
**THE VILLAGE OF BURNHAM
COOK COUNTY, ILLINOIS**

**TERM LIMITS FOR ELECTED OFFICIALS
ORDINANCE NO. 2019 – O – 002**

**AN ORDINANCE AMENDING SECTIONS 2-31, 2-121, AND 2-161 OF
THE VILLAGE CODE OF THE VILLAGE OF BURNHAM,
ILLINOIS, TO LIMIT THE TERMS OF OFFICE FOR ELECTED
MUNICIPAL OFFICE IN THE VILLAGE OF BURNHAM, COOK
COUNTY, STATE OF ILLINOIS, PURSUANT TO THE PASSAGE OF
THE REFERENDUM AT THE APRIL 2, 2019 CONSOLIDATED
ELECTION**

WHEREAS, the Village of Burnham, Cook County, Illinois (the “Village”) has elected by Referendum on March 11, 1980, to become a home rule unit, and accordingly, pursuant to the provisions of the *Constitution of the State of Illinois* of 1970, particularly Article VII, Section 6(a) thereof, the Village is a home rule unit; and

WHEREAS, pursuant to the powers of a home rule unit set forth in Article VII, Section 6(a) of the *Constitution of the State of Illinois* of 1970, the Village may exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of public health, safety, morals, and welfare, to license, to tax, to incur debt, and to enact ordinances therefore; and

WHEREAS, Section 6 of Article VII of the Illinois Constitution authorizes a home rule municipality to provide, by referendum, for the municipality's officers, their manner of selection and terms of office; and

WHEREAS, the Mayor and Village Board of Trustees of the Village of Burnham (the “Corporate Authorities”) caused to be submitted to the voters of the Village of Burnham the following binding question at the April 2, 2019 Consolidated Election (the “Referendum”):

Shall the terms of office for those persons elected to the offices of Village President, Village Clerk or Village Trustee in the Village of Burnham, at the consolidated election to

be held April 6, 2021, and at each election for any of said offices thereafter, be limited such that no person so elected may serve more than three (3) consecutive full four (4) year terms in the same office?

WHEREAS, the official results of the April 2, 2019 Consolidated Election show that the voters overwhelmingly supported the Referendum and said Referendum passed with 527 votes in favor and 73 votes against; and

WHEREAS, the Corporate Authorities seek to codify the passage of the Referendum by amending the Village Code of Ordinances accordingly; and

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE PRESIDENT (MAYOR) AND THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF BURNHAM, COOK COUNTY, ILLINOIS, THROUGH ITS HOME RULE POWERS, as follows:

Section 1. Recitals. **THAT**, the Corporate Authorities of the Village hereby find that all of the recitals and whereas paragraphs contained in the preambles of this Ordinance are true, correct, and complete and do hereby incorporate them into this Ordinance by this reference as if they were set forth verbatim in this section.

Section 2. Replaced and Amended Sections. **THAT**, Sections 2-31, 2-121, and 2-161 of the Village of Burnham Code are amended by replacing same and adding the following in their place, to wit:

Sec. 2-31. - Election; Functions; Term of office.

- (a) The board of trustees, consisting of six members, shall be elected to office for a four-year term, according to the method provided by statute.
- (b) Effective for village trustees elected at the April 6, 2021 Consolidated Election, and at each election for said office thereafter, no person so elected shall serve more than three (3) consecutive, full four (4) year terms in said office.
- (c) This board shall be the legislative department of the village government, and shall perform such duties and have such powers as may be delegated by statute to it.

Section 2-121 – Election; Term of office; Bond.

- (a) The village president shall be elected, as provided by law, for a term of four (4) years.
- (b) Effective for the village president elected at the April 6, 2021 Consolidated Election, and at each election for said office thereafter, no person so elected shall serve more than three (3) consecutive, full four (4) year terms in said office.
- (c) The president of the village shall, before he enters upon the duties of his office, execute a bond to the village in the penal sum of \$3,000.00, with such sureties as the

board of trustees shall approve, conditioned for the faithful performance of the duties of his office.

Section 2-161 – Election; Term of office.

- (a) The village clerk shall be elected, as provided by law, for a term of four (4) years.
- (b) Effective for the village clerk elected at the April 6, 2021 Consolidated Election, and at each election for said office thereafter, no person so elected shall serve more than three (3) consecutive, full four (4) year terms in said office.

Section 3. Severability. THAT, if any section, subsection, paragraph, sentence, clause, provision, or phrase of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

Section 4. Repeal. THAT, all Ordinances, Resolutions, Motions, or Orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

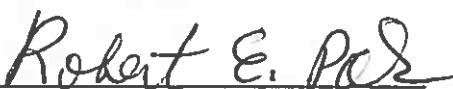
Section 5. Effect. THAT, this Ordinance shall be in full force and effect after its passage, approval, and publication according to law.

Section 6. Home rule ordinance. THAT, this Ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such Ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or, (b) legislate in a manner or regarding a manner not delegated to municipalities by state law. It is the intent of the Corporate Authorities of the Village of Burnham, Cook County, Illinois, that to the extent that the terms of this Ordinance should be inconsistent with any non-preemptive state law, that this Ordinance should supersede state law in that regard within its jurisdiction.

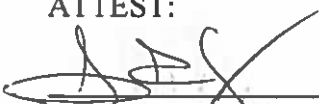
Section 7. Publication. THAT, this Ordinance shall be published in pamphlet form by the authority of the Village President and the Board of Trustees of the Village of Burnham, Cook County, Illinois.

PRESIDENT AND VILLAGE BOARD MEMBERS

	AYES:	NAYS:	ABSENT:	ABSTAIN:
Trustee John Cap Jr.	<u>X</u>	_____	_____	_____
Trustee Denise Bonner	<u>X</u>	_____	_____	_____
Trustee Graciela Garcia	<u>X</u>	_____	_____	_____
Trustee Brenda Greer	<u>X</u>	_____	_____	_____
Trustee Carmella Richardson	<u>X</u>	_____	_____	_____
Trustee Travis Claybrooks	<u>X</u>	_____	_____	_____


ROBERT E. POLK
Village President (Mayor)

ATTEST:


LUS E. CHAVEZ
Village Clerk (SEAL)

Recorded in Village Records:

Published in pamphlet form by authority of the Village President (Mayor) and Board of Trustees of the Village of Burnham, Cook County, Illinois, on 14th day of May, 2019.

ATTEST:


LUS E. CHAVEZ, VILLAGE CLERK
(SEAL)