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

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

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**AN ORDINANCE AMENDING CHAPTER 94 ARTICLE IV ENTITLED  
“STOPPING, STANDING, AND PARKING”**

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**JOHN BEARROWS, Mayor**  
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**City Council**

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

**ORDINANCE NO. \_\_\_\_\_**  
**Date Passed: July 22, 2019**

**AN ORDINANCE AMENDING CHAPTER 94 ARTICLE IV ENTITLED**  
**“STOPPING, STANDING, AND PARKING”**

**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”) in an effort to promote the health, safety, and welfare of the City and its residents around local schools, now desires to amend certain portions of its traffic regulations contained within the City of Rochelle Municipal Code pertaining to drop off and pick up zones around local schools (“Amendments”); and

**WHEREAS**, said Amendments shall be codified as Section 94-231 “NO DROP OFF/PICK UP ZONE” of Chapter 94, Article IV, Division 1 of the Rochelle Municipal Code; and

**WHEREAS**, the City also desires to erect certain signage to effectuate and regulate the traffic controls intended in said Amendments in accordance with Section 94-43 of the City of Rochelle Municipal Code; 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 said Amendments; and

**NOW THEREFORE BE IT ORDAINED** by the Mayor and City Council of the City of Rochelle, Ogle County, Illinois, as follows:

**SECTION ONE:** The foregoing recitals shall be, and are hereby, incorporated into and made a part of this Ordinance as if fully set forth in this Section One.

SECTION TWO: That Section 94-231 entitled “No Drop Off/Pick Up Zone” of Chapter 94, Article IV, Division 1 of the Rochelle Municipal Code be and is hereby created and established by adding the following underlined language in numerical order:

**Sec. 94-231. No Drop Off/Pick Up Zones.**

Purpose:

To establish “NO PARKING/ DROP OFF /PICK UP ZONE” ordinance to promote the health, safety, and welfare of the City and its residents and to streamline efficiency of traffic flow during school hours at Tilton Elementary School, Central Elementary School, Rochelle Middle School, and May Elementary school by modifying parking areas and restricting passenger drop off/pickup locations to less congested areas. Utilizing existing crossing guards and crosswalks already established.

(a) Except as provided in subsection (b), It shall be unlawful for any operator of any motor vehicle or other conveyance to stop, stand, park or leave standing an attended or unattended motor vehicle or momentarily pick up or discharge a passenger(s) on any portion of a street roadway or highway described below, provided signs are posted indicating the prohibition.

- (1) 10th Ave between N 10th Street and N 9th Street on the south side of the road.;
- (2) N 9th Street between 10th Ave and Tilton Park Drive both sides of the street;
- (3) N 9th Street between 4th Ave and 5th Ave east side of the street;
- (4) N 9th Street between Lincoln Ave and 6th Ave west side of street;
- (5) N 8th Street between 4th Ave and 5th Ave; West side of street;
- (6) 5th Ave 40 feet east of intersection with N 9th St north side of street.
- (7) 10th Ave between N 3rd Street and N 2nd Street on the south side of the street;
- (8) N 2nd Street between 10th Ave and School Ave east side of street;
- (9) School Ave between N 2nd Street and Kyte Creek Bridge on the south side of street;
- (10) School Ave 75 feet East and 75 feet West of (west) Middle School bus entrance, south side of street; and
- (11) Calvin Rd between E McConaughy Ave and School Ave West side of Street;

(b) the restrictions described in subsection(a) above are limited to the following days when schools within the Rochelle School District 231 are in session and conducting school and existing no parking regulations.

- (1) 7:00 a.m. to 9:00 a.m.;
- (2) 2:00 p.m. to 5:00 p.m.;
- (3) existing no parking regulations.

(d) Exception. The operator of an authorized emergency vehicle (as defined by state law) is except from this section when responding to an emergency call, conducting a traffic stop, or otherwise carrying out his or her official duties.

(e) Exception. School busses or school charter busses discharging or picking up in designated Bus Loading Zones or established drop off points.

f) Penalty. Any person convicted of violating any provision of this section shall be guilty of a petty offence and subject to a fine in the specified amount of \$50.00- first offense, second offense \$75.00- third and subsequent offences \$100.00.

SECTION THREE: Pursuant to Section 94-43 of the City of Rochelle Municipal Code, it shall be unlawful for anyone to operate a vehicle contrary to the traffic regulations described herein.

SECTION FOUR: The Department of Public Works is hereby authorized and directed to post traffic regulatory signage in accordance with the provisions of this Ordinance, further described in the attached Exhibit 1.

SECTION FIVE: Any person violating any of the restrictions or prohibitions set forth herein shall be subject to the penalties for such violations as prescribed by the City of Rochelle Municipal Code, as now existing or hereafter amended.

SECTION SIX: 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 SEVEN: Where the conditions imposed by any provisions of this Ordinance are more restrictive than comparable provisions-imposed Ordinance in any other local law, ordinance, resolution, rule or regulation, the regulations of this Ordinance will govern.

SECTION EIGHT: The City Clerk shall publish this Ordinance in pamphlet form.

SECTION NINE: 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 22<sup>nd</sup> day of July, 2019.

AYES:

NAYS:

ABSENT:

APPROVED THIS 22<sup>nd</sup> day of July, 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 CHAPTER 94 ARTICLE IV ENTITLED “STOPPING, STANDING, AND PARKING”” which was adopted by the Mayor and City Council of the City of Rochelle on July 22, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 22<sup>nd</sup> day of July, 2019.

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

**EXHIBIT 1**  
**REQUIRED ACTIONS AND SIGNAGE**

Tilton school

- “No parking/No drop off/ pick up zone” 10<sup>th</sup> Avenue between North 9<sup>th</sup> Street and 10<sup>th</sup> Street on the South side of the Avenue. As well as establish a no parking for the same area. This would eliminate 3 parking spots in that area, as half the block is already a no parking zone. (three signs).
- Move the center line offset to allow only parking on the north side of street and through traffic on south.
- “no parking/ No drop off /pick up zone” to coincide with the no parking /bus loading zone on N 9<sup>th</sup> Street directly in front of Tilton school from 10<sup>th</sup> Avenue to Tilton Park Drive as already established, and the East side restricted no parking during specified hours. (6 signs each side of street, 12 signs total).

Central school

- “no parking/No drop off /pick up zone” North 8<sup>th</sup> Street from 4<sup>th</sup> Avenue to 5<sup>th</sup> Avenue on the West side of street to coincide with “Bus loading zone”. (3 signs).
- “no parking/No drop off pick up zone” North 9<sup>th</sup> Street from 4<sup>th</sup> Avenue to 5<sup>th</sup> Avenue on East side of street (5 signs). To include one sign also placed on the temporary road closed barricades. North 9<sup>th</sup> Street from Lincoln Avenue to 6<sup>th</sup> Avenue West side of street. (9 signs)
- No parking /no drop off/ pick up zone 5<sup>th</sup> Avenue, North side of street, from 40 feet East of intersection of North 9<sup>th</sup> Street (one sign)

May school

- “no parking/no drop off / pick up zone” on North 2<sup>nd</sup> Street between 10<sup>th</sup> Avenue and School Avenue to coincide with “no parking/Bus loading zone” already established (east side) (3 signs). “no parking /No drop off/ pick up zone” on School Avenue in between North 2<sup>nd</sup> Street and the Kyte Creek Bridge South side of street. (8 signs). No parking / No drop off/ pick up zone on 10<sup>th</sup> Avenue between North 2<sup>nd</sup> Street and North 3<sup>rd</sup> Street on South side of street (4 signs), no parking/ no drop/ pick up zone “30 feet East of intersection on School Avenue and North 2<sup>nd</sup> Street. (north side)

Rochelle Middle School (7 signs)

- “No parking/ drop off / pick up zone” on School Avenue 75 feet West and East of intersection with Calvin Road (south side) to include end signage. (3 signs) “No Parking/No drop off/ Pick up” on Calvin Road from School Avenue to McConaughey Avenue (West side). (4 signs)