



Incorporated in 1869

Village of Rochester

ORDINANCE
NUMBER 16-14

**AN ORDINANCE AMENDING THE VILLAGE CODE PROVISIONS ON ALCOHOLIC
BEVERAGES SETTING NEW HOURS OF OPERATION LIMITATIONS FOR
CLASS M AND M-G LICENSES**

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 MAY 9, 2016

ORDINANCE NO. 16-14

AN ORDINANCE AMENDING THE VILLAGE CODE PROVISIONS ON ALCOHOLIC BEVERAGES SETTING NEW HOURS OF OPERATION LIMITATIONS FOR CLASS M AND M-G LICENSES

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 provide different hours of operation for certain 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 3 Section 21-3-1 of the Village Code shall be and is hereby amended as follows:

21-3-1 CLOSING HOURS FOR ALL LICENSES. It shall be unlawful for any licensee to give or sell or offer for sale or gift or in any way provide any alcoholic liquors, spirits, beer, or wine in the Village during the hours of 10:00 P.M. until 8:00 A.M. on the following day; provided, however, that licensees holding a Class B, a Class R, a Class CR or a Class R-G license may sell alcoholic liquor from 11:00 A.M. until 1:00 A.M. on each Friday and Saturday, and from 11:00 A.M. until 12:00 A.M. on each Sunday through Thursday and the sale for consumption off the premises where sold in the original package by any licensee may continue until 12:00 A.M. daily. The hours of a Class M or a Class M-G license may sell alcoholic liquor from 9:00 A.M. until 1:00 A.M. on each Saturday, and from 11:00 A.M. until 12:00 A.M. on each Sunday through Friday and the sale for consumption off the premises where sold in the original package by any licensee may continue until 12:00 A.M. daily. The hours for a licensee holding a Class SE license shall be specified on the application and shall be approved by the Local Commissioner and the Board of Trustees of the Village. The times referred to above shall refer to Daylight Savings Time or when the same is in effect in the Village and upon cessation of Daylight Savings Time, shall be Central Standard Time. All patrons or customers shall leave the premises at the specified closing time and shall not remain on the premises thereafter. (See 235 ILCS Sec. 5/4-1) (Ord. No. 14-01; 03-10-14)

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 9th day of May, 2016, at Rochester, Sangamon County, Illinois.

	YES	NO	ABSENT	PRESENT
MARIBETH EANDI	✓			
HAROLD HENDRICKSON	✓			
JOE HILL	✓			
WAYNE LIKEN	✓			
STACIA MUNROE	✓			
DOUG ZOBRIST	✓			
DAVID ARMSTRONG	✓			
TOTAL	7			

Annette Bowman (Deputy Clerk)
LYNN LANGDON, Village Clerk

APPROVED by the President of the Village of Rochester, Illinois this 9 day of May, 2016.

David L. Armstrong
DAVID L. ARMSTRONG, Village President

Attest:

Annette Bowman (Deputy Clerk)
LYNN LANGDON, Village Clerk