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**THE CITY OF ROCHELLE**  
**Ogle County, Illinois**

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**ORDINANCE**  
**NO. \_\_\_\_\_**

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**AN ORDINANCE ESTABLISHING THE RANK OF CAPTAIN WITHIN THE FIRE  
DEPARTMENT**

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**JOHN BEARROWS, Mayor**  
**ROSE HUERAMO, City Clerk**

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

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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 ESTABLISHING THE RANK OF CAPTAIN WITHIN THE FIRE  
DEPARTMENT**

**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 Rochelle Fire Department currently operates with three Lieutenants under the Fire Chief; and

**WHEREAS**, under this structure each Lieutenant is assigned one of three twenty-four (24) hour shifts and supervises four (4) career firefighters and any paid-on-call firefighters working during that shift; and

**WHEREAS**, establishing the rank of Captain will allow for the separation of command officer and company officer responsibilities and therefore increase safety for citizens and firefighters and increase the effectiveness in managing emergency incidents; and

**WHEREAS**, establishing the rank of Captain will allow the department to encourage professional development, increase administrative leadership, foster multi-level mentorship and allow for succession planning; and

**WHEREAS**, in establishing the rank of Captain, the three current Lieutenants would be promoted to Captain and three eligible Fire Fighters would be promoted to the rank of Lieutenant; and

**WHEREAS**, establishing the rank of Captain would provide, one Captain, one Lieutenant, and four firefighters on each shift; and

**WHEREAS**, the establishing of the rank of Captain aligns with the new staffing model approved by the City Council and in is the current Collective Bargaining Agreement; and

**WHEREAS**, the Mayor and City Council hereby find that establishing the rank of Captain within the Fire Department is in the best interests of the City of Rochelle.

**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 the rank of Captain is hereby established within the Rochelle Fire Department. Furthermore, the officials and officers of the City are further hereby authorized to undertake actions on the part of the City as necessary to carry out 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 AND APPROVED this 23<sup>rd</sup> day of September 2024.

ATTEST:

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City Clerk

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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 ESTABLISHING THE RANK OF CAPTAIN WITHIN THE FIRE  
DEPARTMENT” which was adopted by the Mayor and City Council of the City of Rochelle on  
September 23, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of  
the City of Rochelle this 23<sup>rd</sup> day of September 2024.

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CITY CLERK