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**VILLAGE OF MELROSE PARK
COOK COUNTY, ILLINOIS**

ORDINANCE NO. 1010

**AN ORDINANCE AUTHORIZING AND APPROVING THE
EXECUTION AND DELIVERY OF A CERTAIN AGREEMENT
FOR THE VILLAGE OF MELROSE PARK, COUNTY OF COOK,
STATE OF ILLINOIS.**

**ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF MELROSE PARK**

THIS 13TH DAY OF NOVEMBER 2006

**RONALD M. SERPICO, Village President
MARY ANN PAOLANTONIO SALEMI, Village Clerk**

Board Of Trustees

**JOHN S. CONTEDEUCA
CATHLEEN COSSIDENT ITALIA
THOMAS KLEIN
RUBEN LOMELI
ARTURO J. MOTA
ANTHONY J. PRIGNANO**

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**Published by authority of the
President and Board of Trustees
Of the Village of Melrose Park,
Cook County, Illinois on
This 14TH day of NOVEMBER 2006**

ORDINANCE NO. 1010

AN ORDINANCE AMENDING ORDINANCE 929 “AN ORDINANCE AMENDING AND ADDING CERTAIN SECTIONS TO AN ORDINANCE ESTABLISHING CHARGES AND REGULATIONS FOR THE PROVISION OF WATER AND SEWER SERVICE WITHIN THE VILLAGE OF MELROSE PARK” FOR THE VILLAGE OF MELROSE PARK, COUNTY OF COOK STATE OF ILLINOIS.

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WHEREAS, the Village of Melrose Park, Cook County, State of Illinois (the “Village”) is a duly organized and existing Village created under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances for the benefit of the residents of the Village.

WHEREAS, the Village President (the “President”), the Honorable Ronald M. Serpico, the Village Clerk, the Honorable Mary Ann Paolantonio Salemi, having taken office on May 2, 2005 and the Village Board of Trustees (the “Village Board”), the Honorable John S. Conteduca, Cathleen Cossident Italia, Tom "T.K." Klein, Ruben Lomeli, Trustee Arturo J. Mota and Anthony J. Prignano, having taken office on May 2, 2005, constitute the duly elected, qualified and acting officials of the Village; and

WHEREAS, on March 9, 1998, the President and Village Board (collectively, the “Corporate Authorities”) passed and approved Ordinance No. 338, entitled “An Ordinance Establishing Charges and Regulations for the Provision of Water and Sewer Service Within the Village of Melrose Park, Cook County, Illinois” (the “Water Rate Ordinance”); and

WHEREAS, on August 8, 2005, the Village Board adopted Ordinance No. 929, entitled, "An Ordinance Amending and Adding Certain Sections to An Ordinance Establishing Charges and Regulations for the Provision of Water and Sewer within the Village of Melrose Park, County of Cook, State of Illinois" ("Ordinance 929"); and

WHEREAS, Section 11.01 of Ordinance 929 amended Section 16.1 of the Water Rate Ordinance, entitled "Minimum Charges," by establishing minimum water and sewer rates, per billing cycle, for commercial, industrial and/or institutional customers; and

WHEREAS, after due investigation, inquiry and consideration by, among others, the Corporate Authorities, the same are of the opinion that Section 11.01 of Ordinance 929, entitled "Minimum Charges," requires further amendment as set forth herein; and

WHEREAS, the enactment of this Ordinance directly pertains to and is in furtherance of the health, welfare and safety of the residents of the Village; and

WHEREAS, based upon the above findings and recommendations, the Corporate Authorities have determined that it is necessary, advisable and in the best interest of the Village and its residents to amend Section 11.01 of Ordinance 929, entitled "Minimum Charges"; and

NOW, THEREFORE, BE IT ORDAINED by the President and Board of the Trustees of the Village of Melrose Park, County of Cook, State of Illinois, as follows:

**ARTICLE I.
IN GENERAL**

Section 01. Incorporation Clause.

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

Section 02. Purpose.

The purpose of this Ordinance is to amend Section 11.01 of Ordinance 929, entitled "Minimum Charges".

Section 03. Invocation of Authority.

This Ordinance is enacted pursuant to the police powers and authority granted to this Village by the Constitution of the State of Illinois and the Illinois Compiled Statutes.

Section 04. State Law Adopted.

All applicable provisions of the Illinois Compiled Statutes, including the Illinois Municipal Code, as may be amended from time to time, relating to the purposes of this Ordinance are hereby incorporated herein by reference.

Sections 05-09. Reserved.

**ARTICLE II.
AMENDMENT.**

Section 10.00 Amendment to Section 11.01 of Ordinance 929

Section 11.01 of Ordinance 929, entitled "Minimum Charges," is amended to delete that provision in its entirety and substitute the following in lieu thereof:

Minimum Charges-Commercial, Industrial and Institutional

During each billing cycle, each Commercial, Industrial and/or Institutional Customer shall pay the Village a minimum per Unit service charge of Sixty-Nine and 30/100 Dollars (\$69.30) for providing water and sewer service to each Unit.

Minimum Charges-Residential

During each billing cycle, each Residential Customer possessing less than four (4) residential dwelling Units shall pay the Village a minimum per dwelling Unit service charge of Eighteen and No/100 Dollars (\$18.00) for providing water and sewer service to each Unit. During each billing cycle, each Residential Customer possessing four (4) or more residential dwelling Units shall pay the Village a minimum per residential dwelling

Unit service charge of Twenty-Six and 10/100 Dollars (\$26.10) for providing water and sewer service to each Unit.

Minimum Charges-Senior Citizen

During each billing cycle, each Senior Citizen Customer shall pay the Village a minimum per Unit service charge of Fourteen and 35/100 Dollars (\$14.35) for providing water and sewer service to each Unit.”

Section 10.01 Other Actions Authorized.

The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the transactions contemplated by this Ordinance and to take all action necessary in conformity therewith including, without limitation, the execution and delivery of any and all documents required to be delivered in connection with this Ordinance.

**ARTICLE III.
SAVINGS CLAUSES,
PUBLICATION, EFFECTIVE DATE**

Section 11.00 Headings.

The headings for the articles, sections, paragraphs and sub-paragraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

Section 12.00 Severability.

The provisions of this Ordinance are hereby declared to be severable and should any provision, clause, sentence, paragraph, sub-paragraph, section or part of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein, and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect. It is hereby declared to

be the legislative intent of the Village Board that this Ordinance would have been adopted had such unconstitutional or invalid provision, clause, sentence, paragraph, subparagraph, section or part thereof not been included.

Section 13.00 Superseder.

All code provisions, ordinances, resolutions and orders, or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded.

Section 14.00 Publication.

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

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Section 15.00 Effective Date

This Ordinance shall be in full force and effect upon passage, approval and publication, as provided by law.

On The Individual Poll And Voice Vote Of The Board Of Trustees:

AYE VOTES: Trustee Conteduca, Trustee Italia, Trustee Klein,
Trustee Lomeli, Trustee Mota, Trustee Prignano

NAY VOTES:

ABSTAIN:

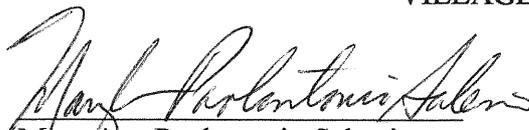
ABSENT:

SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE
VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS
TWENTY-SEVENTH DAY OF NOVEMBER, 2006, A.D.

APPROVED:


RONALD M. SERPICO
VILLAGE PRESIDENT

ATTEST:


Mary Ann Paolantonio Salemi
Village Clerk

(SEAL)

Recorded in the Municipal Records: November 27, 2006
Published in pamphlet form on November 28, 2006