

ORDINANCE NO 12- _____

Date Passed: June 11, 2012

AN ORDINANCE AMENDING CHAPTER 6 (“ALCOHOLIC BEVERAGES”) OF THE MUNICIPAL CODE OF THE CITY OF ROCHELLE TO CREATE ONE TAVERN LICENSE AND ONE RESTAURANT LICENSE AND TO REPEAL SIZE RESTRICTIONS FROM THE DEFINITIONS OF RESTAURANT AND RESTAURANT / RECREATION

WHEREAS, the City of Rochelle 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, a request has been received for one (1) additional Tavern liquor license for Cherry Street Pub of Rochelle, Inc., d/b/a Cherry Street Pub at 406 Cherry Avenue, and one (1) additional Restaurant liquor license for Sukura Nippon Inc., d/b/a Yoshino Japanese Restaurant which is located at 1001 N. 7th Street; and

WHEREAS, the Mayor and Liquor Commissioner, Chet Olson, has reviewed the request and has no objection to the creation of one (1) additional Tavern license and one (1) additional Restaurant license in order to accommodate the requests; and

WHEREAS, the Mayor and City Council find that it is in the best interest of the City to delete from the definitions of Restaurant and Restaurant/Recreation the requirement that said facilities have a dining area of not less than 1200 square feet;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCHELLE, OGLE COUNTY, ILLINOIS, that the Municipal Code of the City of Rochelle is amended as follows:

1. The definition of Restaurant contained in Section 6-2 is amended to read as follows (additions shown in underline, deletions by strikethrough):

“*Restaurant* means any public place kept, used, maintained, advertised, and held out to the public as a place where meals are served, having a complete menu service during the hours of 5:00 p.m. to 9:00 p.m. each day that the premises are open to the public. The dining area must be ~~not less than 1,200 square feet and must be~~ maintained separate and apart from the kitchen. Alcoholic beverages shall be served directly to the tables except when there is a banquet or reception not open to the general public when alcoholic beverages may be served from a service area. No bar can be located upon the premises. The restaurant and kitchen facilities must be licensed and inspected by the county health department as a commercial food service establishment.”

2. The definition of Restaurant/Recreation contained in Section 6-2 is amended to read as follows (additions shown in underline, deletions by strikethrough):

“Restaurant/recreation means:

(1) Any public place kept, used, maintained, advertised and held out to the public as a place where meals are served having a complete menu service at least during the hours of 5:00 to 9:00 p.m. each day the premises are open to the public. A dining area ~~of not less than 1,200 square feet~~ must be maintained as separate and apart from the kitchen and bar area. The kitchen shall contain at a minimum the following facilities:

- a. A utility service sink.
- b. A three-compartment sink or a mechanical dishwasher.
- c. Separate handwashing facilities in the kitchen for employees.
- d. Commercial cooking equipment including a grease duct, exhaust equipment, and a fire suppression system meeting the requirements of sections 506, 507 and 509 of the 1996 International Mechanical Code.

The restaurant must be licensed and inspected by the county health department as a commercial food service establishment.

(2) A facility which has all the facilities of a restaurant together with separate facilities such as bowling lanes, billiards, miniature golf, simulated or actual golfing and similar types of activities, and at least 51 percent of the gross revenues, as determined by the close of the licensee's most recent past fiscal or calendar year of operation, must be obtained from the sale of meals and recreation activities.”

3. Section 6-46 is amended to read as follows (additions shown in underline, deletions by strikethroughs):

“6-46 License-Number Limitations. There shall be issued in the city not more than ~~six-seven~~ six tavern licenses, not more than ~~one-two~~ one restaurant licenses, not more than six restaurant/recreation licenses, not more than three package licenses, not more than four package beer and wine licenses, not more than one restaurant beer and wine license, not more than two club licenses, and not more than six one-day nonprofit beer and wine licenses, per year. Not more than one one-day nonprofit beer and wine license shall be issued for the same date.”

This ordinance shall become effective after its passage, approval and publication as provided by law and shall modify any inconsistent provisions in the municipal code prior to this date.

PASSED AND APPROVED this 11th day of June, 2012.

Ayes: _____ Nays: _____ Abstain/Absent: _____

Attested: _____
City Clerk

Mayor

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