



Legislation Text

File #: 15-0253, Version: 1

PROPOSED ORDINANCE AMENDMENT

Chapter 3 Miscellaneous Misconduct

BE IT ORDAINED, by the Forest Preserve District of Cook County Board of Commissioners, that Title 3 - Police Regulations, Chapter 3 - Miscellaneous Misconduct, Section 3 Alcoholic Beverages of the Forest Preserve District of Cook County Code is hereby amended as Follows:

Section 3-3-2 ALCOHOLIC BEVERAGES.

A. Words and Terms Defined: The term "alcoholic beverage(s)" in this provision is used to include products of or containing alcohol, alcoholic liquor or intoxicating liquor. Except for products one-half (½) of one (1) percent, or less, of alcohol by volume.

Alcohol means the products of distillation of any fermented liquid, but does not include denatured alcohol or wood alcohol.

Alcoholic liquor includes products of or containing alcohol, spirits, wine and beer for human consumption as a beverage.

Beer means a beverage obtained by the alcoholic fermentation of an infusion of barley or other grain, malt and hops in water and includes, among other things, beer, ale, and stout.

Spirits means beverages which contain alcohol obtained by distillation and includes brandy, rum, whiskey, gin or other spirituous liquors.

Wine means any alcoholic beverage obtained by the fermentation of the natural contents of fruits and vegetables, except wine intended for use and used by any church or religious organization for sacramental purposes.

B. Sale of Alcoholic Beverages: The sale of alcoholic beverages is allowed on District land only under the following circumstances:

1. Alcoholic beverages may be sold in connection with the operation of the facilities of the Chicago Zoological Society or the Chicago Horticultural Society on land owned by the District.

2. Alcoholic beverages may be sold on any land used for a golf course owned by the District. ~~pursuant to the terms and conditions of a Special Use Permit, duly approved by the Board.~~

3. Subject to the requirements described below, alcoholic beverages may be sold in connection with authorized events held on District property for recreational purposes where the consumption or possession of alcohol is not prohibited.

(a) Requests for permits for the sale of alcoholic beverages on District property must be initiated by completing an application for a Special Use Permit;

(b) The applicant seeking a permit for the sale of alcoholic beverages must provide the District with evidence satisfactory to the District that the applicant has a license or permit to sell alcoholic beverages from the city, village, or incorporated town in which alcoholic beverages are proposed to be sold; or issued by the Cook County Liquor Commissioner if alcoholic beverages are proposed to be sold within unincorporated Cook County; for the time, date, and place of event for which the permit allowing sale of alcoholic beverages is requested;

(c) The applicant seeking a permit for the sale of alcoholic beverages must provide the District with evidence satisfactory to the District that the applicant has license or permit to sell alcoholic beverages from the State of Illinois for the time, date, and place of event for which the permit allowing the sale of alcoholic beverages is requested; and

(d) The applicant seeking a permit for the sale of alcoholic beverages must provide the District with evidence satisfactory to the District that the applicant has dram shop liability insurance at maximum coverage limits so as to hold the District harmless from all financial loss, damage, and harm.

For clarification, alcohol may be deemed to be sold if given away free with paid for item, depending on applicable facts and circumstances.

C. Application:

- ~~1. Except as to those instances where the issuance of a Special Use Permit for the sale of alcoholic beverages has otherwise been approved by the Board, requests for said Permits shall be initiated by completing and filing an application on a form provided by the District. Failure to furnish information required in said application or furnishing incomplete or false information, in said application, shall constitute a basis for the denial of said application.~~
- ~~2. Each application shall be signed and verified by oath or affirmation by the Applicant, if a natural person, or in the case of an association, by a member or partner thereof, or, in the case of a corporation, by an executive officer thereof or any person specifically authorized by the corporation to sign the application.~~
- ~~3. Each application shall be accompanied with a nonrefundable application fee in an amount determined by the Board.~~

D. Possession and Consumption of Alcoholic Beverages: Except as stated herein, the possession or consumption of alcoholic beverages is permitted in or upon the District's land, property or facilities, provided that:

1. The possession or consumption of any alcoholic beverage does not violate any provision of this Code or any federal, state, or local law; and
2. The quantity of the alcoholic beverages is for the personal use and consumption of the possessor, his family members or his guests; and
3. The possession, sale or consumption of alcoholic beverages is prohibited in or upon the District's land, property or facilities where the District's Board of Commissioners (the "Board") or its General Superintendent has so provided; and
4. The consumption of any alcoholic beverage is prohibited upon or within fifty (50) feet of any roadway or within any area designated for parking by the District.

E. Penalty: Any person violating any of the provisions of this Section shall be fined not less than seventy-five dollars (\$75.00) or more than five hundred dollars (\$500.00) for each offense.

Effective date: This ordinance shall be in effect immediately upon adoption.