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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 MUNICIPAL  
CODE PERTAINING TO ABSENTEEISM**

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

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**KATE SHAW-DICKEY**  
**DAN McDERMOTT**  
**JOHN GRUBEN**  
**City Council**

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Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle  
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**CITY OF ROCHELLE**  
**Ogle County, Illinois**

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

**AN ORDINANCE AMENDING THE CITY OF ROCHELLE MUNICIPAL  
CODE PERTAINING TO ABSENTEEISM**

**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 Mayor and City Council of the City of Rochelle (“Corporate Authorities”) are empowered to determine their own rules of proceeding and to punish their members for disorderly conduct pursuant to 65 ILCS 5/3.1-40-15 of the Illinois Municipal Code; and

**WHEREAS**, the Corporate Authorities may ensure a quorum is present at City Council meetings and any similar board, commission, or committee meeting, and may compel attendance of absentees under such penalties prescribed by ordinance pursuant to 65 ILCS 5/3.1-40-20 of the Illinois Municipal Code; and

**WHEREAS**, the City of Rochelle (“City”) desires to enact rules of procedure to ensure attendance and reduce absenteeism at City Council Meetings and any similar board, commission, or committee meetings by amending certain portions of the City’s municipal code (“Amendments”); 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 said Amendments; and

**NOW, THEREFORE, 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:** That Section 2-293 entitled “Attendance policy” of the Rochelle Municipal Code be and is hereby amended by adding the following underlined language:

**Sec. 2-293. – Attendance Policy for All Boards, Commissions, and Committees**

The Mayor and City Council of the City of Rochelle may compel attendance of any absentee, to any City Council, Board, Commission, or Committee Meeting. Any member, excluding the Mayor, of the City Council, Board, Commission, or Committee may be removed from the body to which they hold a seat, if that member misses three (3) consecutive meetings. The removal shall be initiated by the Mayor and subject to the confirmation of such removal by the advice and consent of the City Council.

SECTION THREE: 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 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 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 THIS 24<sup>th</sup> day of June, 2019.

AYES:

NAYS:

ABSENT:

APPROVED THIS 24<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 MUNICIPAL CODE PERTAINING TO ABSENTEEISM” which was adopted by the Mayor and City Council of the City of Rochelle on June 24, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 24<sup>th</sup> day of June, 2019.

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