
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 2
ARTICLE II OF THE ROCHELLE MUNICIPAL CODE PERTAINING
TO THE SCHEDULING OF CITY COUNCIL MEETINGS**

CHET OLSON, Mayor
SUE MESSER, City Clerk

TOM MCDERMOTT
BIL HAYES
DON BURKE
KATE SHAW-DICKEY
DAN McDERMOTT
JOHN BEARROWS
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. ____

**AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 2
ARTICLE II OF THE ROCHELLE MUNICIPAL CODE PERTAINING
TO THE SCHEDULING OF CITY COUNCIL MEETINGS**

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 (“City”), 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”) has previously enacted Chapter 2 Article II Section 2-33 entitled “TIME AND PLACE OF REGULAR MEETINGS” of the Rochelle Municipal Code (“City Council Meeting Ordinance”) establishing the time, place, and location of City Council Meetings; and

WHEREAS, the City is empowered and authorized pursuant to Section 5/3.1-40-25 of the Illinois Municipal Code (65 ILCS 5/3.1-40-25) to determine the time, place, and location of its City Council meetings; and

WHEREAS, the City now desires to amend certain sections of its City Council Meeting Ordinance to change the time of City Council Meetings from 7:00 p.m. to 6:30 p.m. on the second and fourth Monday evenings at City Hall for all City Council Meetings taking place after September 1, 2018; 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 amend certain sections of the City Council Meeting Ordinance; and

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 Chapter 2 Article II Section 2-33 entitled “TIME AND PLACE OF REGULAR MEETINGS” of the Rochelle Municipal Code be and is hereby amended by deleting the following strikethrough language and adding the following underlined language:

ARTICLE II. – CITY COUNCIL

Sec. 2-3. – Time and Place of Regular Meetings.

The regular meetings of the council shall be held on the second and fourth Monday evenings, at the hour of ~~7:00~~ 6:30 p.m. in the council room of the City Hall. In the event Monday falls on a legal holiday, the meetings shall be at a time and date set by the city council in conformity with the Open Meetings Act (5 ILCS 120/1 et seq.).

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 ____ day of _____, 2018.

AYES:

NAYS:

ABSENT:

APPROVED THIS ____ day of _____, 2018.

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 CERTAIN SECTIONS OF CHAPTER 2 ARTICLE II OF THE ROCHELLE MUNICIPAL CODE PERTAINING TO THE SCHEDULING OF CITY COUNCIL MEETINGS” which was adopted by the Mayor and City Council of the City of Rochelle on _____, 2018.

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

CITY CLERK