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

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

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**AN ORDINANCE FURTHER AMENDING THE SHOP LOCAL RMU  
CREDIT PROGRAM**

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

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**DAN McDERMOTT**  
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**DON BURKE**  
**City Council**

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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: December 14, 2020**

**AN ORDINANCE FURTHER AMENDING THE SHOP LOCAL RMU  
CREDIT PROGRAM**

**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 national, state, and local economies have suffered as a result of the COVID-19 pandemic; and

**WHEREAS**, City of Rochelle businesses have been negatively impacted by the resultant economic downturn; and

**WHEREAS**, on August 10, 2018, the City Council passed Ordinance No. 20-5152, which implemented the Shop Local RMU Credit Program (the “Program”). The Program provides a \$60 reimbursement in the form of a credit on a future Rochelle Municipal Utility (“RMU”) bills for qualifying purchases at retail/service shop and restaurant establishments located within the RMU Service Territory; and

**WHEREAS**, the Mayor and City Council seek to support City businesses by extending the Program through 2021, and permitting ten (3) \$60 reimbursement credits on a future Rochelle Municipal Utility (“RMU”) bills for qualifying purchases at retail/service shop and restaurant establishments located within the RMU Service Territory; and

**WHEREAS**, the Mayor and City Council seek to further support City businesses by extending the Program to commercial customers, granting up to five (5) \$120 reimbursement credits on a future Rochelle Municipal Utility (“RMU”) bills for every \$600 of qualifying

purchases at retail/service shop and restaurant establishments located within the RMU Service Territory; and

**WHEREAS**, the Program is designed to incentivize City residents and businesses to patronize local businesses who were have been negatively impacted by the COVID-19 pandemic;

**WHEREAS**, the Mayor and City Council find that providing economic incentives to encourage people to make retail purchases from businesses in the City will help to support the continued existence of such businesses, stimulate economic activity in the City, including the creation and maintenance of jobs and the attraction of shoppers to the City, and will otherwise generally benefit the wellbeing of the residents of the City by stimulating commercial growth, and revitalizing an economically stagnant industry as a result of the COVID-19 pandemic; 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 Amendment to the Shop Local RMU Credit Program is hereby approved.

**SECTION THREE:** The Program shall provide a sixty-dollar (\$60.00) credit (the “RMU Residential Credit”) on a residential customer’s RMU utility bill for a minimum of three hundred dollars (\$300.00) in purchases at qualifying retail/service shop and/or local restaurants deemed non-essential by gubernatorial executive order.

**SECTION FOUR:** The RMU Residential Credit is available to all residential households within the RMU Service Territory. Each household may receive six (6) RMU Residential Credits on qualifying purchases made from January 1, 2021 through December 31, 2021. Customers party to a deferred payment agreement are not eligible for the RMU Residential Credit.

**SECTION FIVE:** The Program shall provide a one hundred twenty dollar (\$120.00) credit (the “RMU Commercial Credit”) on a commercial customer’s RMU utility bill for a minimum of six hundred dollars (\$600.00) in purchases at qualifying retail/service shop and/or local restaurants deemed non-essential by gubernatorial executive order.

**SECTION SIX:** The RMU Commercial Credit is available to all commercial customers within the RMU Service Territory. Each commercial customer may receive five (5) RMU Commercial Credits on qualifying purchases made from January 1, 2021 through December 31, 2021. Commercial customers party to a deferred payment agreement are not eligible for the RMU Commercial Credit.

**SECTION SEVEN:** The City Manager is hereby authorized to promulgate terms, conditions and rules of this Program in order to ensure the efficient execution of the Program.

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

SECTION ELEVEN: 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 14<sup>th</sup> day of December, 2020.

AYES:

NAYS:

ABSENT:

APPROVED THIS 14th day of December, 2020.

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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 FURTHER AMENDING THE SHOP LOCAL RMU CREDIT PROGRAM” which was adopted by the Mayor and City Council of the City of Rochelle on December 14, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 14<sup>th</sup> day of December, 2020.

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