
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE ESTABLISHING THE SMALL BUSINESS ASSISTANCE GRANT
PROGRAM BY THE CITY OF ROCHELLE**

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City Council

Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle
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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, County of Ogle, State of Illinois, a non-home rule unit of government has to award grants to further economic development pursuant to 65 ILCS 5/8-1-2.5; and

WHEREAS, in late 2019, a new and significant outbreak of Coronavirus Disease 2019 (“COVID-19”) emerged; and

WHEREAS, COVID-19 is a novel severe acute respiratory illness that can spread among people through respiratory transmissions and present with symptoms similar to those of influenza; and

WHEREAS, Governor JB Pritzker issued a disaster proclamation on March 9, 2020, declaring all counties in the State of Illinois a disaster area under the Illinois Emergency Management Agency Act (20 ILCS 3305/7); and

WHEREAS, Governor Pritzker has extended the his executive orders related to COVID-19, the effects of which include, inter alia, (i) a prohibition against public and private gatherings of more than fifty (50) people (Exec. Order 2020-07, §2), (ii) a suspension of any and all business activities related to the provision of food or beverages for on-premises consumption (Exec. Order 2020-07, § 1), and (iii) the closing of most public and private schools (Exec. Order 2020-05, § 1; Exec. Order 2020-06, § 1), and implementation of the Phase 3 reopening through June 27 , 2020 (Exec. Order 2020-38); and

WHEREAS, while the above-described prohibitions appear to be calculated to slow the spread of COVID-19 and to protect the public from the health risks created thereby, the City Council has determined that the executive orders will have a substantial, unintended, negative consequences for local businesses, particularly those in the food preparation and service industries; and

WHEREAS, the City Council has determined that any economic hardship experienced by local businesses is likely to have broader negative consequences for the City and its citizens if local businesses are forced to close or terminate employees; and

WHEREAS, the City Council of the City have determined that it is necessary and expedient for the City to help alleviate the economic hardships experienced by local businesses by helping such businesses with grants; and

WHEREAS, pursuant to Section 8-1-2.5 of the Illinois Municipal Code (65 ILCS 5/8-1-2.5), the Corporate Authorities may appropriate and expend funds for economic development purposes and make grants to any commercial enterprise that are deemed necessary or desirable for the promotion of economic development within the City; and

WHEREAS, the City Council has determined that it is in the best interests of the City and its citizens to establish a Small Business Assistance Grant Program to permit the City to provide grants local businesses so as to support them during this time of emergency and disaster; and

WHEREAS, the City Council has determined that establishing a Small Business Assistance Grant Program to support local businesses during the current crisis is necessary and desirable for the promotion of economic development within the City; and

WHEREAS, the City Council finds it to be in the best interests of its citizens and residents to establish said Small Business Assistance Grant Program; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCHELLE, OGLE COUNTY, ILLINOIS:

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

SECTION TWO: The City Council of the City of Rochelle hereby establishes the City of Rochelle Small Business Assistance Grant Program as set forth in Exhibit 1 attached hereto, in an amount not to exceed \$200,000 in total grants awarded to qualifying small businesses.

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 8th day of June, 2020.

AYES:

NAYS:

ABSENT:

APPROVED THIS 8^h day of June, 2020.

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 ESTABLISHING THE SMALL BUSINESS ASSISTANCE GRANT PROGRAM BY THE CITY OF ROCHELLE” which was adopted by the Mayor and City Council of the City of Rochelle on June 8, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 8th day of June, 2020.

CITY CLERK