

ORDINANCE #305

AN ORDINANCE ADOPTING PREVAILING WAGE RATES TO BE PAID TO LABORERS, MECHANICS AND OTHER WORKERS PERFORMING CONSTRUCTION OF PUBLIC WORKS IN THE BATAVIA PARK DISTRICT KANE COUNTY, ILLINOIS

WHEREAS, the State of Illinois has enacted the Prevailing Wage Act, approved June 26, 1941, as amended, 820 ILCS 130/.01 through 130/12 (the "Act"; and

WHEREAS, the Act requires that during the month of June of each calendar year the Board of Commissioners of the Batavia Park District ("Park District") investigate and ascertain the prevailing rate of wages, as defined in said Act, in the "locality" of the Park District for laborers, mechanics and other workers performing construction of public works for the Park District.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE BATAVIA PARK DISTRICT, KANE COUNTY, ILLINOIS as follows:

SECTION 1: To the extent and as required by the Act, the general prevailing rate of wages in this locality for laborers, mechanics and other workers engaged in the construction of public works coming under the jurisdiction of the Park District is hereby ascertained to be the same as the prevailing rate of wages for construction work in Kane County area as determined by the Department of Labor of the State of Illinois (the "Department") as of June 1, 2011, 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 shall supersede the Department's June determination and apply to any and all public works construction undertaken by the Park District. The definition of any terms appearing in this Ordinance which are also used in aforesaid Act shall be the same as in said Act.

SECTION 2: Nothing herein contained is intended to apply nor shall be construed to apply said prevailing rate of wages as herein ascertained to any work or employment performed on behalf of this Park District except public works construction to the extent required by the Act.

SECTION 3: If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance.

SECTION 4: All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5: The Secretary shall publicly post or keep available for inspection by any interested party in the main office of this Park District this determination of prevailing

STATE OF ILLINOIS)

) SS.

COUNTY OF KANE)

SECRETARY'S CERTIFICATE

I, Michael Clark, DO HERBY CERTIFY that I am the Secretary of the Board of Park Commissioners of the Batavia Park District, Kane County, Illinois, and as such official, I am keeper of the records, ordinances, files and seal of said Park District; and

I HEREBY CERTIFY that the foregoing instrument is a true and correct copy of AN ORDINANCE ADOTING PREVAILING WAGE RATES TO BY PAID TO LABORERS, MECHANICS AND OTHER WORKERS PERFORMING CONSTRUCTION OF PUBLIC WORKS FOR THE PARK DISTRICT adopted at a duly called Regular Meeting of the Board of Commissioners, held at Batavia, Illinois, at 7:00 p.m. on the 21st day of June, 2011.

I DO FURTHER CERTIFY that the deliberations of the Board on the adoption of said Ordinance were conducted openly, that the vote on the adoption of said Ordinance was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Park District Code of the State of Illinois, as amended, and that the Board has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Board.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of said Park District at Batavia, Illinois, this 21st day of June, 2011.



Secretary, Batavia Park District

(SEAL)

rate of wages. 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 6: By July 15th, the Secretary shall file a certified copy of this Ordinance with the Secretary of State of Illinois and with the Illinois Department of Labor.

SECTION 7: Within 30 days after filing a certified copy of this Ordinance with the Secretary of State, the Secretary shall cause to be published in a newspaper of general circulation within the area a notice that this determination is effective and constitutes the determination of this public body.

SECTION 8: The Secretary shall mail a copy of this Ordinance to any employer, and 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.

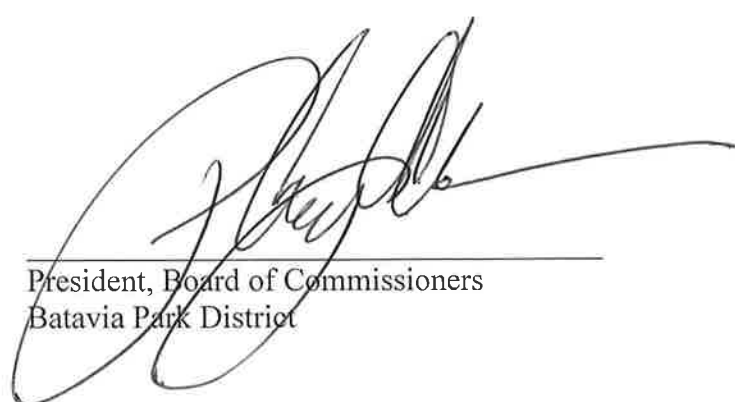
SECTION 9: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED this 21st day of June, 2011.

AYES: Tilmon, Foiles, Riley, Corken and Callahan

NAYS: 0

ABSENT: 0



President, Board of Commissioners
Batavia Park District

(SEAL)

ATTEST:



Secretary