

ORDINANCE 2010- 07

ORDINANCE PROHIBITING THE POSSESSION AND/OR CONSUMPTION OF ALCOHOL WITHIN BUSINESSES OPERATING AS A PUBLIC ACCOMMODATION

WHEREAS, the Village of Ina, situated in Spring Garden Township, Jefferson County, Illinois is a Village where the sale of retail of alcoholic liquor is prohibited by law as each of the Village of Ina and Spring Garden Township are "dry" as that term is used and understood under Illinois Statutes; and

WHEREAS, the Board of Trustees of the Village of Ina believes that the prohibition on the retail sale and public consumption of alcoholic liquor within the Corporate Limits of the Village of Ina is in the public interest to maintain social order, health, welfare, and safety of citizens; and

WHEREAS, the Board of Trustees desires to prohibit the possession of open alcohol in public places and to prohibit the consumption of alcoholic liquor in public places; and

WHEREAS, the Board of Trustees desires to preserve the "dry" status of the Village of Ina to the fullest extent permitted by law.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Village of Ina, Illinois as follows:

No individual, partnership, corporation or other person operating as a public accommodation shall permit the possession or consumption of alcoholic liquor (as defined within 235 ILCS 5/1-3.05) on its premises. No person shall possess or consume alcoholic liquor at a public accommodation. For purpose of this subsection "Public Accommodation" means a refreshment, entertainment or recreation facility of any kind whose goods, services facilities, privileges or advantages are extended, offered, sold or otherwise made available to the public. This Ordinance specifically, but without limitation, prohibits all establishments generically known or referred to as "BYOB" (bring your own booze/bottle/beer) or

"Brown Bag" establishments or bottle clubs or set up establishments. Each person who possesses or consumes the alcoholic liquor and the person in control of the public accommodation who knowingly permits the consumption or possession of alcoholic liquor in a public accommodation shall be in violation of this Ordinance.

Any person who violates or refuses to comply with the provisions of this Ordinance shall upon conviction thereof be fined not less than \$100.00 nor more than \$750.00 for each violation. Each instance of possession or of possession and consumption shall be a separate punishable offense. In addition to any fine or other penalty authorized by law, any person who violates or refuses to comply with this Ordinance shall be subject to an action for an injunction to eliminate or prevent violation of this Ordinance.

This Ordinance shall be in full force and effect from and after passage, approval and publication as required by law.

PASSED By the Board of Trustees of the Village of Ina this 6th day of December, 2010.

APPROVED by the Mayor of the Village of Ina this 6th day of December, 2010

APPROVED:

Andy Hutches

Mayor

ATTEST:

Mary Beth Bowers

Village Clerk