

---

---

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

---

---

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

---

---

**AN ORDINANCE GRANTING A SIGN VARIATION AT 1201 EAST  
ILLINOIS ROUTE 38  
(PILOT TRAVEL CENTERS, LLC, PETITIONER)**

---

---

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

**TOM McDERMOTT**  
**BIL HAYES**  
**KATE SHAW-DICKEY**  
**DAN McDERMOTT**  
**JOHN GRUBEN**  
**DON BURKE**  
**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. \_\_\_\_\_  
Date Passed: November 12, 2019**

**AN ORDINANCE GRANTING A SIGN VARIATION AT 1201 EAST  
ILLINOIS ROUTE 38  
(PILOT TRAVEL CENTERS, LLC, PETITIONER)**

**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**, on November 4, 2019, the City’s Planning and Zoning Commission (“PZC”) conducted a public hearing on PZC-19-19 relative to a request received by Pilot Travel Centers, LLC (“Petitioner”), seeking a Variation from Section 110-675 of the Rochelle Municipal Code (“Sign Ordinance”) to allow the erection of fuel canopy signs to be branded with “Pilot” and “Diesel” at 1201 E. Illinois Route 38, Rochelle, Illinois 61068 (“Subject Property”), further described in the attached Exhibit 1 and 2; and

**WHEREAS**, public notice in the form required by law was given of said public hearing by publication not more than thirty (30) days nor less than fifteen (15) days prior to said public hearing; and

**WHEREAS**, the PZC has filed its report of findings and recommendations regarding the Variation of the Subject Property with this Mayor and City Council, and this City Council has duly considered said report, findings, and recommendations; 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 Variations; 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:** The Variation set forth herein below shall be applicable to the following described Property,

**LEGAL DESCRIPTION:**

**[ATTACHED HERETO AS EXHIBIT 3]**

**PIN:** 25-16-300-005

**Commonly known as:** 1201 E. Illinois Route 38, Rochelle, Illinois 61068 (“Subject Property”)

**SECTION THREE:** That the Variation be granted as follows for the Subject Property:

- 1) Variations from the requirements of Section 110-675 of the Rochelle Municipal Code, to allow the fuel canopy signs at the Subject Property to be branded “Pilot” and “Diesel” whereby the gas canopy sign shall have three (3) “Pilot” logos totaling 64.68 square feet and the “Diesel” canopy shall have four (4) logos totaling 86.24 square feet, further described in the attached Exhibit 1 and 2.

**SECTION FOUR:** 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 FIVE:** 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 SIX:** The City Clerk shall publish this Ordinance in pamphlet form.

**SECTION SEVEN:** 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 12<sup>th</sup> day of November, 2019.

AYES:

NAYS:

ABSENT:

APPROVED THIS 12<sup>th</sup> day of November, 2019.

---

MAYOR

ATTEST:

---

CITY CLERK

**EXHIBIT 1**

**PILOT CANOPY SIGNS**

**EXHIBIT 2**

**DIESEL CANOPY SIGNS**

**EXHIBIT 3**

**LEGAL DESCRIPTION**

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 GRANTING A SIGN VARIATION AT 1201 EAST ILLINOIS ROUTE 38 (PILOT TRAVEL CENTERS, LLC, PETITIONER)” which was adopted by the Mayor and City Council of the City of Rochelle on November 12, 2019.

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

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