
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE AMENDING SECTION 4 OF CHAPTER 6 TO STRIKE LIMITATIONS ON THE
SALE OF ALCOHOLIC BEVERAGES ON CHRISTMAS EVE AND CHRISTMAS DAY**

JOHN BEARROWS, Mayor
ROSE HUERAMO, City Clerk

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ROSAELIA ARTEAGA
BEN VALDIVIESO
City Council

Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle
Ottosen DiNolfo Hasenbalg & Castaldo, Ltd., City Attorneys
2441 Warrenville Road, Suite 310, Lisle, Illinois 60532

ORDINANCE NO: _____

Date Passed:

AN ORDINANCE AMENDING SECTION 4 OF CHAPTER 6 TO STRIKE LIMITATIONS ON THE SALE OF ALCOHOLIC BEVERAGES ON CHRISTMAS EVE AND CHRISTMAS DAY

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, the Illinois Liquor Control Act of 1934 grants local municipalities the power to license and regulate alcohol within their boundaries; and

WHEREAS, the Rochelle Liquor Code is codified in “Chapter 6 – Alcoholic Beverages” of the Rochelle Municipal Code; and

WHEREAS, the current language of the Code limits the sale of liquor on Christmas Eve and prohibits the sale of liquor on Christmas day; and

WHEREAS, the City is seeking to allow the regular operation of alcohol sales on both Christmas Eve and Christmas Day; and

WHEREAS, a proposed amendment to Section 4, of “Chapter 6 – Alcoholic Beverages,” is attached herein as Exhibit A; and

WHEREAS, the Mayor and the City Council find that it is in the best interest of the City and its residents to update and amend section 4, of “Chapter 6 – Alcoholic Beverages,” to allow for the regular sale of alcohol on Christmas Eve and Christmas day.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the City of Rochelle as follows:

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

SECTION TWO: Section 4, of “Chapter 6 – Alcoholic Beverages,” is hereby amended as reflected in the attached Exhibit A.

SECTION THREE: If any provision of this Ordinance 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 with the approval of the City Manager, is authorized to correct any non-substantive drafting or formatting issues in Chapters 6 that may result from the adoption of this Ordinance. 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 AND APPROVED this 24th day of November 2025.

ATTEST:

City Clerk

Mayor

EXHIBIT A

Sec. 6-4. - Hours of sale.

- (a) No person licensed to sell alcoholic liquor under this chapter shall permit his establishment to be open for the serving, sale or giving away of such liquors except during the following periods of time on the following days:
 - (1) On the days of Monday through Wednesday from 6:00 a.m. to 1:00 a.m. of the following day.
 - (2) On the days of Thursday, Friday and Saturday from 6:00 a.m. to 2:00 a.m. of the following day.
 - (3) On Sundays from 6:00 a.m. to 11:00 p.m.
 - (4) Class E temporary licenses shall be valid from 12:00 noon for the day they are issued until 10:00 p.m. that day unless otherwise authorized by the local liquor commissioner or city council.
- (b) The following rules shall apply during certain holiday periods:
 - (1) ~~All establishments having a liquor license shall be closed from at 7:00 p.m. on Christmas Eve and shall be closed from 7:00 p.m. on Christmas Eve and shall be closed through Christmas Day and evening. Regular hours shall resume on the day following Christmas Day.~~
 - ~~(2)~~ All establishments having a liquor license shall be permitted to remain open for the sale of liquor until 2:00 a.m. on every January 1 (New Year's Day). Regular hours shall then resume on January 1 (New Year's Day), following the 2:00 a.m. closing.
- (c) No patron shall remain or be permitted to remain in the bar area of any premises licensed for the sale of alcoholic liquor regardless of license classification during the time that the business of selling alcoholic liquors is not permitted to be transacted on such premises, and the door shall be locked promptly at the time of closing and shall remain locked during this closing period. In the case of any C, R-1, R-2, R-3, or Resort license, each as defined in section 6-2, meals may be served to patrons and the doors need not be locked during the hours that liquor is not permitted to be served, but all bar areas must be closed to the public, and no wine or liquor lists shall be displayed or placed on any table or counter, and alcoholic liquor shall not be consumed or served on the premises during such hours.
- (d) The time referred to hereunder shall be either central standard time or central daylight saving time, whichever is in effect in the city. On those days that a time change occurs, the closing time shall be 2:00 a.m. daylight saving time or 1:00 a.m. central standard time.

STATE OF ILLINOIS)
) SS.
COUNTY OF OGLE)

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 AMENDING SECTION 4 OF CHAPTER 6 TO STRIKE LIMITATIONS ON THE SALE
OF ALCOHOLIC BEVERAGES ON CHRISTMAS EVE AND CHRISTMAS DAY" which was adopted
by the Mayor and City Council of the City of Rochelle on November 24, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of
the City of Rochelle this 24th day of November 2025.

CITY CLERK