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

ORDINANCE NO. 1322

**AN ORDINANCE AMENDING CHAPTER 13.04 OF THE VILLAGE
OF MELROSE PARK MUNICIPAL CODE REGARDING THE
PROVISION OF WATER AND SEWER SERVICE, 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 28TH DAY OF SEPTEMBER 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 29TH day of SEPTEMBER 2009**

ORDINANCE NO. 1322

AN ORDINANCE AMENDING CHAPTER 13.04 OF THE VILLAGE OF MELROSE PARK MUNICIPAL CODE REGARDING THE PROVISION OF WATER AND SEWER SERVICE, 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, after due investigation, inquiry and consideration by, among others, the President and the Village Board (collectively, the “Corporate Authorities”), the same are of the opinion that minimum water and sewer service charges, per billing cycle, for various classifications of customers, require further amendment as set forth herein; and

WHEREAS, based upon the above findings and recommendations, the Corporate Authorities have determined that it is necessary, advisable and in the best interests of the Village

and its residents to amend certain minimum water and sewer service charges, per billing cycle, for various classifications of customers; and

WHEREAS, the changes to certain minimum water and sewer service charges set forth herein do not affect or impact rates for senior citizen customers; 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 the 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 certain minimum water and sewer service charges, per billing cycle, for customers.

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 13.04.**

Section 10.00 Amendment to Section 13.04.120 of the Village of Melrose Park Municipal Code, “Rates-Commercial, industrial or institutional customers.”

Section 13.04.120 of the Village of Melrose Park Municipal Code, titled “Rates-Commercial, industrial or institutional customers,” is hereby amended by deleting said section in its entirety, excepting the title, and in lieu thereof inserting the following:

“The following rates for the Village’s provision of water and sewer service to a commercial, industrial or institutional customer are hereby established as follows: Ten Dollars and Fifty-Five cents (\$10.55) for each one hundred (100) cubic feet of water transmitted to such customer, based upon meter readings, from the effective date of the ordinance codified in this Chapter, and remaining as such until such later date as the Village’s corporate authorities amend the charge imposed by this section.”

Section 10.01 Amendment to Section 13.04.130 of the Village of Melrose Park Municipal Code, “Rates-Residential customers.”

Section 13.04.130 of the Village of Melrose Park Municipal Code, titled “Rates-Residential customers,” is hereby amended by deleting said section in its entirety, excepting the title, and in lieu thereof inserting the following:

“ A. Residential Customer (Less than Four). For each Residential Customer possessing less than four (4) residential dwelling units on a single parcel, the amount of Two Dollars and Eighty-Six cents (\$2.86) for each one hundred (100) cubic feet of water transmitted to such Customer, based upon meter readings;

B. Residential Customer (Four or More). For each Residential Customer possessing four (4) or more residential dwelling units on a single parcel, the amount of Four dollars and Fourteen cents (\$4.14) for each one hundred (100) cubic feet of water transmitted to such Customer, based upon meter readings.”

Section 10.02 Amendment to Section 13.04.160 of the Village of Melrose Park Municipal Code, "Minimum charges."

Section 13.04.160 of the Village of Melrose Park Municipal Code, titled "Minimum charges," is hereby amended by deleting said section in its entirety, excepting the title, and in lieu thereof inserting the following:

" During each billing cycle, each commercial, industrial and/or institutional Customer shall pay the Village a minimum per unit service charge of One Hundred Five Dollars and Forty-Six Cents (\$105.46) for providing water and sewer service to each unit. During each billing cycle, each residential Customer possessing less than four (4) residential dwelling units on a single parcel shall pay the Village a minimum per dwelling unit service charge of Twenty-Two Dollars and Eighty-Three Cents (\$22.83) for providing water and sewer service to each unit. During each billing cycle, each residential Customer possessing four (4) or more residential dwelling units on a single parcel shall pay the Village a minimum per residential dwelling unit service charge of Thirty-Three Dollars and Six Cents (\$33.06) for providing water and sewer service to each unit. During each billing cycle, each residential Customer residing in a dwelling unit located in a trailer court, or a Customer owning a trailer court, shall pay the Village a minimum per residential dwelling unit service charge of Twenty-Three Dollars and Ninety-Four Cents (\$23.94) for providing water and sewer service to each unit. Notwithstanding anything hereinabove, during each billing cycle, each Senior Citizen Customer, as defined by Section 13.04.140, shall pay a Fourteen Dollar and Thirty-Five Cent (\$14.35) minimum charge to the Village for water and sewer service."

Section 10.03 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 shall take all action necessary in conformity therewith including, without limitation, the execution and delivery of any and all documents 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 ten (10) days following 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 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 TWENTY-
EIGHTH DAY OF SEPTEMBER, 2009, A.D.

APPROVED:


RONALD M. SERPICO
VILLAGE PRESIDENT

ATTEST:


Mary Ann Paolantonio Salemi
Village Clerk

(SEAL)

Recorded in the Municipal Records: September 28, 2009
Published in Pamphlet Form: September 29, 2009