
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 2 OF THE
ROCHELLE MUNICIPAL CODE PERTAINING TO THE OATH OF OFFICE**

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 OF THE
ROCHELLE MUNICIPAL CODE PERTAINING TO THE OATH OF OFFICE**

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 art. XII, § 3 of the Illinois Constitution of 1970, in conjunction with 65 ILCS 5/3.1-10-25 of the Illinois Municipal Code, all newly elected municipal officers shall take and subscribe the oath or affirmation required by the Illinois Constitution; and

WHEREAS, the City of Rochelle desires (“City”) desires to amend certain sections of Chapter 2, Article II, Section 66 of the Rochelle Municipal Code entitled, “OATH OF OFFICE” (“Code”), pertaining to the Oath of Office required by law for all newly elected City Officers; and

WHEREAS, said amendments shall allow a more practicable scheduling of the ceremony, required by law, to which newly elected councilmembers and the mayor shall take the oath of office; 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 Code; 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 66, entitled “OATH OF OFFICE” of the Rochelle Municipal Code be and is hereby amended by adding the following underlined language:

Sec. 2-66. - Oath of office.

Every officer of the city shall, before entering upon his duties, take the oath prescribed by law. Newly elected councilmembers and the mayor shall be sworn into office on the first business day

in the month of May, or at a time that is reasonably practicable without undue delay. The subscribed oath of office shall be filed in the office of the City Clerk.

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 _____, 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 2 OF THE ROCHELLE MUNICIPAL CODE PERTAINING TO THE OATH OF OFFICE,” 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