

RESOLUTION NUMBER 26 - 03

**RESOLUTION AUTHORIZING A REFERENDUM
PROPOSING THE QUESTION WHETHER THE
VILLAGE OF EAST DUNDEE SHOULD BE A
HOME-RULE UNIT OF GOVERNMENT**

WHEREAS, the Local Government Article of the Illinois Constitution provides for referenda concerning the adoption of home rule pursuant to the Illinois Constitution, Article VII, Sections 6 and 11; and

WHEREAS, the Illinois Election Code specifies the method for all referenda undertaken pursuant to the Local Government Article pursuant to Illinois Compiled Statutes, 10 ILCS 5/28-7; and

WHEREAS, a municipal home rule referenda may be initiated by a resolution of the municipality's governing board and the municipal clerk shall then certify the home rule adoption question to the County Clerk as least 61 days before the next consolidated general election; and

WHEREAS, the ballot form shall be substantially as set forth in the Illinois Election Code, 10 ILCS 5/16-7.

NOW THEREFORE BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:

Section One. That a referendum shall be placed by the Village Clerk on the March 16, 2004, General Primary Election ballot for legal voters residing in the Village to vote upon the following question:

“Shall the Village of East Dundee be a home-rule unit as provided in the Illinois State Constitution, Article VII, Local Government Article?”

_____ yes _____no

Section Two. That the Clerk of the Village of East Dundee is hereby directed to certify the question of whether the Village of East Dundee is to be a home rule unit to the County Clerk at least 61 days before such election date.

Section Three. If a majority of the total votes cast upon the question in the Village are in favor thereof, pursuant to the Illinois Election Code and the Illinois Constitution, the Village of East Dundee shall be a home rule unit of government.

Section Four. Severability. If any section, paragraph or provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this resolution.

Section Four. Repeal. All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

Section Five. Publication. This resolution shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

Adopted this 17th day of November, 2003, pursuant to a roll call vote as follows:

AYES: Zaeske, Ruffalo, Bartels, Schack, VanOstenbridge, Scarpelli
NAYES: None
ABSENT: None

Approved by me this 17th day of November, 2003.

Roger W Ahrens
ROGER AHRENS, President

Published in pamphlet form this 21st day of November, 2003, under the authority of the President and Board of Trustees.

ATTEST:

Jane E. Theis
JANE THEIS, Village Clerk

Recorded in the Village Records on November 21st, 2003.

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