
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE WAIVING LIQUOR LICENSE RENEWAL FEES FOR
CALENDAR YEAR 2021**

JOHN BEARROWS, Mayor
SUE MESSER, City Clerk

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JOHN GRUBEN
DON BURKE
City Council

Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle
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200 W. Adams, Suite 2125, Chicago, IL 60606

CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE NO. _____
Date Passed: November 9, 2020

**AN ORDINANCE WAIVING LIQUOR LICENSE RENEWAL FEES FOR
CALENDAR YEAR 2021**

WHEREAS, Section 7 of Article VII of the 1970 Constitution of the State of Illinois provides that a municipality that is not a home rule unit shall only have the powers granted to them by law and as such the City of Rochelle, Ogle County, Illinois being a non-home rule unit pursuant to the provisions of said Section 7 of Article VII, and may exercise only the powers expressly granted by law; and

WHEREAS, the Illinois General Assembly granted non-home rule municipalities broad authority to “pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities.” 65 ILCS 5/1-2-1; and

WHEREAS, while “non-home rule municipalities have the authority to enact ordinances, such ordinances may in no event conflict with state law or prohibit what a state statute expressly permits . . . A local ordinance may impose more rigorous or definite regulations in addition to those enacted by the state legislature so long as they do not conflict with the statute.” (*Village of Wauconda v. Hutton*, 291 Ill. App. 3d 1058, 1060 (1997)); and

WHEREAS, the COVID-19 pandemic has necessitated the imposition of national, state and local actions/orders to help mitigate the spread of the COVID-19 virus; and

WHEREAS, the Mayor and City Council seek to support City businesses who have been negatively impacted by the COVID-19 pandemic by waiving liquor license renewal fees for calendar year 2021; and

WHEREAS, the Mayor and City Council find that providing waiving liquor license renewal fees will help to support the continued existence of City businesses, stimulate economic activity in the City, including the creation and maintenance of jobs and the attraction of shoppers to the City, and will otherwise generally benefit the wellbeing of the residents of the City by stimulating commercial growth, and revitalizing an economically challenged industry as a result of the COVID-19 pandemic; and

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of Rochelle, Ogle County, Illinois, as follows:

SECTION ONE: The foregoing recitals shall be, and are hereby, incorporated into and made a part of this Ordinance as if fully set forth in this Section One.

SECTION TWO: That the liquor license renewal fees imposed by Chapter 6 Section 49 of the Rochelle Municipal Code are hereby waived for calendar year 2021. In addition, all fees imposed pursuant to a liquor license awarded pursuant to Chapter 6 Section 51 of the Rochelle Municipal Code are hereby waived for calendar year 2021.

SECTION THREE: If any provision of this Ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

SECTION FOUR: Where the conditions imposed by any provisions of this Ordinance are more restrictive than comparable provisions imposed Ordinance in any other local law, ordinance, resolution, rule or regulation, the regulations of this Ordinance will govern.

SECTION FIVE: The City Clerk shall publish this Ordinance in pamphlet form.

SECTION SIX: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED THIS 9th day of November, 2020.

AYES:

NAYS:

ABSENT:

APPROVED THIS 9th day of November, 2020.

MAYOR

ATTEST:

CITY CLERK

STATE OF ILLINOIS)
)
COUNTY OF OGLE) SS.

CERTIFICATE

I, _____, City Clerk of the City of Rochelle, County of Ogle and State of Illinois, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. _____, “AN ORDINANCE WAIVING LIQUOR LICENSE RENEWAL FEES FOR CALENDAR YEAR 2021” which was adopted by the Mayor and City Council of the City of Rochelle on November 9, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 9th day of November, 2020.

CITY CLERK