
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE AMENDING CHAPTER 70 – PEDDLERS, SOLICITORS,
CANVASSERS AND ITINERANT MERCHANTS**

JOHN BEARROWS, Mayor
ROSE HUÉRAMO, City Clerk

TOM McDERMOTT
BIL HAYES
KATE SHAW-DICKEY
DAN McDERMOTT
ROSAELIA ARTEAGA
BEN VALDIVIESO
City Council

Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle
Ottosen DiNolfo Hasenbalg & Castaldo, Ltd.
2441 Warrenville Road, Suite 310, Lisle, Illinois 60532

ORDINANCE NO: _____
Date Passed: September 22, 2025

**AN ORDINANCE AMENDING CHAPTER 70 – PEDDLERS, SOLICITORS,
CANVASSERS AND ITINERANT MERCHANTS**

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 regulates peddlers, solicitors, canvassers, itinerant merchants, and mobile food vendors under Chapter 70 of the Rochelle Municipal Code; and

WHEREAS, ice cream trucks have traditionally operated as itinerant merchants, subject to the licensing process administered by the City Clerk under Article II of Chapter 70; and

WHEREAS, food carts operate similarly to mobile food trucks and need to comply with all mobile food vendor requirements under Article IV of Chapter 70; and

WHEREAS, proposed changes to Chapter 70 are attached herein as Exhibit A; and

WHEREAS, amending Chapter 70 to include ice cream trucks and food carts will improve enforcement, provide consistency for staff, and ensure that both long-standing and new vendors understand and comply with uniform rules and regulations; and

WHEREAS, the Mayor and City Council find that it is in the best interest of the City and its residents to update and amend Chapter 70 as reflected in the attached Exhibit A.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the City of Rochelle as follows:

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

SECTION TWO: That Chapter 70 of the Rochelle Municipal Code shall be, and is hereby, amended by deleting the stricken language and inserting the underlined language as set forth in Exhibit A, attached hereto and incorporated herein by reference. Furthermore, the City Clerk, in consultation with the City Attorney, is hereby authorized to correct any typographical or non-substantive errors to ensure that Chapter 70 is clear, consistent, and in conformity with the intent of this Ordinance.

SECTION THREE: If any provision of this Ordinance 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 elsewhere 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 22nd day of September 2025.

AYES:

NAYS:

ABSENT:

APPROVED THIS 22nd day of September 2025.

ATTEST:

City Clerk

Mayor

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 AMENDING CHAPTER 70 – PEDDLERS, SOLICITORS, CANVASSERS AND ITINERANT MERCHANTS" which was adopted by the Mayor and City Council of the City of Rochelle on September 22, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 22nd day of September 2025.

CITY CLERK