
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 2 ARTICLE VI
OF THE ROCHELLE MUNICIPAL CODE PERTAINING TO
CONTRACTUAL SPENDING AUTHORITY OF CITY MANAGER**

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**AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 2 ARTICLE VI
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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, pursuant to 65 ILCS 5/8-9-1 of the Illinois Municipal Code certain public works contracts exceeding \$25,000.00 must be let to the lowest responsible bidder in accordance with procedures prescribed by local ordinance; and

WHEREAS, Public Act 100-338 amended section 8-9-1 by increasing the threshold expense of public contracts which require responsible bidding procedures from \$20,000.00 to \$25,000.00; and

WHEREAS, the City of Rochelle (“City”) has codified the previous version of section 8-9-1 pursuant to Chapter Article VI Section 2-371 of the Rochelle Municipal Code; and

WHEREAS, the City desires to amend Chapter 2 Article VI Section 2-371, to increase the threshold expense of public contracts requiring responsible bidding procedures in accordance with the amended section 8-9-1 from \$20,000.00 to \$25,000.00; 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 said sections of its Municipal Code in accordance section 8-9-1 pertaining to the letting of public contracts; 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 VI Section 2-371 entitled “Approval of Contracts” of the Rochelle Municipal Code be and is hereby amended by deleting the following strikethrough language and adding the following underlined language:

ARTICLE VI. – FINANCE, REVENUE, AND CONTRACTS
DIVISION 2. - CONTRACTS

Sec. 2-371. - Approval of contracts.

Unless otherwise approved by the city council, all contracts must be within the amount as set forth for the fiscal budget in which the purchase is to be completed and payment is to be made. Except as otherwise set forth in this section, city contracts in excess of ~~\$20,000.00~~ \$25,000.00 shall be made available for competitive bidding, and city contracts in amounts up to and including ~~\$20,000.00~~ \$25,000.00 may be awarded by the city manager without competitive bidding. The city council may, by a two-thirds vote of all councilmembers holding office, authorize the city manager to enter into a contract without competitive bidding.

State Law reference— When bids required, 65 ILCS 5/8-9-1.

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 VI OF THE ROCHELLE MUNICIPAL CODE PERTAINING TO CONTRACTUAL SPENDING AUTHORITY OF CITY MANAGER,” 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