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

**ORDINANCE NO. 1265**

**AN ORDINANCE AMENDING CHAPTER 13.04 OF THE VILLAGE  
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 23<sup>RD</sup> DAY OF MARCH 2009**

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

**Board Of Trustees**

**JOHN S. CONTEДУCA  
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 24<sup>TH</sup> day of MARCH 2009**

**ORDINANCE NO. 1265**

**AN ORDINANCE AMENDING CHAPTER 13.04 OF THE VILLAGE MUNICIPAL CODE, 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; and

**WHEREAS**, the Village President (the “President”), the Honorable Ronald M. Serpico, the Village Clerk (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 Corporate Authorities, after due investigation, inquiry and consideration, desire to clarify an existing exemption regarding water and sewer service fees as it pertains to Village residents who are senior-citizen customers of the Village; and

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

**WHEREAS**, based upon the above findings and recommendations, the Corporate Authorities hereby determine that it is necessary, advisable and in the best interests of the Village

and its residents to amend Chapter 13.04 of the Village of Melrose Park Municipal Code (“the Code”) as it pertains to the billing of senior citizens for water and sewer fees in order to accomplish this goal, as further set forth herein; 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 Chapter 13.04 of the Code.

**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.**  
**CODE AMENDMENT TO CHAPTER 13.04.**

**Section 10.00 Amendment to Chapter 13.04 of the Village of Melrose Park Municipal Code**

The final paragraph of Section 13.04.140 of Chapter 13.04 of the Village of Melrose Park Municipal Code, entitled "Rates-Senior Citizens," is amended by deleting said paragraph in its entirety and substituting the following in lieu thereof:

"Notwithstanding and superceding any other rate established in this Chapter 13.04, the Senior Citizen Customer classification shall apply to all Senior Citizen Customers who meet the following requirements: (a) he or she owns residential property classified as (or as otherwise determined by the Village) a one (1) and two (2) unit buildings where a Senior Citizen Customer is the owner of at least one (1) such unit; and (b) that Senior Citizen Customer resides at such property. No person shall be charged rates pursuant to this Section until he or she has provided the Village with reasonably acceptable evidence that the person's property receiving Village water and sewer service has been granted such a senior citizens homestead exemption or such an exemption would be so granted."

**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.

**Sections 11.00 – 15.00. Reserved.**

**ARTICLE III.  
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 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, 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, sub-paragraph, section or part thereof not 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 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 Mota,  
Trustee Prignano, Trustee Taconi, Trustee Anguiano

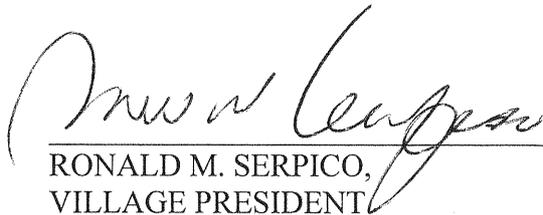
NAY VOTES:

ABSTAIN:

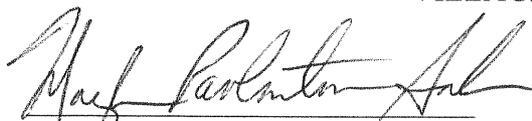
ABSENT:

SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS TWENTY-THIRD DAY OF MARCH, 2009, A.D.

APPROVED:

  
RONALD M. SERPICO,  
VILLAGE PRESIDENT

ATTEST:

  
Mary Ann Paolantonio Salémi  
Village Clerk

(SEAL)

Recorded in the Municipal Records: March 23, 2009  
Published in pamphlet form on March 24, 2009