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VILLAGE OF MELROSE PARK  
COOK COUNTY, ILLINOIS

ORDINANCE NO. 1004

AN ORDINANCE AMENDING TITLE 17 "ZONING," CHAPTER 17.20 "B" RESIDENTIAL DISTRICT," SECTION 17.20.010 "USE" OF THE MUNICIPAL CODE OF MELROSE PARK OF 2004, 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 OCTOBER 2006

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

Board Of Trustees

JOHN S. CONTEDEUCA  
CATHLEEN COSSIDENT ITALIA  
THOMAS KLEIN  
RUBEN LOMELI  
ARTURO J. MOTA  
ANTHONY J. PRIGNANO

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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 OCTOBER 2006

**ORDINANCE NO. 1004**

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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 Honorable Ronald M. Serpico, the Village Clerk, the Honorable Mary Ann Paolantonio Salemi, having taken office on May 2, 2005 and the Village Board of Trustees, the Honorable John S. Conteduca, Cathleen Cossident Italia, Tom "T.K." Klein, Ruben Lomeli, Trustee Arturo J. Mota and Anthony J. Prignano, having taken office on May 2, 2005, constitute the duly elected, qualified and acting officials of the Village; and

WHEREAS, after due investigation, inquiry and consideration by, among others, the Director of Public Works, the President and Board of Trustees are of the opinion that Title 17 "Zoning," Chapter 17.20 "B" Residential District, Section 17.20.010 "Use" of the Village Code, requires amendment 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 citizens of the Village of Melrose Park; and

WHEREAS, based upon the above findings and recommendations, the President and the Board of Trustees of the Village have determined that it is necessary, advisable and in the best interest of the Village and its citizens to amend Title 17 "Zoning," Chapter 17.20 "B" Residential District, Section 17.20.010 "Use" of the Village Code for the Village of Melrose Park; 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 Board of Trustees of the Village (the "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 does hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

**Section 02. Purpose.**

The purpose of this Ordinance is to make a certain amendment to Title 17 "Zoning," Chapter 17.20 "B" Residential District," Section 17.20.010 "Use" of the Municipal Code of Melrose Park, Illinois of 2004 (the "Village 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.  
AMENDMENT TO TITLE 17 “ZONING,” CHAPTER 17.20 “B” RESIDENTIAL  
DISTRICT,” SECTION 17.20.10 “USE”**

**Section 10.00 Amendment to Section 17.20.010 “Use”.**

That Title 17 “Zoning,” Chapter 17.20 “B” Residential District,” Section 17.20.010 “Use” of the Village Code is hereby repealed and replaced, notwithstanding any provisions, ordinances, resolutions, or Village Code sections to the contrary, by the following language and shall read as follows:

**17.20.010 “Use”**

No building or premises shall be used and no building shall be hereafter erected or altered within any “B” district, unless otherwise provided for in this title, except for uses permitted in the “A” residence district and the following approved uses:

1. Two family dwellings that are located upon parcels that abut an alleyway and meet the minimum lot size requirements of this Section. For purposes of this Section, parcels abutting an alleyway must have a minimum width of thirty three (33) feet and length of one hundred twenty five (125) feet; and
2. Two family dwellings that are located upon parcels that do not abut an alleyway and meet the minimum lot size requirements of this Section. For purposes of this Section, parcels that do not abut an alleyway must have a minimum width of forty (40) feet and length of one hundred twenty five (125) feet.

**Section 11.00 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 amendment contemplated by this Ordinance and to 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 this amendment.

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

**Section 12.00 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 provisions of this Ordinance.

**Section 13.00 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 Board of Trustees that this Ordinance would have been adopted had not such unconstitutional or invalid provision, clause, sentence, paragraph, sub-paragraph, section, or part thereof had not been included.

**Section 14.00 Superseder.**

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

**Section 15.00 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 16.00 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 Lomeli,  
Trustee Mota, Trustee Prignano

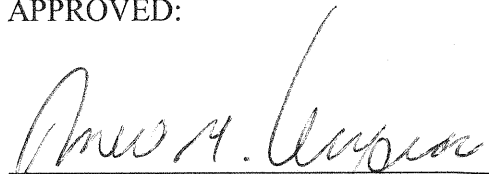
NAY VOTES:

ABSTAIN:


ABSENT: Trustee Klein

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 OCTOBER, 2006 A.D.

APPROVED:

  
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RONALD M. SERPICO,  
VILLAGE PRESIDENT

ATTEST:

  
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Mary Ann Paolantonio Salemi  
Village Clerk

(SEAL)

Recorded in the Municipal Records: October 23, 2006  
Published in pamphlet form: October 24, 2006