

VILLAGE OF BURNHAM

ORDINANCE NO. 2014-O-001

**AN ORDINANCE AUTHORIZING THE SALE OF AN ITEM OF
PERSONAL PROPERTY OWNED BY THE VILLAGE OF BURNHAM,
COOK COUNTY, ILLINOIS**

**PASSED BY THE
VILLAGE PRESIDENT (MAYOR) AND BOARD OF TRUSTEES OF
THE
VILLAGE OF BURNHAM**

THIS 28th DAY OF January, 2014

**PUBLISHED IN PAMPHLET FORM
BY AUTHORITY OF THE VILLAGE PRESIDENT (MAYOR) AND
BOARD OF TRUSTEES OF THE VILLAGE OF BURNHAM, COOK
COUNTY, ILLINOIS THIS 7th DAY OF February, 2014**

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

CERTIFICATION

I, LUS E. CHAVEZ, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Burnham, Cook County, Illinois, and as such Village Clerk, I am the keeper of the official journal, records, papers, entries, documents, and Resolutions and Ordinances of the Village of Burnham and of the Village President and Board of Trustees of the Village of Burnham (the "Corporate Authorities") and that attached is a full, true, and correct copy of ORDINANCE NO. 2014-O-001 now on file in my office entitled:

AN ORDINANCE AUTHORIZING THE SALE OF AN ITEM OF PERSONAL PROPERTY OWNED BY THE VILLAGE OF BURNHAM, COOK COUNTY, ILLINOIS

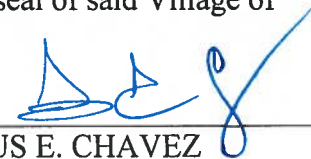
I further certify that said Ordinance No. 2014-O-001 was duly passed on roll call vote by the Board of Trustees of the Village of Burnham, Cook County, Illinois, on the 28th day of January, 2014, and approved by the Village President (Mayor) on the 28th day of January, 2014, and that said Ordinance attached is now in full force and effect and has not been rescinded.

I do further certify that the deliberations of the Corporate Authorities on the passage of said Ordinance was taken openly, that the vote on the passage of said Ordinance was taken openly; that said meeting was held at a specified time and place convenient to the public; that notice of said meeting was duly given to all newspapers, radio or television stations and other news media requesting such notice; and that said meeting was called and held in strict compliance with the provisions of "AN ACT in relation to meeting", approved July 11, 1957, as amended, and the Illinois Municipal Code, as amended, and that the Corporate Authorities have complied will all of the provisions of said Act and said Codes and with all of the procedural rules of the Corporate Authorities.

IN WITNESS WHEREOF, I have hereunto set my hand as Village Clerk of the Village of Burnham and have hereunto affixed the seal of said Village of Burnham this 28th day of January, 2014.

(SEAL)





LUS E. CHAVEZ
Village Clerk

VILLAGE OF BURNHAM

ORDINANCE NO. 2014-O-001

AN ORDINANCE AUTHORIZING THE SALE OF AN ITEM OF
PERSONAL PROPERTY OWNED BY THE VILLAGE OF
BURNHAM, COOK COUNTY, ILLINOIS

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 the public health, safety, morals and welfare; to license; to tax; and to incur debt; and

WHEREAS, in the opinion of the Corporate Authorities of the Village, it is no longer necessary or useful to or for the best interests of the Village to retain the following described personal property:

A 2003 International 7000 Series 7400 Truck,
VIN: 1HTWGAAR43J076251, with a Leach
Rear Load Body, in “as is” condition, (Garbage Truck),

now owned by the Village; and

WHEREAS, the Corporate Authorities of the Village deem it advisable that the Garbage Truck shall be sold as a total unit in “as is” condition without advertising for competitive bids for the purchase of such personal property; and

WHEREAS, Homewood Disposal Service, Inc. has submitted a written offer dated 1/10/2014, a copy of which is in the office of the Village Clerk, to purchase the Garbage Truck for the sum of Twenty-Five Thousand and no/100 Dollars (\$25,000.00) in cash when Homewood Disposal Service, Inc. takes possession of the Garbage Truck contingent upon the approval of the Village Scavenger Contract between the Village of Burnham and Homewood Disposal Service, Inc. by the Village; and

WHEREAS, the Corporate Authorities of the Village approved on January 14, 2014 the Village Scavenger Contract between the Village of Burnham and Homewood Disposal Service, Inc.; and

WHEREAS, the Corporate Authorities of the Village deem it advisable and in the best interests of the Village to accept the written offer of Homewood Disposal Service, Inc. to purchase the Garbage Truck and to sell the Garbage Truck to Homewood Disposal Service, Inc. for the sum of Twenty-Five Thousand and no/100 Dollars (\$25,000.00) in cash.

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

Section 1. The Corporate Authorities of the Village hereby find that all of the recitals contained in the preambles of this Ordinance are true, correct and complete and do hereby incorporate them into this Ordinance by this reference.

Section 2. The Village President (Mayor) and Board of Trustees of the Village of Burnham, Cook County, Illinois, (the "Village") find that the following described personal property:

A 2003 International 7000 Series 7400 Truck,
VIN: 1HTWGAAR43J076251, with a Leach
Rear Load Body, in "as is" condition, (Garbage Truck),

now owned by the Village is no longer necessary or useful to the Village and the best interests of the Village will be served by its sale.

Section 3. The Village President (Mayor) and Board of Trustees of the Village hereby accept the written offer dated 1/10/2014 of Homewood Disposal Service, Inc., a copy of which is in the office of the Village Clerk, to purchase the Garbage Truck for the sum of Twenty-Five Thousand and no/100 Dollars (\$25,000.00) in cash when Homewood Disposal Service, Inc. takes possession of the Garbage

Truck without advertising for competitive bids for the purchase of the Garbage Truck.

Section 4. The Village President (Mayor) and the Village Clerk be and are hereby authorized and directed to convey and transfer the Garbage Truck by Assignment Of Title; the Village President (Mayor) is hereby authorized to sign the Assignment Of Title; and the Village Clerk is hereby authorized to acknowledge and attest the Assignment Of Title and to affix thereto the Seal of the Village upon payment in full of the sale price of Twenty-Five Thousand and no/100 Dollars (\$25,000.00).

Section 5. The Village President (Mayor) and the Village Clerk are hereby authorized, respectively, to execute and attest such other documents as may be necessary to complete the sale herein authorized.

Section 6. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance or the application thereto 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 7. This Ordinance shall be in full force and effect after its passage, approval and publication according to law.

Section 8. 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 matter 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 non-preemptive state law, that this Ordinance should supersede state law in that regard within its jurisdiction.

Section 9. This Ordinance shall be published in pamphlet form by the authority of the Village President (Mayor) and 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 28th day of January, 2014.

ROLL CALL:

AYES: Trustees John Cap, Reynaldo Espino, Grace Garcia, Carmella Richardson,
Brenda Greer and Travis Claybrooks

NAYS: None

ABSENT: None



VILLAGE CLERK

APPROVED by me this 28th day of January, 2014.



VILLAGE PRESIDENT (MAYOR)

ATTEST:



VILLAGE CLERK


(SEAL)



Recorded in Village Records: January 28, 2014

Published in pamphlet form by authority of the Village President (Mayor) and
Board of Trustees of the Village of Burnham, Cook County, Illinois on
February 7, 2014.

ATTEST:



VILLAGE CLERK

(SEAL)

