

RESOLUTION NO. R-2022-19

**A RESOLUTION PROVIDING FOR AND REQUIRING THE SUBMISSION OF
THREE NON-BINDING ADVISORY PUBLIC QUESTIONS CONCERNING WHETHER
THE VILLAGE OF MAYWOOD SHOULD ADOPT AN ORDINANCE
REGULATING OVERNIGHT PARKING ON RESIDENTIAL STREETS
TO APPEAR ON THE BALLOT OF THE ELECTORS OF SUCH VILLAGE
AT THE PRIMARY ELECTION TO BE HELD ON JUNE 28, 2022**

WHEREAS, pursuant to the authority set forth in Section 28-5 of the Illinois Election Code (10 ILCS 5/28-5), Section 3.1-40-60 of the Illinois Municipal Code (65 ILCS 5/3.1-40-60) and the home rule powers as provided by Article VII, Section 11 of the Illinois Constitution of 1970, the President and Board of Trustees of the Village of Maywood are authorized to adopt a resolution to allow a non-binding advisory public question to appear on the ballot for the June 28, 2022 Primary Election; and

WHEREAS, Section 28-5 of the Illinois Election Code (10 ILCS 5/28-5) and Section 3.1-40-60 of the Illinois Municipal Code (65 ILCS 5/3.1-40-60) authorize the President and Board of Trustees of the Village of Maywood to certify a question of public policy to the election authority having jurisdiction over the Village of Maywood; and

WHEREAS, subject to certain limited exceptions, Section 72.27 (Overnight Parking Prohibited) of the Maywood Village Code (“MVC”) prohibits overnight parking within the Village as follows:

“Except as otherwise set forth in this section or § 72.34, when signs are erected at the entrances of highways into the Village or at other locations on Village property, giving notice thereof, no person shall park a vehicle on the public streets or on Village property, between the hours of 2:00 a.m. and 5:00 a.m. of any day, except physicians on calls.”

Subsections B and C of Section 72.27 (Overnight Parking Prohibited) of the MVC allow for the issuance of temporary overnight parking permits while construction is ongoing at a residential property and for a maximum of five (5) call-in overnight parking exceptions to be granted to each dwelling unit per calendar month. Given complaints from residents about overnight parking within the corporate boundaries of the Village, the President and Board of Trustees of the Village of Maywood are considering whether to adopt an ordinance amending the overnight parking regulations of the MVC and desire to submit three (3) advisory referenda to the residents to seek input on this matter; and

WHEREAS, the President and Board of Trustees of the Village of Maywood find that it is in the best interests of the residents, property owners and taxpayers of the Village to approve this Resolution so that the three non-binding advisory public questions set forth below in Section 2 shall appear on the ballot for the June 28, 2022 Primary Election.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, ILLINOIS, PURSUANT TO 10 ILCS 5/28-5, 65 ILCS 5/3.1-40-60 AND ITS HOME RULE POWERS AS PROVIDED BY ARTICLE VII, SECTION 11 OF THE ILLINOIS CONSTITUTION OF 1970, AS FOLLOWS:

SECTION 1: The President and Board of Trustees of the Village of Maywood find and determine that all of the recitals contained in the Whereas paragraphs of this Resolution are full, true and correct and are incorporated by reference into Section 1 of this Resolution.

SECTION 2: The following three (3) propositions shall be submitted to the voters of this Village at the Primary Election to be held on Tuesday, the 28th day of June, 2022:

1. Should the Village of Maywood adopt an ordinance to allow overnight street parking in residential districts?
2. If overnight street parking in residential districts is allowed, are you in favor of changing certain two-way traffic residential streets to one-way traffic residential streets to accommodate overnight street parking?
3. If the Village of Maywood remains a no overnight street parking community, are you in favor of strict enforcement of the no overnight street parking restriction?

SECTION 3: The Village Clerk shall, **not less than sixty-eight (68) days** before the regularly scheduled Primary Election to be held on June 28, 2022, certify and deliver to the County Clerk of Cook County the proposition as hereinabove set forth to be submitted to the voters of this Village at said Election. Such certification shall include the form of the public question to be placed on the ballot, the date on which the public question was initiated by the adoption of this Resolution, and a certified copy of this Resolution.

SECTION 4: Notice of said Election (the "Notice") and the referendum shall be given in accordance with the Election Code of the State of Illinois, 10 ILCS 5/1-1 et seq., (the "Election Code") by the County Clerk and by the Election Commission by: (i) **publishing a Notice not more than 30 nor less than 10 days** prior to the date of the Election in a local, community newspaper, having general circulation in the Village, and (ii) **posting a copy of the Notice at least 10 days before the date of the Election** at the principal office of the County Clerk and the Election Commission, all in accordance with Article 12 of the Election Code (10 ILCS 5/12).

SECTION 5: The Village shall also post a copy of the Notice at the principal office of the Village prior to the date of the Election in a timely manner in accordance with Section 12-5 of the Election Code (10 ILCS 5/12-5).

SECTION 6: Where an electronic, mechanical or electric voting system ("Electronic Voting System") is used at the Election, a true and legible copy of the specimen ballot label to be used at the Election shall be published and made available for public distribution and shall be supplied to the judges of said Election for posting in the polling places on the date of the Election, as required by Section 24A-18 of the Election Code (10 ILCS 5/24A-18).

SECTION 7: The President and Board of Trustees of the Village find and determine that the *Chicago Sun Times* is a local, community newspaper having general circulation in the Village as required by Sections 12-4 and 12-5 of the Election Code (10 ILCS 5/12-4 and 12-5).

SECTION 8: Said Election shall be held and conducted and the returns thereof duly canvassed, all in the manner and the time provided by State law.

SECTION 9: All resolutions and parts thereof, in conflict herewith, be and the same are repealed, and this Resolution shall be in full force and effect from and upon its adoption.

ADOPTED this 5th day of April, 2022, pursuant to a roll call vote as follows:

AYES: Mayor Booker, Trustee(s) A. Sanchez, S. Reyes-Plummer, M. Jones, M. Lightford, A. Peppers and I. Brandon

NAYS: None

ABSENT: None

APPROVED this 5th day of April 2022, by the Village President of the Village of Maywood, and attested by the Village Clerk, on the same day.

Nathaniel George Booker, Village President

ATTEST:

Gwaine Dianne Williams, Village Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CLERK'S CERTIFICATE

I, Gwaine Dianne Williams, Clerk of the Village of Maywood, in the County of Cook and State of Illinois, certify that the annexed and foregoing is a true and correct copy of that certain Resolution now on file in my Office, entitled:

RESOLUTION NO. R-2022-19

**A RESOLUTION PROVIDING FOR AND REQUIRING THE SUBMISSION OF
THREE NON-BINDING ADVISORY PUBLIC QUESTIONS CONCERNING WHETHER
THE VILLAGE OF MAYWOOD SHOULD ADOPT AN ORDINANCE
REGULATING OVERNIGHT PARKING ON RESIDENTIAL STREETS
TO APPEAR ON THE BALLOT OF THE ELECTORS OF SUCH VILLAGE
AT THE PRIMARY ELECTION TO BE HELD ON JUNE 28, 2022**

which Resolution was passed by a roll call vote of the Board of Trustees of the Village of Maywood at a Special Village Board Meeting on the 5th day of April, 2022, at which meeting a quorum was present, and approved by the President of the Village of Maywood on the 5th day of April, 2022.

I further certify that the vote on the question of the passage of said Resolution by the Board of Trustees of the Village of Maywood was taken by Ayes and Nays and recorded in the minutes of the Board of Trustees of the Village of Maywood, and that the result of said vote was as follows, to-wit:

AYES: Mayor Booker, Trustee(s) A. Sanchez, S. Reyes-Plummer, M. Jones, M. Lightford, A. Peppers and I. Brandon

NAYS: None

ABSENT: None

I do further certify that the original Resolution, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Maywood, this 6th day of April, 2022.

Gwaine Dianne Williams, Village Clerk

[SEAL]