



Incorporated in 1869

## Village of Rochester

SANGAMON COUNTY, ILLINOIS

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ORDINANCE  
NUMBER 16-02

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**AN ORDINANCE AMENDING ORDINANCE 15-09 INCREASING THE NUMBER OF  
LIQUOR LICENSES THAT PERMIT VIDEO GAMING**

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

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

**ORDINANCE NO. 16-02**

**AN ORDINANCE AMENDING ORDINANCE 16-02 INCREASING THE NUMBER OF LIQUOR LICENSES THAT PERMIT VIDEO GAMING**

**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 Video Gaming Act gives municipalities the authority to wholly prohibit video gaming within their communities; and

**WHEREAS**, the Village passed Ordinance 15-09 on November 9, 2015, which determined the limit of liquor licenses that permit video gaming allowed in the Village; and,

**WHEREAS**, the Corporate Authorities believe that video gaming should be allowed but be limited in liquor establishments and therefore only desire to allow a limited number of liquor licenses that permit video gaming on the premises; and

**WHEREAS**, the Corporate Authorities believe it is in the best interest of the Village to amend its Liquor Code to add allowed limits 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 21-2-6 of the Village Code shall be amended to increase allowed limits to subsections (G) and (H) to Section 26-2-6 as follows:

(G) **Class R-G License: Restaurants with Gaming.** There is hereby created a Class “R-G” liquor license, which shall authorize retail sale of alcoholic liquor only by restaurants for consumption on the premises where sold or for consumption off the premises only in the original package where the sale of alcoholic liquor is incidental to the sale of other merchandise at retail and in no event more than 40% of the gross revenues of the retailer. The annual fee shall be Eight Hundred Dollars (\$800.00). There shall be a limit of two (2) licenses.

(H) **Class M-G License: Manufacturer Sale with Gaming.** There is hereby created a Class “M-G” license, which shall permit the manufacturing, bottling, consumption, tasting and sale of alcoholic liquor by a manufacturer for consumption on the premises where sold or for consumption off the premises only in the original package by a retailer who is also a manufacturer of alcohol. Alcoholic liquor in said places of business shall be inaccessible to customers during all times other than those hours of operation specified in Section 21-3-1. There shall be no facility for the sale of alcoholic liquor to anyone in a motor vehicle without parking and physically entering the premises. The annual license

fee shall be Eight Hundred Dollars (\$800.00). There shall be a limit of one (1) license.

**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.

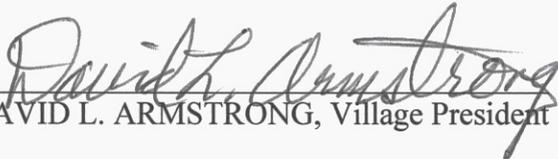
SO ORDAINED this 8 day of February, 2016, at Rochester, Sangamon County,

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	5	0	2	

  
LYNN LANGDON, Village Clerk

**APPROVED** by the President of the Village of Rochester, Illinois this 8 day of February, 2016.

  
DAVID L. ARMSTRONG, Village President

Attest:  
  
LYNN LANGDON, Village Clerk