
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE AMENDING THE EFFECTIVE DATE OF THE
EFFICIENCY PROGRAM IN CHAPTER 98 OF THE ROCHELLE
MUNICIPAL CODE**

JOHN BEARROWS, Mayor
ROSE HUERAMO, City Clerk

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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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CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE NO. _____

Date Passed: January 9, 2023

**AN ORDINANCE AMENDING THE EFFECTIVE DATE OF THE
EFFICIENCY PROGRAM IN CHAPTER 98 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, 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, through Rochelle Municipal Utilities (“RMU”), one of its departments, provides electric, water, and sewage utility services; and

WHEREAS, the Rochelle Municipal Code contains Chapter 98, entitled “Utilities”; and

WHEREAS, the City previously amended certain Sections of Chapter 98 of the Rochelle Municipal Code to allow the implementation of an efficiency program; and

WHEREAS, RMU staff recommends the amendments and the effective date of the efficiency program should have been retroactive to January 1, 2022 to maximize the benefits to the RMU’s customers; and

WHEREAS, the Mayor and City Council have determined that it is appropriate and in the best interest of the welfare of City and its residents to make sections of Chapter 98-4 of the Rochelle Municipal Code related to the residential appliance and home efficiency incentive program retroactively effective to January 1, 2022; 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 Mayor and City Council of the City of Rochelle hereby make sections of Chapter 98-4 of the Rochelle Municipal Code related to the residential appliance and home efficiency incentive program retroactively effective to January 1, 2022. All applications submitted by qualified applicants pursuant to the residential appliance and home efficiency incentive program after January 1, 2022 may be considered by City Staff and are eligible for all incentives allowed under the program.

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 9th day of January, 2023.

AYES:

NAYS:

ABSENT:

APPROVED THIS 9th day of January, 2023.

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 THE EFFECTIVE DATE OF THE EFFICIENCY PROGRAM
IN CHAPTER 98 OF THE ROCHELLE MUNICIPAL CODE ,” which was adopted by the Mayor
and City Council of the City of Rochelle on January 9, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of
the City of Rochelle this 9th day of January, 2023.

CITY CLERK