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VILLAGE OF MELROSE PARK
COOK COUNTY, ILLINOIS

ORDINANCE NO. 1289

AN ORDINANCE AUTHORIZING AMENDING CHAPTER 13.04
OF THE VILLAGE OF MELROSE PARK MUNICIPAL CODE
REGARDING 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 22ND DAY OF JUNE 2009

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

Board Of Trustees

CATHLEEN COSSIDENT ITALIA
ANTHONY J. PRIGNANO
ARTURO J. MOTA
MARY RAMIREZ TACONI
JAIME ANGUIANO
ANTHONY N. ABRUZZO

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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 23RD day of JUNE 2009

ORDINANCE NO. 1289

AN ORDINANCE AMENDING CHAPTER 13.04 OF THE VILLAGE OF MELROSE PARK MUNICIPAL CODE REGARDING THE PROVISION OF WATER AND SEWER SERVICE, 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 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 Honorable Mary Ann Paolantonio Salemi, and the Board of Trustees of the Village (the “Village Board”), the Honorable Cathleen Cossident Italia, Anthony J. Prignano, Arturo J. Mota, Mary Ramirez Taconi, Jaime Anguiano and Anthony N. Abruzzo, having taken office on April 30, 2009, constitute the duly elected, qualified and acting officials of the Village; and

WHEREAS, after due investigation, inquiry and consideration by, among others, the President and the Village Board (collectively, the “Corporate Authorities”), the same are of the opinion that the water and sewer rates, per billing cycle, require an amendment as set forth herein; 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 the required deposit amount for water and sewer service for commercial, industrial and institutional (i.e., non-residential) customers; and

WHEREAS, the proposed change to deposit amounts does not affect or impact rates for senior citizen customers; 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

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 deposit required for commercial, industrial and institutional water and sewer customers.

Section 03. Invocation of Authority.

This Ordinance is enacted pursuant to the police powers and 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 TO CHAPTER 13.04.**

Section 10.00 Amendment to Section 13.04.100A of the Village of Melrose Park Municipal Code, “Deposits”.

Section 13.04.100A of the Village of Melrose Park Municipal Code, titled “Deposits,” is hereby amended by deleting said section in its entirety, excepting the title, and in lieu thereof inserting the following:

“A. Amount. Deposits required for commercial, industrial or institutional customers pursuant to this chapter shall be equal to five hundred dollars (\$500.00), to be provided to the Village prior to the commencement of services by the end user of the property. The Deposit may be made via credit card, cashiers check or cash. Deposits required for all other customers pursuant to this chapter shall be equal to one-quarter of an estimated annual charge for the Village’s provision of water and sewer service to the new applicant or customer being required to make the deposit or one hundred dollars (\$100.00), whichever is greater. In case of a new applicant, the estimated annual charge shall be based upon the volume of water provided by the village during the most recent three year period to a customer that is similar to the new applicant. In the case of a customer, the estimated annual charge shall be based upon the volume of water provided by the Village during the most recent three year period to the customer.”

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.
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 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 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 ten (10) 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 Italia, Trustee Prignano, Trustee Mota,
Trustee Taconi, Trustee Anguiano, Trustee Abruzzo

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-
SECOND DAY OF JUNE, 2009, A.D.

APPROVED:



RONALD M. SERPICO
VILLAGE PRESIDENT

ATTEST:



Mary Ann Paolantonio Salemi
Village Clerk

(SEAL)

Recorded in the Municipal Records: June 22, 2009
Published in pamphlet form on June 23, 2009