

ORDINANCE NO. O-14-005

AN ORDINANCE AMENDING SECTION 14.509 OF CHAPTER 14, ARTICLE V, OF THE CODE OF ORDINANCES OF THE CITY OF WOOD DALE TO PROHIBIT THE POSSESSION OF OPEN ALCOHOL WHILE IN A PUBLIC LOCATION

WHEREAS, the City of Wood Dale (“City”) is a body politic and corporate, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et seq.*; and

WHEREAS, the City is authorized and empowered, under the Illinois Municipal Code, 65 ILCS 5/11-20-5, to regulate for the public health and safety; and

WHEREAS, the City is authorized, pursuant to its police power, 65 ILCS 5/11-1-1, to carry out the powers delegated to it under its grants of authority; and

WHEREAS, the City has determined that it is reasonable and necessary, pursuant to its police powers and in furtherance of public safety, to provide restrictions on the possession of open containers of alcohol in a public place or other place that is accessible to the general public; and

WHEREAS, the Wood Dale Police Department has recently responded to complaints of persons possessing and consuming alcohol at locations that are public property or places that are accessible to the general public; and

WHEREAS, presently the Municipal Code of the City of Wood Dale of 1993 (“City Code”) contains no restrictions on possessing or consuming open alcohol in public areas; and

WHEREAS, the passage of an ordinance restricting open containers of alcohol in public locations would provide an enforcement mechanism to remedy the recent complaints about this type of activity,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOOD DALE, DUPAGE COUNTY, ILLINOIS, as follows:

SECTION ONE: That the recitals set forth above are incorporated herein and made a part hereof.

SECTION TWO: That Section 14.509 of Chapter 4, Article V, of the Municipal Code of the City of Wood Dale of 1993 is hereby amended in its entirety to read as follows:

Sec. 14.509. Public Intoxication and Possession of Open Containers of Alcohol.

It shall be unlawful for any person to be in an intoxicated condition on or in any street, alley or other public property or on or in any private

property that is accessible to the general public and to which the general public is invited.

It shall be unlawful for any person to transport, carry, possess or consume any alcoholic liquor other than in the original container and with the seal unbroken on any public property or private property that is accessible to the general public and to which the general public is invited, unless such public area is a permitted area under the terms of a city-issued liquor license or city-sanctioned event where the possession of such alcoholic liquor is allowed.

SECTION THREE: That all portions of Article V of Chapter 4 not amended by this Ordinance shall remain in full force and effect.

SECTION FOUR: That the City Clerk of the City of Wood Dale be and is directed hereby to publish this Ordinance in pamphlet form, pursuant to the statutes of the State of Illinois.

SECTION FIVE: Any and all policies, resolutions or ordinances in conflict with the provisions of this ordinance shall be, and they are hereby, repealed.

SECTION SIX: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

PASSED this 6th day of March, 2014.

AYES: Aldermen Catalano, Jakab, Lazzara, Susmarski, E. Wesley, R. Wesley, Winger, and Woods

NAYS: None

ABSENT: None

APPROVED this 6th day of March, 2014.

SIGNED: Annunziato Pulice
Annunziato Pulice, Mayor

ATTEST: Shirley J. Siebert
Shirley J. Siebert