

ORDINANCE NO. 2018-26

AN ORDINANCE AMENDING CHAPTER 22 ARTICLE XVII, SECTION 22-645 OF THE MUNICIPAL CODE, VILLAGE OF STICKNEY, ILLINOIS REGARDING INSURANCE REQUIRED

WHEREAS, the Village of Stickney (the "Village") is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations; and

WHEREAS, the Village President (the "President") and the Board of Trustees of the Village (the "Village Board" and with the President, the "Corporate Authorities") are committed to ensuring the health, safety and welfare of Village residents; and

WHEREAS, the Village issues permits for home repairs and remodeling and as a condition of those permits, the applicant for said permits must show and keep on file with the Village proof of insurance in a certain amount; and

WHEREAS, the amount of the insurance has not been changed, amended or increased since 1981 and it is out of step with the market standards and with what neighboring municipalities require; and

WHEREAS, the Corporate Authorities desire to exercise their home rule authority in implementing the regulations contemplated herein (the "Regulations"); and

WHEREAS, based upon the foregoing, the Corporate Authorities have determined that it is necessary, advisable and in the best interests of the Village and its residents to amend Chapter 22, Article XVII, Section 22-645 of the Village Code to increase the amount of insurance required, as set forth below;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, as follows:

**ARTICLE I.
IN GENERAL**

SECTION 1. INCORPORATION CLAUSE.

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

SECTION 2. PURPOSE.

The purpose of this Ordinance is to amend Chapter 22, Article XVII, Section 22-645 of the Village Code to increase the amount of insurance required and to authorize the President or his designee to take all actions necessary to carry out the intent of this Ordinance.

ARTICLE II.
**AMENDMENT OF CHAPTER 22, ARTICLE XVII, SECTION 22-645 OF THE MUNICIPAL
CODE, VILLAGE OF STICKNEY, ILLINOIS**

SECTION 3.0. AMENDMENT OF CHAPTER 22, ARTICLE XVII, SECTION 22-645.

That the Village Code is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by amending Chapter 22, Article XVII, Section 22-645 as follows:

Sec. 22-645. - Insurance required.

Any person engaged in the business of home repair and remodeling shall obtain and maintain in full force and effect during the operation of the business public liability and property damage insurance in the amount of ~~\$400,000.00~~ \$1,000,000.00 per person and ~~\$300,000.00~~ \$2,000,000.00 per occurrence of bodily injury, ~~\$50,000.00~~ \$500,000.00 per occurrence for property damage, and in the amount of ~~\$40,000.00~~ \$100,000.00 per occurrence for improper home repair or remodeling not in conformance with applicable state, county, or municipal building codes, unless the person has a net worth of not less than \$1,000,000.00 as determined on the basis of the person's most recent financial statement, prepared within 13 months.

SECTION 3.1. OTHER ACTIONS AUTHORIZED.

The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the amendments contemplated by this Ordinance, and shall take all action necessary in conformity therewith. The officers, employees and/or agents of the Village are specifically authorized and directed to draft and disseminate any and all necessary forms or notices to be utilized in connection with the intent of this Ordinance.

ARTICLE III.
**HEADINGS, SAVINGS CLAUSES, PUBLICATION,
EFFECTIVE DATE**

SECTION 4. HEADINGS.

The headings of the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

SECTION 5. SEVERABILITY.

The provisions of this Ordinance are hereby declared to be severable and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

SECTION 6. SUPERSEDER.

All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

SECTION 7. PUBLICATION.

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall be effective immediately upon its passage.

(REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

PASSED this 19th day of June, 2018.

AYES: Trustees Hrejsa, Kapolnek, Milenkovic, Savopoulos, Torres and White

NAYS: none

ABSENT: none

ABSTENTION: none

APPROVED by me this 19th day of June, 2018.

Jeff Walik, President

ATTESTED AND FILED in my
office this 20th day of June, 2018.

Audrey McAdams, Village Clerk