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

ORDINANCE NO. 1039

**AN ORDINANCE AMENDING TITLE 9, PUBLIC PEACE,
MORALS AND WELFARE, BY ADDING A NEW SECTION 9.4.160,
SNOW REMOVAL, TO THE VILLAGE OF MELROSE PARK
MUNICIPAL CODE, 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 12TH DAY OF MARCH 2007

**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 13TH day of MARCH 2007**

ORDINANCE NO. 1039

AN ORDINANCE AMENDING TITLE 9, PUBLIC PEACE, MORALS AND WELFARE, OF THE VILLAGE OF MELROSE PARK MUNICIPAL CODE, BY ADDING A NEW SECTION 9.04.160, SNOW REMOVAL, FOR THE VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS.

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WHEREAS, the Village of Melrose Park, County of Cook, 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 operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances and adopt resolutions for the benefit of the residents of the Village; and

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

WHEREAS, the Corporate Authorities deem it advisable and necessary for the benefit of the Village and the health, safety, and welfare of its residents to amend the Village of Melrose Park Municipal Code (the “Village Code”) to regulate the removal of snow from sidewalks and private property to prevent snow from being relocated onto Village rights-of-way or private property without that private property owner’s consent;

and

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

**ARTICLE I.
IN GENERAL**

Section 01. Incorporation Clause.

All of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct, and the Corporate Authorities 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 Title 9 of the Village Code by creating a new Section 9.04.160 to regulate the removal of snow from sidewalks and private property so as to prevent snow from being relocated onto Village rights-of-way or private property without that private property owner's consent.

Section 03. Invocation of Authority.

This Ordinance is enacted pursuant to the authority granted to the 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.

Section 05-09 Reserved.

ARTICLE II.
AMENDMENT TO TITLE 9, CHAPTER 9.04, CREATING
A NEW SECTION 9.04.160, "SNOW REMOVAL"

Section 10.00 Addition of New Section 9.04.160 "Snow Removal".

That Title 9, Section 9.04.160 of the Village Code is hereby added, notwithstanding any provision, ordinance, resolution, or Village Code section to the contrary, which Section shall read as follows:

9.04.160 Snow Removal.

- A. No person shall relocate, remove, or otherwise shovel, sweep, or shift, or cause to be relocated, removed, or otherwise shoveled, swept, or shifted, snow, ice, or any other solid or solidified precipitation from his or her property or adjacent sidewalk
- B. onto or into a public right-of-way, public streetway, alley, sewer, stormsewer, drain, public place in the Village, or the private property of another without his or her prior consent.

B. Upon a finding of guilty for a violation of subsection 9.04.160A, there shall be a fine imposed of no less than Two Hundred Fifty and No/100 U.S. Dollars (\$250.00) and no more than Seven Hundred Fifty and No/100 U.S. Dollars (\$750.00), or the maximum amount allowed by state statute, whichever is more. In addition to the fine, the court may require that a party guilty of violating this Section shall participate in community service.

Section 11.00 – Section 15.00 Reserved.

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

Section 16.00 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 provisions of this Ordinance.

Section 17.00 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, clause, sentence, paragraph, sub-paragraph, section, or part 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 Corporate Authorities that this Ordinance would have been adopted had not such unconstitutional or invalid provision, clause, sentence, paragraph, sub-paragraph, section, or part thereof been included.

Section 18.00 Superseder.

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

Section 19.00 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 20.00 Effective Date.

This Ordinance shall be in full force and effect ten days following its 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

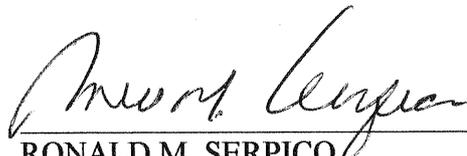
NAY VOTES:

ABSTAIN:

ABSENT:

SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE
VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS
TWELFTH DAY OF MARCH, 2007, A.D.

APPROVED:



RONALD M. SERPICO
VILLAGE PRESIDENT

ATTEST:



Mary Ann Paolantonio Salerni
Village Clerk

(SEAL)

Recorded in the Municipal Records: March 12, 2007
Published in Pamphlet Form: March 13, 2007