



Incorporated in 1869

Village of Rochester

SANGAMON COUNTY, ILLINOIS

ORDINANCE
NUMBER 15-18

**AN ORDINANCE AMENDING THE VILLAGE CODE PROVISIONS ON ALCOHOLIC
BEVERAGES AND GAMING**

DAVID L. ARMSTRONG, Village President
LYNN LANGDON, Village Clerk

MARIBETH EANDI
HAROLD HENDRICKSON
JOE HILL
WAYNE LIKEN
STACIA MUNROE
DOUG ZOBRIST
Village Trustees

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Rochester
on 12/14, 2015

Sorling Northrup – 1 N. Old State Capitol Plaza, Suite 200, Springfield, IL 62701

ORDINANCE NO. 15-18

AN ORDINANCE AMENDING THE VILLAGE CODE PROVISIONS ON ALCOHOLIC BEVERAGES

WHEREAS, the Village of Rochester, Sangamon County, State of Illinois, is a duly organized and existing Village created under the provisions of the laws of the State of Illinois, and is operating under the provisions of the Illinois Municipal Code; and

WHEREAS, the Village of Rochester (hereinafter, the "Village"), is an Illinois municipal corporation; and

WHEREAS, the Illinois Liquor Control Act of 1934, 235 ILCS 5/4-1, sets forth the rights of municipalities to govern and restrict the sale of alcoholic liquor within their communities; and

WHEREAS, Section 4-2 of the Act provides that the Village has the authority to determine the number, kind and classification of licenses for sale at retail of alcoholic liquor, not inconsistent with the Act, and the amount of local licensee fees to be paid for the various kinds of licenses to be issued; and

WHEREAS, Section 4-2 of the Act provides that the Village has the authority to establish such further regulations and restrictions upon the issuance of a local license not inconsistent with the law as the public good and convenience may require; and

WHEREAS, Section 4-2 of the Act provides that the Village has the authority to provide penalties for the violation of regulations and restrictions relative to the operation of the local license; and

WHEREAS, the Corporate Authorities believe it is in the best interest of the Village to amend its Liquor Code to add new requirements for licenses as set forth in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Rochester, County of Sangamon, as follows:

Section 1. Recitals. 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 1.

Section 2. Amendment to Village Code. Chapter 21 Article 2 Section 26-2-6.5 of the Village Code shall be amended as follows (added):

21-2-6.5 VIDEO GAMING - LIMITATION. No person, establishment, or business issued a license shall allow video gaming on the licensed premise unless the person, establishment or business holds a Class R-G or M-G license. Holders of R-G and M-G licenses must apply with the Illinois Gaming Commission for a gaming license within ninety (90) days of being granted said R-G and/or M-G license. Operation of a video gaming terminal by any other license holder shall be cause for revocation of the applicable liquor license in addition to any and all other penalties allowed by law and this Chapter. Except as otherwise provided herein, it shall be unlawful to permit all other types of gambling on any premises licensed to sell alcoholic liquor.

Section 3. Severability. In the event a court of competent jurisdiction finds this ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

Section 4. Repeal and Savings Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the Village of Rochester prior to the effective date of this ordinance.

Section 5. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

SO ORDAINED this 14 day of December, 2015, at Rochester, Sangamon County, Illinois.

	YES	NO	ABSENT	PRESENT
MARIBETH EANDI	X			
HAROLD HENDRICKSON	X			
JOE HILL	X			
WAYNE LIKEN	X			
STACIA MUNROE	X			
DOUG ZOBRIST			X	
DAVID ARMSTRONG	X			
TOTAL	6	0	1	

APPROVED by the President of the Village of Rochester, Illinois this 14 day of December, 2015.


 DAVID L. ARMSTRONG, Village President

Attest:

 LYNN LANGDON, Village Clerk