

ORDINANCE 2010- 06

**ORDINANCE PROHIBITING THE POSSESSION OF ALCOHOLIC LIQUOR  
WITHIN BUSINESSES OPERATING AS A PUBLIC ACCOMMODATION**

WHEREAS, the Village of Dix, situated in Rome Township, Jefferson County, Illinois is a Village where the sale at retail of alcoholic liquor is prohibited by law as each of the Village of Dix and Rome Township are "dry" as that term is used and understood under Illinois Statutes; and

WHEREAS, the Board of Trustees of the Village of Dix believes that the prohibition on the retail sale and public consumption of alcoholic liquor within the Corporate Limits of the Village of Dix has served the public interests in maintaining social order, health, welfare, and safety of citizens; and

WHEREAS, the Board of Trustees desires to preserve the "dry" status of the Village of Dix to the fullest extent permitted by law; and

WHEREAS, the Board of Trustees desires to prohibit the possession of alcoholic liquor within businesses operating as a public accommodation; and

WHEREAS, the Board of Trustees believes that prohibiting possession of alcoholic liquor within businesses operating as a public accommodation is conducive to prohibiting the consumption of alcoholic liquor in public places and is conducive in preserving the benefits to the citizens of Dix in being a "dry" Village.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Village of Dix, Illinois as follows:

No individual, partnership, corporation or other person operating as a public accommodation shall permit the possession of alcoholic liquor (as defined within 235 ILCS 5/1-3.05) on its premises. No person shall possess alcoholic liquor upon the premises of a public accommodation. For purpose of this subsection "Public Accommodation" means a refreshment, entertainment or recreation facility of any kind whose goods, services, facilities, privileges or advantages are extended, offered, sold or otherwise made available to the public. This Ordinance specifically, but without limitation, prohibits all establishments generically known or referred to as "BYOB" (bring your own booze/bottle/beer) or "Brown Bag" establishments or bottle clubs or set up establishments. Each the person who possesses alcoholic liquor and the person in control of the public accommodation who knowingly permits the possession of alcoholic liquor upon the premises of a public accommodation shall be in violation of this Ordinance.

Any person who violates or refuses to comply with the provisions of this Ordinance shall upon conviction thereof be fined not less than \$100.00 nor more than \$750.00 for each violation. Each instance of possession shall be a separate punishable offense. In addition to any fine or other penalty authorized by law, any person who violates or refuses to comply with this Ordinance shall be subject to an action for an injunction to eliminate or prevent violation of this Ordinance.

This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

PASSED by the Board of Trustees of the Village of Dix this 14<sup>th</sup> day of December, 2010.

APPROVED by the President of the Village of Dix this 14<sup>th</sup> day of December, 2010.

APPROVED:

*[Signature]*  
President

ATTEST:

*Hazel J. Hopkins*  
Village Clerk

Published in pamphlet form this 14<sup>th</sup> day of December, 2010.

*Hazel J. Hopkins*  
Village Clerk