
**MEMORANDUM**

**TO:** David A. Hulseberg  
Village Manager

**FROM:** Nicole P. Aranas   
Assistant Village Manager

**DATE:** May 15, 2013

**SUBJECT:** President Pro Tem and Temporary Chairman

Attached please find a revised copy of a proposed ordinance amending the Lombard Code of Ordinances to set forth procedures for the election of a president pro tem and temporary chairman, "*An Ordinance Amending Title 3, Chapter 31 of the Lombard Village Code in Regard to Village President.*" This Ordinance, originally introduced by Trustee Breen, was previously reviewed and discussed, without adoption, by the Village Board of Trustees in January of this year. Prior provisions for the designation of president pro tem and temporary chairman were repealed, leaving the current Lombard Code of Ordinances silent on these designations.

*Please note that the repealed sections of the Lombard Code of Ordinances, prior versions of this Ordinance and my prior Board memorandum referenced designation of a "Chairman Pro Tem" rather than "Temporary Chairman," the term actually referenced in the Illinois Municipal Code (65 ILCS 5/3.1-35-35). The attached revised ordinance and this revised memo have been amended to properly reflect the designation of a "Temporary Chairman," as set forth by state statute.*

**ORDINANCE**

The proposed ordinance sets forth provisions for the pre-selection of a Village Trustee to serve as president pro tem and temporary chairman in the following instances:

**PRESIDENT PRO TEM** - Where a temporary absence or disability of the Village President incapacitates him/her from the performance of his/her duties but does not create a vacancy in the office.

**TEMPORARY CHAIRMAN** – Where the Village President is absent from a meeting, and the absence is not the result of a vacancy in the office nor of such a nature as to require a president pro tem (as listed above).

In neither case does the president pro tem or temporary chairman serve where a vacancy has been created in the office of Village President. A vacancy in the office of Village President due to resignation, death, permanent disability or other causes is addressed separately through provisions of the Illinois Municipal Code (65 ILCS 5/3.1-10-50).

Until repealed in October of last year, the Code of Ordinances provided that the "senior Trustee," or Trustee with most consecutive years as Trustee, serve as president pro tem and temporary

chairman in the above instances. In lieu of designating the senior Trustee, the proposed ordinance provides that the president pro tem and temporary chairman be pre-selected by the Village Board within sixty (60) days from each general election. The pre-selected Trustee would serve until a new Trustee is selected following the next general election or until removed by a vote of a majority of the Village Board.

#### **LEGISLATIVE HISTORY**

Prior provisions designating senior Trustee as president pro tem and temporary chairman under the same sections of Code of Ordinances were repealed by Ordinance 3696, passed on October 2, 2012. The provisions set forth within this proposed ordinance were introduced by Trustee Breen, initially discussed by the Village Board of Trustees on January 3, 2013 and tabled by unanimous vote to January 17, 2013. At the January 17, 2013 Board of Trustees Meeting, the proposed ordinance was discussed further and separate motions to both table the item and to approve the item failed to carry at that time.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING TITLE 3, CHAPTER 31 OF THE LOMBARD VILLAGE CODE IN REGARD TO THE DESIGNATION OF A PRESIDENT PRO TEM AND A TEMPORARY CHAIRMAN**

**BE IT ORDAINED** by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

**Section 1:** That Title 3, Chapter 31 of the Lombard Village Code is amended by adding a new Section 31.15 thereto, which shall read in its entirety as follows:

**“§31.15        DESIGNATION OF PRESIDENT PRO TEM AND TEMPORARY CHAIRMAN**

The Village Board shall select, from among the Trustees, a person to serve as President Pro Tem and Temporary Chairman, as set forth in Section 31.16 and Section 31.17 below, within sixty (60) days after each general consolidated election or after a vacancy in the office of the Trustee selected by the Village Board under this Section. The selected Trustee shall serve until the selection of a new Trustee after the next consolidated election, unless removed sooner by a vote of a majority of the Village Board, in which case the Village Board shall select a new Trustee under this Section within sixty (60) days.”

**Section 2:** That Title 3, Chapter 31 of the Lombard Village Code is amended by adding a new Section 31.16 thereto, which shall read in its entirety as follows:

**“§31.16        PRESIDENT PRO TEM**

If a temporary absence or disability of the Village President or Acting Village President incapacitates him/her from the performance of his/her duties, but does not create a vacancy in the office, the Village Board has hereby determined that the Trustee selected pursuant to Section 31.15 above, shall act as President Pro Tem. The President Pro Tem, during the absence or disability, shall perform the duties and possess all the rights and powers of the Village President.”

**Section 3:** That Title 3, Chapter 31 of the Lombard Village Code is amended by adding a new Section 31.17 thereto, which shall read in its entirety as follows:

**“§31.17 TEMPORARY CHAIRMAN**

If the Village President or Acting Village President is absent from a meeting, and the absence is not the result of a vacancy in office nor of such a nature as to require a President Pro Tem under Section 31.16 above, the Village Board has hereby determined that the Trustee selected pursuant to Section 31.15 above, shall act as Temporary Chairman for purposes of chairing said meeting. The Temporary Chairman shall have only the powers of a presiding officer and shall retain the right to vote in his/her capacity as Trustee on any Ordinance, Resolution or Motion.”

**Section 4:** That this Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2013, pursuant to a roll call vote as follows:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Keith Giagnorio, Acting Village President

**ATTEST:**

\_\_\_\_\_  
Sharon Kuderna, Village Clerk