

**AN ORDINANCE TO PROHIBIT MINORS FROM BEING IN, ON, OR UPON THE
LICENSED PREMISES OF CERTAIN ESTABLISHMENTS LICENSED TO SELL
ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION**

Sponsored by Mr. Carroll.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE, as follows:

SECTION ONE. It shall be unlawful for any person who is licensed to sell alcoholic beverages for on-premises consumption on licensed premises within the city or its police jurisdiction to admit or allow any person under the age of twenty-one (21) years to be in, on, or upon said licensed premises.

SECTION TWO. It shall be unlawful for any person under the age of twenty-one (21) years to be in, on, or upon the licensed premises of any establishment licensed to sell alcoholic beverages for on-premises consumption within the city or its police jurisdiction.

SECTION THREE. It shall be unlawful for any lounge retail liquor licensee within the city or its police jurisdiction, or any manager or other person in charge, or any agent, servant, or employee of the same, to admit or allow any person under the age of twenty-one (21) years to be in, on, or upon said licensed premises.

SECTION FOUR. It shall be unlawful for any person under the age of twenty-one (21) years to be in, on, or upon the licensed premises of any establishment licensed by the alcoholic beverage control board of the state as a lounge retail liquor licensee.

SECTION FIVE. This Ordinance shall not apply to any establishment licensed by the Alabama Alcoholic Beverage Control Board that has a permanent fully equipped and operational kitchen on the licensed premises, that maintains and operates such kitchen on a daily basis, that serves food items shown on a menu that are prepared in such kitchen during normal and reasonable dining hours and at all times when minors are allowed on the licensed premises, and whose food sales make up more than fifty percent (50%) of the total revenue of such establishment.

SECTION SIX. This Ordinance shall not apply to a minor employee of a wholesale licensee, provided there is an adult employee in attendance at all times, and provided further that such minor is employed in compliance with regulations of the Alabama Alcoholic Beverage Control Board.

SECTION SEVEN. This Ordinance shall not apply to a minor employed to work in an on-premises licensed establishment, provided such minor is employed in compliance with regulations of the Alabama Alcoholic Beverage Control Board.

SECTION EIGHT. This Ordinance shall not apply to any establishment or premises that has a valid special events retail license or a special retail license issued by the Alabama Alcoholic Beverage Control Board, or to any premises where the license holder is a not for profit corporation duly qualified under internal revenue service rule 501(c).

SECTION NINE. Any person charged with violating this section shall be required to appear in municipal court, and upon conviction shall be subject to punishment as provided in Chapter 1, Article II of the Mobile City Code.

SECTION TEN. Three (3) or more convictions under this section in any three (3) year period of time shall be sufficient grounds for the city to revoke any business license applicable to the licensed premises upon which the violations occurred pursuant to City Code section 34-64 or any other provision of law.

SECTION ELEVEN. The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, that declaration shall not affect the part or parts that remain.

SECTION TWELVE. This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

ADOPTED:

CITY CLERK