

**Memorandum  
Mayor's Office**

**To: Rock Island City Council**  
**From: Mayor Mike Thoms**  
**Subject: Amendment to the Alcoholic Liquor Ordinance**  
**Date: August 23, 2021**



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Attached is an Ordinance amending Chapter 3, Section 3-10; *Minor* of the Code of Ordinances of the City of Rock Island.

The proposed amendment will allow grocery store employees and parks department employees working at facilities operated by the Rock Island Parks Department with a Class L liquor license ages eighteen (18) to twenty (20) to sell alcohol as a cashier through the course of their employment. Current state law allows for minors ages eighteen (18) to twenty (20) to serve or sell alcohol. Other Illinois cities have enacted similar ordinances allowing employees eighteen (18) to twenty (20) years old to sell alcohol as a convenience to shoppers.

**Recommendation:**

The Executive Department recommends that the City Council consider the ordinance to allow grocery store employees ages eighteen (18) to twenty (20) to sell alcohol as a cashier through the course of their employment.

Submitted by: Joshua Adams, Interim City Clerk

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Approved by: Mike Thoms, Mayor

**ORDINANCE NO.** \_\_\_\_\_

A SPECIAL ORDINANCE AMENDING CHAPTER 3  
OF THE CODE OF ORDINANCES OF THE  
CITY OF ROCK ISLAND, ILLINOIS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCK ISLAND, ILLINOIS:

**Section 3-10.** Minors, paragraph (g) titled *Employment of Minors*, of the Code of Ordinances of The City of Rock Island, Illinois, is hereby amended by deleting said paragraph in its entirety and by inserting in lieu thereof the following:

(g) *Employment Of persons aged 18 to 20 Minors Prohibited:* No minor shall be employed by a licensee, except for the purpose of preparing or serving food, providing entertainment and/or providing maintenance or cleanup services. At no time shall any minor tend any bar or pour, handle, mix, draw, sell or serve any alcoholic liquor in any premises licensed under the provisions of this chapter except persons who are 18, 19 or 20 years old who are acting in pursuance of their employment at and with a grocery store as defined in this chapter which has a Class B license.

\_\_\_\_\_  
MAYOR OF THE CITY OF ROCK ISLAND

PASSED:

AYES:

ATTEST:

\_\_\_\_\_  
CITY CLERK

NAYS:  
ABSENT:

A SPECIAL ORDINANCE AMENDING CHAPTER 3  
OF THE CODE OF ORDINANCES OF THE  
CITY OF ROCK ISLAND, ILLINOIS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCK ISLAND, ILLINOIS:

Section One: Chapter 3 Section 3-10 of the Code of ordinances is hereby modified to allow eighteen (18) to twenty (20) year old employees of grocery stores with Class B liquor licenses to sell alcohol through the course of their employment as a cashier.

Section Two: Section 3-10 of Chapter 3 of the Code of Ordinances entitled "Section 3-10. Minors" is hereby deleted in its entirety and replaced by the following:

(a) Definition: As defined in section 3-1 of this chapter, a "minor" shall mean any person under the age of twenty one (21) years.

(b) Sale To Minors Prohibited: It shall be unlawful for any person licensed under the provisions of this chapter, or any agent thereof, to give, sell, or deliver any alcoholic liquor to any minor.

(c) Purchase And Consumption By Minors Prohibited: It shall be unlawful for any minor to purchase or accept a gift of alcoholic liquor or to possess or consume any alcoholic liquor.

(d) Proof Of Age Required: If a licensee pursuant to this chapter or agent thereof shall believe that a sale or delivery of alcoholic liquor is prohibited because of the minority of the prospective recipient, he or she shall before making such sale or delivery demand presentation of some form of acceptable identification containing proof of age. The acceptance must be made in reasonable reliance that the person presenting the identification is in fact of legal age and the same person pictured on the ID. The following types of identification are acceptable forms of identification for purposes of entering a licensed establishment and/or purchasing or obtaining alcoholic liquor: vehicle operator's license; state photo identification card for nondrivers; passport or visa.

(e) Proof Of Age; Refusal To Produce: No person when on premises licensed under this chapter shall refuse to show proof of his or her age when asked to do so by the licensee or agent thereof. Any person who fails to produce positive proof of age when so requested shall immediately be advised to leave the licensed premises.

(f) Falsification Of Proof Of Age Prohibited: With respect to any identifying document containing proof of age issued by a public officer in the performance of official duties, no person shall:

- (1) Alter or deface such identifying document; or
- (2) Present identifying documents belonging to another person as his or her own; or
- (3) Carry or use a false or forged identification document; or
- (4) Obtain any document establishing identity by means of false information.

(g) Employment Of persons aged 18 to 20 Minors Prohibited: No minor shall be employed by a licensee, except for the purpose of preparing or serving food, providing entertainment and/or providing maintenance or cleanup services. At no time shall any minor tend any bar or pour, handle, mix, draw, sell or serve any alcoholic liquor in any premises licensed under the provisions of this chapter except persons who are 18, 19 or 20 years old who are acting in pursuance of their employment at and with a grocery store as defined in this chapter which has a Class B license.

(h) Employment Of Minors; Grandfather Provision: As of the effective date of this chapter, no licensee hereunder, or manager or agent thereof, shall hire any minor to work in any licensed establishment where said minor's duties would include the mixing, dispensing, pouring, selling or serving of alcoholic liquor. However, any minor who is, as of the effective date of this chapter, over the age of nineteen (19) and who is employed by a licensed establishment in such capacity shall be allowed to maintain such employment.

(i) Minor On Premises Prohibited: No minor shall be allowed in any liquor licensed premises within the city. For any violation of this section it shall be a defense if the licensee qualifies under one of the following:

(1) A minor may be in a liquor licensed premises which is also a motor fuel station or a store which receives fifty one percent (51%) or more of its annual gross revenue from the sale of food or other services or commodities, for the purpose of obtaining and/or consuming food or purchasing items other than alcoholic liquor. If the alcohol is stored or stocked in a separate section from the rest of the store, the minor may not be in that section.

(2) A minor may be in a liquor licensed premises which is also a restaurant (with a full service kitchen, diverse menu, and the food being prepared on premises) for the purpose of consuming food and nonalcoholic beverages. The minor must not be seated at the "bar" of the premises. This qualification shall be applicable only during the following time periods: six o'clock (6:00) A.M. until two o'clock (2:00) P.M. and five o'clock (5:00) P.M. until eight o'clock (8:00) P.M.

(3) A minor may be permitted to enter a licensed location which is also a restaurant (with a full service kitchen, dining menu, and the food being prepared on the premises) for the purpose of obtaining and/or consuming food and nonalcoholic beverages at other times than specified in subsection (i)(2) of this section, provided that the minor is not in that area of the premises where alcoholic liquors are drawn, mixed, poured, stored or stocked.

(j) Compliance Not A Defense: No licensee or any agent thereof shall raise as a defense to this section his or her compliance with subsection (d) of this section. However, such fact shall be considered by the local liquor control commissioner in mitigation of the finding of guilt for violation of this section.

(k) Consumption By Minor; Exclusion: Nothing in this section shall preclude the consumption by a minor of alcoholic liquor in the performance of religious services or under direct supervision of the parents or parent of such minor in the privacy of a home.

(l) Solicitation Of An Individual To Purchase Alcohol By A Person Under Twenty One: No person shall solicit any individual to purchase alcohol for possession or consumption by any person under the age of twenty one (21).

(m) Violation; Penalty: The minimum fine for a violation of the provisions of this section shall be one hundred fifty dollars (\$150.00). In the event a person is accused of a violation and does not wish to contest the allegation prior to the time a complaint is issued for the violation, then the person so accused may pay to the city, at police headquarters, a penalty in the sum of one hundred fifty dollars (\$150.00) for and in full satisfaction of the violation. (Ord. 88-14, 3-28-1988; Ord. 91-91, 8-26-1991; Ord. 97-21, 3-17-1997; Ord. 16-2004, § 1, 2-2-2004)

Section Three. All ordinances and parts of ordinances in conflict herewith are hereby repealed insofar as they do so conflict.

Section Four. This ordinance shall be in full force and effect from and after its passage and approval, as required by law.

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Section Two: Section 3-10 of Chapter 3 of the Code of Ordinances entitled "Section 3-10. Minors" is hereby deleted in its entirety and replaced by the following:

(a) Definition: As defined in section 3-1 of this chapter, a "minor" shall mean any person under the age of twenty one (21) years.

(b) Sale To Minors Prohibited: It shall be unlawful for any person licensed under the provisions of this chapter, or any agent thereof, to give, sell, or deliver any alcoholic liquor to any minor.

(c) Purchase And Consumption By Minors Prohibited: It shall be unlawful for any minor to purchase or accept a gift of alcoholic liquor or to possess or consume any alcoholic liquor.

(d) Proof Of Age Required: If a licensee pursuant to this chapter or agent thereof shall believe that a sale or delivery of alcoholic liquor is prohibited because of the minority of the prospective recipient, he or she shall before making such sale or delivery demand presentation of some form of acceptable identification containing proof of age. The acceptance must be made in reasonable reliance that the person presenting the identification is in fact of legal age and the same person pictured on the ID. The following types of identification are acceptable forms of identification for purposes of entering a licensed establishment and/or purchasing or obtaining alcoholic liquor: vehicle operator's license; state photo identification card for nondrivers; passport or visa.

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- (1) Alter or deface such identifying document; or
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persons who are 18, 19 or 20 years old who are acting in pursuance of their employment at and with a grocery store as defined in this chapter which has a Class B license and persons who are 18, 19 and 20 years old who are acting in pursuance of their employment by the Rock Island Parks department at a facility with a Class L license.

(h) Employment Of Minors; Grandfather Provision: As of the effective date of this chapter, no licensee hereunder, or manager or agent thereof, shall hire any minor to work in any licensed establishment where said minor's duties would include the mixing, dispensing, pouring, selling or serving of alcoholic liquor. However, any minor who is, as of the effective date of this chapter, over the age of nineteen (19) and who is employed by a licensed establishment in such capacity shall be allowed to maintain such employment.

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ATTEST: \_\_\_\_\_

CITY CLERK