Lombard Village Code is amended by adding language thereto, relative to a new Class “VVV” liquor license category, to read in its entirety as follows:

“Class “VVV” – \$1,250.00”

SECTION 4: That Title XI, Chapter 112, Section 112.40(A) of the Lombard Village Code is amended by inserting reference to the Class “VVV” license, in the appropriate alphabetical location, into the list of liquor license classifications subject to said Section.

SECTION 5: 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 _____, 2024.

First reading waived by action of the Board of Trustees this 20th day of June 2024.

Passed on second reading this 20th day of June 2024, 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 20th day of June 2024.

Keith Giagnorio, Village President

ATTEST:

Elizabeth Brezinski, Village Clerk

Published by me in pamphlet form this 21st day of June 2024.

Elizabeth Brezinski, Village Clerk