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**THE CITY OF ROCHELLE**  
**Ogle County, Illinois**

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**ORDINANCE**  
**NO. \_\_\_\_\_**

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**AN ORDINANCE APPROVING A PLAT OF ANNEXATION OF THE  
ROCHELLE TOWNSHIP HIGH SCHOOL DISTRICT NO. 212 GARAGE  
PROPERTY LOCATED AT 1382-1384 NORTH 8<sup>TH</sup> STREET**

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**JOHN BEARROWS, Mayor**  
**SUE MESSER, City Clerk**

**TOM McDERMOTT**  
**BIL HAYES**  
**KATE SHAW-DICKEY**  
**DAN McDERMOTT**  
**JOHN GRUBEN**  
**City Council**

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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

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ROCHELLE TOWNSHIP HIGH SCHOOL DISTRICT NO. 212 GARAGE  
PROPERTY LOCATED AT 1382-1384 NORTH 8<sup>TH</sup> STREET**

**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, 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 considered the Final Plat of Annexation (“Plat”) for certain real property located at 1382-1384 N. 8<sup>th</sup> Street, Rochelle, Illinois 61068 (“Subject Property”), a true and correct copy of which is attached hereto and made a part hereof as Exhibit 1; and

**WHEREAS**, on May 6, 2019, the Planning and Zoning Commission (“PZC”) of the City held a public hearing on the said Plat; and

**WHEREAS**, at said public hearing, the PZC unanimously voted to recommend approval of said Plat to the Mayor and City Council of the City; and

**WHEREAS**, the PZC has filed its report of findings and recommendations regarding the said Plat with this Mayor and City Council, and this City Council has duly considered said report, findings, and recommendations; and

**WHEREAS**, the Corporate Authorities of the City of Rochelle have determined that it is in the best interests of City its residents to approve said Plat; and

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL  
OF THE CITY OF ROCHELLE, ILLINOIS:**

SECTION ONE: That City hereby incorporates all of the recitals above into this Ordinance as if fully set forth herein.

SECTION TWO: The Corporate Authorities of the City of Rochelle, hereby approve and accept said Plat, attached hereto as Exhibit 1, and all necessary City Officials are hereby authorized to execute said Plat prior to the final recording, subject to review and revision as to form by the City Attorney and City staff.

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 28<sup>th</sup> day of May, 2019.

AYES:

NAYS:

ABSENT:

APPROVED THIS 28<sup>th</sup> day of May, 2019.

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MAYOR

ATTEST:

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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 APPROVING A PLAT OF ANNEXATION OF THE ROCHELLE TOWNSHIP HIGH SCHOOL DISTRICT NO. 212 GARAGE PROPERTY LOCATED AT 1382-1384 NORTH 8<sup>TH</sup> STREET,” which was adopted by the Mayor and City Council of the City of Rochelle on May 28, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 28<sup>th</sup> day of May, 2019.

\_\_\_\_\_  
CITY CLERK