

# HOW TO PASS A SUCCESSFUL ORDINANCE

## Tips for Community Coalitions



### OVERVIEW – STATE LAWS, LOCAL ALCOHOL ORDINANCES, AND ALCOHOL POLICY

An ordinance is a law that is passed by a city, town, village, or county government, also known as a municipal government.

There are many laws in the State of Illinois that control the use of alcohol by minors. Understanding the liquor laws and the authority granted by the state is an important first step in determining whether to enforce a state law or develop or enforce a local ordinance.

- Some state and local laws may overlap. For example, there may be a local ordinance against minors in possession of alcohol, while the state requires those adjudications must be reported to the Illinois Secretary of State, thereby actually expanding the impact of the local ordinance.
- Communities may find that a policy/law exists at the state level, but either due to lack of resources and/or political will, the state law is underutilized or not enforced. It is in these instances communities might choose to enact a local ordinance to effectively address the identified problem.

Over time a community might determine that a local ordinance would be easier to enforce and prosecute, or could allow for greater sanctions to deter violators of a law. In addition, some ordinances and laws need to be passed at the local level, with local buy-in, to be effective. Also, not all alcohol and underage drinking issues can be addressed through state law, but can be addressed at the local level.

Lastly, local laws may be more sustainable over time. When the policy is implemented to address a local problem, and key stakeholders, local elected officials, and the community buy-in to the policy solution, there is a greater likelihood that the policy will be enforced and prosecuted over time. When local ordinances are passed there is also an opportunity for increased awareness and changes in community norms for the support of enforcement.

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Some alcohol policies communities might implement to reduce underage drinking are:

- Local social host liability ordinances
- Mandatory Responsible Beverage Service (RBS) training
- Alcohol advertising restrictions
- Alcohol outlet density restrictions
- Event restrictions
- Minor in possession (MIP) ordinances
- Keg registration ordinances
- Excise taxes on alcohol products

Law enforcement has a variety of strategies they can employ to enforce underage drinking laws at the state or local level that go above and beyond the enforcement of laws through standard operations.

There are a variety of enforcement strategies that can be used to prevent underage drinking including:

- Alcohol compliance checks
- Shoulder tap operations
- Party prevention and controlled party dispersal
- Sobriety checkpoints
- Cops in shops

## **GOAL**

When communities look at developing and passing local ordinances to reduce underage drinking, they are using an effective prevention strategy that focuses on reducing the availability of alcohol to youth.

Strategies limiting access to alcohol by youth are some of the most powerful and well-documented approaches to reducing underage drinking and related problems. Research has shown that the adoption of appropriate laws with subsequent strong enforcement, coupled with appropriate sanction of these laws, can play a significant role in reducing underage drinking and its negative and often tragic consequences.

## **STEPS TO PASSING A LOCAL ALCOHOL ORDINANCE**

Having a defined process to assist in passing a local alcohol ordinance allows for structure and for all coalition members to know more about what the process looks like and the important tasks and responsibilities within each step.

### **1. Learning the Process**

The process for local legislation varies from community to community, so familiarize yourself with how things work in your community. You should also become familiar with any existing state laws on the subject.<sup>1</sup> You will also need to become familiar with alcohol ordinances both in your community and in surrounding communities to see what has worked and what hasn't. Your coalition will need to outline why the ordinance needs to be developed or modified.<sup>2</sup>

Questions to answer:

1. What's the history of the policy you are trying to pass or change?
2. Have others tried to pass the policy you are working to pass?
  - a. If so, what was the outcome? Have you spoken with them to learn about their successes and challenges?
3. What have other counties or cities done regarding your proposed solution?
4. Are basic needs being met?
5. Is there existing data to support the need for a new ordinance or a change in current one?
6. Does the ordinance need supporting signatures to bring before the local officials?

### **2. Networking – Identify those who support your efforts**

The coalition will need to first identify stakeholders, champions, and oppositions. You can start by making a list of groups, organizations, and individuals who are willing to work with you. A local official(s) will then need to be identified to sponsor the ordinance. Try to find an official with an interest in alcohol policy and pitch your idea to them.<sup>3</sup>

### **3. Using Community Support**

Supporting a local ordinance means doing things like testifying at council meetings, contacting council members to express support for the ordinance and informing other individuals, groups, and

organizations. You'll need a sponsor for the ordinance. A diverse coalition and support group will show your elected officials that a significant portion of the community supports your efforts. Coalitions with effective outreach can spark community conversations and will ultimately raise visibility of your proposal.<sup>2</sup>

#### **4. Understanding the Opposition**

The odds are that someone in your area will oppose the ordinance. It's important to understand why they oppose it, and that the sponsor of the ordinance is prepared with information about the opponent's concerns, and the data, facts and talking points to address them, well in advance of the hearing. To gather feedback about the opposition, coalitions can create a survey, conduct listening sessions, focus groups, and research what other communities have had success and challenges with. Then the coalition should create a short factsheet with common arguments and answers to help sponsor(s). Additionally, a letter to the leadership of a local opposition group soon after the issue is introduced can go a long way.<sup>4</sup>

#### **5. Drafting the Ordinance**

You may already know what you want your ordinance to say, but it will have to be developed into an appropriate legislative format. Even though your coalition won't be drafting the final versions, you'll still need to provide input about best practices and advocate for your ideas to be included. The coalition should start by outlining the ordinance. To begin, if you can find a sample of the proposed legislation in another locality it may serve as a model and a good place for your coalition to start.<sup>4</sup>

#### **6. Sharing the Information**

Even though this is a collaborative process with local officials, you need to plan to get the word out about your coalition's proposed ordinance. Local officials and community members read local papers and watch local news. The coalition will need to schedule a meeting with the editor of your local paper to ask them to support your proposal. You may also want to contact other media outlets, including television and radio, to let them know about your efforts.

#### **7. Identifying Champions or Spokespersons**

The next step will be identifying champions or a spokesperson for your proposed ordinance. If your council calls a public meeting to discuss your proposal, your coalition's spokesperson(s) should testify alongside members of your coalition. Prior to the meeting, discuss and develop talking points for each person. You will want to make sure that everyone doesn't speak on the exact same points (a common problem at public hearings). You may have limited time so dividing talking points among a handful of speakers can ensure that your key arguments are heard.<sup>3</sup>

#### **8. Educating and Enforcing**

You've completed a great accomplishment so be proud of your hard work. Unfortunately, passing an ordinance doesn't mean that it will be enacted as is, well-enforced, or will remain a part of local law forever. Sometimes city or county attorneys will change the language of legislation that has been passed. Your coalition will want to develop a plan to build awareness around the ordinance in your community by educating the public. Then, develop a plan around enforcing the ordinance and how your coalition can remain an active partner in enforcing it. Whatever the situation, keep an eye out for related issues in your community after your ordinance has passed, and be prepared to provide support.

### **HELPFUL TIPS & SUGGESTIONS**

#### **Go back and look at the process**

Your coalition might not get the ordinance passed the first time around, but don't give up. Maybe your council wasn't ready for this issue now. Talk to those council members who voted against your ordinance and find out why.

### **Compromise (if needed)**

As easy and straightforward as this all sounds, things may not run smoothly. Whether because of enforcement issues or strong opposition, sometimes you may have to compromise on your ordinance. This is okay. Be prepared to compromise ahead of time. Know what parts of your ordinance are most important and which ones can be set aside, if needed.

### **Use data to support the need for a new ordinance**

It is important to provide access to data for community members and local officials. Data from the Illinois Youth Survey can provide information on the prevalence of alcohol, youth attitudes regarding alcohol, and factors in students' lives, their families, and their communities that may increase or reduce the risk of alcohol use. The IYS is administered to students in 8th, 10th, and 12th grades and not only is a State of Illinois report available, but county level data is available if at least two school districts participated at any grade level. Helping connect community members with data about underage drinking can assist in the development of local alcohol policies aimed at reducing underage drinking and promoting healthy behaviors in youth.

### **Additional Resources**

1. Alcohol Policy Information System (APIS) <https://alcoholpolicy.niaaa.nih.gov/>
2. Community Anti-Drug Coalitions of America (CADCA) <http://www.cadca.org/>
3. Illinois Youth Survey (IYS) <https://iys.cprd.illinois.edu>

### **References**

1. Community Tool Box “Advocating for Change” 2017. Web. <http://ctb.ku.edu/en/advocating-change>
2. Community Tool Box “Influencing Policy Development” 2017. Web. <http://ctb.ku.edu/en/influencing-policy-development>
3. Community Tool Box “Evaluating the Initiative” 2017. Web. <http://ctb.ku.edu/en/evaluating-initiatives>
4. Pacific Institute for Research and Evaluation – Underage Drinking Enforcement Training Center “Tool Kit to Pass Local Ordinance”. 2017. Web.

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