

ORDINANCE NO. 26-12

**AN ORDINANCE AMENDING SECTION 2 (MINIMUM REQUIREMENTS FOR INCREASE IN DWELLING UNITS) OF CHAPTER 1472 (REMODELING AND ALTERATION) OF TITLE 6 (MISCELLANEOUS BUILDING REGULATIONS) OF PART 14 (BUILDING AND HOUSING CODE) OF THE CODIFIED ORDINANCES OF BERWYN RELATIVE TO THE MINIMUM SIZE OF DWELLING UNITS**

**WHEREAS**, the City of Berwyn (the “City”) is a home rule municipality, having all of the powers and authority granted to such municipalities pursuant to Article VII, Section 6 of the Illinois Constitution of 1970, including the right to exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, the Section 1472.02 of the Codified Ordinances of Berwyn (the “City Code”) governs the requirements when an existing building is altered or remodeled for the purpose of increasing the number of dwelling units; and

**WHEREAS**, under the current provisions which were created in 1953, no existing building may be altered or remodeled for the purpose of increasing the number of dwelling units unless an area of at least 900 square feet per apartment is provided; and

**WHEREAS**, the Berwyn Development Corporation has recommended that the City revise the formula for determining the minimum size of dwelling units where an existing building is being altered or remodeled for the purpose of increasing the number of dwelling units in order to facilitate the preservation and redevelopment of older buildings, encourage the creation of more affordable housing units and to facilitate transit-oriented development, including, but not limited to, the redevelopment of the Berwyn Bank Building at 6804 Windsor; and

**WHEREAS**, the City Council agrees with and adopts the recommendation of the Berwyn Development Corporation to make the changes proposed herein.

**NOW, THEREFORE, BE IT ORDAINED**, by the City Council of the City of Berwyn, Cook County and State of Illinois, as follows:

**SECTION 1: Incorporation.** Each whereas paragraph set forth above is incorporated by reference into this Section 1.

**SECTION 2: Amendment.** Section 2 (Minimum Requirements for Increase in Dwelling Units) of Chapter 1472 (Remodeling and Alteration) of Title 6 (Miscellaneous Building Regulations) of Part 14 (Building and Housing Code) of the City Code is hereby amended to read in its entirety as follows:

**“§ 1472.02 Minimum Requirements for Increase in Dwelling Units.**

No existing building shall be altered or remodeled for the purpose of increasing the number of dwelling units therein unless ~~an area of at least the resulting overall average unit size in a multi-family dwelling is at least 750 square feet, with no unit being smaller than 525 square feet. 900-square-foot per apartment is provided.~~ All provisions of these Codified Ordinances and other ordinances of the city pertaining to the construction of new multi-family dwellings shall apply to the building being remodeled or altered.”

**SECTION 3: Severability and Repeal of Inconsistent Ordinances.** Each section, paragraph, clause and provision of this Ordinance is separable, and if any section, paragraph, clause or provision of this Ordinance shall be held unconstitutional or invalid for any reason, the unconstitutionality or invalidity of such section, paragraph, clause or provision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

**SECTION 4: Effective Date.** This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this 28 day of April 2026.

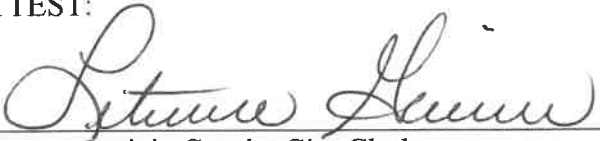
AYES: 8

NAYS: 0

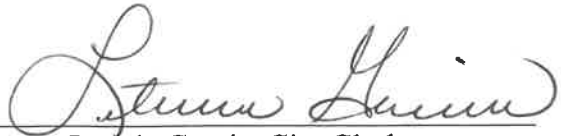
ABSENT: 0

APPROVED this 28 day of April 2026.

  
\_\_\_\_\_  
Robert J. Love, Mayor

ATTEST:  
  
\_\_\_\_\_  
Leticia Garcia, City Clerk

Published by me in pamphlet form this 28 day of April, 2026.

  
Leticia Garcia, City Clerk

STATE OF ILLINOIS            )  
  ) SS  
COUNTY OF COOK            )

**CLERK'S CERTIFICATE**

I, Leticia Garcia, Clerk of the City of Berwyn, in the County of Cook, State of Illinois, do hereby certify that the attached and foregoing is a true and correct copy of that certain Ordinance now on file in my Office, entitled:

**ORDINANCE NO. 26-12**

**AN ORDINANCE AMENDING SECTION 2 (MINIMUM REQUIREMENTS FOR INCREASE IN DWELLING UNITS) OF CHAPTER 1472 (REMODELING AND ALTERATION) OF TITLE 6 (MISCELLANEOUS BUILDING REGULATIONS) OF PART 14 (BUILDING AND HOUSING CODE) OF THE CODIFIED ORDINANCES OF BERWYN RELATIVE TO THE MINIMUM SIZE OF DWELLING UNITS**

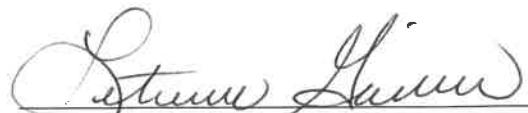
which Ordinance was passed by the City Council of the City of Berwyn at a Regular City Council Meeting on the 28th day of April, 2026, at which meeting a quorum was present, and approved by the Mayor of the City of Berwyn on the 28th day of April, 2026.

I further certify that the vote on the question of the passage of said Ordinance by the City Council of the City of Berwyn was taken by Ayes and Nays and recorded in the minutes of the City Council of the City of Berwyn, and that the result of said vote was as follows, to-wit:

AYES: 8  
NAYS: 0  
ABSENT: 0

I do further certify that the original Ordinance, 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 City of Berwyn, this 28 day of April, 2026.

  
City Clerk

[SEAL]




Adopted by the City Council of the City of Berwyn, Cook County, Illinois on April 28<sup>th</sup>, 2026, pursuant to roll call, as follows:

	Yes	No	Absent	Present
Caldwell	✓			
Bowman	✓			
Leja	✓			
Fejt	✓			
Pabon	✓			
Polashek	✓			
Bruckmann	✓			
Carmichael	✓			
(Mayor) Lovero				
Total	8			

APPROVED this 28<sup>th</sup> day of April 2026.

ATTEST:



Leticia Garcia  
CITY CLERK




Robert J. Lovero  
MAYOR