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**THE CITY OF ROCHELLE**  
**Ogle County, Illinois**

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**ORDINANCE**  
**NO. \_\_\_\_\_**

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**AN ORDINANCE DELETING A CLASS R-2 LIQUOR LICENSE AND ADDING A  
CLASS R-2 LIQUOR LICENSE FOR LAS TAPATIAS FAMILY KITCHEN, INC.**

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**JOHN BEARROWS, Mayor**  
**ROSE HUÉRAMO, City Clerk**

**TOM MCDERMOTT**  
**BIL HAYES**  
**KATE SHAW-DICKEY**  
**DAN McDERMOTT**  
**ROSAELIA ARTEAGA**  
**BEN VALDIVIESO**  
**City Council**

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Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle  
Peterson, Johnson, and Murray, LLC, City Attorneys  
1301 W. 22nd Street – Ste. 500 Oak Brook, Illinois 60523

CITY OF ROCHELLE  
Ogle County, Illinois

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE DELETING A CLASS R-2 LIQUOR LICENSE AND ADDING A CLASS R-2 LIQUOR LICENSE FOR LAS TAPATIAS FAMILY KITCHEN, INC.**

**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**, an application has been received from the Castillo-Mayor family, owners of Las Tapatias Family Kitchen, Inc., d/b/a BirrieriaLas Tapatias located at 1310 N. 7th Street, Rochelle, Illinois, for a Class R-2 liquor license; and

**WHEREAS**, the Mayor and Liquor Commissioner previously granted an R-2 liquor license for Barrio Agave at this same location; and

**WHEREAS**, at some point Barrio Agave ceased operations, and their liquor license was surrendered, and therefore needs to be deleted; and

**WHEREAS**, the Mayor and Liquor Commissioner, John Bearrows, has reviewed the application of Castillo-Mayor family, and has no objection to the deletion of one Class R-2 liquor license (granted to Barrio Agave) and the creation of one Class R-3 liquor license to accommodate the request of Las Tapatias Family Kitchen, Inc.; and

**WHEREAS**, the issuance of the Class R-2 liquor license will have no impact on the total number of Class R-2 liquor licenses as set forth in Section 6-46 of the Municipal Code of the City of Rochelle; and

**WHEREAS**, it has been determined by the Corporate Authorities of the City of Rochelle that the deletion of one Class R-2 Liquor License (for Barrios Agave), and the creation of one

Class R-2 Liquor License for Las Tapatias Family Kitchen, Inc., d/b/a Las Tapatias is in the best interest of the City and its residents.

**BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHELLE, ILLINOIS:**

SECTION ONE: That the City hereby incorporates all of the recitals above into this Ordinance as if fully set forth herein.

SECTION TWO: One Class R-2 Liquor License (for Barrio Agave) is hereby deleted and one Class R-2 Liquor License for Las Tapatias Family Kitchen, Inc., d/b/a Birrieria Las Tapatias is hereby created.

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 elsewhere 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 25th day of March 2025.

AYES:

NAYS:

ABSENT:

APPROVED THIS 25th day of March 2025.

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MAYOR

ATTEST:

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CITY CLERK

STATE OF ILLINOIS        )  
                                      )  
COUNTY OF OGLE        )        SS.

CERTIFICATE

I, Rose Huéramo, 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 DELETING A CLASS R-2 LIQUOR LICENSE AND ADDING A CLASS  
R-2 LIQUOR LICENSE FOR LAS TAPATIAS FAMILY KITCHEN, INC.” which was adopted  
by the Mayor and City Council of the City of Rochelle on March 25, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of  
the City of Rochelle this 25th day of March, 2025.

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CITY CLERK