



Legislation Text

File #: 19-0852, Version: 2

TO: Mayor Mayor Irvin and City Council

FROM: The Law Department

DATE: September 18, 2019

SUBJECT:

An Ordinance Amending Chapters 8, 27, 41.5 and 42 of the Code of the City of Aurora By Deleting Various Provisions to Conform to Changes Made by Ordinance O19-002 (special events) approved January 22, 2019; and Ordinance O19-029 (committee structure) approved May 14, 2019.

PURPOSE:

This ordinance will repeal the provisions of the City Code that were superseded when Ordinance O19-002 was enacted. The provisions listed below are no longer effective and by repealing the listed sections, it will provide greater clarity and consistency in the City Code. It will also update the ordinance to correctly reflect the appropriate committee that reviews special events pursuant to Ordinance O19-029).

BACKGROUND:

On January 22, 2019, the City Council approved Ordinance O19-002. Based upon the passage of that ordinance, several other code sections have been superseded and thus need to be repealed. On May 14, 2019, the City Council approved Ordinance O19-029, based on the passage of that Ordinance, the committee in Chapter 41.5 needs to be updated.

DISCUSSION:

Staff is requesting that the City Council approve the proposed Ordinance changes and repeal the Sections of the City Code as listed in the recitals.

IMPACT STATEMENT:

Repealing and updated the sections that were superseded by Ordinances O19-002 and O19-029 will create clarity and consistency for the public, Council, and staff.

RECOMMENDATIONS:

It is requested that this proposed Ordinance be adopted and enacted it its entirety.

cc: Rules and Procedures Committee



CITY OF AURORA, ILLINOIS

ORDINANCE NO. _____

DATE OF PASSAGE _____

An Ordinance Amending Chapters 8, 27, 41.5 and 42 of the Code of the City of Aurora.

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, on January 22, 2019, the City Council approved Ordinance O19-002 which superseded various provisions of Chapters 8, 27, and 42 of the Code of the City of Aurora (City Code) by implication; and

WHEREAS, on May 14, 2019, the City Council approved Ordinance O19-029 which revised the City Council standing committee structure; and

WHEREAS, Section 41.5-111 now supersedes Section 8-16 through Section 8-60, Section 8-176 through Section 8-220 of the Code pursuant to O19-002; and

WHEREAS, Section 41.5-102 and Section 41.5-111 of the Code now supersedes Section 27-7 and Section 42-8(a) of the Code pursuant to Ordinance O19-002; and

WHEREAS, Section 41.5-102, Section 41.5-111, and Section 41.5-122 of the Code collectively supersede Section 42-231 through Section 42-250 of the Code pursuant to Ordinance O19-002; and

WHEREAS, the City Council desires to expressly repeal the aforescribed provisions of the City Code that it superseded in enacting Ordinance O19-002 and are no longer effective to provide for greater clarity and consistency in the City Code.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aurora, Illinois, as follows:

Section One: That the following Sections of the City Code shall be and hereby are repealed in their entirety:

- Section 8-16 through Section 8-60 of Chapter 8;
- Section 8-176 through Section 8-220 of Chapter 8;
- Section 27-7 of Chapter 27;
- Section 42-8(a) of Chapter 42, and
- Section 42-231 through Section 42-50 of Chapter 42.

Section Two: That Section 42-8(b) of Chapter 42 is re-codified as Section 42-8;

Section Three: That this ordinance shall be in full force and effect, and shall be controlling, upon its passage and approval.

Section Four: That all ordinances or parts of ordinances thereof in conflict herewith or with Ordinance O19-002 are hereby repealed to the extent of any such conflict.

Section Five: That any Section or provision of this ordinance that is construed to be invalid or void shall not affect the remaining Sections or provisions which shall remain in full force and effect thereafter.

Section Six: That Section 41.5-150 of Chapter 41.5 be amended as reflected in Exhibit A.