

Ordinance No. 25-18

AN ORDINANCE APPROVING THE TRANSFER OF A SPECIALTY SHOP LICENSE FOR TOUREX INC. FROM 4025 W. ALGONQUIN RD. TO 1645 W. ALGONQUIN RD. AND UPDATING THE NUMBER OF AVAILABLE SPECIALTY SHOP LICENSES

WHEREAS, the City of Rolling Meadows is a home rule municipality in accordance with Article VII, Section 6 of the Constitution of the State of Illinois of 1970 and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the City has adopted a licensing scheme and regulations that apply to Tobacco and Industrial Hemp Dealers in Division 2 ("Tobacco and Industrial Hemp Dealers") of Article II ("Merchants") of Chapter 22 ("Businesses") of the Rolling Meadows Municipal Code ("*Tobacco Regulations*"); and

WHEREAS, the Tobacco Regulations define as a "Specialty Shop" those commercial establishments that have ten percent or more of their square footage used for the sale or display of products regulated by the Tobacco Regulations, which Specialty Shop are subject to a special licensing program including a numerical limit that applies throughout the City and within specific subareas of the City; and

WHEREAS, Tourex, Inc. currently holds a Specialty Shop license at 4025 W. Algonquin Road and has requested to relocate their business to a tenant space at 1645 W. Algonquin Road, which was formerly the storefront of a different Specialty Shop; and

WHEREAS, the City Council held a duly noticed public hearing at its February 11, 2025 and February 25, 2025 prior to considering the request of Tourex, Inc. to relocate their Specialty Shop license; and

WHEREAS, the Tobacco Regulations provide that the number of Specialty Shop licenses is automatically reduced without further action if any license is not renewed and the City Council desires to amend the Tobacco Regulations concurrent with granting the request of Tourex, Inc. to reflect the reduction in available licenses created by the closure of Tourex, Inc. at its current location as well as the closure of the prior Specialty Shop located at 1645 W. Algonquin Road; and

WHEREAS, the Corporate Authorities of the City of Rolling Meadows have determined that it would be in the best interest of the City to approve the relocation of Tourex, Inc. and the amendment of the Tobacco Regulations as set forth in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rolling Meadows, Illinois:

Section 1: Recitals. The recitals set forth above are incorporated herein by reference as the findings of the Corporate Authorities.

Section 2: Relocation Authorized.

- A. Pursuant to Section 22-108(d) of the Tobacco Regulations and the City's home rule authority, the City Council hereby authorizes the transfer of Tourex, Inc.'s Specialty Shop license to 1645 W. Algonquin Road.

B. Notwithstanding any contrary provision of the Municipal Code, no application or license fee shall apply in conjunction with the transfer authorized by this Section 2.

Section 3: Amendment to Section 22-108. Section 22-108 (“Restriction upon number and location of licenses”) of Division 2 (“Tobacco and Industrial Hemp Dealers”) of Article II (“Merchants”) of Chapter 22 (“Businesses”) is hereby amended as follows [additions are **bold and double-underlined**; deletions are struck through]:

“Sec. 22-108. Restriction upon number and location of licenses.

(a) *Class and number.* The total number and classification of licenses to be issued by the City pursuant to this Division 2 shall be, unless otherwise changed by action of the City Council:

License Class	Number Authorized
Accessory Retailer	-No limit applies-
Specialty Shop	7 <u>6</u>
Smoking Lounge	0

If any license of any class subject to a numeric limit is not renewed or the license is surrendered, canceled, revoked, suspended, or otherwise terminated, such license shall be rescinded and not be restored, and the total number of licenses of that class to be issued by the City shall be reduced accordingly without further action.

(b) *Specialty shop location restrictions.* No Specialty Shop license shall be newly issued, renewed, or transferred to any new location unless (i) it satisfies the location requirements of at least one of the following location categories; and (ii) it would not exceed the respective maximum number of licenses provided for each location category:

Location Category	Number Authorized
<i>Algonquin Road Corridor: Between Barker Avenue and Golf Road, and within 200 feet of the right-of-way of Algonquin Road.</i>	2 <u>2</u>
<i>Kirchoff Road Corridor: Between Owl Drive and Oriole Lane, and within 200 feet of the right-of-way of Kirchoff Road.</i>	2
<i>Euclid & Plum Grove: Within the area bounded by Bryant Avenue; Brockway Street; Euclid Avenue; and Plum Grove Road.</i>	2
Lying west of Illinois Route 53 and south of Algonquin Road.	4

If any license of any location category is not renewed or the license is surrendered, canceled, revoked, suspended, or otherwise terminated, such

license shall be rescinded and not be restored, and the total number of licenses of that location category to be issued by the city shall be reduced accordingly without further action.

* * *

Section 4: Severability. If any provision of this Ordinance or part thereof is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance shall remain in full force and effect, and shall be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

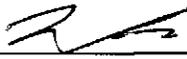
Section 5: Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED AND APPROVED by the City Council of Rolling Meadows, Cook County, Illinois this 11th day of March, 2025.

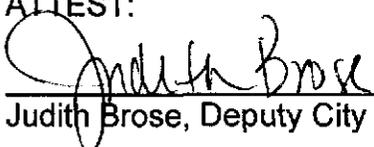
AYES: Reyez, Koehler, McHale, Budmats, O'Brien, Boucher

NAYS: 0

ABSENT: Vinezeano



Lara Sanoica, Mayor

ATTEST:


Judith Brose, Deputy City Clerk

Published this 14th day of March, 2025.



Judith Brose, Deputy City Clerk