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

**ORDINANCE
NO. _____**

**AN ORDINANCE AMENDING CHAPTER 6 AND CHAPTER 26 TO ALLOW FOR NOT-FOR-
PROFIT LIQUOR LICENSE FEES**

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

**TOM McDERMOTT
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DAN McDERMOTT
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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 CHAPTER 6 AND CHAPTER 26 TO ALLOW FOR NOT-FOR-PROFIT LIQUOR LICENSE FEES

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 City is seeking to amend its Code to allow for reduced liquor licenses fees for not-for-profit organizations; and

WHEREAS, a proposed amendment to Sections 2, 3, of “Chapter 6 – Alcoholic Beverages,” and Section 44 of “Chapter 26 – Licensing Generally” is attached herein as Exhibit A; and

WHEREAS, the proposed amendments allow for not-for-profits to qualify for Class C licenses at a reduced rate; and

WHEREAS, the proposed amendments will allow not-for-profits to obtain liquor licenses at a more affordable rate and encourage economic development within the City; 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 sections 2 and 3, of “Chapter 6 – Alcoholic Beverages,” and section 44 of “Chapter 26 – Licensing Generally” amend Class C liquor licenses.

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: Sections 2, 3, of “Chapter 6 – Alcoholic Beverages,” and section 44 of “Chapter 26 – Licensing Generally” are hereby amended, with an effective date of January 1, 2026, 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 or 26 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 9th day of March 2026.

ATTEST:

City Clerk

Mayor

