
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE DELETING ONE CLASS S LIQUOR LICENSE AND CREATING
ONE CLASS P-2 LIQUOR LICENSE FOR ROAD RANGER, LLC d/b/a ROAD
RANGER #153**

JOHN BEARROWS, Mayor
ROSE HUÉRAMO, City Clerk

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

Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle
Peterson, Johnson, and Murray Chicago, LLC, City Attorneys
200 W. Adams, Suite 2125 Chicago, IL 60606

CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE NO. ____

**AN ORDINANCE DELETING ONE CLASS S LIQUOR LICENSE AND CREATING
ONE CLASS P-2 LIQUOR LICENSE FOR ROAD RANGER, LLC d/b/a ROAD
RANGER #153**

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, a request has been received from Road Ranger LLC, on behalf Road Ranger #153, located at 1101 N. 7th. St., Rochelle, Illinois, to tender its Class S liquor license, for Road Ranger #153, in order to obtain a P-2 Liquor License; and

WHEREAS, the Mayor and Liquor Commissioner, John Bearrows, has reviewed the request and has no objection to the deletion of one Class S liquor license and the creation of one Class P-2 liquor license to accommodate the request of Road Ranger, LLC; and

WHEREAS, the current number of class S liquor licenses will decrease from three (3) to two (2) and the current number of P-2 liquor licenses will increase from two (2) to three (3) 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 S Liquor License and the creation of one Class P-2 Liquor License for Road Ranger, LLC 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: The Mayor and City Council have determined that the deletion of one Class S Liquor License and the creation of one Class P-2 Liquor License for Road Ranger, LLC d/b/a Road Ranger #153 is in the best interest of the City and its residents.

SECTION THREE: That Chapter 6, Article I, Section 6-46 “Number Limitations” is hereby amended as follows:

Classification	Number of Licenses
Class B	10
Class P-1	2
Class P-2	2 <u>3</u>
Class C	2
Class R-1	0
Class R-2	4
Class R-3	9
Class S	3 <u>2</u>
Class E	0
Class M-1	1
Class M-2	1
Class T	3
Class U	0
Resort	1

SECTION FOUR: 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 FIVE: 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 SIX: The City Clerk shall publish this Ordinance in pamphlet form.

SECTION SEVEN: 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 11th day of December, 2023.

AYES:

NAYS:

ABSENT:

APPROVED THIS 11th day of December, 2023.

MAYOR

ATTEST:

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 ONE CLASS S LIQUOR LICENSE AND CREATING ONE CLASS P-2 LIQUOR LICENSE FOR ROAD RANGER, LLC d/b/a ROAD RANGER #153” which was adopted by the Mayor and City Council of the City of Rochelle on December 11, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle on this 11th day of December 2023.

CITY CLERK