
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE AMENDING CHAPTER 94, ARTICLE III,
DIVISION 3 ENTITLED "SPEED"**

JOHN BEARROWS, Mayor
SUE MESSER, City Clerk

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DON BURKE
City Council

Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle
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CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE NO. _____
Date Passed: August 12, 2019

**AN ORDINANCE AMENDING CHAPTER 94, ARTICLE III,
DIVISION 3 ENTITLED “SPEED”**

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, now desires to amend certain portions of its traffic regulations contained within the City of Rochelle Municipal Code pertaining to the allowable speed to operate a motor vehicle from 14th street beginning at Lincoln Avenue and continuing north until 8th Avenue (“Subject Property”), further described in the attached Exhibit 1; and

WHEREAS, the City desires to establish a twenty (20) mile per hour speed limit along the Subject Property (“Amendment”); and

WHEREAS, the City also desires to erect certain signage to effectuate and regulate the traffic controls intended in said Amendment in accordance with Section 94-41 and 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 Amendment; 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 94-132 entitled “SPEED LIMIT 20 MILES PER HOUR ON DESIGNATED STREETS” of Chapter 94, Article III, Division 3 of the Rochelle Municipal Code be and is hereby amended by adding the following underlined language:

Sec. 94-132. - Speed limit 20 miles per hour on designated streets.

It is unlawful to drive any motor vehicle on the following public streets in the city at a speed in excess of 20 miles per hour:

- (1) Second Avenue, from Third Street to Sixth Street.
- (2) Fourth Avenue, from Third Street to Sixth Street.
- (3) Fifth Avenue, from Third Street to Sixth Street.
- (4) Sixth Avenue, from Third Street to Sixth Street.
- (5) Tenth Street, from Lincoln Avenue to Fifth Avenue.
- (6) Avenue E, from South Main Street through Poplar Street to First Avenue.
- (7) Cherry Avenue, from Third Street to Lincoln Highway.
- (8) Lincoln Avenue, from Lincoln Highway to Sixth Street.
- (9) Lincoln Highway, from Lincoln Avenue to Seventh Avenue.
- (10) Main Street, from First Avenue to Seventh Avenue.
- (11) Washington Street, from First Avenue to Lincoln Avenue.
- (12) Fourteenth Street, from Lincoln Avenue to Eighth Avenue.

SECTION THREE: Pursuant to Section 94-3 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 12th day of August, 2019.

AYES:

NAYS:

ABSENT:

APPROVED THIS 12th day of August, 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 CHAPTER 94, ARTICLE III, DIVISION 3 ENTITLED “SPEED”” which was adopted by the Mayor and City Council of the City of Rochelle on August 12, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 12th day of August, 2019.

CITY CLERK