

ORDINANCE NO. 2016-15

AN ORDINANCE ESTABLISHING THE PREVAILING WAGE RATES FOR THE CONSTRUCTION OF PUBLIC WORKS PROJECTS FOR THE VILLAGE OF STICKNEY

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 State of Illinois has enacted the Prevailing Wage Act (820 ILCS 130/0.01, *et seq.*) (the “Act”), which regulates the wages of laborers, mechanics and other workers employed in any public works by the state, county, city or any public body or political subdivision or by anyone under contract for public works projects; and

WHEREAS, the Act requires the Village to investigate and ascertain the prevailing rate of wages, as defined in the Act, for laborers, mechanics and other workers in the locality of the Village employed in performing the construction of public works projects for the Village; and

WHEREAS, due to the state budget crisis, the Illinois Department of Labor (“IDOL”) has not issued revised prevailing wage rates for laborers, mechanics and other workers performing the construction of public works projects for this year; and

WHEREAS, IDOL’s most current prevailing wage rates were issued for July of 2015; and

WHEREAS, in order to provide adequate notice to Village workers and residents, the Village President (the “President”) and the Board of Trustees of the Village (the “Village Board” and with the President, the “Corporate Authorities”) have determined that it is in the best interests of the Village to adopt IDOL’s most current revised prevailing rate of wages for the construction of public works projects in the Village (the “Determination”), attached hereto and incorporated herein as Exhibit A;

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 establish the prevailing wage rates for the construction of public works projects in the Village, in accordance with the Act and the Determination.

**ARTICLE II.
AUTHORIZATION**

SECTION 3. AUTHORIZATION.

To the extent and as required by the Act, the general prevailing rate of wages in the Village for laborers, mechanics and other workers engaged in the construction of public works projects coming under the jurisdiction of the Village is ascertained to be the same as the prevailing rate of wages for construction work within the Cook County, Illinois, area, as determined by IDOL as of July 2015. The definition of any terms appearing in this Ordinance that are also used in the Act shall be the same as in the Act. As required by the Act, any and all revisions of the prevailing rate of wages made by IDOL shall supersede the Village's current Determination for the construction of public works projects in the Village. Nothing herein shall be construed to apply the general prevailing rate of wages as herein ascertained to any work or employment except public works of the Village to the extent required by the Act.

SECTION 3.01. OTHER ACTIONS AUTHORIZED.

The Village Clerk or a designee of the same is hereby authorized and directed to: (a) publicly post, or keep available for inspection by any interested party in the main office of the Village, the Determination; (b) promptly (and in no event later than July 15, 2016) file a certified copy of this Ordinance and the Determination in the office of IDOL; and (c) within thirty (30) calendar days after filing with IDOL, publish in a newspaper of general circulation within the Village that the Determination is effective, publish a notice of the Determination and promptly mail a copy of the Determination to any employer, to any association of employers and to any person or association of employees who have filed or who file their names and addresses, requesting copies of any determination, stating the particular rates and the particular class of workers whose wages will be affected by such rates. 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 intent of 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 to be utilized in connection with 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 and in full force immediately upon passage and approval.

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PASSED this 7th day of June, 2016.

AYES: Trustees Fuentes, Hrejsa, Lazansky, Milenkovic and White

NAYS:

ABSENT: Trustee Savopoulos

ABSTENTION:

APPROVED by me this 8th day of June, 2016.

Deborah Morelli, President

**ATTESTED AND FILED in my
office this 8th day of
June, 2016.**

Audrey McAdams, Village Clerk

EXHIBIT A