

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, (the "Village"), and as such Village Clerk, I am the keeper of the official journal of proceedings, books, records, papers, minutes, entries, documents, resolutions, ordinances, and files of the Village and of the President and Board of Trustees, (the "Corporate Authorities"), thereof, and that attached is a full, true, and correct copy of ORDINANCE NO. 2016-O-009 now on file in my office entitled:

“INTERGOVERNMENTAL AGREEMENT WITH DOLTON
AN ORDINANCE AMENDING CHAPTER 30, ARTICLE 11 SECTIONS 30-32
TO AND INCLUDING SECTIONS 30-40 OF THE CODE OF ORDINANCES,
VILLAGE OF BURNHAM, ILLINOIS ENACTED AUGUST 29, 1989 AS
ORDINANCE NUMBER 89 – O – 007”


I further certify that said Ordinance No. 2016-O-009 was duly passed on roll call vote by the Board of Trustees of the Village on the 22nd day of November 2016, and approved by the President of the Village on the 22nd day of November, 2016, and that said Ordinance attached is now in full force and effect and has not been rescinded.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 affixed hereunto my official signature as

Village Clerk of the Village and the seal of the Village this 22nd day of Novermber, 2016.

(SEAL)



LUS E. CHAVEZ
Village Clerk

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

ORDINANCE NO. 2016 - O - 009

INTERGOVERNMENTAL AGREEMENT WITH DOLTON

**AN ORDINANCE AMENDING CHAPTER 30, ARTICLE 11 SECTIONS 30-32
TO AND INCLUDING SECTIONS 30-40 OF THE CODE OF ORDINANCES,
VILLAGE OF BURNHAM, ILLINOIS ENACTED AUGUST 29, 1989
AS ORDINANCE NUMBER 89 - O - 007**

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 has amended the *Emergency Telephone System Act*, 50 ILCS 750/15.4A mandating municipalities with less than 25,000 in population to consolidate into a Joint Emergency Telephone System Board (JETSAB) wherein the population would be at least 25,000 in the service area; and

WHEREAS, the population of the Village of Burnham is less than 25,000 in habitants; and

WHEREAS, the Village of Burnham enacted Ordinance No: 89-O-007 on August 29, 1989 creating an enhanced 9-1-1 emergency telephone system.

WHEREAS, the Village of Burnham entered into an *Intergovernmental Agreement* with the City of Calumet City, Cook County, Illinois on a Joint Emergency Telephone System Board on August 29, 1989

WHEREAS, the Corporate Authorities of the Village of Burnham deem it advisable and in the best interest of the residents of the Village of Burnham to withdraw from participation in the agreement and rescind the agreement entered into with Calumet City on August 29, 1989; and

WHEREAS, the Corporate Authorities of the Village of Burnham deem it advisable and in the best interest of the residents of the Village of Burnham to amend Chapter 30, Article II Section 30-32 of the Code of Ordinances to reflect that the Village withdraws and cancels its agreement with the City of Calumet City; and

WHEREAS, the Corporate Authorities of the Village deemed it advisable and in the best interest of the residents of the Village of Burnham to join with the Village of Dolton in the creation of a Joint Emergency Telephone Systems Board (JETSBS) in order to service the populations of both the Village of Burnham and the Village of Dolton; and

WHEREAS, Daley's Medical Transport Inc., an Illinois Corporation is a full service dispatch center located at 1234 E. Sibley Boulevard, Dolton, Illinois the ("Daley Dispatch Center"); and

WHEREAS, The Daley's Dispatch Center is a public safety answering point ("PSAP"), as defined in the *Emergency Telephone Systems Act*, 50 ILCS 750/0.01, et seq. (the "Act"); and

WHEREAS, Section 15.4a of the Act sets forth certain consolidation requirements to ensure, among other things, that no 9-1-1 Authority without a PSAP in its jurisdiction be consolidated through an intergovernmental agreement with an existing 9-1-1 Authority that has a PSAP to create a Joint Emergency Telephone Systems Board; and

WHEREAS, *Public Act 99-0006* created a uniform statewide surcharge and centralized collection and distribution of 9-1-1 surcharge revenues under the Illinois State Police ("ISP"), and provides that ISP will distribute surcharge revenues to Joint Emergency Telephone System Boards; and

WHEREAS, Village of Dolton is a unit of local government situated within the corporate boundaries of Cook County, Illinois; and

WHEREAS, the Village of Burnham is a unit of local government situated within the corporate boundaries of Cook County, Illinois; and

WHEREAS, the *Constitution of the State of Illinois*, 1970, Article VII, Section 10, authorizes units of local government to contract or otherwise associate among themselves in any manner not prohibited by law or ordinance; and

WHEREAS, 5 ILCS 200/1, entitled the *Intergovernmental Cooperation Act*, provides that any power or powers, privileges or authority exercised or which may be exercised by a unit of local government may be exercised and enjoyed jointly with any other unit of local government; and

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

Section 2. THAT, Chapter 30 Emergency Services, Article II, Section 30-32 of the Code of Ordinances Village of Burnham, Illinois is hereby amended to read as follows:

Section 30-32: The Village shall by means of an *Intergovernmental Agreement* shall enter into and participate with the Village of Dolton, Cook County, Illinois and Daley's Medical Transport, Inc., an Illinois Corporation and is a Public Safety Answering Point ("PSAP") as defined in the *Emergency Telephone Systems Act* 50 ILCS 750/0.01 et seq.

Section 3. THAT, Chapter 30 Emergency Services, Article II, Section 30-33 of said Code of Ordinances Village of Burnham, Illinois is hereby amended to read as follows:

Section 30-33: Surcharges imposed. State of Illinois enacted *Public Act 99-0006* creating uniform statewide surcharge and centralized collection and distribution of 9-1-1 surcharge revenues under the Illinois State Police ("ISP"), and provides that ISP will distribute surcharge revenues to Joint Emergency Telephone System Boards.

Section 4. THAT, Section 30-34 of said Code of Ordinances, Village of Burnham, Illinois is hereby amended to read as follows:

Section 30-34: REPEALED

Section 5. THAT, Section 30-35 of said Code of Ordinances, Village of Burnham, Illinois is hereby amended to read as follows:

Section 30-35: REPEALED

Section 6. THAT, Section 30-36 of said Code of Ordinances, Village of Burnham, Illinois is hereby amended to read as follows:

Section 30-36: REPEALED

Section 7. THAT, Section 30-37 of said Code of Ordinances, Village of Burnham, Illinois is hereby amended to read as follows:

Section 30-37: REPEALED

Section 8. THAT, Section 30-38 of said Code of Ordinances, Village of Burnham, Illinois is hereby amended to read as follows:

Section 30-38: REPEALED

Section 9. THAT, Section 30-39 of said Code of Ordinances, Village of Burnham, Illinois is hereby amended to read as follows:

Section 30-39: REPEALED

Section 10. THAT, Section 30-40 of said Code of Ordinances, Village of Burnham, Illinois is hereby amended to read as follows:

Section 30-40: REPEALED

Section 11. THAT, the Corporate Authorities of the Village of Burnham shall enter into and here by approve a written agreement with Daley’s Medical Transport, Inc., for dispatch services, a copy of which is attached hereto as Exhibit “A” and made an express part hereto as if fully set forth herein;

Section 12. THAT, in order to facilitate the creation of a Joint Emergency Telephone System Board with the Village of Dolton and Daley’s Medical Transport, Inc., the Corporate Authorities of the Village of Burnham, Cook County, Illinois do hereby approve the written agreement entitled “Intergovernmental Agreement between the Village of Dolton and the Village of Burnham establishing a Joint Emergency Telephone Systems Board” (the “Agreement”) a copy of which is attached hereto as Exhibit “B” and made an express part hereof as if fully set forth herein; and

Section 13. THAT, the Village President is hereby authorized and directed to execute the Agreement and the Village Clerk is authorized and directed to attest the Agreement and to affix the Village Seal.

Section 14. THAT, the Village President and the Village Clerk are hereby directed and authorized to do all things necessary to put in full force and effect all the provisions set forth in the Agreement.

Section 15. 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 no-preemptive state law, that this Ordinance should supersede state law in that regard within its jurisdiction.

Section 16. THAT, if any section, paragraph, clause or provision of this Ordinance shall be held invalid, and the invalidity thereof shall not affect any other provision of this Ordinance.

Section 17. THAT, all Ordinances, Resolutions, Motions or Orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 18. THAT, this Ordinance shall be in full force and effect after its passage, approval and publication according to law.

Section 19. THAT, 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 22nd day of November, 2016.

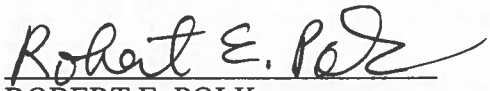
PRESIDENT AND VILLAGE BOARD MEMBERS

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

ATTEST:



 LUS E. CHAVEZ
 Village Clerk (SEAL)




 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 22nd day of November, 2016.

ATTEST:



LUS E. CHAVEZ
VILLAGE CLERK

(SEAL)

