
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE AUTHORIZING THE DISPOSAL OF SURPLUS ELECTRICAL
EQUIPMENT THAT HAS REACHED A USEFUL LIFESPAN**

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BRUCE MCKINNEY, City Clerk

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City Council

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ORDINANCE NO. ____

AN ORDINANCE AUTHORIZING THE DISPOSAL OF SURPLUS ELECTRICAL EQUIPMENT THAT HAS REACHED A USEFUL LIFESPAN

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 property or necessary, to carry into effect the powers granted to municipalities” 65 ILCS 5/1-2-1; and

WHEREAS, the City of Rochelle (“City”), pursuant to Section 11-76-4 of the Illinois Municipal Code (65 ILCS 5/11-76-4), declares that surplus personal property consisting of outdated Electrical Equipment such as lamps, conduits, and transformers, etc., (“Electrical Equipment”) identified is no longer necessary or useful for the City and shall be disposed; and

WHEREAS, Section 11-76-4 of the Illinois Municipal Code (65 ILCS 5/11-76-4), provides that corporate authorities then holding office may determine by a simple majority that personal property is no longer necessary or useful to, or in the best interest of the municipality; and

WHEREAS, the Electrical Equipment that is to be disposed is more fully described in the attached Exhibit A; and

WHEREAS, the Electrical Equipment has not been used recently by the City, and said Electrical Equipment has minimal value for resale to be used for its intended purposes; and

WHEREAS, it is the opinion of a majority of the corporate authorities presently holding office, it is not necessary for, useful to, or in the best interest of the City of Rochelle to retain ownership of the Electrical Equipment listed in Exhibit A; and

WHEREAS, it has been determined by the Corporate Authorities of the City of Rochelle that the disposal of the Electrical Equipment 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: Pursuant to 65 ILCS 5/11-76-4, the Corporate Authorities of the City of Rochelle find that the Electronical Equipment is no longer necessary or useful to the City and that it is in the best interest of the City to dispose of said Electronical Equipment.

SECTION THREE: Pursuant to 65 ILCS 5/11-76-4, the Superintendent of the Electrical Utility or his designee shall be and is hereby authorized and directed by the Corporate Authorities to dispose of the Electrical Equipment listed in the attached Exhibit A.

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 8th day of January, 2018.

AYES:

NAYS:

ABSENT:

APPROVED THIS 8th day of January, 2018.

CHET OLSON, MAYOR

ATTEST:

CITY CLERK

STATE OF ILLINOIS)
)
COUNTY OF OGLE) SS.

CERTIFICATE

I, _____, 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 AUTHORIZING THE DISPOSAL OF SURPLUS ELECTRICAL EQUIPMENT THAT HAS REACHED A USEFUL LIFESPAN” which was adopted by the Mayor and City Council of the City of Rochelle on January 8th, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 8th day of January, 2018

CITY CLERK