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

ORDINANCE NO. 2109

**AN ORDINANCE ADOPTING CHAPTER 2, SECTION 2.145 AND
SECTION 2.146 OF THE VILLAGE OF MELROSE PARK
MUNICIPAL CODE REGARDING THE MINIMUM WAGE
STANDARDS, 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 24TH DAY OF APRIL 2017

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

Board Of Trustees

**ANTHONY J. PRIGNANO
ARTURO J. MOTA
MARY RAMIREZ TACONI
JAIME ANGUIANO
ANTHONY N. ABRUZZO
LOUIS "SONNY" NICOTERA**

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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 25TH day of APRIL 2017**

ORDINANCE 2109

AN ORDINANCE ADOPTING CHAPTER 2, SECTION 2.145 AND SECTION 2.146 OF THE VILLAGE OF MELROSE PARK MUNICIPAL CODE REGARDING THE MINIMUM WAGE STANDARDS, 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 home rule 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, the Constitution of the State of Illinois and all laws amendatory thereof and supplementary thereto; and

WHEREAS, the Village President (the "President"), the Honorable Ronald M. Serpico, the Village Clerk, the Honorable Mary Ann Paolantonio, having taken office on May 13, 2013 and the Board of Trustees of the Village (the "Village Board"), the Honorable Anthony J. Prignano, Arturo J. Mota, Mary Ramirez Taconi, Jaime Anguiano, Anthony N. Abruzzo, having taken office on May 11, 2015, and Louis "Sonny" Nicotera, having taken office on October 1, 2016, constitute the duly elected, qualified and acting officials of the Village; and

WHEREAS, on October 26, 2016, the Cook County Board of Commissioners adopted an ordinance providing that employers in Cook County shall pay minimum hourly wages which are in excess of those mandated under state and federal law (the "Cook County Ordinance"); and

WHEREAS, the Corporate Authorities of the Village find that the Cook County Ordinance would place an undue burden on employers within the Village; and

WHEREAS, Article VII, Section 6(c) of the Illinois Constitution provides that if a home rule county ordinance conflicts with an ordinance of a municipality, the municipal ordinance shall prevail within its jurisdiction; and

WHEREAS, the Mayor (the “Mayor”) and the Village Board (the “Corporate Authorities”) find it in the best interests of the Village to amend the Village Code (the “Village Code”) to clearly define the minimum hourly wage requirements that apply to employers located in the Village;

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. The statements set forth in the preambles to this Ordinance are found to be true and correct and are incorporated into this Ordinance as if set forth in full.

Section 02. That the Village Code is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by adopting Chapter 2, Sections 2.145 through 2.146 as follows:

SECTION 2.145: CONFLICTS WITH CERTAIN HOME RULE ORDINANCES OF COOK COUNTY

- (A) Employers located within the Village shall comply with all applicable federal and/or state laws and regulations as such laws and regulations may exist from time to time with regard to the payment of minimum hourly wages.
- (B) No additional obligations with regard to minimum hourly wages, including, without limitation, any additional obligations by ordinances adopted by the

Cook County Board of Commissioners, shall apply to employers located within the Village, except those required by federal and/or state laws and regulations as such laws and regulations may exist from time to time.

SECTION 2.146: DEFINITIONS

- (A) For the purposes of this Chapter, the term "employee" means any individual person permitted and/or hired to work by an employer regardless of the number of persons the employer employs, and the term "employer" means any person, firm or corporation employing one or more employees, or seeking to employ one or more employees, if the employer has its principal place of business within the Village or does business within the Village.
- (B) For purposes of this Chapter, the term "employer" does not mean or include:
 - (i) The government of the United States or a corporation wholly owned by the government of the United States;
 - (ii) An Indian tribe or a corporation wholly owned by an Indian tribe; or
 - (iii) The government of the State or any agency or department thereof.
- (C) For purposes of this Chapter, the term "Village" shall refer to the "Village of Melrose Park, Cook County, Illinois."

Section 03. 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. The officers, employees and/or agents of the Village are specifically authorized and directed to draft and disseminate any and all necessary forms to be utilized in connection with the amendments contemplated by this Ordinance.

Section 04. All prior actions of the Village's officials, employees and agents with respect to the subject matter of this Ordinance are hereby expressly ratified.

Sections 05-09. Reserved.

**ARTICLE II.
AUTHORIZATION**

Section 10.00. The provisions of this Ordinance are hereby declared to be severable, and should any provision 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.

Section 11.00. All ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

Section 12.00. This Ordinance shall be immediately in full force and effect after passage, approval, and publication or as otherwise provided by law. A full, true and complete copy of this Ordinance shall be published in pamphlet form as provided by the Illinois Municipal Code, as amended.

Section 11.00 – Section 15.00 Reserved.

**ARTICLE III.
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 Repeal of Prior Ordinances.

All prior ordinances and resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

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 Prignano, Trustee Mota, Trustee Taconi,
Trustee Anguiano, Trustee Abruzzo, Trustee Nicotera

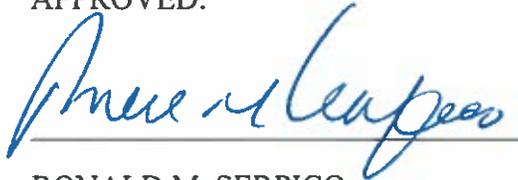
NAY VOTES:

ABSTAIN:

ABSENT:

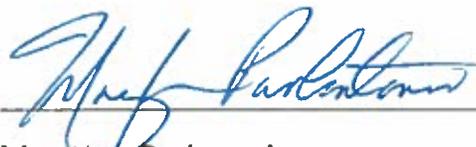
SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE
VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS
TWENTY-FOURTH DAY OF APRIL, 2017, A.D.

APPROVED:



RONALD M. SERPICO
VILLAGE PRESIDENT

ATTEST:



Mary Ann Paolantonio
Village Clerk

(SEAL)

Recorded in the Municipal Records: April 24, 2017
Published in Pamphlet Form: April 25, 2017

STATE OF ILLINOIS)
)
) SS
COUNTY OF Cook)

CLERK'S CERTIFICATE

I, Mary Ann Paolantonio the duly qualified and acting Clerk of the Village of Melrose Park, Cook County, Illinois, do hereby certify that attached hereto is a true and correct *copy* of an Ordinance entitled:

ORDINANCE NO. 2109

AN ORDINANCE ADOPTING CHAPTER 2. SECTION 2.145 AND SECTION 2.146 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MELROSE PARK REGARDING THE MINIMUM WAGE STANDARDS, FOR THE VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS.

which Ordinance was duly adopted by said Village Board at a meeting held on the 24th day of April, 2017.

I do further certify that a quorum of said Village Board was present at said meeting, and that the Village Board complied with all the requirements of the Illinois Open Meetings Act and its own policies, rules or regulations concerning the holdings of meetings and the taking of action during meetings.

IN WITNESS WHEREOF, I have hereunto set my hand this 25th day of April, 2017.



CLERK