City of Chicago

O2017-231

Office of the City Clerk

Document Tracking Sheet

Meeting Date: 1/25/2017

Sponsor(s): Tunney (44)
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Type: Ordinance

Title: Amendment of Municipal Code Section 4-60-143 by further regulating employing of persons under 21 years of age at establishments which sell or serve alcoholic liquor

Committee(s) Assignment: Committee on License and Consumer Protection

License + Consumer Protection

ORDINANCE

WHEREAS, over the past several years, the decline in youth employment rates across all races has raised many concerns: and

WHEREAS, in 2016 the City of Chicago ("City") had a rate of only 58.2% of young adults employed, with the highest concentration of youth unemployment being in minority neighborhoods; and

WHEREAS, the City has the greatest racial disparity in young adult employment rates of any major city; and

WHEREAS, the City seeks to increase the employment of individuals aged 18 to 20 years; and

WHEREAS, the City currently restricts the employment of young adults aged 18-20 on liquor-licensed premises to certain limited positions, and

WHEREAS, the Illinois Liquor Control Act allows municipalities to permit young adults aged 18 to 20 to work as servers in full service restaurants and in accessory-use packaged licensed stores and many municipalities currently do so with positive results; and

WHEREAS, amending Section 4-60-143 to allow young adults aged 18-20 to work in more capacities in certain liquor-licensed premises would allow more young adults to obtain gainful employment, decreasing the current young adult unemployment rate and racial disparity in young adult employment; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Section 4-60-143 of the Municipal Code of Chicago is hereby amended by deleting the language stricken and by inserting the language underscored, as follows:

4-60-143 Additional restrictions on hiring of persons under 21 years of age.

(a) Notwithstanding the provisions of subsection (a) of Section 4-60-140, the holder of a valid consumption on premises – incidental activity license may engage, employ or permit a person under 21 years of age to work on the licensed premises~~,~~ <u>in compliance with the following:</u> ~~if the person under 21 years of age has no duties relating to the sale, dispensing, service or delivery of alcoholic liquor on the premises, and complies with the conditions of paragraph (1), (2), (3), or (4) of this subsection~~.

(1) A person under 21 years of age may be engaged, employed or permitted to work as a musician on the premises, but only pursuant to a written contract. A performer so engaged, employed or permitted to work who is 16 to 18 years of age must either be legally emancipated or be accompanied by a parent or legal guardian while on the licensed premises. Any person under 16 years of age so engaged, employed or permitted to work must be accompanied by a parent or legal guardian while on the licensed premises.

(2) If the licensed premises is a sports stadium with a fixed seating capacity of more than 3,000 persons, a person under 21 years of age may be engaged, employed or

permitted to work as an usher or as a participant in an exhibition or athletic competition on the premises; or

(3) If the licensed premises is a theater, a person under 21 years of age may be engaged, employed or permitted to work as a performing member of a theatrical company in the theater if no portion of the performance occurs in the lobby area of the theater building.

(4) A person under 21 years of age may be employed or permitted to work as a host or hostess, or a receptionist in a restaurant.

(5) If the licensed premises is a restaurant, an employee of the licensee who: (i) is at least 18 years of age; and (ii) obtained and completed training in basic responsible alcohol service as outlined in rules promulgated by the Illinois Liquor Commission, may serve alcoholic liquor that has been prepared or mixed, or in the case of wine and beer, opened by a manager or employee of the licensee who is at least 21 years of age or older.

~~(b)~~ A licensee who engages, employs or permits a person under 21 years of age to work pursuant to subsection (a)(1), (2), (3) or (4) ~~of this section~~ shall not assign or permit that person to perform any duties or acts relating to the sale, dispensing, service or delivery of alcoholic liquor on the premises.

(b) Notwithstanding section 4-60-140(a), if the licensed premises is a supermarket, as that term is defined in section 4-60-130(a)(4)(B), that holds a packaged goods license, a licensee's employee who: (i) is at least 18 years of age; and (ii) obtained and completed training in basic responsible alcohol service as outlined in rules promulgated by the Illinois Liquor Commission, may be permitted to have duties relating to the stocking or sale of alcoholic liquor.

(c) A licensee who engages, employs or permits a person under 21 years of age to work as allowed in this section ~~subsection (a) of this Section 4-60-143~~ shall be responsible for compliance with the Illinois Child Labor Law in connection with the employment of any person under the age of 16 years. The licensee shall be responsible for assuring that the person so engaged, employed or permitted to work does not consume, obtain or possess alcoholic liquor on the licensed premises, as except as provided in this section.

SECTION 2. This ordinance shall take effect following passage and publication.

Thomas M. Tunney
Alderman, 44th Ward

Roderick T. Sawyer
Alderman, 6th Ward

Proco Joe Moreno
Alderman, 1st Ward

Brian Hopkins
Alderman, 2nd Ward

Leslie A. Hairston
Alderman, 5th Ward

Michelle A. Harris
Alderman, 8th Ward

Anthony A. Beale
Alderman, 9th Ward

Patrick D. Thompson
Alderman, 11th Ward

George A. Cárdenas
Alderman, 12th Ward

Raymond A. Lopez
Alderman, 15th Ward

Matthew J. O'Shea
Alderman, 19th Ward

Howard B. Brookins Jr.
Alderman, 21st Ward

Michael Scott, Jr.
Alderman, 24th Ward

Ariel E. Reboyras
Alderman, 30th Ward

Brendan Reilly
Alderman, 42nd Ward

John Arena
Alderman, 45th Ward

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James Applen 46

Susan Jackson Murphy 61

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Robert Mahan 41

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S Wagnespack

Jerrell A Moore 49

Carlos Ramirez-Zam 35

Wilson

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C Lt Thep 29

Mark Lemmo

Robert Connor 40