



AGENDA ITEM ANALYSIS

Project/Issue Name: 24-09 An Ordinance of the City Council Amending Title II (“Public Health, Safety And Welfare”), Chapter 215 (“Offenses”), Article 215-XII (“Offenses Concerning Minors”), Section 215.2000 (“Use Of Alcoholic Beverages And/Or Controlled Substances By Minors At Open Parties Prohibited-Penalties-Person In Control Of Premises Liable”), of the Municipal Code of the City of Republic, Missouri.

Submitted By: Megan McCullough, City Attorney

Date: March 5, 2024

Issue Statement

Amending the Republic Municipal Code provisions concerning (1) Minors in possession of or consuming alcohol or marijuana and (2) liability for adult persons in control of premises where minors are in possession of or consuming alcohol or marijuana.

Discussion and/or Analysis

The code provisions prohibiting minors from possessing or consuming alcohol were previously located in Chapter 600, which contains the business and occupation provisions of the City Code, primarily overseen and regulated by the BUILDS Department. When Chapter 600 was last amended, the section relating to prosecution of minors in possession of alcohol (formerly Rep. Mun. Code § 600.060) was removed, with the intent that it be relocated to Chapter 200, which generally contains the offenses/prosecution provisions of the Code.

The City Attorney recommends adding the restrictions on minors possessing or consuming alcohol to the existing code provision prohibiting adult persons in control of premises from allowing minors to consume or possess alcohol at “open parties” on the premises (Rep. Mun. Code § 215.2000), as those restrictions all relate to the same/similar subject matter. In doing so, the City Attorney recommends including new verbiage to recognize current caselaw, reference updated state statutes, reference section-specific definitions, and include the same restrictions as to minors in possession of or consuming marijuana.

Last, the City Attorney recommends changes to the current code provision prohibiting adult persons in control of premises to allow minors to consume or possess alcohol at “open parties” on the premises (Rep. Mun. Code § 215.2000) to include: (1) some verbiage to clarify the scope and intent of the provision, and (2) a similar prohibition against minors consuming or possessing marijuana or marijuana accessories under the same circumstances.

Recommended Action

Staff recommends approval.