

CITY OF GENOA  
DEKALB COUNTY, ILLINOIS

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ORDINANCE NO. 2024- 02

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ADOPTED BY  
THE MAYOR AND  
CITY COUNCIL  
OF THE  
CITY OF GENOA

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AN ORDINANCE AMENDING TITLE 3, CHAPTER 3, LIQUOR CONTROL,  
OF THE MUNICIPAL CODE OF THE CITY OF GENOA

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Adopted January 17, 2024, by the Mayor and City Council of the City of Genoa  
DeKalb County, Illinois, and approved and published in pamphlet form  
This 17<sup>th</sup> day of January 2024.

**CITY OF GENOA**  
**ORDINANCE NO. 2024 - 02**  
*An Ordinance Amending Title 3, Chapter 3, Liquor Control, of the  
Municipal Code of the City of Genoa*

WHEREAS, the City of Genoa's Liquor Commission has met to discuss allowing employees over 18 years of age but under 21 years of age at liquor establishments to pour, mix, or tend bar;

WHEREAS, the Liquor Commission has included additional requirements for those bartenders under the age of 21 included in this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the CITY of GENOA, DeKalb County, Illinois, as follows:

SECTION 1: That Title 3, Chapter 3, Liquor Control be amended as follows:

**3-3-18: BARTENDER'S REGISTRATION; SELLERS AND SERVERS TRAINING:**

- A. It is unlawful for a person to serve in the capacity of bartender at an establishment licensed by the City to sell or offer for sale alcoholic beverages without having been registered to do so under the provisions of this Section.
  
- B. To be eligible to be registered as a bartender or server a person must provide documented completion of a Beverage Alcohol Sellers and Servers Educational Training (BASSET) program, as required by 235 ILCS 5/6-27.
  
- C. The liquor license holder shall be responsible for ensuring that any server has completed BASSET training as required by this Ordinance and provides such certification in printed form to the City. In addition to BASSET training, all bartenders/servers as provided for by this Chapter under the age of 21 must also provide a copy of a valid State ID. (Ord 2015-15, 9-1-2015)
  
- D. Beverage Alcohol Sellers and Servers Educational Training (BASSET) and Licensing Requirements:
  - 1. It shall be unlawful for the holder of a liquor license to employ or have act as agent any person who sells or serves alcoholic beverages, all management personnel working on the premises, and anyone whose job description entails the checking

of identification for the purchase of alcoholic beverages pursuant to that license, unless said person shall have completed a state certified Beverage Alcohol Sellers and Servers Educational Training program.

2. A State certified BASSET program shall be defined as a BASSET program licensed by the State of Illinois Liquor Control Commission as required by 235 Illinois Compiled Statutes 5/6-27 and regulated under title 77 of the Illinois Administrative Code, chapter X, section 2056, subpart F. Providers of BASSET shall be required to have on file with the County Clerk licenses and certificates to prove current qualifications.

3. Any new employee, manager or agent requiring BASSET shall within 90 days from the start of such employment, complete a BASSET program and shall, until completion, work under the supervision of a person who has completed BASSET. (Ord 2004-47, 11-16-04)

### **3-3-19: EMPLOYEE SERVER RESTRICTIONS:**

- A. It shall be unlawful for any person under the age of 21 years to draw, pour or mix any alcoholic liquor or in any way tend bar as an employee of any retail licensee for consumption on or off said premises, except for at R Liquor License Establishments as provided for in this Chapter. Except as otherwise provided in this Chapter, no person under the age of 21 years shall be permitted to sell at retail any alcoholic packaged liquor for consumption off the premises.
- B. At R Liquor License establishments, employees over 18 years of age are permitted to draw, pour, mix, and serve alcoholic liquors until 10 PM, however, an employee over the age of 21 must be also be on premises.
- C. It shall be unlawful for any person to consume, partake of or be under the influence of either any alcoholic liquor or drug while either tending any bar, drawing, pouring, mixing any alcoholic liquor for consumption on or off the licensed premises or selling or delivering any alcoholic liquor in its original unopened container for consumption on or off the licensed premises

### **3-3-20: MINORS:**

The City will abide by the laws of the State with regard to the legal age required for the purpose of purchasing and obtaining alcoholic liquor.

- A. Age Limit For Procuring Liquor: It shall be unlawful for any person under the age as set by the State to obtain any alcoholic liquor in any establishment licensed by the City to sell alcoholic liquors.
- B. False Identification: It shall be unlawful for any person under the age as set by the State to obtain any alcoholic liquor in any establishment licensed by the City or to misrepresent his or her age for the purpose of purchasing or otherwise trafficking in alcoholic liquor.

- C. Posting Signs: In every tavern or other place in the City where alcoholic liquor is sold, there shall be displayed at all times in a prominent place a printed card which shall read as follows:

*WARNING TO MINORS*

*You are subject to a fine up to \$750.00 under the ordinances of the City of Genoa if you purchase alcoholic liquor, or misrepresent your age for the purpose of purchasing or obtaining alcoholic liquor. (Ord 2015-19, 10-06-2015)*

- D. Presence Of Minors Prohibited: It shall be unlawful for any holder of a retail liquor dealer's license, his agent or employee, to suffer or permit any person under the age of twenty one (21) to remain in any room or compartment adjoining or adjacent to or situated in the room or place where such licensed premises are located; provided, that this subsection shall not apply to any minor who is accompanied by his or her parents or guardian, or to any licensed premises which derives its principal business from the sale or service of commodities other than alcoholic liquor. (1978 Code §37.27; 1993 Code)
- E. Allowing Liquor To Minors: It shall be unlawful to sell, give or deliver alcoholic liquor to any minor.
- F. Revocation Of License: In addition to all other fines and penalties, the Mayor may revoke the retail liquor dealer's license for any violation of this Section. (1978 Code §37.27)

**~~3-3-20: SALES TO CERTAIN PERSONS PROHIBITED:~~**

~~It shall be unlawful for any holder of an alcoholic liquor dealer's license to sell, deliver or give any alcoholic liquor to any intoxicated person or to any person known to him to be an habitual drunkard, spendthrift, insane, feeble-minded, or distracted person. Sale to a person creating a public disturbance shall be prohibited. (1978 Code §37.28)~~

**3-3-21: PROHIBITED ACTS AND CONDITIONS:**

A. It shall be unlawful for any holder of an alcoholic liquor dealer's license to sell, deliver or give any alcoholic liquor to any intoxicated person or to any person known to him to be an habitual drunkard, spendthrift, insane, feeble-minded, or distracted person. Sale to a person creating a public disturbance shall be prohibited. (1978 Code §37.28)

B. Peddling Of Liquor Prohibited: It shall be unlawful to peddle alcoholic liquor in the City. Peddling is defined as selling and/or offering for sale alcoholic liquor outside of designated licensed establishments, on any sidewalk, street, alley or City right of way within the City. (1978 Code §37.19)

C. Open Container: It is unlawful for any person to consume alcoholic liquor or to possess alcoholic liquor, other than in the original package and with the seal unbroken, in the public parks, streets, Municipal buildings, alleys or highways, or other places of public assembly in the City. (1978 Code §37.29)

D. Any person who violates this section and has been issued a citation signed By a Law Enforcement Officer of this section shall be fined in accordance with Section 1-41.

SECTION 2: 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 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4: 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.

<b>Alderman Name</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Pam Wesner	✓			
Christopher Pulley			✓	
Melissa Freund		✓		
Walter Stage	✓			
Courtney Winter	✓			
Kendra Braheny	✓			
Gary Roca		✓		
Gregg Hughes	✓			
Mayor Jonathon Brust				

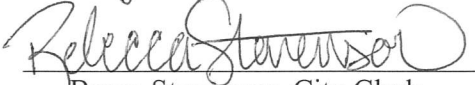
PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 17<sup>th</sup> day of January, 2024.

Approved by me this 17<sup>th</sup> day of January, 2024.



  
Jonathon Brust, Mayor

ATTESTED and filed in my office this 17<sup>th</sup> day of January, 2024.

  
Becca Stevenson, City Clerk