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

ORDINANCE NO. 1196

**AN ORDINANCE AMENDING ORDINANCE NO. 905
REGULATING DEVELOPMENT IN SPECIAL FLOOD HAZARD
AREAS, 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 23RD DAY OF JUNE 2008

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

Board Of Trustees

**JOHN S. CONTEDEUCA
CATHLEEN COSSIDENT ITALIA
ARTURO J. MOTA
ANTHONY J. PRIGNANO
MARY RAMIREZ TACONI
JAIME ANGUIANO**

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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 24TH day of JUNE 2008**

ORDINANCE NO. 1196

AN ORDINANCE AMENDING ORDINANCE NO. 905 REGULATING DEVELOPMENT IN SPECIAL FLOOD HAZARD AREAS, FOR THE VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS.

* * * * *

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 “President”), the Honorable Ronald M. Serpico, the Village Clerk, the Honorable Mary Ann Paolantonio Salemi, having taken office on May 2, 2005, and the Board of Trustees of the Village (the “Village Board”), the Honorable John S. Conteduca, Cathleen Cossident Italia, Arturo J. Mota, Anthony J. Prignano, and Mary Ramirez Taconi, having taken office on May 14, 2007, and the Honorable Jaime Anguiano, having taken office on March 10, 2008, constitute the duly elected, qualified and acting officials of the Village; and

WHEREAS, the Village Board deems it advisable and necessary for the benefit of the Village and the health, safety, and welfare of its residents to amend Ordinance No. 905 (adopted on or about May 23, 2005), regulating development in special flood hazard areas, by amending certain provisions in order to comply with the requirements of the Illinois Department of Natural Resources as related to the National Flood Insurance Program; 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 Village Board does 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 Ordinance No. 905 regarding the regulation of development in special flood hazard areas.

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.

Sections 05-09 Reserved.

**ARTICLE II.
AMENDMENT OF LANGUAGE REGULATING
DEVELOPMENT IN SPECIAL FLOOD HAZARD AREAS.**

Section 10.00. Amendment of Section 300.00 of Article II of Ordinance No. 905, Definition of "Designated Floodway."

That Section 300.00 of Article II of Ordinance No. 905 is hereby amended, notwithstanding any provision, ordinance, resolution, or Village Code section to the contrary, by deleting the definition of "Designated Floodway" and replacing it with the following language:

“* * *

“Designated Floodway” means the channel, including on-stream lakes, and that portion of the floodplain adjacent to a stream or watercourse as designated by DNR/OWR, which is needed to store and convey the existing 100-year frequency flood discharge with no more than a 0.1 foot increase in stage due to the loss of flood conveyance or storage, and no more than a 10 percent increase in velocities.

- (a) The floodways are designated for Addison Creek, Des Plaines River, and Silver Creek on map number 17031C and panels 0367J, 0369J, 0386J, 0387J, 0388J and 0389J dated August 19, 2008 respectively, of the countywide Flood Insurance Rate Map for Cook County prepared by the Federal Emergency Management Agency.
- (b) The floodways for those parts of unincorporated Cook County that are within the one and one half mile jurisdiction of the Village and may be annexed into the Village are designated for Addison Creek, Des Plaines River, and Silver Creek on the following map number 17031C and panels 0367J, 0369J, 0386J, 0387J, 0388J and 0389J dated August 19, 2008 respectively, of the countywide Flood Insurance Rate Map for Cook County prepared by the Federal Emergency Management Agency.
- (c) To locate the designated floodway boundary on any site, the designated floodway boundary should be scaled off the designated floodway map and located in a site plan, using reference marks common to both maps. Where interpretation is needed to determine the exact location of the designated floodway boundary, Illinois Department of Natural Resources, Office of Water Resources should be contacted for the interpretation.

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Section 10.01. Amendment of Section 300.00 of Article II of Ordinance No. 905, Definition of “Floodplain.”

That Section 300.00 of Article II of Ordinance No. 905 is hereby amended, notwithstanding any provision, ordinance, resolution, or Village Code section to the contrary, by deleting the definition of “Floodplain” and replacing it with the following language:

“* * *

“Floodplain” That land typically adjacent to a body of water with ground surface elevations at or below the base flood or the 100-year frequency flood elevation. Floodplains may also include detached Special Flood Hazard Areas, ponding areas, etc. The floodplain is also known as the Special Flood Hazard Area (SFHA).

- (a) The floodplains are those lands within the jurisdiction of the Village that are subject to inundation by the base flood or 100-year frequency flood. The SFHA's of the Village are generally identified as such on the following map number 17031C and panels 0367J, 0369J, 0386J, 0387J, 0388J and 0389J dated August 19, 2008 respectively, of the countywide Flood Insurance Rate Map for Cook County prepared by the Federal Emergency Management Agency.
- (b) The SFHA's for those parts of unincorporated Cook County that are within the one and half mile extraterritorial jurisdiction of the Village and may be annexed into the Village are designated for Addison Creek, Des Plaines River, and Silver Creek on the following map number 17031C and panels 0367J, 0369J, 0386J, 0387J, 0388J and 0389J dated August 19, 2008 respectively, of the countywide Flood Insurance Rate Map for Cook County prepared by the Federal Emergency Management Agency.

* * *

Section 10.03. Amendment of Sections 601.0 and 602.0 of Article II of Ordinance No. 905.

That Sections 601.0 and 602.0 of Article II of Ordinance No. 905, are hereby amended, notwithstanding any provision, ordinance, resolution, or Village Code section to the contrary, by deleting Sections 601.0 and 602.0 in their entirety and replacing them with the following language:

“601.0 The base flood elevation, or 100-year frequency flood elevation, for the SFHA's of Addison Creek, Des Plaines River and Silver Creek shall be as delineated on the 100-year flood profiles in the countywide Flood Insurance Study for Cook County prepared by the Federal Emergency Management Agency and dated August 19, 2008, and such Amendments to such study and maps as may be prepared from time to time.

602.0 The base flood elevation, or 100-year frequency flood elevation, for the SFHA's of those parts of unincorporated Cook County that are within the one and one half mile extraterritorial jurisdiction or that may be annexed into the Village shall be as delineated on the 100-year flood profiles in the countywide Flood Insurance Study for Cook County prepared by the Federal Emergency Management Agency and dated August 19, 2008, and such amendments or revisions to such study and maps as may be prepared from time to time.”

Section 11.00 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 amendments contemplated by this Ordinance and shall 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.

Sections 12.00 – 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 Village Board 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 immediately 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 Taconi,
Trustee Anguiano

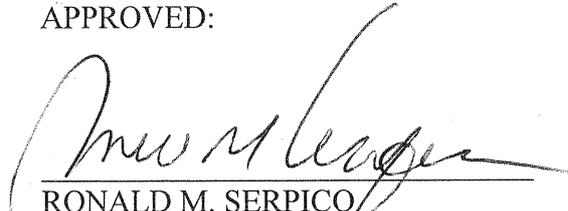
NAY VOTES:

ABSTAIN:

ABSENT: Trustee Mota, Trustee Prignano

SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE
OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS TWENTY-THIRD
DAY OF JUNE, 2008 A.D.

APPROVED:


RONALD M. SERPICO
VILLAGE PRESIDENT

ATTEST:


Mary Ann Paolantonio Salemi
Village Clerk

(SEAL)

Recorded in the Municipal Records: June 23, 2008
Published in Pamphlet Form: June 24, 2008