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

ORDINANCE NO. 1363

**AN ORDINANCE AMENDING CHAPTER 15.04 OF THE VILLAGE
OF MELROSE PARK MUNICIPAL CODE REGARDING
BUILDINGS AND CONSTRUCTION, 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 8TH DAY OF MARCH 2010

**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 9TH day of MARCH 2010**

ORDINANCE NO. 1363

AN ORDINANCE AMENDING CHAPTER 15.04 OF THE VILLAGE OF MELROSE PARK MUNICIPAL CODE REGARDING BUILDINGS AND CONSTRUCTION, 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 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, pursuant to Article 11, Divisions 30 – 39.1, of the Illinois Municipal Code (65 ILCS 5/11-30-1 through 65 ILCS 5/11-39.1-1) the Village has enacted Title 15 of The Village of Melrose Park Municipal Code (the “Village Code”), titled “BUILDING PERMITS AND STANDARDS,” the purpose of which is to enact standards and provide a reasonable schedule of fees to allow the Village to take steps to ensure the health, safety and welfare of the Village’s residents and visitors; and

WHEREAS, the Corporate Authorities have determined that it is necessary, advisable and in the best interests of the Village and its residents to amend Chapter 15.04 of the Village Code 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

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.

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 Village Code to establish new inspection requirements for certain existing multiple unit dwellings and modify the existing fee schedule set forth in the Village Code.

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 15.04**

Section 10.00 Amendment to Chapter 15.04 of the Village Code, “Permit required-Exception.”

Section 15.04.060 of the Village Code, titled “Permit required–Exception” is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by inserting the following language as Subsection C of Section 15.04.060:

“The Village, in addition to any inspection rights provided under the Village of Melrose Park Municipal Code, shall have the right to take all necessary steps to inspect all multiple unit dwellings with more than four (4) available residential dwelling units. For purposes of this Section of the Village of Melrose Park Municipal Code, the Building Commissioner, applicable members of the Fire Department, other Village employees and officials and their designees and contractors, during the pendency of the inspection, shall, at any and all applicable times hereunder, have free access to any and all applicable buildings, in whole or in part, for the purpose of determining whether the building complies with all applicable codes and regulations. After full compliance with all applicable codes, regulations and rules is met, the Village shall issue an occupancy permit for the building in question. The certificate shall be kept conspicuously posted in the foyer, front hallway or other such area of front ingress and egress to the building.”

Section 10.01 Amendment to Chapter 15.04 of the Village Code, “Fees, multiple unit dwelling, commercial, light manufacturing, industrial and institutional buildings and structures.”

Section 15.04.090 of the Village Code, titled “Fees, multiple unit dwelling, commercial, light manufacturing, industrial and institutional buildings and structures” is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by deleting the fee schedule in Section 15.04.090 and replacing the same with the fee schedule attached hereto and incorporated herein as Exhibit “A.” The fees set forth on Exhibit “A” shall supersede any fees previously established in the Village Code. In the event of conflict between what is set forth in Exhibit “A” and the Village Code, the provisions of Exhibit “A” shall in all instances govern and control.

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 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 documentation 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 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.

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Section 20.00 Effective Date.

This Ordinance shall be in full force and effect upon 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 Abruzzo

NAY VOTES:

ABSTAIN:

ABSENT: Trustee Anguiano

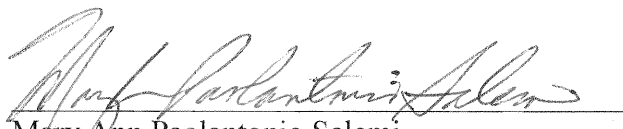
SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE
OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS EIGHTH DAY OF
MARCH, 2010, A.D.

APPROVED:



RONALD M. SERPICO
VILLAGE PRESIDENT

ATTEST:



Mary Ann Paolantonio Salemi
Village Clerk

(SEAL)

Recorded in the Municipal Records: March 8, 2010
Published in Pamphlet Form: March 9, 2010