
THE VILLAGE OF BURNHAM COOK COUNTY, ILLINOIS

EXEMPT VILLAGE STICKERS FOR SENIOR CITIZENS AND VETERANS

ORDINANCE NO. 2019 – O – 003

AN ORDINANCE AMENDING SECTION 86-216 OF THE VILLAGE CODE OF THE VILLAGE OF BURNHAM, ILLINOIS, TO EXEMPT SENIOR CITIZENS AND VETERANS FROM MOTOR VEHICLE WHEEL TAX 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, 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 advisory referenda questions at the April 2, 2019 Consolidated Election (collectively the “Propositions”):

Question 1:

Shall the Village of Burnham support its senior citizen residents and amend the Village of Burnham Code of Ordinances to provide an exemption from the Motor Vehicle Wheel Tax such that a motor

vehicle license or sticker shall be issued at no charge for a single passenger vehicle owned by someone who is 62 years of age or older, upon proof of registration, age, and residence?
(hereinafter the "Seniors Proposition").

and

Question 2:

Shall the Village of Burnham support its veteran residents and amend the Village of Burnham Code of Ordinances to provide an exemption from the Motor Vehicle Wheel Tax such that a motor vehicle license or sticker shall be issued at no charge for a single passenger vehicle owned by a veteran upon showing valid proof of service, registration, and residence?
(hereinafter the "Veterans Proposition").

WHEREAS, the official results of the April 2, 2019 Consolidated Election show that the voters overwhelmingly supported the Propositions with the Senior Proposition passing with 586 votes in favor and 33 votes against and the Veterans Proposition passing with 571 votes in favor and 47 votes against; and

WHEREAS, the Corporate Authorities seek to codify the passage of the Propositions 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 86-216 Village Code for the Village of Burnham is amended by replacing same and adding the following in their place, to wit:

Sec. 86-216. Exemptions for Seniors and Veterans

- (a) **Senior Citizens.** Any resident of the Village who is 62 years of age or over at the time it would become necessary for such resident to obtain a motor vehicle license from the Village, for his or her own personal passenger vehicle, shall not be required to pay for a motor vehicle license for his or her own, single personal passenger vehicle. For a second motor vehicle license, any resident of the Village who is 62 years of age or over at the time it would become necessary for such

resident to obtain a motor vehicle license from the village shall pay to the Village Clerk an annual fee of \$15.00 for his or her own, second personal passenger vehicle. Any additional motor vehicle license, for a personal passenger vehicle, shall be charged an annual fee of \$45.00. The applicant shall submit proof of age and of residency satisfactory to the Village Clerk and the license shall be issued in accordance with the usual licensing procedure.

- (b) **Veterans.** Any resident of the Village who is a veteran of any branch of the United States Armed Forces or National Guard at the time it would become necessary for such resident to obtain a motor vehicle license from the Village, for his or her own personal passenger vehicle, shall not be required to pay for a motor vehicle license for his or her own, single personal passenger vehicle. For a second motor vehicle license, any resident of the Village who is a veteran of any branch of the United States Armed Forces or National Guard at the time it would become necessary for such resident to obtain a motor vehicle license from the Village shall pay to the Village Clerk an annual fee of \$15.00 for his or her own, second personal passenger vehicle. Any additional motor vehicle license, for a personal passenger vehicle, shall be charged an annual fee of \$45.00. The applicant shall submit proof of service and of residency satisfactory to the Village Clerk and the license shall be issued in accordance with the usual licensing procedure.

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.

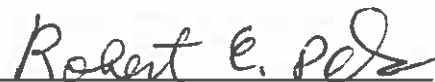
Section 5. Effect. THAT, this Ordinance shall be in full force and effect after its passage, approval, and publication according to law.

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.

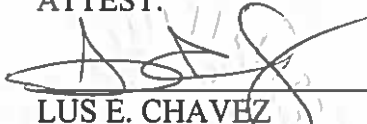
Section 7. Publication. THAT, this Ordinance shall be published in pamphlet form by the authority of the Village President and the Board of Trustees of the Village of Burnham, Cook County, Illinois.

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)