

**VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda**

DISTRICT #

- Resolution or Ordinance (Blue)
- Waiver of First Requested
- Recommendations of Boards, Commissions & Committees (Green)
- Other Business (Pink)

TO : PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Hulseberg, Village Manager *D.A.H.*

DATE : May 19, 2009 B of T June 4, 2009

SUBJECT: Inauguration Date for Elections

SUBMITTED BY: Tom Bayer, Village Attorney

BACKGROUND/POLICY IMPLICATIONS:

Ordinance amending Title 3 of the Lombard Village Code with regard to the date of inaugurations following Village elections.

Fiscal Impact/Funding Source:

Review (as necessary):
 Finance Director _____
 Village Manager _____
 Date 5/20/09

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the agenda distribution.

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.

"§ 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."

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:

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:

To: William J. Mueller, Village President, Village of Lombard
From: Tom Bayer, Village Attorney
Date: May 18, 2009
Subject: Inauguration Date for Elections
Via e-mail only

MEMORANDUM



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

ORDINANCE NO. _____

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, Section 31.05 of the Lombard Village

Code is amended to read in its entirety as follows:

"Pursuant to 65 ILCS 5/3.1-10-15, the inauguration date for the elected officers of the Village (Village President, six Trustees and Village Clerk) is hereby established as the first regular Village Board meeting in May following the election, or the first regular or special Village Board meeting after the Village's receipt of the official election results, whichever occurs last."

SECTION 2: That this Ordinance shall be in full force and effect from and after its

adoption and approval as provided by law.

Passed on first reading this _____ day of _____, 2009.

First reading waived by action of the Board of Trustees this _____ day of _____, 2009.

_____, 2009.

Passed on second reading this _____ day of _____, 2009,

pursuant to a roll call vote as follows:

AYES: _____

NAYS _____

ABSENT: _____

Briditte O'Brien
Village Clerk

ATTEST:

William J. Mueller
Village President

APPROVED by me this _____ day of _____, 2009.