
THE CITY OF ROCHELLE
Ogle County, Illinois

RESOLUTION
NO. _____

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO MODIFY THE
ROCHELLE MUNICIPAL UTILITIES ASSISTANCE PROGRAM**

JOHN BEARROWS Mayor
ROSE HUERAMO, City Clerk

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City Council

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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 (“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, pursuant to 65 ILCS 5/11-76.1-1 of the Illinois Municipal Code, the Mayor and City Council have the power to purchase real property for a public purpose following an affirmative two-thirds vote of its City Council; and

WHEREAS, the City of Rochelle (“City”) owns and operates the Rochelle Municipal Utilities (“RMU”) to provide electric and water services to the residents of the City; and

WHEREAS, the City and RMU desire to modify the RMU Customer Assistance Program, which will provide certain monetary support to residents of the City based upon their income, further described in the attached Exhibit 1; and

WHEREAS, the City previously adopted the RMU Assistance Program on May 28, 2019 (Resolution No. 19-33), amended the RMU Assistance Program on August 10, 2020 (Resolution No. 20-28) and amended again on February 14, 2022 (Resolution No. 22-09); and

WHEREAS, the City and RMU desire to modify the RMU Customer Assistance Program to allow this program to apply to RMU customers who are at or below 200% of the federal poverty guidelines through the end of 2022, with an extension through December 31, 2024 at the discretion of the City Administrator after which this Program will revert to the prior income threshold as approved May 28, 2019; and

WHEREAS, the City and RMU desire to modify the RMU Customer Assistance Program to waive any requirements that program applicants need to apply for the Illinois Low Income Energy Assistance Program (“LIHEAP”) before applying for the RMU Customer Assistance Program; 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 modify said RMU Customer Assistance Program; and

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHELLE, ILLINOIS:

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

SECTION TWO: The Corporate Authorities of the City of Rochelle, pursuant to their authority and control over RMU, hereby approves and authorizes the City Manager to modify the RMU Customer Assistance Program, described in the attached Exhibit 1, to allow this program to apply to RMU customers who are at or below 200% of the federal poverty guidelines through the end of 2022, with an extension through December 31, 2024 at the discretion of the City Administrator, after which this Program will revert to the prior income threshold as approved May 28, 2019.

SECTION THREE: If any provision of this Resolution 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 Resolution that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Resolution is severable.

SECTION FOUR: Where the conditions imposed by any provisions of this Resolution are more restrictive than comparable provisions imposed elsewhere in any other local law, ordinance, resolution, rule or regulation, the regulations of this Resolution will govern.

SECTION FIVE: The City Clerk shall publish this Resolution in pamphlet form.

SECTION SIX: This Resolution shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED THIS 12th day of December, 2022.

AYES:

NAYS:

ABSENT:

APPROVED THIS 12th day of December, 2022.

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 Resolution No. _____, “A RESOLUTION AUTHORIZING THE CITY MANAGER TO MODIFY THE ROCHELLE MUNICIPAL UTILITIES ASSISTANCE PROGRAM,” which was adopted by the Mayor and City Council of the City of Rochelle on December 12, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 12th day of December, 2022.

CITY CLERK