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

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**ORDINANCE NO. 2015 - O - 005**

**AN ORDINANCE PROHIBITING THE DISCHARGE OF  
SANITARY WASTE AND INDUSTRIAL WASTE INTO ANY  
STORM SEWER OR DRAINAGE FACILITY CONSTRUCTED  
AS A PART OF THE STATE HIGHWAY IMPROVEMENT**

**WHEREAS**, the Village of Burnham, Cook County, Illinois 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 Sec. 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 the public health, safety, morals and welfare; to license; to tax; and to incur debt; and

**WHEREAS**, the STATE OF ILLINOIS acting by and through its DEPARTMENT OF TRANSPORTATION is desirous of improving Torrence Avenue between 136<sup>th</sup> Street and 139<sup>th</sup> Street in the County of Cook; and

**WHEREAS**, said project includes the installation of storm sewers and drainage facilities; and

**WHEREAS**, a portion of this project runs through the VILLAGE OF BURNHAM including the installation of storm drains and drainage facilities;

**BE IT ORDAINED**, by the Village President (Mayor) and Board of Trustees of the Village of Burnham, Cook County, Illinois, by and through its home rule powers, as follows:

**Section 1. THAT**, the Village President (Mayor) and Board of Trustees of the Village of Burnham hereby find that all of the recitals and legislative findings contained in the preambles of

this Ordinance are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

**Section 2. THAT**, no person, firm, corporation or other entity shall discharge any sanitary waste or industrial waste water into any storm sewer or drainage facility constructed as part of the Torrence Avenue improvement, said limits of improvement being between 136<sup>th</sup> Street and 139<sup>th</sup> Street and a portion of which passes through the VILLAGE OF BURNHAM.

**Section 3. THAT**, the Village Clerk of the VILLAGE OF BURNHAM is hereby authorized and directed to attach a copy of this Ordinance to the AGREEMENT dated July 28, 2015 by and between the STATE OF ILLINOIS and the VILLAGE OF BURNHAM.

**Section 4.** All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

**Section 5.** If any section, subsection, paragraph, sentence, clause, or phase of this Ordinance or the application thereto to any person or circumstance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such decision shall not affect the validity of the remaining sections, subsections, paragraphs, sentences, clauses or phrases of this Ordinance or the application of such portion to other persons or circumstances but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any portion.

**Section 6.** This Ordinance shall be in full force and effect after its passage, approval and publication according to law.

**Section 7.** 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 that to the extent that the terms of this Ordinance should be inconsistent with any no-preemptive state law that this Ordinance should supersede state law in that regard within its jurisdiction.

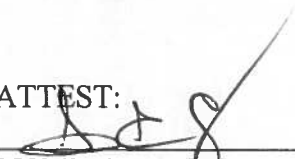
**Section 8.** This Ordinance shall be published in pamphlet form by the authority of the Village President (Mayor) and the Board of Trustees of the Village of Burnham, Cook County, Illinois.

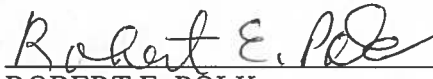
**PASSED** by the Village President (Mayor) and Board of Trustees of the Village of Burnham, Cook County, Illinois, this 28<sup>th</sup> day of July, 2015.

**PRESIDENT AND VILLAGE BOARD MEMBERS**

	AYES:	NAYS:	ABSENT:	ABSTAIN:
Trustee John Cap Jr.	<u>  x  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Trustee Paris Ellison	<u>  x  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Trustee Grace Garcia	<u>          </u>	<u>          </u>	<u>  x  </u>	<u>          </u>
Trustee Brenda Greer	<u>  x  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Trustee Carmela Richardson	<u>  x  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Trustee Travis Claybrooks	<u>  x  </u>	<u>          </u>	<u>          </u>	<u>          </u>

ATTEST:


  
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 LUS E. CHAVEZ  
 Village Clerk (SEAL)

  
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 ROBERT E. POLK  
 Village President (Mayor)

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 28<sup>th</sup> day of July, 2015.

ATTEST:

  
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 LUS E. CHAVEZ, VILLAGE CLERK  
 (SEAL)