
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 110 ARTICLE
XIII OF THE ROCHELLE MUNICIPAL CODE PERTAINING TO SIGNS**

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ORDINANCE NO. ____

**AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 110 ARTICLE
XIII OF THE ROCHELLE MUNICIPAL CODE PERTAINING TO SIGNS**

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, the City of Rochelle (“City”) desires to amend certain sections of Chapter 110 of the Rochelle Municipal Code (“Sign Ordinance”) pertaining to the display of signs which may significantly affect the public safety of the City’s residents; and

WHEREAS, the amendments to the Sign Ordinance will limit the placement of signs within the public rights-of-way; 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 that amend said Sign Ordinance pertaining to limiting certain signs within the public rights-of-way; 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 110 Article XIII Section 110.672 entitled “Signs” of the Rochelle Municipal Code be and is hereby amended by deleting the following strikethrough language and adding the following underlined language:

ARTICLE XIII. - SIGNS

Se. 110-672. – Signs in residential zoning districts

(10) Signs advertising a particular candidate running for a national, state or local election or political issues; provided, they are not affixed to utility poles or public signs, not placed in the public right-of-way, and not larger than four feet by eight feet. ~~and are not placed more than 30~~

~~days prior to the election and removed within seven days after the election. These signs shall be confined within private property with the permission of the property owner and shall be non-illuminated.~~

SECTION THREE: That Chapter 110 Article XIII Section 110.674 entitled “Prohibited Signs” of the Rochelle Municipal Code be and is hereby amended by adding the following underlined language:

ARTICLE XIII. - SIGNS

Sec. 110-674. – Prohibited Signs

The following are prohibited signs and it shall be unlawful for any person to maintain any such sign as described below:

- (1) Any sign which extends over public property which is wholly or partially illuminated by a floodlight or spotlight.
- (2) Any sign which displays any obscene, as defined in 720 ILCS 5/11-20(b), matter which is offensive to the average citizen in the community under contemporary community standards, or which displays any otherwise unlawful matter.
- (3) It shall be unlawful for any person to attach or maintain any sign to a tree, public building, private sign, utility pole, street light or street sign in the public right-of-way or on private property except as specifically authorized by this article.
- (4) It shall be unlawful for any person to erect or maintain an off-premises sign without first having obtained a conditional use permit issued by the city council upon recommendation by the planning and zoning commission.
- (5) Any flashing sign, subject to the provisions relating to nonconforming sign.
- (6) Any sign advertising a particular candidate running for national, state, or local election or political issues shall not be placed within any public right-of-way.

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

SECTION SEVEN: 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 _____, 2019.

AYES:

NAYS:

ABSENT:

APPROVED THIS ____ day of _____, 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 CERTAIN SECTIONS OF CHAPTER 110 ARTICLE XIII OF THE ROCHELLE MUNICIPAL CODE PERTAINING TO SIGNS,” which was adopted by the Mayor and City Council of the City of Rochelle on _____, 2019.

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

CITY CLERK