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

**ORDINANCE NO. 959**

**AN ORDINANCE AMENDING A CERTAIN SECTION OF  
ORDINANCE NO. 185, 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 13<sup>TH</sup> DAY OF FEBRUARY 2006**

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

**Board Of Trustees**

**JOHN S. CONTEDECA  
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 14<sup>th</sup> day of FEBRUARY 2006**

**ORDINANCE NO. 959**

**AN ORDINANCE AMENDING A CERTAIN SECTION OF  
ORDINANCE NO. 185, FOR THE VILLAGE OF MELROSE PARK,  
COUNTY OF COOK, STATE OF ILLINOIS.**

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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, on December 13, 1970, the President and Board of Trustees of the Village adopted Ordinance No. 185, entitled, "An Ordinance Repealing and Deleting Chapter 185 from the Revised Municipal Code of Melrose Park of January 12, 1970 and Inserting this Ordinance in Lieu Thereof and to be Known as the Melrose Park Environmental Control Ordinance" (hereinafter the “Ordinance”); and

WHEREAS, Section 185-54 of the Ordinance, regulates building operations at night for the Village; and

WHEREAS, the Village has reviewed Section 185-54 of the Ordinance and concluded, based upon such review, that it is both necessary and prudent for the Village to amend Section 185-54 of the Ordinance; and

WHEREAS, the Board of Trustees have determined and do hereby determine that it is necessary, advisable and in the best interest of the Village and its citizens to make certain amendments to the Ordinance, as provided herein;

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 amend Section 185-54 of Ordinance No. 185.

**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.  
AMENDMENTS.**

**Section 10.00 Amendment to Section 185-54 of Ordinance No. 185**

That Section 185-54 of Ordinance No. 185 entitled "Building Operations at Night", is hereby REPEALED and replaced by the following provision, words, numbers and phrases: Said amended provision shall be entitled "Construction or Alteration at Night" and shall read as follows:

Section 185-54 Constructions or Alteration at Night:

No construction or alteration activities shall be carried on between the nighttime hours of 7:00 p.m. and 7:00 a.m. on Monday, Tuesday, Wednesday, Thursday or Friday. On Saturday, no construction or alteration activities shall be carried on between the nighttime hours of 5:00 p.m. and 8:00 a.m. On Sunday and Federal holidays, no construction or alteration activities shall be carried on between the nighttime hours of 5:00 p.m. and 10:00 a.m. Construction and alteration activities on Sundays and Federal holidays shall not be accompanied by loud or annoying noises except in the case of an emergency. Emergency operations necessitating deviation from Section 185-54 shall not be initiated until special permission is obtained from the Director of Public Works. Construction or alteration activities with regard to public improvements and public service utilities, shall be exempt from this section.

Any person violating this section shall be fined not less than Fifty Dollars (\$50.00), nor more than Seven Hundred Fifty Dollars (\$750.00), for each offense, and each day's violation of the same shall constitute a separate and distinct offense.

**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 transactions contemplated by this Ordinance and to take all action necessary in

conformity therewith, including, without limitation, the execution and delivery of any documents required to be delivered in connection with the amendment to Section 185-54 of Ordinance No. 185.

**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 Klein,  
Trustee Lomeli, Trustee Mota, Trustee Prignano


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  
THIRTEENTH DAY OF FEBRUARY, 2006 A.D.

APPROVED:

  
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RONALD M. SERPICO,  
VILLAGE PRESIDENT

ATTEST:

  
\_\_\_\_\_  
Mary Ann Paolantonio Salemi  
Village Clerk

(SEAL)

Recorded in the Municipal Records: February 13, 2006  
Published in pamphlet form: February 14, 2006