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

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**ORDINANCE**  
**NO. \_\_\_\_\_**

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**AN ORDINANCE AMENDING THE CITY OF ROCHELLE ZONING ORDINANCE TO  
ALLOW FOR DOG TRAINING FACILITIES IN I-2 ZONING DISTRICT**

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**JOHN BEARROWS, Mayor**  
**SUE MESSER, City Clerk**

**TOM McDERMOTT**  
**BIL HAYES**  
**KATE SHAW-DICKEY**  
**DAN McDERMOTT**  
**JOHN GRUBEN**  
**City Council**

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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 AMENDING THE CITY OF ROCHELLE ZONING ORDINANCE TO  
ALLOW FOR DOG TRAINING FACILITIES IN I-2 ZONING DISTRICT**

**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**, on June 3, 2019, the Planning & Zoning Commission of the City of Rochelle (“PZC”) held a public hearing (“Public Hearing”) on the proposed text amendment (“Amendments”) to various sections of the City of Rochelle Zoning Ordinance (“Zoning Ordinance”) pertaining to special use treatment for Dog Training Facilities in certain areas of the City; and

**WHEREAS**, on June 3, 2019, said PZC unanimously voted to recommend approval of certain Amendments to the Zoning Ordinance pertaining to Dog Training Facilities as fully set forth below; and

**WHEREAS**, it has been determined by the Corporate Authorities of the City of Rochelle that it is in the best interest of the City and its residents to approve the Amendments to said Zoning Ordinance pertaining to Dog Training Facilities as fully set forth below; and

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL  
OF THE CITY OF ROCHELLE, ILLINOIS:**

**SECTION ONE:** That report and findings and recommendations of the PZC are hereby incorporated as the Corporate Authorities of the City of Rochelle own findings as mentioned above as if fully set forth herein.

**SECTION TWO:** That Section 110-9 entitled “DEFINITIONS” of the Rochelle Municipal Code be and is hereby amended by adding the following underlined language in alphabetical order:

**Sec. 110-9. - Definitions.**

Dog training facility means any lot, building, enclosure or premises whereupon or wherein dogs are trained for obedience by a certified instructor.

**SECTION THREE:** That Section 110-232 entitled “GENERAL INDUSTRIAL DISTRICT” of the Rochelle Municipal Code be and is hereby amended by adding the following underlined language:

**Sec. 110-232. - Permitted uses.**

The I-2 general industrial district provides for areas in more outlying locations for those types of activities which might result in incompatibilities with other types of uses.

The following shall be permitted conditional uses in the I-2 zoning district.

- (a) Dog training facility

**SECTION FOUR:** That Section 110-9 entitled “DISTRICT USE CLASSIFICATION LIST” of the Rochelle Municipal Code be and is hereby amended by adding the following underlined language in alphabetical order:

**Sec. 110-291. - District use classification list.**

	RD	R-1	R-2	R-3	R-4	R-5	R-O	B-1	B-2	I-1	I-2	I-3
<u>DOG TRAINING FACILITY</u>											<u>X</u>	

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

SECTION EIGHT: 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 10<sup>th</sup> day of June, 2019.

AYES:

NAYS:

ABSENT:

APPROVED THIS 10<sup>th</sup> day of June, 2019.

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MAYOR

ATTEST:

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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 AMENDING THE CITY OF ROCHELLE ZONING ORDINANCE TO ALLOW FOR DOG TRAINING FACILITIES IN I-2 ZONING DISTRICT” which was adopted by the Mayor and City Council of the City of Rochelle on June 10, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 10<sup>th</sup> day of June, 2019.

\_\_\_\_\_  
CITY CLERK