
THE CITY OF ROCHELLE
Ogle County and Lee County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 38 OF THE
ROCHELLE MUNICIPAL CODE PERTAINING TO EMERGENCY SERVICES**

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**AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 38 OF THE
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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 and Lee 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 38 of the Rochelle Municipal Code (“Emergency Services Ordinance”) pertaining to the requirements of certain alarm systems; and

WHEREAS, said amendments to the Emergency Services Ordinance will adequately address the advancements in technology regarding the design, function, and operation of alarm systems; 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 Emergency Services 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 38 Article II entitled “ALARM SYSTEMS” of the Rochelle Municipal Code be and is hereby amended by deleting the following strikethrough language and adding the following underlined language:

ARTICLE II. - ALARM SYSTEMS

Sec. 38-31. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alarm includes and means any device known as a burglary, holdup, panic, smoke, fire or medical alarm.

Burglary alarm means a security system designed to protect a building or area by a mechanical or electrical device designed to detect or enable a person to notify others of an unauthorized intrusion. The system emits a sound or transmits a signal or message when activated.

Holdup or panic alarm means a security system designed to allow notification to the police and fire department during normal business or occupancy by authorized persons.

Smoke, fire or medical alarm means a security system designed to allow notification to the police and fire department.

False alarm means the activation of an alarm which results in a response by the police or fire department where an emergency does not exist.

Alarm Holder means the person, firm, partnership, association, corporation, company or organization of any kind in control of any building, structure, or facility or portion thereof wherein an alarm system is maintained.

Sec. 38-37. - Violations; penalties; excessive false alarms.

False alarms.

(1) Upon the occurrence of the third False alarm at any one location for which an alarm has been installed within any given twelve-month period, whether the false alarms are intentional or unintentional and which results in a response by the police or fire department, the Alarm Holder will be notified by United States mail of the infractions of said alarm system and a warning will be given to the Alarm Holder.

(2) Upon the occurrence of the fourth infraction of said alarm system within any given twelve-month period, the Alarm Holder will be charged a penalty of \$50.00 for the infraction.

(3) Upon the occurrence of the fifth infraction of the alarm system within any given twelve-month period, the Alarm Holder will be charged a penalty of \$100.00 for the infraction.

(4) Upon the occurrence of the sixth infraction and each infraction thereafter within any given twelve-month period, the Alarm Holder will be charged a penalty of \$150.00 per occurrence.

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 Resolution 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 _____, 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 38 OF THE ROCHELLE MUNICIPAL CODE PERTAINING TO EMERGENCY SERVICES,” 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