

**Disclaimer:**

This is provided for informational purposes only. The formatting of this ordinance may vary from the official hard copy. In the case of any discrepancy between this ordinance and the official hard copy, the official hard copy will prevail.

***ORDINANCE NO. 2010-O-60***

***An Ordinance Amending Chapter 5.16, Liquor Licenses,  
of the Beach Park Code to Add Social Hosting Regulations***

BE IT ORDAINED by the President and Board of Trustees of the Village of Beach Park, Lake County, Illinois, as follows:

SECTION 1: Section 5.16.020, Definition of Terms, of the Beach Park Code shall be amended to add the following definitions:

**ALCOHOL:** Ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, whiskey, rum, brandy, gin, or any other distilled spirits including dilutions and mixtures thereof from whatever source or by whatever process produced.

**ALCOHOLIC BEVERAGE:** Alcohol, spirits, liquor, wine, beer, and every liquid or solid containing alcohol, spirits, wine, beer, and which contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances.

**CONVEYANCE:** Any vehicle, trailer, watercraft or container operated for the transportation of persons or property.

**EVENT OR GATHERING:** Any group of three or more persons who have assembled or gathered together for a social occasion or other activity.

**HOST:** To aid, conduct, allow, entertain, organize, supervise, control, or permit an event or gathering.

**ILLICIT DRUGS:** Any drug, substance, or compound prohibited by law, including drugs prescribed by a physician that are in the possession of or used by someone other than the person to whom the drug was prescribed.

**PARENT:** Any person having legal custody of a juvenile:

1. As a natural, adoptive parent, or step parent;
2. As a legal guardian; or
3. As a person to whom legal custody has been given by order of the court.

**PERSON:** Any individual, firm, association, partnership, corporation, trust, or any other legal entity.

**PUBLIC PLACE:** Any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, parks, businesses, or parking lots.

**REASONABLE STEPS:** Controlling access to alcoholic beverages at the event or gathering; controlling the quantity of alcoholic beverages present at the event or

gathering; verifying the age of persons attending the event or gathering by inspecting drivers' licenses or other government issued identification cards to ensure that minors do not consume alcoholic beverages while at the event or gathering; and supervising the activities of minors at the event or gathering, calling for police assistance in the event people under 21 are in possession of alcohol at the event or gathering or advising law enforcement in advance of departing one's residence that the owner will be away and no underage person is authorized to be present and consume alcohol at the owner's residence.

**RELIGIOUS CEREMONY:** The possession, consumption, and dispensation of alcohol or an alcoholic beverage for the purpose of conducting any bona fide rite or religious ceremony.

**RESIDENCE OR PREMISES:** Any home, yard, farm, field, land, apartment, condominium, hotel or motel room, or other dwelling unit, or a hall or meeting room, park, or any other place of assembly, public or private, whether occupied on a temporary or permanent basis, whether occupied as a dwelling or specifically for a party or other social function, and whether owned, leased, rented, or used with or without permission or compensation.

**UNDERAGE PERSON:** Any individual less than 21 years of age.

SECTION 2: Sections 5.16.210-D and 5.16.210-G of the Beach Park Code are hereby repealed and paragraphs E, F and H shall be re-lettered as D, E and F, respectively.

SECTION 3: Section 5.16.210 of the Beach Park Code shall be amended to add paragraphs G-J, which shall read as follows:

G. Certain Events and Gatherings Prohibited:

1. It is unlawful for any person to host, permit, allow, or fail to take reasonable steps to prevent an event or gathering at any residence or premises, or on any other property whether

private or public, or in any conveyance, over which that person has control or a reasonable opportunity for control where illicit drugs or alcoholic beverages are present when that person knows or reasonably should know that an underage person will or does consume or possess any illicit drugs or alcoholic beverage.

2. It also is unlawful for any person to fail to take reasonable steps to prevent possession or consumption of illicit drugs or alcoholic beverages by an underage person at any such event or gathering. A person who hosts an event or gathering does not have to be present at the event or gathering to be in violation of this Section.

#### H. Other Responsible Persons:

1. A person is responsible for violating Section 5.12.210-G if that person intentionally aids, advises, hires, counsels, conspires with, or solicits another person to commit a violation of Section 5.16.210-G.

2. A person is responsible for violating Section 5.16.210-G if that person knows or should have known about the committing of a prohibited act and failed to take reasonable steps to prevent the prohibited act.

#### I. Exceptions:

1. A person who hosts an event or gathering shall not be in violation of this Section if he or she undertakes one of the following steps before any other person makes a complaint about the event or gathering:

a. Seeks assistance from the Lake County Sheriff's Department or other law enforcement agency to remove any person who refuses to abide by the host's performance of the duties imposed by this chapter, or

b. Terminates the event or gathering because the host has been unable to prevent underage persons from consuming illicit drugs or alcoholic beverages despite having taken all reasonable steps to do so.

2. This Section does not apply to conduct involving the use of alcoholic beverages that occurs at a religious ceremony or that is exclusively between an underage person and his or her parent, as permitted by Illinois state law.

J. Fines; Penalties: Any person who violates or assists in the violations of any provision of this Section shall be deemed to have committed a petty offense and shall be fined not more than \$750.00 for each such violation. Each day on which, or during which, a violation occurs shall constitute a separate offense.

1. The first violation of this Section shall be punishable by a fine of no less than \$250.00 or more than \$750.00.

2. A second violation of this Section by the same person within a 12-month period shall be punishable by a fine of no less than \$500.00 or more than \$750.00.

3. A third or subsequent violation of this Section by the same person within a 12-month period shall be punishable by a fine of no less than \$750.00.

SECTION 4: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Voting Aye: Tr. Gust, Hucker, Miller, Ottersen, Sittig & Wells

Voting Nay: -0-

Absent: -0-

Abstain: -0-

APPROVED:

\_\_\_\_\_

Temporary Chairman, John Hucker

(SEAL)

ATTEST: \_\_\_\_\_

Village Clerk Laurella Cvengros

Passed: October 12, 2010

Approved: October 12, 2010

Published: October 13, 2010

Z:\B\BeachParkVillageof\Ordinances\Social Hosting.ord.doc

### **CERTIFICATION**

I, LAURELLA CVENGROS, do hereby certify that I am the duly appointed, acting and qualified Clerk of the Village of Beach Park, Lake County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village of Beach Park

I do further certify that at a regular meeting of the President and Board of Trustees of the Village of Beach Park, held on the 12<sup>th</sup> day of October, 2010, the foregoing Ordinance entitled *An Ordinance Amending Chapter 5.16, Liquor Licenses, of the Beach Park Code to Add Social Hosting Regulations*, was duly passed by the President and Board of Trustees of the Village of Beach Park.

The pamphlet form of Ordinance No. 2010-O-60 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was available in the Village Hall, commencing on the 12<sup>th</sup> day of October 2010, and will continue for at least 10 days thereafter. Copies of such Ordinance are also available for public inspection upon request in the office of the Village Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said Village for safekeeping, and that I am the lawful custodian and keeper of the same.

Given under my hand and corporate seal of the Village of Beach Park this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

---

Laurella Cvengros, Village Clerk

Village of Beach Park,

Lake County, Illinois

(SEAL)

**VILLAGE OF BEACH PARK**

---

**2010-O-60**

*An Ordinance Amending Chapter 5.16, Liquor Licenses,  
of the Beach Park Code to Add Social Hosting Regulations*

-

---

**ADOPTED BY THE VILLAGE BOARD**

**OF THE**

**VILLAGE OF BEACH PARK, ILLINOIS**

**ON**

**OCTOBER 12, 2010**

---

**Published in pamphlet form by authority of the Village Board  
of the Village of Beach Park, Lake County, Illinois  
this 13<sup>TH</sup> day of October, 2010**

---

**MILTON C. JENSEN, President**

**RICHARD GUST, Trustee**

**JOHN HUCKER, Trustee**

**REGINA MILLER, Trustee**

**MARK OTTERSEN, Trustee**

**LINDA SITTIG, Trustee**

**LARRY WELLS, Trustee**

**LAURELLA CVENGROS, Clerk**

**ZUKOWSKI, ROGERS, FLOOD & McARDLE, Attorneys**

