

EXECUTIVE ORDER NO. 2020-11

**EXECUTIVE ORDER REGARDING PACKAGE GOODS SALES OF LIQUOR
AND COCKTAILS TO GO SALES UNDER A DECLARATION OF A STATE OF
EMERGENCY IN THE VILLAGE OF LOMBARD, DUPAGE COUNTY, ILLINOIS**

(COVID-19 – June 26, 2020)

WHEREAS, the Village of Lombard (the “Village”) is a non-home rule unit of local government, as provided by Article VII, Section 7 of the Illinois Constitution of 1970; and

WHEREAS, COVID-19 is a dangerous disease which has spread around the world, including in the United States, the State of Illinois and DuPage County; and

WHEREAS, COVID-19 is a direct and serious threat to the public’s health, safety and welfare; and

WHEREAS, on March 20, 2020, the Village President declared a state of emergency in the Village in Declaration 2020-1, entitled “Declaration of a State of Emergency in the Village of Lombard, DuPage County, Illinois (COVID-19 – March 20, 2020)” (the “Declaration”); and

WHEREAS, the Declaration was made pursuant to authority granted to the Village President in Section 31.18 of the Lombard Village Code, entitled “Village President’s Authority to Declare a State of Emergency,” and pursuant to Section 11-1-6 of the Illinois Municipal Code (65 ILCS 5/11-1-6); and

WHEREAS, the Village President has determined that it is necessary to make this Executive Order to best protect the public’s health, safety and welfare regarding COVID-19;

NOW, THEREFORE, BE IT ORDERED, by the Village President of the Village of Lombard, DuPage County, Illinois, as follows:

SECTION 1: Incorporation. That the recitals above shall be and are incorporated in this Section 1 as if restated herein.

SECTION 2: Executive Order. That it is ordered as follows:

1. Local liquor license holders, that are prevented from providing full occupancy indoor on-premises consumption of food or alcoholic beverages, as a result of Executive Orders issued by the Governor of the State of Illinois, in furtherance of the Governor’s issuance of a Disaster Proclamation relative to the COVID-19 pandemic (the “Governor’s Executive Orders”), may temporarily conduct packaged goods sales of alcoholic beverages “in-person,” on a “to-go” basis, and by delivery, for off-premises

consumption, for so long as the full occupancy indoor on-premises consumption of food or alcoholic beverages is prevented by the Governor's Executive Orders. The alcoholic beverages which may be sold for off-premises consumption under this Executive Order shall be limited to only those types of alcoholic beverages which are authorized by the current local liquor license class of the liquor licensee for on-premise consumption. All alcoholic beverages sold pursuant to this Executive Order shall be packaged goods corked, capped, sealed and labeled by the manufacturer of alcoholic liquor, sold in said corked, capped, sealed and labeled condition, for consumption at a location other than the premises where sold, consistent with the definition of packaged goods as set forth in Section 112.02 of the Lombard Village Code. Notwithstanding the foregoing sentence, pursuant to 235 ILCS 5/6-28.8, relative to the sale of cocktails and mixed drinks for off-premises consumption, local liquor license holders, that are prevented from providing full occupancy indoor on-premises consumption of food or alcoholic beverages, as a result of the Governor's Executive Orders, may temporarily conduct the sale of cocktails and mixed drinks "in-person," on a "to go" basis, and by delivery, for off-premises consumption, in full compliance with the provisions of 235 ILCS 5/6-28.8, for so long as the full occupancy indoor on-premises consumption of food or alcoholic beverages is prevented by the Governor's Executive Orders. The authority granted by this Executive Order shall immediately cease upon termination of this Executive Order or the resumption of the ability of the local liquor licensee to sell food and alcoholic beverages for consumption indoors on the licensed premises, based on the full occupancy of the licensed premises, whichever occurs first.

SECTION 3: Duration. That this Executive Order shall expire upon the earlier of: (a) the Declaration ending; or (b) withdrawal of this Executive Order by the Village President.

SECTION 4: That Executive Order No. 2020-10, dated May 28, 2020, is hereby withdrawn, and of no further force or effect.



Keith Giagnorio, Village President

Date: June 26, 2020