

148-O-16

AN ORDINANCE

Amending City Code Section 1-7-2 Authorizing the City Clerk to Solemnize Marriages

WHEREAS, under the Illinois Marriage and Dissolution of Marriage Act 750 ILCS 5/101 *et seq.*, a public official whose powers include solemnization of marriages may solemnize a marriage; and

WHEREAS, the City Clerk of the City of Evanston is a public official of the City of Evanston; and

WHEREAS, the City Council of the City of Evanston finds that it is in the best interest of the City to authorize the City Clerk to solemnize marriages,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: That Title 1, Chapter 7, Section 2, of the Evanston City Code, as amended, is hereby further amended to read as follows:

1-7-2. - GENERAL DUTIES OF THE CLERK.

In addition to the duties now imposed upon the City Clerk by Illinois law, 65 ILCS 5/3.1-35-90, said City Clerk shall perform the following duties:

- (A) Issue notices of all regular and special meetings to the members of the City Council and also send notices to the members of the different committees of that body and to all persons whose attendance will be required before any such committee, when directed by the chairman thereof.
- (B) All petitions, remonstrances or other communications addressed to the City Council shall be received by the Clerk and read at the meeting of the Council next succeeding their receipt, unless otherwise ordered by the Council.

- (C) Deliver, without delay, to the officers of the City and to all committees of the City Council, all resolutions and communications referred to such officers or committees by the City Council.
- (D) Deliver, without delay, to the Mayor all ordinances or resolutions under his/her charge which may require approval or other action by the Mayor, with all the papers on which the same were founded.
- (E) Furnish to the members of the City Council a copy of the proceedings of the meetings of the City Council not later than the fifth day following such meeting.
- (F) Within five (5) days after the result of any municipal election is declared or appointment made, notify all persons elected or appointed to any City office of their election or appointment and of the requirements necessary to qualify for such office, and unless such persons shall respectively qualify within ten (10) days after mailing of such notice, the office shall become vacant.
- (G) The City Clerk shall be the custodian and keeper of all the books, records, ordinances and papers of the City
- . The compensation allowed the City Clerk shall be considered full compensation to cover such duties as may be performed in the capacity of City Clerk for the City.
- (H) Generally do and perform such other duties as may be required by the City Council and the ordinances of the City.
- (I) The City Clerk shall keep the City Seal, pursuant to Section 1-15-2 of this Title, and all papers belonging to the City, the custody and control of which are not given to other officers.
- (J) The City Clerk shall attend all meetings of the City Council and shall keep a full record of its proceedings in minutes of the meeting.
- (K) The City Clerk, as a public official, may solemnize marriages pursuant to the Illinois Marriage and Dissolution of Marriage Act 750 ILCS 5/ et seq.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: That if any provision of this Ordinance 148-O-16 or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid application of this Ordinance is severable.


SECTION 4: That this Ordinance 148-O-16 shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: November 28, 2016


Adopted: November 28, 2016

Approved:

November 30, 2016


Elizabeth B. Tisdahl, Mayor

Attest:


Rodney Greene, City Clerk

Approved as to form:


Michelle L. Marmorek, Acting City Attorney
W. Grant Farrar, Corporation Counsel