
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE ADOPTING TAX INCREMENT ALLOCATION FINANCING FOR
THE EASTERN GATEWAY REDEVELOPMENT PROJECT AREA TAX INCREMENT
FINANCING DISTRICT**

JOHN BEARROWS, Mayor
ROSE HUERAMO, City Clerk

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BEN VALDIVIESO
City Council

Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle
Peterson, Johnson, and Murray, LLC, City Attorneys
1301 W. 22nd Street – Ste. 500 Oak Brook, Illinois 60523

ORDINANCE NO.: _____

Date Passed: _____

**AN ORDINANCE ADOPTING TAX INCREMENT ALLOCATION FINANCING FOR
THE EASTERN GATEWAY REDEVELOPMENT PROJECT AREA TAX INCREMENT
FINANCING DISTRICT**

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, it is desirable and in the best interests of the citizens of the City of Rochelle to adopt tax increment allocation financing pursuant to the Illinois Tax Increment Allocation Redevelopment Act, as amended, 65 ILCS 5/11-74.4-1, *et seq.* (the “TIF Act”); and

WHEREAS, the Mayor and City Council of the City have approved a Tax Increment Financing Redevelopment Plan and Project for the Eastern Gateway Redevelopment Project Area (the “Plan” and “Project”) as required by the TIF Act by passage of an ordinance and have heretofore designated a redevelopment project area (the “Area”) as required by the TIF Act by the passage of an ordinance and the City has otherwise complied with all other conditions precedent required by the TIF Act;

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

Section 1. Tax Increment Financing Adopted. Tax increment allocation financing is hereby adopted to pay redevelopment project costs as defined in the TIF Act and as set forth in the Plan and Project within the Area as described in Exhibit A, attached hereto and incorporated herein as if set out in full by this reference. The map of the Area showing the street location is depicted on Exhibit B, attached hereto and incorporated herein as if set out in full by this reference.

Section 2. Allocation of Ad Valorem Taxes. Pursuant to the TIF Act, the Ad Valorem taxes, if any, arising from the levies upon taxable real property in the Area by taxing districts and tax rates determined in the manner provided in Section 11-74.4-9(c) of the TIF Act each year after the effective date of this Ordinance until the Project costs and obligations issued in respect thereto have been paid shall be divided as follows:

(a) That portion of taxes levied upon each taxable lot, block, tract or parcel of real property which is attributable to the lower of the current equalized assessed value or the initial equalized assessed value of each such taxable lot, block, tract or parcel of real property in the Area shall be allocated to and when collected shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing.

(b) That portion, if any, of such taxes which is attributable to the increase in the current equalized assessed valuation of each lot, block, tract or parcel of real property in the Area over and above the initial equalized assessed value of each property in the Area shall be allocated to and when collected shall be paid to the municipal treasurer or to his designee pursuant to Section 207A of the Revenue Act of 1939 of the State of Illinois, as amended, who shall deposit said taxes into a special fund, hereby created, and designated the “City of Rochelle Eastern Gateway Tax Increment Redevelopment Project Area Special Tax Allocation Account” of the City, and such taxes shall be used for the purpose of paying Project costs and obligations incurred in the payment thereof.

Section 3. Invalidity of Any Section. If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

Section 4. Superseder and Effective Date. All ordinances, resolutions, motions, or orders in conflict herewith be, and the same hereby are, repealed to the extent of such conflict, and this Ordinance shall be in full force and effect immediately upon its passage by the Corporate Authorities and approval as provided by law.

This ordinance shall become effective after its passage, approval and publication as provided by law.

PASSED AND APPROVED this 15th day of October 2024.

MAYOR

ATTEST:

CITY CLERK

STATE OF ILLINOIS)
)
COUNTY OF OGLE) SS.

CERTIFICATE

I, Rose Huéramo, 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 ADOPTING TAX INCREMENT ALLOCATION FINANCING FOR THE
EASTERN GATEWAY REDEVELOPMENT PROJECT AREA TAX INCREMENT
FINANCING DISTRICT” which was adopted by the Mayor and City Council of the City of
Rochelle on October 15, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of
the City of Rochelle this 15th day of October, 2024.

CITY CLERK