
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE AMENDING CHAPTER 94 ARTICLE IV ENTITLED
“STOPPING, STANDING, AND PARKING”**

JOHN BEARROWS, Mayor
SUE MESSER, City Clerk

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

Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle
Peterson, Johnson, and Murray Chicago, LLC, City Attorneys
200 W. Adams, Suite 2125, Chicago, IL 60606

CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE NO. _____
Date Passed: August 26, 2019

AN ORDINANCE AMENDING CHAPTER 94 ARTICLE IV ENTITLED
“STOPPING, STANDING, AND PARKING”

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 City of Rochelle (“City”) in an effort to promote the health, safety, and welfare of the City and its residents now desires to amend certain portions of its traffic regulations contained within the City of Rochelle Municipal Code pertaining to allow parking zones and certain parking restricts (“Amendments”); and

WHEREAS, said Amendments shall be included in Section 94-221 entitled “Resident-only parking zones, and Section 94-224 entitled “Parking prohibited at specified times on designated streets,” further described in the attached Exhibit 1; and

WHEREAS, the City also desires to erect certain signage to effectuate and regulate the traffic controls intended in said Amendments in accordance with Section 94-43 of the City of Rochelle Municipal Code; 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, Ogle County, Illinois, as follows:

SECTION ONE: The foregoing recitals shall be, and are hereby, incorporated into and made a part of this Ordinance as if fully set forth in this Section One.

SECTION TWO: That Section 94-221 “Resident-only parking zones” of Chapter 94, Article IV, Division 1 of the Rochelle Municipal Code be and is hereby amended by adding the following underlined language:

Sec. 94-221. – Resident-only parking zones.

- (a) The following areas are designated as resident-only parking zones:
- (1) Second Street, west side, from Fifth Avenue to Sixth Avenue.
 - (2) Fifth Avenue, north side, from Second Street west to alley.
 - (3) Tenth Street, from First Avenue north to the Burlington Northern Railroad tracks.
 - (4) Eleventh Street, from First Avenue north to the Burlington Northern Railroad tracks.
 - (5) North Third Street, 150 feet on the west side, south of Ninth Avenue.
 - (6) Second Street west side from Tenth Avenue to 100 feet north of School Avenue.
 - (7) Second Street east side from School Avenue extending 100 feet north.
 - (8) Second Street from 7th Avenue to 8th Avenue on the west side of the street.
- (b) It is unlawful to park any vehicle in such zones which is not registered in the name of a person that resides within 300 feet of the location in which the vehicle is parked. The residence of the registrant of the vehicle shall be considered to be the address listed in the most recent state registration of the vehicle.

SECTION TWO: That Section 94-224 “Parking prohibited at specified times on designated streets” of Chapter 94, Article IV, Division 1 of the Rochelle Municipal Code be and is hereby amended by deleting the following strikethrough language and adding the following underlined language in alphanumerical order:

Sec. 94-224.- Parking prohibited at specified times on designated streets.

- (a) In accordance with section 94-210, no person shall park a vehicle at any of the designated locations listed below:
- (1) First Avenue, between Jack Dame Road and Caron Road on the south side.
 - (2) First Avenue, along either side, between Second Street and Caron Road.
 - ~~(3) First Avenue, on the north side, between Tenth Street and 11th Street.~~
 - ~~(4)~~(3) Second Avenue, on the south side, between Washington Street and a point 175 feet west of the centerline of Washington Street.
 - ~~(5)~~(4) Second Street, east side, from a point at the south curve line of Avenue E to a point 150 feet south of the curve line.
 - ~~(6)~~(5) Fourth Avenue, on the south side, at the intersection of Fourth Avenue and IL Route 251.
 - ~~(7)~~(6) Fifth Avenue, between Lincoln Highway and Main Street only in front of the Rochelle Fire Department.
 - ~~(8)~~(7) Sixth Avenue, for an area approximately 25 feet west of the alley located on the south side of the 500 block.
 - ~~(9)~~(8) Sixth Avenue, along the north side from the alley between Lincoln Highway and Sixth Street, west to Seventh Street.

- ~~(10)~~(9) Seventh Avenue, on the south side, between North Second Street and the Kyte Creek Bridge.
- ~~(11)~~(10) Seventh Street, on both sides between the north city limits and the south city limits.
- ~~(12)~~(11) Seventh Street, along either side, marked IL Route 251, between First Avenue and Eighth Avenue. Parking will not be permitted within the limits of intersections as determined by the state from intersection studies.
- ~~(13)~~(12) Seventh Street, along either side, between Fourth Avenue and Kyte Creek. Parking will not be permitted within the limits of intersections as determined by the state from intersection studies.
- ~~(14)~~(13) Seventh Street, within the limits of the intersection of Seventh Street and Lincoln Highway as determined by the state from intersection studies.
- ~~(15)~~(14) Eighth Avenue, between Seventh Street and Lincoln Highway on the north side.
- ~~(16)~~(15) Eighth Avenue, between Lincoln Highway and Main Street on the south side.
- ~~(17)~~(16) Eighth Street, both sides, starting at its intersection with First Avenue and going southerly towards Avenue B and further continuing westerly, around the curve, and ending on Avenue B at its intersection with the alley between South Eighth and South Ninth Streets.
- ~~(18)~~(17) Ninth Street, from Tilton Park Drive north to Jones Road.
- ~~(19)~~(18) Ninth Street, between Lincoln Avenue and Jones Road on the west side.
- ~~(20)~~(19) North Ninth Street, on the east side, between Fourth Avenue and Fifth Avenue, between the hours of 7:00 a.m. and 4:00 p.m. on school days.
- ~~(21)~~(20) Tenth Avenue, on the south side, from Ninth Street to the alley between Ninth and Tenth Streets.
- ~~(22)~~(21) Tenth Street, on the west side, between Eighth and Tenth Avenues.
- ~~(23)~~(22) Americold Drive, along either side of Americold Drive.
- ~~(24)~~(23) Avenue A, south side, from Eighth Street to Ninth Street, from Memorial Day to Labor Day each year.
- ~~(25)~~(24) Avenue B, along either side from Seventh Street to Washington Street, and Washington Street from Avenue B to First Avenue. Parking is not permitted within the limits on intersections as determined by the state from intersection studies.
- ~~(26)~~(25) Avenue G, along either side between South Main Street and Wood Street.
- ~~(27)~~(26) Carrie Avenue, from IL Route 251 west to North Eighth Street on either side.
- ~~(28)~~(27) Carrie Avenue, on the north side from Eighth Street west to the west property line of Block 9, Sunset Field Subdivision No. 2.
- ~~(29)~~(28) Caron Road, along either side of Caron Road.
- ~~(30)~~(29) Clifton Terrace, on the east side of the roadway.
- ~~(31)~~(30) Dement Road, along either side of Dement Road.
- ~~(32)~~(31) Flagg Road, along either side of Flagg Road.
- ~~(33)~~(32) Gredco Drive, along either side of Gredco Drive.
- ~~(34)~~(33) IL Route 251, along either side, between Flagg Road and IL Route 38 East. Parking will not be permitted within the limits of intersections as determined by the state from intersection studies.
- ~~(35)~~(34) Jones Road, on both sides, from the intersection of IL Route 38 and IL Route 251 west to North Ninth Street.
- ~~(36)~~(35) Lincoln Avenue, from Seventh Street west to the city limits.
- ~~(37)~~(36) Lincoln Highway, between Sixth Avenue and IL Route 38 on either side.

~~(38)~~(37) Lincoln Highway, any vehicle which extends a distance greater than 14 feet (measured perpendicular from the curb) from the curb in the following areas of the city where there is diagonal parking:

- a. On the west side of Lincoln Highway between Sixth Avenue and Second Avenue;
- b. On the north side of Fourth Avenue between Third Street and Sixth Street;
- c. On Cherry Avenue between Main Street and Lincoln Highway.

~~(39)~~(38) Northlake Court, on the east side of the roadway to the beginning of the cul-de-sac.

~~(40)~~(39) Main Street, from First Avenue south to the city limits.

~~(41)~~(40) McConaughy Avenue, between Turkington and North Main Street on either side.

~~(42)~~(41) Petro Road, both sides, east from Dement Road to the city limits.

~~(43)~~(42) IL Route 38, both sides, from its intersection with Seventh Street to its intersection with Caron Road, within 22 feet of the centerline of IL Route 38.

~~(44)~~(43) School Avenue, on the south side for 40 feet on either side of the driveway openings into the middle school property.

~~(45)~~(44) Short Court, on the westerly side or within the cul-de-sac.

~~(46)~~(45) Stoneridge Terrace, on the east side of the roadway.

~~(47)~~(46) Westgate Court, on the north side of the roadway to the beginning of the cul-de-sac.

~~(48)~~(47) Willis Avenue, along either side between Randall Road and IL Route 251.

~~(49)~~(48) Wiscold Drive, along either side of Wiscold Drive.

~~(50)~~(49) Caron Court, along either side, from Steward Road north.

~~(51)~~(50) Seventh Avenue, along the south side of the street, between Lincoln Highway and Main Street.

~~(52)~~(51) Brookside Drive, along the west side of the street, between IL Route 38 and the northerly terminus of Brookside Drive (approximately 1,300 feet); and on the east side of Brookside Drive, between IL Route 38 and 100 feet north of the IL Route 38 right-of-way line.

(52) Ranger Road, from Dement Road west 700 feet to the Terminus

(53) Phil Road, from IL Route 38, north 250 feet to the Terminus.

(b) In addition to the locations listed in subsection (a) of this section, parking is also prohibited at any other location within the city which has been posted "No Parking."

(c) Any person, firm or corporation violating any of the provisions of this section shall be assessed a penalty of \$10.00, if paid within ten days after the date of the violation, after which date the violation shall be punishable as provided in section 1-15.

SECTION FOUR: Pursuant to Section 94-43 and Section 94-210 of the City of Rochelle Municipal Code, it shall be unlawful for anyone to operate a vehicle contrary to the traffic regulations described herein.

SECTION FIVE: The Department of Public Works is hereby authorized and directed to post traffic regulatory signage in accordance with the provisions of this Ordinance, further described in the attached Exhibit 1.

SECTION SIX: Any person violating any of the restrictions or prohibitions set forth herein shall be subject to the penalties for such violations as prescribed by the City of Rochelle Municipal Code, as now existing or hereafter amended.

SECTION SEVEN: 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 EIGHT: Where the conditions imposed by any provisions of this Ordinance are more restrictive than comparable provisions-imposed Ordinance in any other local law, ordinance, resolution, rule or regulation, the regulations of this Ordinance will govern.

SECTION NINE: The City Clerk shall publish this Ordinance in pamphlet form.

SECTION TEN: 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 26th day of August, 2019.

AYES:

NAYS:

ABSENT:

APPROVED THIS 26th day of August, 2019.

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 AMENDING CHAPTER 94 ARTICLE IV ENTITLED “STOPPING, STANDING, AND PARKING”” which was adopted by the Mayor and City Council of the City of Rochelle on August 26, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 26th day of August, 2019.

CITY CLERK

EXHIBIT 1
Proposed Parking Maps

[Insert Maps]