

MEMORANDUM

To: William J. Mueller, Village President, Village of Lombard

From: Tom Bayer, Village Attorney **Via e-mail only**

Date: May 18, 2009

Subject: **Inauguration Date for Elections**

Pursuant to our discussion, it is my understanding that you would like to move the inauguration date, for future Village Board elections, to the first meeting in May. In this regard, please be advised as follows:

As we previously discussed, as a result of provisional voting, Public Act 93-847 extended the time period for canvassing the votes (which is now performed by the DuPage County Board of Elections) from seven (7) days to twenty-one (21) days. In addition, 65 ILCS 5/3.1-10-15 has been amended to read as follows:

“§ 3.1-10-15. Commencement of terms. The terms of elected municipal officers shall commence at the first regular or special meeting of the corporate authorities after receipt of the official election results from the County Clerk of the regular municipal election at which the officers were elected, except as otherwise provided by ordinance fixing the date for inauguration of newly elected offices of a municipality. The ordinance shall not, however, fix the time for inauguration of newly elected officers later than the first regular or special meeting of the corporate authorities in the month of June following the election.”

Depending upon how fast the official results are ascertained, if the language of the first sentence of the statute was inserted in the Village Code, the inauguration could be required to take place, on occasion, at the second regular meeting in April. As such, modified language is required to assure that the inauguration takes place at the first regular meeting in May, absent Passover moving the election from the first Tuesday in April to the second or third Tuesday in April (see 10 ILCS 5/2A-1.1a), in which case the inauguration might have been at the second regular meeting in May, absent a special meeting.

In regard to the foregoing, enclosed please find the following Ordinance:

AN ORDINANCE AMENDING TITLE 3, CHAPTER 31,
SECTION 31.05 OF THE LOMBARD VILLAGE CODE
IN REGARD TO THE INAUGURATION DATE FOR ELECTED OFFICERS

If there are any questions, please feel free to call.

encl.

cc: David Hulseberg, Village Manager (w/ encl.; via e-mail)

Barbara Johnson, Deputy Village Clerk (w/ encl.; via e-mail)