

..Title

AN ORDINANCE AMENDING TITLE 8 (POLICE) CHAPTER 6 (OFFENSES) SECTION 8-6-15.

..Body

WHEREAS, the Illinois Compiled Statutes, including the Illinois Municipal Code, regulate purchases and contracts entered into by the Village of Orland Park, a home-rule municipality; and

WHEREAS, the Village has recently undertaken a comprehensive review of its fine and penalty structure to ensure the existing ordinance provisions are still applicable to the Village operations and regulatory needs; and

WHEREAS, the portion of the ordinance proposed for removal has become obsolete due to changes in law, policy, or practice, and retaining such language would no longer serve a valid public purpose; and

WHEREAS, the Village finds that eliminating this outdated section will improve clarity, accuracy, and effectiveness of the Village's Municipal Code; and

WHEREAS, it is in the best interests of the Village and its residents to amend the existing ordinance to ensure the Code accurately reflects its current standards and requirements.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

SECTION 1: Title 8 (Police) Chapter 6 (Offenses) Section 8-6-15 shall hereby be amended in part (additional language marked by underlining and deletions marked with strikethrough) as reflected and attached hereto as EXHIBIT "A".

SECTION 2: This Ordinance shall be in full force and effect from and after its passage and approval as required by law.

SECTION 3: The Village Clerk be and herby is authorized and directed to publish this Ordinance in pamphlet form.

EXHIBIT A

8-6-15: PROHIBITED SOCIAL HOSTING:

A. Generally.

It is hereby declared to be unlawful to host or allow an event or gathering within the Village in violation of this Section as further defined and provided.

B. Definitions. For the purposes of this Section the following terms shall have the meanings stated:

1. Adult. Any person eighteen (18) years of age or older.
2. Alcohol. Ethyl alcohol, hydrated oxide of ethyl or spirits of wine, liqueur, cordials, whiskey, rum, brandy, gin, or any other distilled spirits including dilutions and mixtures thereof from whatever source or by whatever process produced.
3. Alcoholic beverage. Alcohol, spirits, liquor, wine, beer, and every liquid or solid containing alcohol, spirits, wine or beer and which contains one-half (1/2) of one (1) 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.
4. Event or gathering. Any group of three (3) or more persons assembled or gathered together for a social occasion or other activity.
5. Host or allow. To aid, conduct, entertain, organize, supervise, control or permit an event or gathering.
6. Parent. Any person having legal custody of a juvenile as a natural parent, adoptive parent, step parent, legal guardian, or a person to whom legal custody has been given by order of the court.
7. Person. Any individual, partnership, co-partnership, corporation, or any association of one (1) or more individuals. A person does not include any municipal, county, or state agency.
8. Residence, premises, or private property. Any location, including a house, apartment, condominium, hotel or motel room, or other dwelling unit, or a hall or meeting room, yard, field, park, or any other place of assembly, whether occupied on a temporary or permanent basis, whether occupied as a dwelling or residence or specifically for a social or business function, and whether owned, leased, rented or used with or without permission or compensation.
9. Underage person. Any person under the age of twenty-one (21) years.

C. Prohibited Acts.

1. It is a violation of this Section for any person(s) to host or allow an event or gathering at any residence, premises or on any other public or private property where alcohol or alcoholic beverages are present, when the person(s) knows or reasonably should know that:

- a. Alcohol or an alcoholic beverage is being possessed or consumed by an underage person; and
- b. The person failed to prevent such possession or consumption by an underage person.

2. It is a violation of this Section if the person intentionally aids, advises, hires, counsels or conspires with another or otherwise procures another to commit the prohibited act.

3. A person who hosts or allows an event or gathering does not have to be present at the event or gathering to be responsible for a violation of this Section.

D. Exceptions.

1. This Section does not apply to conduct of an underage person specifically authorized by his or her parent while present in the parent's household.

2. This Section does not apply to legally protected religious observances.

3. This Section does not apply to law enforcement activities supervised by a law enforcement agency.

4. This Section does not apply to situations where underage persons are lawfully in possession of alcohol or alcoholic beverages during the course and scope of employment.

5. This Section does not apply to a landlord, mortgagee, college, university, hotel or motel owner, or operator who has not actually participated in hosting or allowing an event or gathering where alcohol is present.

E. Penalty.

Any person who violates this Section shall, upon conviction thereof, be subject to a fine of ~~up to one thousand dollars (\$1,000.00)~~ in accordance with Appendix B; Fine Schedule appearing at the end of this Code for each offense.

(Ord. 5423, 8-19-19)