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

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

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**AN ORDINANCE AMENDING THE INTERGOVERNMENTAL AGREEMENT FOR  
THE MAINTENANCE OF TRAFFIC SIGNALS**

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

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

**AN ORDINANCE AMENDING THE INTERGOVERNMENTAL AGREEMENT  
FOR THE MAINTENANCE OF TRAFFIC SIGNALS**

**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 and the State of Illinois have entered into an Intergovernmental Agreement (also referred to as the “Master Agreement”) dated July 1, 2011, which agreement sets forth certain responsibilities of the respective parties for the maintenance and provision of necessary electrical energy for certain traffic signals and the costs associated therewith; and,

**WHEREAS**, The City of Rochelle and the State of Illinois desire to amend said Agreement; 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 approve the Amendments to said Master Agreement for Traffic Signal Maintenance; and

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

The mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by both CITY and STATE, the parties hereto agree that:

- (1) The following described signal revisions are made a part of the INTERGOVERNMENTAL AGREEMENT:

The traffic signal installation at the following described location is hereby added to the Master Agreement:

a. IL 251 with Steward Road

(2) Attached hereto and made material part is "Revised Exhibit A" which contains a comprehensive listing of all signals covered by the INTERGOVERNMENTAL AGREEMENT and reflects the changes described in paragraph (1) above.

All other terms and conditions of the INTERGOVERNMENTAL AGREEMENT not in conflict with this AMENDMENT shall remain in full force and effect.

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 24<sup>th</sup> day of June, 2019.

AYES:

NAYS:

ABSENT:

APPROVED THIS 24<sup>th</sup> day of June, 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 AMENDING AN INTERGOVERNMENTAL AGREEMENT FOR THE MAINTENANCE OF OF TRAFFIC SIGNALS” which was adopted by the Mayor and City Council of the City of Rochelle on June 24, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 24<sup>th</sup> day of June, 2019.

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CITY CLERK