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

**ORDINANCE NO. 1303**

**AN ORDINANCE ADOPTING PREVAILING WAGE STANDARDS  
FOR THE CONSTRUCTION OF PUBLIC WORKS PROJECTS, IN  
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 10<sup>TH</sup> DAY OF AUGUST 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 11<sup>TH</sup> day of AUGUST 2009**

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**AN ORDINANCE ADOPTING PREVAILING WAGE STANDARDS FOR THE CONSTRUCTION OF PUBLIC WORKS PROJECTS, IN 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 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 “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**, the State of Illinois has enacted the Prevailing Wage Act (820 ILCS 130/1, *et seq.*) (the “Act”); and

**WHEREAS**, the Act requires the Village to investigate and ascertain the prevailing rate of wages as defined in the Act for laborers, mechanics and other workers in the locality of the Village employed in performing construction of public works for the Village; and

**WHEREAS**, the enactment of this Ordinance directly pertains to and is in furtherance of the health, welfare and safety of the Village and its residents and is an appropriate exercise of,

among other things, the police powers of the Village; and

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

**ARTICLE I.  
IN GENERAL**

**Section 01. Incorporation Clause.**

The President and Village Board 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 adopt prevailing rate wage standards for the construction of public works projects, as mandated by the Act, in the Village.

**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.  
PREVAILING WAGE RATE STANDARDS**

**Section 10.00**

To the extent and as required by the Act, the general prevailing rates of wages in the Village for laborers, mechanics and other workers engaged in construction of public works

coming under the jurisdiction of the Village is ascertained to be the same as the prevailing rates of wages for construction work within the Cook County area, as determined by the Department of Labor of the State of Illinois (the "Department") as of July of the current year, a true and correct copy of which is attached hereto and incorporated herein as Exhibit A. The definition of any terms appearing in this Ordinance, which are also used in the Act, shall be the same as in the Act.

As required by the Act, any and all revisions of the prevailing rates of wages by the Department shall supersede the Department's July prevailing wage rates for construction of public works projects undertaken by the Village.

**Section 11.00**

Nothing herein contained shall be construed to apply to said general prevailing rates of wages, as herein ascertained, to any work or employment except public works construction undertaken by the Village to the extent required by the Act.

**Section 12.00**

The Village Clerk shall publicly post this determination or any revisions of such prevailing rates of wages in a newspaper of general circulation within the Village and keep it available for inspection at the Village Hall by any interested party. A copy of the determination and/or the currently revised determination of the prevailing rates of wages then in effect shall be attached to all contract specifications.

**Section 13.00**

The Village Clerk shall mail a copy of this determination to any employer and to any association of employers and to any person or association of employees who have filed their names and addresses and have requested copies of any determination stating the particular rates

and the particular class of workers whose wages will be affected by such rates.

**Section 14.00**

The Village Clerk shall promptly file a certified copy of this Ordinance with the Honorable Jesse White, Secretary of State of Illinois, Index Department, 111 East Monroe Street, Springfield, Illinois 62706 and with the Illinois Department of Labor, Fair Labor Standards Division, One West Old State Capitol Plaza, Room 300, Springfield, Illinois 62701.

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

**Section 15.00 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 provisions of this Ordinance.

**Section 16.00 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 17.00 Superseder.**

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

**Section 18.00 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 19.00 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 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 TENTH DAY OF AUGUST, 2009, A.D.

APPROVED:

  
RONALD M. SERPICO  
VILLAGE PRESIDENT

ATTEST:

  
Mary Ann Paolantonio Salemi  
Village Clerk

(SEAL)

Recorded in the Municipal Records: August 10, 2009  
Published in Pamphlet Form: August 11, 2009