
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE AMENDING SECTION 223 OF CHAPTER 94 OF THE
ROCHELLE MUNICIPAL CODE**

JOHN BEARROWS, Mayor
ROSE HUERAMO, City Clerk

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ROSAELIA ARTEAGA
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: November 14, 2022

**AN ORDINANCE AMENDING SECTION 223 OF CHAPTER 94 OF THE
ROCHELLE MUNICIPAL CODE**

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 (“City”), 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, City staff has been reviewing parking prohibitions in the City’s downtown area; and

WHEREAS, Section 223 of Chapter 94 of Rochelle’s Municipal Code currently prohibits parking on certain roads within the City; and

WHEREAS, City Staff believes that there are safety concerns due to semi-tractor and trailers parking on the shoulders of Steward Road, between Illinois Route 251 and South Main Street; and

WHEREAS, vehicles parked on the shoulders of Steward Road are causing visibility issues for traffic entering and exiting nearby businesses and can increase the possibilities of an accident; and

WHEREAS, to reduce visibility issues and reduce the probability of an accident on Steward Road, City Staff recommends prohibiting any parking on Steward Road, between Illinois Route 251 and South Main Street; and

WHEREAS, the Mayor and City Council wishes to adopt the amendments to Section 223 of Chapter 94 of the Rochelle Municipal Code in accordance with this Ordinance’s terms;

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: Section 223 of Chapter 94, "TRAFFIC AND VEHICLES", Article IV, "STOPPING, STANDING AND PARKING", of the Municipal Code of the City of Rochelle shall be hereby amended by adding the following underlined language and deleting the language that is struck through, as follows:

Sec. 94-223. Parking prohibited on certain streets except in parking lanes.

- (a) Automobiles, trucks and other vehicles shall be prohibited from parking along either side of the following streets, with the exception of those areas where parking lanes have been established:
 - (1) Fourth Avenue, between Eighth Street and Sixth Street.
 - (2) Sixth Street, between Fourth Avenue and Lincoln Avenue.
 - (3) Eighth Street, between Fourth Avenue and Lincoln Avenue.
 - (4) Lincoln Avenue, between Tenth Street and Sixth Street.
 - (5) South Main Street, from First Avenue south to the city limits.
 - (6) Intermodal Drive, on the north and south side between State Route 251, the Global III entrance.
 - (7) Steward Road, between Illinois Route 251 and South Main Street.
- (b) Parking lanes have been established as follows:
 - (1) Fourth Avenue, both sides, between Eighth Street and Seventh Street.
 - (2) Fourth Avenue, along the north side between Seventh Street and Sixth Street.
- (c) Parking will not be permitted on adjacent side streets or within the limits of intersections as determined by the state from intersection studies.
- (d) Any person, firm or corporation violating any of the provisions of this section shall be assessed a penalty of a minimum \$10.00 for any vehicle under 8,000 pounds and \$250.00 for any vehicle weighing more than 8,000 pounds, if paid within ten days after the date of the violation, after which date the violation shall be punishable as provided in section 1-15.

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 Ordinance 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 14th day of November, 2022.

AYES:

NAYS:

ABSENT:

APPROVED THIS 14th day of November, 2022.

MAYOR

ATTEST:

CITY CLERK

STATE OF ILLINOIS)
)
COUNTY OF OGLE) SS.

CERTIFICATE

I, Rose Hueramo, 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 SECTION 223 OF CHAPTER 94 OF THE ROCHELLE
MUNICIPAL CODE ,” which was adopted by the Mayor and City Council of the City of Rochelle
on November 14, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of
the City of Rochelle this 14th day of November, 2022.

CITY CLERK