

ORDINANCE NUMBER 04 - 26

**ORDINANCE ADOPTING PREVAILING
WAGE RATES**

WHEREAS, the Village of East Dundee is a home rule unit of local government under and pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, has the authority to exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the State of Illinois has enacted an "Act regulating wages of laborers, mechanics, and other workers employed in any public works by the state, county, city, or any public body or any political subdivision or by any one under contract for public works" approved June 26, 1941, codified as amended, 820 ILCS 130/1 et seq. (1993), formerly Illinois Revised Statutes 1987, Ch. 48, par. 39§-1 et seq; and

WHEREAS, the aforesaid Act requires that the Village of East Dundee, Cook and Kane Counties, investigate and ascertain the prevailing rate of wages as defined in said Act for laborers, mechanics, and other workers in the locality of said Cook and Kane Counties employed in performing construction of public works for said Village of East Dundee.

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

Section One. To the extent and as required by an "Act regulating wages of laborers, mechanics, and other workers employed in any public works by the state, county, city, or any public body or any political subdivision or by any one under contract for public works" approved June 26, 1941, as amended, the general prevailing rate of wages in this locality for laborers, mechanics, and other workers engaged in construction of public works coming under the jurisdiction of the Village of East Dundee is hereby ascertained to be the same as the prevailing rate of wages for construction work in the Kane County area as determined by the Department of Labor of the State of Illinois for 2004, a copy of that determination being attached hereto and incorporated herein by reference. As required by said

Act, any and all revisions of the prevailing rate of wages by the Department of Labor of the State of Illinois shall supersede the Department's June determination and apply to any and all public works construction undertaken by the Village of East Dundee. The definition of any terms appearing in this Ordinance which are also used in the aforesaid Act shall be the same as in said Act.

Section Two. Nothing herein contained shall be construed to apply said general prevailing rate of wages as herein ascertained to any work or employment, except public works construction of the Village of East Dundee to the extent required by the aforesaid Act.

Section Three. The Clerk of the Village of East Dundee shall publicly post or keep available for inspection by any interested part in the main office of the Village of East Dundee this determination or any revisions of such prevailing rate of wage. A copy of this determination or of the current revised determination of prevailing rate of wages then in effect shall be attached to all contract specifications.

Section Four. The Clerk of the Village of East Dundee shall mail a copy of this determination to any employer, to any association of employers, and to any person or association of employees who have filed 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.

Section Five. The Clerk of the Village of East Dundee shall promptly file a certified copy of this Ordinance with both the Secretary of State Index Division and the Department of Labor of the State of Illinois.

Section Six. The Clerk of the Village of East Dundee shall cause to be published in a newspaper of general circulation within the area, a copy of this Ordinance, and such publication shall constitute notice that the determination is effective and that this is the determination of this public body.

Section Seven. Severability. If any section, paragraph or provision of this ordinance 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 ordinance.

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

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

Adopted this 2nd day of August, 2004, pursuant to a roll call vote as follows:

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

Approved by me this 2nd day of August, 2004.

Roger Ahrens
ROGER AHRENS, President

Published in pamphlet form this 4th day of August, 2004, under the authority of the President and Board of Trustees.

ATTEST:

Jane E. Theis
JANE THEIS, Village Clerk

Recorded in the Village Records on August 4th, 2004.

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