

CHAPTER 8
LIQUOR REGULATIONS

2-8-1: Sales Restricted: No person shall engage in the business of or act as a liquor dealer selling, offering for sale or keeping with the intention of selling for use or consumption and not for resale in any form, alcoholic liquor capable of being consumed as a beverage by a human being in the Village.

2-8-2: Restrictions and Prohibitions:

- A. For purpose of this Chapter, the term “underage person” is defined as a person under twenty-one (21) years of age.
- B. No underage person may purchase, receive, accept, have in his or her possession or control, or consume any alcoholic beverages, except as provided in paragraph (K) below.
- C. It is unlawful for any person to knowingly suffer, permit, or allow the violation of the provisions of this Chapter in any motor vehicle, conveyance, vessel, house, apartment, room, shed, yard, premises, or other area of which such person is the owner, lessee, permittee, bailee, legal possessor or occupier thereof.
- D. No underage person shall misrepresent his or her age for the purposes of purchasing alcoholic liquor or present or offer to any liquor licensee, his agent or employee, any written, printed or photostatic evidence of age and identity which is false, fraudulent or not actually his or her own for the purpose of ordering, purchasing, attempting to purchase or otherwise procuring or attempting to procure the serving of any alcoholic beverage, nor shall any such person possess any false or fraudulent written, printed, or photostatic evidence of age and identity.
- E. It is unlawful for any parent or guardian to permit his or her residence to be used by an invitee of the parent's child or the guardian's ward, if the invitee is an underage person, in a manner that constitutes a violation of this Chapter. A parent or guardian is deemed to have permitted his or her residence to be used in violation of this Chapter if he or she knowingly authorizes, enables, or permits such use to occur by failing to control access to either the residence or the alcoholic liquor maintained in the residence.
- F. No person after purchasing or otherwise obtaining alcoholic liquor shall sell, give or deliver such alcoholic liquor to an underage person, except as provided in paragraph (K) below.

- G. Whenever a person is present within any motor vehicle, conveyance, vessel, house, apartment, room, shed, yard, premises, or other area of which such person is the owner, lessee, permittee, bailee, legal possessor or occupier at the time that a violation of the provisions of this Chapter occurs therein, said presence shall be prima facie evidence that such person had knowledge of such violation.
- H. It is unlawful for any underage person to remain in any motor vehicle, conveyance, vessel, house, apartment, room, shed, yard, premises, or other area when said person knows, or reasonably should know, that one (1) or more other underage persons located in such motor vehicle, conveyance, vessel, house, apartment, room, shed, yard, premises, or other area are in possession of any alcoholic beverages, except as provided in paragraph (K) below.
- I. It is unlawful for any person who has ownership or control of any premises to knowingly suffer, permit, or allow two (2) or more underage persons to assemble or be assembled on such premises in possession of any alcoholic beverages, except as provided in paragraph (K) below.
- J. It shall be unlawful for any holder of a retail liquor dealer's license, or his agent or employee, to permit any person under the age of twenty-one (21) years to draw, pour, serve or mix any alcoholic liquor.
- K. Nothing contained in this Chapter shall be construed to prohibit or be applicable to the possession and/or consumption by an underage person under the direct supervision and approval of the parents or parent of such underage person in the privacy of a home, and nothing contained in this Chapter shall be construed to prohibit or be applicable to underage persons who are either participating in a bond fide religious service or ceremony, or acting at the direction of a law enforcement officer.
- L. Definitions: The following definitions shall be applicable to the words specified below when used in this Chapter and Chapter 9 of Title 2 below:

**ALCOHOLIC LIQUOR/
BEVERAGES:**

Any spirits, wine, beer, ale, or other liquid containing more than one-half of one percent (.5%) of alcohol by volume, which is fit for beverage purposes.

GUARDIAN:

See "Legal Guardian".

KNOWINGLY:

Having general knowledge of, or reason to know, or a belief or ground for belief which warrants further inquiry or inspection.

LEGAL GUARDIAN:	A person appointed guardian, or given custody, of a minor by a Circuit Court of this State but does not include a person appointed guardian or given custody of a minor under the Juvenile Court Act.
PARENT:	A natural or adoptive parent or a court designated guardian.
RECKLESSLY:	Acting in a manner or under circumstances such as evince disregard of, or indifference to, consequences involving danger to the property, life or safety of others.
UNEMANCIPATED MINOR:	A person under the age of eighteen (18) years still under the care and custody of his or her parents.
UNSUPERVISED:	A lack of visual or oral oversight coupled with lack of sufficient proximity to obtain immediate control over the item or minor.
WILLFUL:	Proceeding from a conscious and voluntary intentional motion of the will.