

=====

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

ORDINANCE NO. 1231

**AN ORDINANCE AMENDING CHAPTER 13.04, "WATER AND
SEWER SERVICE SYSTEM," REGARDING CHARGES AND
REGULATIONS FOR THE PROVISION OF WATER AND SEWER
SERVICE, 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 27TH DAY OF OCTOBER 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**

=====

**Published by authority of the
President and Board of Trustees
Of the Village of Melrose Park,
Cook County, Illinois on
This 28TH day of OCTOBER 2008**

ORDINANCE NO. 1231

AN ORDINANCE AMENDING CHAPTER 13.04, "WATER AND SEWER SERVICE SYSTEM," REGARDING CHARGES AND REGULATIONS FOR THE PROVISION OF WATER AND SEWER SERVICE, 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 municipality and unit of local government 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 (the "Village Clerk"), having taken office on May 2, 2005, and the Board of Trustees of the Village, 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 (the "Village Board"), constitute the duly elected, qualified and acting officials of the Village; and

WHEREAS, the President and Village Board (collectively, the "Corporate Authorities"), following due investigation, inquiry and consideration, are of the opinion that the minimum water and sewer rates per billing cycle for certain classifications of customers within the Village requires adjustment 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 revise minimum water and sewer rates, per billing cycle, for commercial, industrial and/or institutional customers; 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 the minimum water and sewer rates, per billing cycle, for commercial, industrial and/or institutional customers.

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.
AMENDMENTS.**

Section 10.00 Amendment to Section 13.04.120 of the Village of Melrose Park Municipal Code, “Rates—Commercial, industrial or institutional customers.”

Section 13.04.120 of the Village of Melrose Park Municipal Code, entitled “Rates—Commercial, industrial or institutional customers,” is hereby amended by deleting said section in its entirety excepting the title and in lieu thereof inserting the following:

“The following rates for the Village’s provision of water and sewer service to a commercial, industrial or institutional customer are hereby established as follows: nine dollars and seventeen cents (\$9.17) for each one hundred (100) cubic feet of water transmitted to such customer, based upon meter readings, from the effective date of the ordinance codified in this Chapter, and remaining as such until such later date as the Village’s corporate authorities amend the charge imposed by this section.”

Section 10.01 Amendment to Section 13.04.160 of the Village of Melrose Park Municipal Code, “Minimum charges.”

Section 13.04.160 of the Village of Melrose Park Municipal Code, entitled “Minimum charges,” is hereby amended by deleting the first sentence of said section, and in lieu thereof, replacing such with the following language:

“During each billing cycle, each commercial, industrial and/or institutional customer shall pay the Village a minimum per unit service charge of ninety-one dollars and seventy cents (\$91.70) for providing water and sewer service to each unit....”

Section 10.02 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.

Sections 11.00 – 15.00 Reserved.

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

Section 16.00 Headings.

The headings for the articles, sections, paragraphs and subparagraphs 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 17.00 Severability.

The provisions of this Ordinance are hereby declared to be severable and should any provision, clause, sentence, paragraph, subparagraph, 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, subparagraph, 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, subparagraph, 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.

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

Section 20.00 Effective Date.

This Ordinance shall be in full force and effect on January 1, 2009, 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 Mota, Trustee Prignano,
Trustee Taconi, Trustee Anguiano

NAY VOTES:

ABSTAIN:

ABSENT: Trustee Italia

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 OCTOBER, 2008, A.D.

APPROVED:


RONALD M. SERPICO
VILLAGE PRESIDENT

ATTEST:


Mary Ann Paolantonio Salemi
Village Clerk

(SEAL)

Recorded in the Municipal Records: October 27, 2008
Published in Pamphlet Form: October 28, 2008