

CITY OF LE ROY
COUNTY OF McLEAN, STATE OF ILLINOIS

ORDINANCE NO. 13-03-01-10

Amended 15-03-01-50

AN ORDINANCE AMENDING TITLE III (BUSINESS AND LICENSE REGULATIONS) CHAPTER 3 (LIQUOR CONTROL) SECTION 3-3-21 (UNDERAGE PERSONS)

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS
4th Day of March, 2013

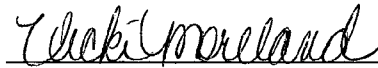
PRESENTED: **March 4, 2013**
PASSED: **March 4, 2013**
APPROVED: **March 4, 2013**
RECORDED: **March 4, 2013**
PUBLISHED: **March 4, 2013**

In Pamphlet Form

Voting "Aye" 8
Voting "Nay" 0

The undersigned being the duly qualified and Acting City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned **ordinance** and that such **ordinance** was presented, passed, approved, recorded and published as above stated.

(SEAL)



Vicki Moreland
Deputy City Clerk of the City of
Le Roy, McLean County, Illinois

Dated: March 4, 2013

ORDINANCE NO. 13-03-01-10

AN ORDINANCE AMENDING TITLE III (BUSINESS AND LICENSE REGULATIONS) CHAPTER 3 (LIQUOR CONTROL) SECTION 3-3-21 (UNDERAGE PERSONS)

WHEREAS, the City of LeRoy, Illinois has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and to protect the public health, safety, and welfare of its citizens; and

WHEREAS, the City also has the authority to regulate the manner of sale of alcoholic beverages within its corporate limits; and

WHEREAS, Title III, Chapter 3 of the City Code of Ordinances sets forth the City's Liquor Control regulations; and

WHEREAS, the City finds that—provided all employees receive appropriate training—it is in the public's interest to permit persons 18 years and older to serve as waiters or waitresses in those establishments having a proper Class D license (i.e., restaurants) so that such persons may take orders for, and deliver, alcoholic beverages in conjunction with the service of food; and

WHEREAS, the City therefore finds that it is in the best interest of the City and the public to amend the City Code of Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LEROY, ILLINOIS, AS FOLLOWS:

SECTION ONE: The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

SECTION TWO: The City Code of Ordinances, Title III, Chapter 3, Section 3-3-21 is hereby amended as follows:

3-3-21: UNDERAGE PERSONS:

A. Employment Prohibitions:

1. It shall be illegal for any liquor licensee or for any officer, associate, member, representative, agent or employee of such licensee to employ upon any premises used for sale of alcoholic beverages any person under twenty one (21) years of age for the purpose of drawing, pouring or mixing alcoholic beverages for the consumption of such beverages upon said premises, or tending bar or selling or consummating the sale of such beverages to be consumed on the licensed premises or sold or transferred in any form other than the original package.
2. It shall be illegal for any liquor licensee or for any officer, associate, member, representative, agent or employee of such licensee to employ upon any premises used for the sale of alcoholic beverages in the original package for consumption off the premises any person under twenty one (21) years of age for the purposes of selling or consummating the sale of any such beverages such as, but not limited to, sales at a package liquor store, grocery store, or convenience store. It shall be illegal for any liquor licensee or for any officer, associate, member, representative, agent or employee of such licensee to employ upon any premises used for the sale of alcoholic beverages in the original package for consumption off the premises any person under eighteen (18) years of age for the purpose of stocking shelves or displays.
3. It shall be illegal for any liquor licensee or for any officer, associate, member, representative, agent or employee of such licensee to employ upon any premises used for the sale of alcoholic beverages in the original package for consumption off the premises any person under eighteen (18) years of age or older for the purpose of stocking shelves or displays unless such activity (stocking shelves) is recorded on a surveillance type camera surveying the area where the stocking, or handling may take place, the tape from such camera to be kept a minimum of forty five (45) days after the completion of the stocking, handling, or sale; such tapes to be available for review at any time upon the request of any member of the LeRoy police department or on request by or direction by the local liquor control commissioner of the city of LeRoy.
4. Any person eighteen (18) years of age or older may be employed to handle alcoholic liquors in the original package for purposes of moving the same upon the business premises, so long as the seal on the original package has not been broken, and so long as such movement or handling is solely for the purpose of stocking shelves, transporting alcoholic liquors in their original packages with seals unbroken from a stock room to another location on the premises, and the like.
5. Any person eighteen (18) years of age or older may be employed by a Class D License Holder (authorizing the retail sale of alcoholic liquor for consumption on the specified premises only) as a waiter or waitress provided that all employees of the Class D License Holder have passed an alcohol training program approved either by the state (e.g., BASSETT) or by the Local Liquor Commissioner. For purposes of this paragraph, a "waiter" or "waitress" is a person whose exclusive duty with respect to alcoholic liquors is to take orders and physically deliver same to patrons in conjunction with the service of food.

SECTION THREE: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION FOUR: All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION FIVE: 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 by the City Council of the City of Le Roy, Illinois, upon the motion made by Dawn Hanafin, and seconded by James Bratcher by roll call vote on the 4th day of March, 2013 as follows

Aldermen elected 8

Aldermen Present 8

Voting Aye:

Dawn Hanafin, T.A. Whitsitt, Rae Ann Ahlers, Mike Bailey, Monti Albert, Anne Anderson, Matt Shivers, James Bratcher

Voting Nay:

None

Absent:

Abstain:

None

Other:

None

And deposited and filed in the office of the City Clerk in said municipality on the 4th day of March, 2013.



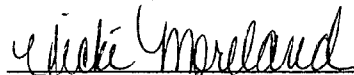
Vicki Moreland, Deputy City Clerk
of the City of Le Roy, McLean County, Illinois

APPROVED BY the Mayor of the City of Le Roy, Illinois, this 4th day of March, 2013



Steve Dean Mayor of the City of Le Roy,
Mc Lean County, Illinois

ATTEST: (SEAL)



Vicki Moreland, Deputy City Clerk of the City of Le Roy
Mc Lean County, Illinois

CERTIFICATE

I, Vicki Moreland, certify that I am the duly appointed and acting Deputy Municipal Clerk of the City of Le Roy, McLean County, Illinois.

I further certify that on **March 4, 2013** the Corporate Authorities of such municipality passed and approved **Ordinance No. 13-03-01-10** entitled:


AN ORDINANCE AMENDING TITLE III (BUSINESS AND LICENSE REGULATIONS) CHAPTER 3 (LIQUOR CONTROL) SECTION 3-3-21 (UNDERAGE PERSONS)

Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. **13-03-01-10**, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on **March 4, 2013** and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at Le Roy, Illinois this 4th day of March, 2013.

(SEAL)



Vicki Moreland, Deputy City Clerk
of the City of Le Roy, McLean
County, Illinois

STATE OF ILLINOIS)
) SS:
COUNTY OF MCLEAN)

I, Vicki Moreland do hereby certify that I am the duly qualified and acting Deputy City Clerk of the City of Le Roy, McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

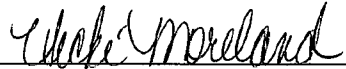
I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:

AN ORDINANCE AMENDING TITLE III (BUSINESS AND LICENSE REGULATIONS) CHAPTER 3 (LIQUOR CONTROL) SECTION 3-3 21 (UNDERAGE PERSONS)

I do further certify said *ordinance* was adopted by the City Council of the City of Le Roy at a regular meeting on the 4th day of March, 2013 and prior to the making of this certificate the said ordinance was on file with the permanent records of said City where it now appears and remains as a permanent record of said ordinance in the record books.

Dated this 4th day of March, 2013

(SEAL)


Vicki Moreland, Deputy City Clerk of the City of Le Roy, McLean County, Illinois