

ORDINANCE NO._____

Date Passed:_____

AN ORDINANCE AMENDING CHAPTER 6 (ALCOHOLIC BEVERAGES) OF THE MUNICIPAL CODE OF THE CITY OF ROCHELLE TO MODIFY THE HOURS OF SALE OF ALCOHOLIC LIQUORS ON SUNDAYS

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, the Illinois Liquor Control Act of 1934, 235 ILCS 5/4-1, provides in part that in every city the city council “shall have the power by general ordinance or resolution to determine the number, kind and classification of licenses, for sale at retail of alcoholic liquor not inconsistent with this Act”; and

WHEREAS, the Illinois Liquor Control Act of 1934, 235 ILCS 5/6-14, further provides in part that “No person shall sell at retail any alcoholic liquor on Sundays unless authorized by general ordinance or resolution of the city council...; provided, however that the city council... may further restrict the permissible hours for the sale of alcoholic liquors under such licenses in its political subdivision as the public good and convenience may require”; and

WHEREAS, Chapter 6-4 of the Rochelle Municipal Code establishes the permitted hours for sale of alcoholic liquors by licensees; and

WHEREAS, Chapter 6-4 of the Rochelle Municipal Code currently prohibits the sale of alcoholic liquors on Sundays between the hours of 2:00 a.m. and 11:00 a.m. for all license classifications; and

WHEREAS, the City Council deems it appropriate and believes it is in the best interest of the residents, businesses, and institutions for the City to amend Chapter 6-4 of the Rochelle Municipal Code to allow for the sale of alcoholic liquors on Sundays between the hours of 6:00 a.m. and 11:00 p.m. by all persons licensed to sell alcoholic liquor under this chapter; and

WHEREAS, all other necessary findings have been made;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCHELLE, OGLE COUNTY, ILLINOIS, as follows:

1. Chapter 6-4 of the Municipal Code of the City of Rochelle is hereby amended to allow for the sale of alcoholic liquors on Sundays between the hours of 6:00 a.m. and 11:00 p.m. by all persons licensed to sell alcoholic liquor under this chapter as shown in **Exhibit A** attached hereto.

This ordinance shall become effective immediately.

PASSED AND APPROVED this ____ day of _____, 2017.

Ayes _____ Nays _____ Abstain _____

Mayor

Attest: _____

City Clerk

EXHIBIT A

Sec. 6-4. - HOURS OF SALE.

(a) No person licensed to sell alcoholic liquor under this chapter shall permit his establishment to be open for the serving, sale or giving away of such liquors except during the following periods of time on the following days:

- (1) On the days of Monday through Thursday from 6:00 a.m. to 1:00 a.m. of the following day.
- (2) On the days of Friday and Saturday from 6:00 a.m. to 2:00 a.m. of the following day.
- (3) On Sundays from 6:00 a.m. to 11:00 p.m.
- (4) Nonprofit beer and wine: Nonprofit beer and wine licenses shall be valid from 12:00 noon for the day they are issued until 10:00 p.m. that day unless otherwise authorized by the local liquor commissioner or city council.

(b) The following rules shall apply during certain holiday periods:

- (1) All establishments having a liquor license shall be closed from 7:00 p.m. on Christmas Eve and shall be closed from 7:00 p.m. on Christmas Eve and shall be closed through Christmas Day and evening. Regular hours shall resume on the day following Christmas Day.
- (2) All establishments having a liquor license shall be permitted to remain open for the sale of liquor until 2:00 a.m. on every January 1 (New Year's Day). Regular hours shall then resume on January 1 (New Year's Day), following the 2:00 a.m. closing.

(c) No patron shall remain or be permitted to remain in the bar area of any premises licensed for the sale of alcoholic liquor regardless of license classification during the time that the business of selling alcoholic liquors is not permitted to be transacted on such premises, and the door shall be locked promptly at the time of closing and shall remain locked during this closing period. In the case of any restaurant, recreation, or club, each as defined in section 6-2, meals may be served to patrons and the doors need not be locked during the hours that liquor is not permitted to be served, but all bar areas must be closed to the public, and no wine or liquor lists shall be displayed or placed on any table or counter, and alcoholic liquor shall not be consumed or served on the premises during such hours.

(d) The time referred to hereunder shall be either central standard time or central daylight saving time, whichever is in effect in the city. On those days that a time change occurs, the closing time shall be 2:00 a.m. daylight saving time or 1:00 a.m. central standard time.