

**ORDINANCE NO. \_\_\_\_\_**  
**Date Passed: January 9, 2012**

**AN ORDINANCE AMENDING CHAPTER 6 (ALCOHOLIC BEVERAGES) OF  
THE MUNICIPAL CODE OF THE CITY OF ROCHELLE TO DELETE  
RESORT LICENSES, ALLOW SUNDAY AND HOLIDAY SALES, AND  
ESTABLISH NEW FEE SCHEDULE**

**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 (Alcoholic Beverages) of the Rochelle Municipal Code contains provisions authorizing a license classification known as "Resort License", although there are no Resort Licenses in effect; and

**WHEREAS**, Chapter 6 (Alcoholic Beverages) of the Rochelle Municipal Code prohibits the sale of alcoholic liquors on Sundays between the hours of 2:00 a.m. and midnight, except for a limited number of One-day Sunday Licenses for holders of tavern, recreation, restaurant or package liquor licenses; and

**WHEREAS**, Chapter 6 (Alcoholic Beverages) of the Rochelle Municipal Code establishes the permitted hours for sale of alcoholic liquors by licensees, and further prohibits or restricts the permitted hours of sale of alcoholic liquors on Thanksgiving Day, Christmas Eve and Christmas Day; and

**WHEREAS**, the fees for liquor licenses are set forth in Section 26-44 of the Rochelle Municipal Code; and

**WHEREAS**, the City Council deems it appropriate to delete from Chapter 6 (Alcoholic Beverages) of the Rochelle Municipal Code the license classification of "Resort", and to further delete all other references to said license classification within said chapter; and

**WHEREAS**, the City Council further deems it appropriate to delete the restrictions on Sunday sales of alcoholic liquors by licensees beyond the hours allowed on other days; and

**WHEREAS**, the City Council further deems it appropriate to delete the prohibition or restriction on the sale of alcoholic liquors by licensees on Thanksgiving Day, Christmas Eve and Christmas Day beyond the hours allowed on other days; and

**WHEREAS**, the City Council further deems it appropriate to amend the fee schedule for liquor licenses, as set forth in Section 26-44 of the Rochelle Municipal Code; and

**WHEREAS**, the City Council deems it appropriate to prohibit the sale of alcoholic liquors from convenience stores, other than those convenience stores presently licensed, and to prohibit the issuance of a license for those stores when they are sold; 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 (Alcoholic Beverages) of the Municipal Code of the City of Rochelle is hereby be amended to read as shown in **Exhibit A** attached hereto (additions shown in red underline, deletions in red strike-through).

2. Section 26-44 of the Municipal Code of the City of Rochelle is hereby amended to read as shown in **Exhibit B** attached hereto (additions shown in red underline, deletions in red strike-through).

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 9th day of January, 2012.

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Abstain: \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attested: \_\_\_\_\_  
City Clerk

**EXHIBIT A**  
**(Amendments to Chapter 6)**

**EXHIBIT B**  
**(Amendments to Sec. 26-44)**