

**COVID-19 RELATED EMERGENCY ORDER 20-01**  
**TEMPORARY SALE OF PACKAGED ALCOHOLIC LIQUOR**  
**APPLICATIONS**

**EFFECTIVE DATE:** 3/23/20 **EFFECTIVE TIME:** 12:00 NOON

**WHEREAS**, on March 16, 2020, Governor Pritzker signed Executive Order in Response to COVID-19 (COVID-19 Executive Order No. 5)<sup>1</sup> in which the Governor suspend business operations for restaurants, bars and food halls from March 16, 2020 through March 30, 2020; and

**WHEREAS**, the complete suspension of operations for restaurants, bars and food halls located in the City of Rochelle, Illinois has and will create a financial hardship for the owners, operators and employees of these business establishments; and

**WHEREAS**, the Illinois Liquor Control Commission's "COVID-19 Related Action Guidance on Temporary Delivery of Alcoholic Liquor" dated March 19, 2020<sup>2</sup> has provided recommendations to ease the financial hardship of restaurants, bars, and food halls affected by COVID-19 Executive Order No. 5; and

**WHEREAS**, the restaurants, bars, and food halls are a vital part of the City of Rochelle's community and economy; and

**WHEREAS**, the Liquor Commissioner, upon recommendation of the City Manager, and pursuant to the Illinois Liquor Control Commission's "COVID-19 Related Action Guidance on Temporary Delivery of Alcoholic Liquor" dated March 19, 2020, the Liquor Commissioner's powers set forth in Chapter 6 Article I, Section 6-15, and 235 ILCS 5/4-4, the Liquor Commissioner hereby ORDERS as follows:

1. **Recitals.** That the Liquor Commissioner hereby incorporates all of the recitals above into this Order as if fully set forth herein.
2. **Package Sale of Alcoholic Liquor.** Chapter 6 article I, Section 6-3 entitled License Classifications is amended to allow liquor licensees in the categories of Class B, C, and R liquor licenses to apply for an emergency package rider using the form attached hereto as Attachment 1, which would permit the sale of any and all alcoholic liquor in original package form for consumption off the premises.
3. **Growlers and Spirits.** Chapter 6 article I, Section 6-3 entitled License Classifications is amended to allow liquor licensees categories of Class M-1 and M-2 liquor licenses to fill growler containers with beer and bottles with spirits, pursuant to and as long as the licensee

<sup>1</sup> Available for viewing at <https://www2.illinois.gov/Documents/ExecOrders/2020/ExecutiveOrder-2020-07.pdf>.

<sup>2</sup> Available for viewing at

<https://www2.illinois.gov/ilcc/News/SiteAssets/Pages/Guidance%20on%20Temporary%20Delivery%20of%20Alcoholic%20Liquor.pdf>.

complies with applicable State law (235 ILCS 5/6-6.5, et. seq.) and upon application to the Liquor Commissioner in the form of Attachment 1.

**4. Applications.** Aside from those items referenced in Paragraphs 2 and 3, above, the acceptance of applications related to proposed or existing liquor licenses, including but not limited to new applications and temporary event licenses, shall be suspended temporarily.

**5. State Law Requirements.** Liquor licensees are advised that additional steps may be required pursuant to State law to undertake the actions described in this Order, including but not limited to receiving a State license in an off-premises consumption category.

**6. Continuing Obligations.** Licensees remain responsible for complying with all other requirements of the Municipal Code and State Law. This includes ensuring that alcoholic liquor is sold and/or distributed in any way only to persons aged 21 and over by verifying the ages and identities of the person(s) purchasing the alcoholic liquor and/or receiving the packaged alcohol upon delivery.

**7. Insurance Requirements.** Licensees are advised that dramshop/liquor liability insurance policies may need to be updated and/or revised to undertake the actions described in this Order. By submitting the attachments to the Liquor Commissioner, the Licensee certifies the sufficiency of their dramshop/liquor liability insurance policy and indemnifies the City of Rochelle and its employees and agents from any and all liability related to any and all claims that arise directly or indirectly from this Order and any activities undertaken by the Licensee pursuant to the Order.

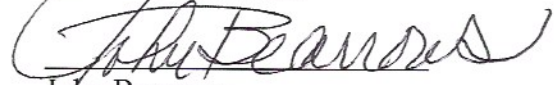
**8. Fees.** There shall be no application fees for an emergency package rider.

**9. Sole Discretion.** It shall be within the sole discretion of the Liquor Commissioner to approve, deny, suspend, revoke, or make conditional any activities permitted under this Order, if deemed necessary in the interest of the public health, safety, or welfare.

**10. Duration.** This Order shall be effective for the period of 30 days and as continued by the City Council, unless terminated at any time prior by the Liquor Commissioner. All amendments, activities, and/or authorizations permitted pursuant to this Order shall cease and become void upon termination of this Order. Any action or prosecution of a violation of this Order and/or any Code section impacted by this Order shall continue in full force and effect.

**11. Violation.** Any person or entity violating this Order shall be subject to the penalty provisions contained in the Rochelle Municipal Code including, but not limited to daily fines and possible action to suspend or revoke any liquor and/or business license or permit issued by the City of Rochelle.

**12. Governor's Authority.** Nothing in this Order shall be deemed to supersede the authority of the Governor and any orders that may be issued by the Governor related to the operation of businesses and/or the sale of alcoholic liquor in the State of Illinois.

A handwritten signature in cursive script, appearing to read "John Bearrows".

John Bearrows  
Liquor Commissioner,  
City of Rochelle