

CITY OF GENESEO

ORDINANCE NO. O-21-10

**AN ORDINANCE AMENDING TITLE XIII, CHAPTER 131,
SECTION 131.046
OF THE CITY'S CODE OF ORDINANCES
PERTAINING TO ALCOHOL AND PUBLIC OFFENSES**

**ADOPTED BY THE
CITY COUNCIL OF THE
CITY OF GENESEO**

THIS 14 DAY OF SEPTEMBER, 2021

**APPROVED BY THE
MAYOR**

SEPTEMBER 15, 2021

Published in pamphlet form
by authority of the City Council
of the City of Geneseo,
Henry County, Illinois,
this 15TH day of September, 2021.

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**AN ORDINANCE AMENDING TITLE XIII, CHAPTER 131,
SECTION 131.046
OF THE CITY'S CODE OF ORDINANCES
PERTAINING TO ALCOHOL AND PUBLIC OFFENSES**

WHEREAS, the City of Geneseo ("City") is an Illinois municipal corporation organized and operating pursuant to the laws and constitution of the State of Illinois; and

WHEREAS, the Corporate Authorities of the City of Geneseo have passed an Ordinance, Chapter 131, Section 131.046 concerning the consumption and possession of alcoholic beverages on public sidewalks, streets, highways, thoroughfares, parks and other public areas so that the City may maintain local control over such matters to the extent permitted by Illinois law; and

WHEREAS, the Corporate Authorities of the City of Geneseo have approved various festivals from time to time taking place outdoors within a designated area of control; and

WHEREAS, in order to militate against the possibility of exposure to the COVID-19 virus and its variants, the City Council recognizes that it is appropriate to allow persons to be outdoors and distanced from one another to an extent that is not as possible if confined to the premises of a licensed liquor retailer; and

WHEREAS, the Corporate Authorities of the City find that it is in the City's best interests to amend its Code of Ordinances to allow for possession and consumption of alcoholic liquors on public spaces during festivals and fairs that include a designated area of control.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GENESEO, HENRY COUNTY, ILLINOIS, as follows

SECTION I: The Code of Ordinances, Title XI, Chapter 114, Section 114.01(A) is hereby amended as follows (new language is shown in **bold and underlined text**; deleted language is shown in ~~striketrough~~):

Sec. 131.046 - Public property prohibitions.

(A) The consumption of any alcoholic beverage upon public sidewalks, public thoroughfares, public streets, public highways, public parks, and all other public areas within the city limits is hereby prohibited unless part of an approved Class F Special Event or Class H Special Use license stated in Sections 110.19 and 110.37 or within a designated "Area of Control" as specified in a street closure permit for an authorized festivity or event.

(B) The possession of any alcoholic beverage, except in the original package or container and with the seal unbroken, upon public sidewalks, public thoroughfares, public streets, public

highways, public parks, and all other public areas within the city limits is hereby prohibited unless it is within a designated "Area of Control" as specified in an approved Class F Special Event or Class H Special Use license stated in Sections 110.19 and 110.37 or within a designated "Area of Control" as specified in a street closure permit for an authorized festivity or event.

(C) The transportation, carrying, possession, or having of any alcoholic beverage within the passenger area of any motor vehicle, except in the original package or container and with the seal unbroken, upon the public thoroughfares, public streets, and public highways is hereby prohibited.

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

SECTION V: This ordinance shall take effect immediately upon its passage and approval, in accordance with law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF GENESEO, HENRY COUNTY, ILLINOIS ON THIS 14th DAY OF SEPTEMBER, 2021

AYES: James, Arnold, Crow, Barnhart, Kennett, Wachtel

NAYS: None

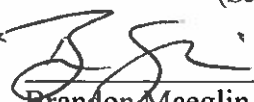
ABSENT: Simosky, Rothschild

ABSTAIN: None

AND APPROVED BY THE MAYOR THIS 15TH DAY OF SEPTEMBER, 2021.




SEAN JOHNSON
MAYOR


Brandon Maeglin
ACTING CITY CLERK

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CERTIFICATION

I, Brandon Maeglin, do hereby certify that I am the duly appointed, qualified and acting Clerk of the City of Geneseo of Henry County, Illinois. I do further certify that the above and foregoing, identified as Ordinance Number O-21-, is a true, complete and correct copy of an ordinance otherwise identified as, "Ordinance No.O-21- of the City of Geneseo, Illinois Amending Title XIII, Chapter 131, Section 131.046 to the Code of Ordinances Pertaining to Alcohol and Public Offenses," passed by the City Council of the City of Geneseo on the 14th day of September, 2021,

Dated the 15th day of September, 2021