

COPY



THE CITY OF BERWYN
THE CITY OF BERWYN, ILLINOIS

ORDINANCE 26-07

**AN ORDINANCE AMENDING CHAPTER 210, SECTION 210.02,
CHAPTER 220, SECTION 220.01; CHAPTER 222, SECTION 222.02;
AND CHAPTER 228, SECTION 228.10 OF THE CODIFIED
ORDINANCES OF BERWYN IMPOSING TERM LIMITS FOR
ELECTED OFFICIALS FOR THE CITY OF BERWYN, COUNTY OF
COOK, STATE OF ILLINOIS**

**ROBERT J. LOVERO, Mayor
LETICIA GARCIA, City Clerk**

**MICHAH CALDWELL
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RICHARD LEJA
ROBERT W. FEJT
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THEODORE "TEDDY" POLASHEK
SARA BARNETT BRUCKMANN
JOSEPH CARMICHAEL**

Alderspersons

Published in pamphlet form by authority of the Mayor and City Clerk of the City of Berwyn, Illinois on this 16 day of April, 2026.

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AN ORDINANCE AMENDING CHAPTER 210, SECTION 210.02, CHAPTER 220, SECTION 220.01; CHAPTER 222, SECTION 222.02; AND CHAPTER 228, SECTION 228.10 OF THE CODIFIED ORDINANCES OF BERWYN IMPOSING TERM LIMITS FOR ELECTED OFFICIALS FOR THE CITY OF BERWYN, COUNTY OF COOK, STATE OF ILLINOIS

WHEREAS, the City of Berwyn (the “City”) is a home rule unit of local government as is provided by Article VII, Section 6 of the Illinois Constitution of 1970 and, as such, may exercise various powers and perform numerous functions pertaining to its government and affairs in any manner not otherwise prohibited by law; and

WHEREAS, the Mayor and City Council (collectively, the “Corporate Authorities”) are committed to protecting the health and welfare of the City and its residents; and

WHEREAS, on November 25, 2026, the Corporate Authorities passed and approved a resolution entitled "A Resolution Of The City Council Of The City Of Berwyn, Illinois, Directing The City Clerk To Certify A Public Question Regarding Term Limits For Elected Officials To The Cook County Clerk For Inclusion On The Ballot At A Regular Election," (the “Resolution”), incorporated herein by reference; and

WHEREAS, the binding referendum which appeared on the ballot for the Regular Election held on March 17, 2026 (the “Regular Election”) was as follows:

“Shall the City of Berwyn, beginning with the term of office commencing after the effective date of certification of this referendum, limit the terms of the offices of Mayor, City Clerk, Treasurer, and Alderperson to three (3) consecutive full terms, after which a person shall be ineligible to hold that same office until at least one full term has elapsed?”; and

WHEREAS, 84.33% of voters who participated in the Regular Election for the City voted to approve the binding referendum regarding term limits as set forth in the Resolution; and

WHEREAS, the Resolution, as approved by the Corporate Authorities, requires the Corporate Authorities to adopt such ordinances or amendments to the City Code as may be necessary to implement and enforce the term limits as described in the Resolution; and

WHEREAS, in light of the foregoing, the Corporate Authorities have determined that the Codified Ordinances of Berwyn (the “City Code”) should be amended so as to codify the term limits for certain elected officials as approved via the binding referendum approved by the voters of the City at the Regular Election; and

WHEREAS, the Corporate Authorities have determined that it is necessary, advisable and in the best interests of the City and its residents to amend Chapter 210, Section 210.02, Chapter 220, Section 220.01; Chapter 222, Section 222.02; and Chapter 228, Section 228.10 of the City Code as set forth herein; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the City Council of the City of Berwyn, County of Cook, State of Illinois, in the exercise of the City’s home rule powers, as follows:

Section 1. The statements set forth in the preambles to this Ordinance are found to be true and correct and are incorporated into this Ordinance as if set forth in full.

Section 2. The Corporate Authorities hereby approve the amendments to the City Code, as set forth herein.

Section 3. Chapter 210, Section 210.02 of the City Code is hereby amended, notwithstanding any provision, ordinance, resolution or City Code section to the contrary, as follows:

§ 210.02 ELECTIONS; TERM; TERM LIMITS.

(A) One Council member shall be elected in each of the eight wards established in the city or as hereinafter reapportioned according to law. Council members shall be elected as members of Council at a regular municipal election, as provided by statute, providing for the election of Council members, and the election shall be held in accordance with all other existing city ordinances and state statutes. Council members shall be elected to a term of four years.

(B) Beginning with the municipal election to be held in 2029, any Council member may be elected to serve three (3) consecutive full terms, after which a person shall be ineligible to hold the office of Council member until at least one full term has elapsed. Service as a Council member prior to that date shall not count toward the term limit.

Section 4. Chapter 220, Section 220.01 of the City Code is hereby amended, notwithstanding any provision, ordinance, resolution or City Code section to the contrary, as follows:

§ 220.01 ELECTION; TERM LIMITS; GENERAL POWERS AND DUTIES; BOND; RELEASE OF PRISONERS.

(A) The Mayor shall be elected and qualified and shall have the powers and perform the duties as provided by state statute and these Codified Ordinances or other ordinances of the city. Before the Mayor enters upon the duties of his or her office, he or she shall execute a bond to the city as prescribed by law. Beginning with the municipal election to be held in 2029, the Mayor may be elected to serve three (3) consecutive full terms, after which he or she shall be ineligible to hold the office of Mayor until at least one full term has elapsed. Service as the Mayor prior to that date shall not count toward the term limit.

(B)

(1) The Mayor may release and discharge, at his or her discretion, a person imprisoned for the violation of a city ordinance.

(2) In every case in which the release is made by the Mayor, he or she shall cause a proper record thereof to be sent to Council, at its first session thereafter, accompanying the record with a statement setting out the reason for the release.

Section 5. Chapter 222, Section 222.02 of the City Code is hereby amended, notwithstanding any provision, ordinance, resolution or City Code section to the contrary, as follows:

§ 222.02 BOND; TERM LIMITS.

The City Clerk shall, before entering upon the duties of his or her office, execute a bond to the city as prescribed by law. Beginning with the municipal election to be held in 2029, the City Clerk may be elected to serve three (3) consecutive full terms, after which he or she shall be ineligible to hold the office of City Clerk until at least one full term has elapsed. Service as the City Clerk prior to that date shall not count toward the term limit.

Section 6. Chapter 228, Section 228.10 of the City Code is hereby amended, notwithstanding any provision, ordinance, resolution or City Code section to the contrary, as follows:

§ 228.10 CITY TREASURER; GENERAL DUTIES; TERM LIMITS

(A) *Bond.* The City Treasurer shall execute a bond to the city as prescribed by law.

(B) *Duties.*

(1) The Treasurer shall receive from the Director of Finance all monies belonging to the city and shall deposit daily all sums received by him or her as Treasurer during banking hours, and money as he or she may have received on the previous day after banking hours, in one of the banks which is at the time designated as a depository of city funds. The Treasurer shall, subject to specific directions from Council, distribute the city funds among the authorized depository banks in a manner that there shall, so far as is possible, be sufficient funds for the payment of current bills in the bank designated by the Director of Finance as the active bank through which the current bills of the city shall be paid and not more in any of depository banks than an amount equal to two-thirds of the amount of bond of the bank filed by the depository as required by law and as approved by Council. The Treasurer shall keep books of account showing all sums received, and for what account; all deposits in depository banks and all sums paid out from each of the accounts in the depository banks, and to whom payable and the fund against which the same is charged; and the date of each receipt and disbursement. The books of account are subject to inspection by the Director of Finance, the Mayor or any member of Council.

(2) Annually, between April 1 and April 10, the Treasurer shall make out and file with the City Clerk a full account of all receipts, expenditures and transactions during the preceding fiscal year showing the state of the treasury at the close of the fiscal year, which account the Clerk shall immediately cause to be published in a newspaper published in the city.

(3) The Treasurer shall make reports to the Director of Finance and furnish him or her with information as the Director of Finance may from time to time request and shall also make and furnish reports and information to Council upon its request.

(4) No withdrawals shall be made of any city funds or any money drawn except upon order or warrant, signed by any two of the following city officials/officers: the Mayor, the Treasurer, the City Clerk and the Director of Finance, which order or warrant shall indicate the depository bank at which the warrant shall be payable.

(5) The Treasurer shall keep all funds or monies belonging to Special Assessment or Special Tax Fund entirely separate and apart from, and in a separate account from, any corporate or other funds, and shall in no case issue or permit the issuance of any voucher, warrant or check against any account containing Special Assessment Funds, except for a purpose for which payment may be made lawfully from the fund. In no event shall any such account be used to pay any corporate expense.

(6) The Treasurer shall perform other and further duties as fixed by the statutes of the state or the ordinances of the city.

(C) Term Limits.

(1) Beginning with the municipal election to be held in 2029, the Treasurer may be elected to serve three (3) consecutive full terms, after which he or she shall be ineligible to hold the office of Treasurer until at least one full term has elapsed. Service as the Treasurer prior to that date shall not count toward the term limit.

Section 7. The officers, employees and/or agents of the City shall take all action necessary or reasonably required to carry out, give effect to and consummate the amendment contemplated by this Ordinance and shall take all action necessary in conformity therewith. The officers, employees and/or agents of the City are specifically authorized and directed to draft and disseminate any and all necessary forms to be utilized in connection with the amendments contemplated by this Ordinance.

Section 8. All prior actions of the City's officials, employees and agents with respect to the subject matter of this Ordinance are hereby expressly ratified.

Section 9. 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 10. All ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

Section 11. This Ordinance shall be immediately in full force and effect ten (10) days after passage, approval and publication or as otherwise provided by law. A full, true and complete copy of this Ordinance shall be published in pamphlet form as provided by the Illinois Municipal Code, as amended.


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ADOPTED by the City Council of the City of Berwyn, Cook County, Illinois on this

14 day of April, 2026, pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
Caldwell	✓			
Bowman	✓			
Leja		✓		
Fejt	✓			
Pabon	✓			
Polashek	✓			
Barnett Bruckmann	✓			
Carmichael	✓			
(Mayor Lovero)				
TOTAL	7	1		

APPROVED this 14 day of April, 2026.


Robert J. Lovero
MAYOR

ATTEST:


Leticia Garcia
CITY CLERK