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

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

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**AN ORDINANCE NAMING A STREET, AVENUE, ALLEY, OR  
OTHER PUBLIC PLACE (Treatment Plant Drive)**

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**JOHN BEARROWS, Mayor**  
**SUE MESSER, City Clerk**

**TOM McDERMOTT**  
**BIL HAYES**  
**KATE SHAW-DICKEY**  
**DAN McDERMOTT**  
**JOHN GRUBEN**  
**DON BURKE**  
**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 Chicago, LLC, City Attorneys  
200 W. Adams, Suite 2125, Chicago, IL 60606

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

**ORDINANCE NO. \_\_\_\_\_**  
**Date Passed: October 26, 2020**

**AN ORDINANCE NAMING A STREET, AVENUE, ALLEY, OR  
OTHER PUBLIC PLACE (Treatment Plant Drive)**

**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**, Section 11-80-19 of the Illinois Municipal Code (65 ILCS 5/11-80-19) provides that the corporate authorities of each municipality may name originally and then change the name of any street, avenue, alley, or other public place; and

**WHEREAS**, City of Rochelle has determined that the existing road located off the intersection of South 9th Street and Elliott’s Way, which services the Rochelle Municipal Utilities (“RMU”) water reclamation facility, results in confusion due to similarities between other named streets; and

**WHEREAS**, naming the existing road will avoid duplication of addressing and confusion to the traveling public; and

**WHEREAS**, no dwellings or commercial establishments will be affected by the naming of the existing road; and

**WHEREAS**, the Mayor and City Council find that the best interests of the City are served by naming the roadway located off the intersection of South 9th Street and Elliott’s Way “Treatment Plant Drive” as further described on the Exhibit appended hereto and made a part hereof; and

**WHEREAS**, in accordance with 65 ILCS 5/11-80-19, no change in the name of any street, avenue, alley or other public place is effective until 30 days after the corporate authorities give notice of such change to the election authorities having jurisdiction in the area in which the name of the public place is changed and the post office branch serving that area;

**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 road located off the intersection of South 9th Street and Elliott's Way, as further described on the Exhibit appended hereto and made a part hereof, is hereby named "Treatment Plant Drive".

SECTION THREE: The appropriate records of the City, including all maps which are part of the City's Comprehensive Plan, shall be adjusted accordingly to reflect the name change.

SECTION FOUR: The City Manager is hereby authorized to do all such acts and things and to execute and deliver all documents and instruments as may be necessary to carry out the intent and accomplish the purposes of this Ordinance in accordance with its terms.

SECTION FIVE: 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 SIX: 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 SEVEN: The City Clerk shall publish this Ordinance in pamphlet form.

SECTION EIGHT: 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 26<sup>th</sup> day of October, 2020.

AYES:

NAYS:

ABSENT:

APPROVED THIS 26<sup>th</sup> day of October, 2020.

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MAYOR

ATTEST:

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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 Ordinance No. \_\_\_\_\_, “AN ORDINANCE NAMING A STREET, AVENUE, ALLEY, OR OTHER PUBLIC PLACE (Treatment Plant Drive)” which was adopted by the Mayor and City Council of the City of Rochelle on October 26, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 26<sup>th</sup> day of October, 2020.

\_\_\_\_\_  
CITY CLERK