



Memorandum

TO: Kevin J. Jackson, Village Manager

A handwritten signature in blue ink, appearing to be "KJ", enclosed in a light blue circular stamp.

FROM: Jack Malec, Assistant to the Village Manager

A handwritten signature in blue ink, appearing to be "Jm".

FOR: Village President and Board of Trustees

DATE: July 17, 2026

SUBJECT: Referendum Regarding Single-Family Zoning

Purpose

This memo provides information on the Village Board's authority to initiate a referendum (also referred to as a "public question") specifically related to single-family zoning. This memo also provides information regarding the statutorily required steps the Village must follow to place a referendum on the ballot.

Binding Versus Advisory Referendum

Binding referenda are public questions on the ballot that are legally binding, meaning they are self-executing and become law or enact a policy upon the results of the vote. Examples of binding referenda include voter approval for a bond issuance or sales tax increase. Advisory referenda are public questions on the ballot that are not legally binding. No action is legally required by the petitioning body upon the results of the vote. Thus, the outcome of an advisory referendum is strictly informational and often used to gauge public opinion.

Referendum Regarding Zoning

In Illinois, municipalities may only initiate binding referenda on actions explicitly authorized by law. The authorized categories of binding referenda under Article VII, § 6 of the Illinois Constitution and the Illinois Municipal Code include altering home rule

status, changing a municipality's form of government, imposing term limits, and incurring certain debts. Neither the Illinois Constitution nor State statute authorize binding referendum on zoning actions. Instead, decisions surrounding zoning are strictly the authority of the Board. Therefore, a referendum related to zoning must be advisory in nature.

Initiating a Referendum

To place a public question on the ballot, the Village Board must adopt an ordinance initiating the referendum and directing the Cook County Clerk to include the question on the ballot.

Before the ordinance can be prepared, the Board must first agree on the specific question to be placed on the ballot. Public questions must be in the form of a "yes or no" question. For the referendum to produce meaningful results, it is important that the question is unambiguous, concise, and easy to understand. There is no known character limit. Several sample referenda from Oak Park and other communities are attached for reference.

An ordinance initiating a referendum must be adopted by the Board no less than 79 days before the election and must be certified and submitted to the County Clerk not later than 68 days before the election. Thus, to place an advisory referendum on the November 3 General Election ballot, the ordinance must be adopted before August 17, 2026.

Members of the public may initiate a question on a ballot by petition as well. This is important to note because no more than three referenda can be placed on the ballot within a political subdivision (the Village of Oak Park). **If there are more than 3 referenda, the first three that are properly submitted to the County Clerk will appear on the ballot.**

Next Steps

A Board discussion regarding the referendum will take place per Trustee Taglia's motion (MOT 26-198) at the July 21st Village Board Meeting. If the motion passes and specific language for the public question is agreed upon, staff will prepare the

ordinance initiating the referendum for consideration at the July 28th Village Board Meeting. If the ordinance is adopted, it will be submitted to the Cook County Clerk's Office for placement on the November 3 election ballot.

For questions, please contact Jack Malec, Assistant to the Village Manager, via email at jack.malec@oak-park.us or by phone at 708-358-5770.

Attachments:

Referendum Examples

cc: Lisa Shelley, Deputy Village Manager
Ahmad Zayyad, Deputy Village Manager
Jack Malec, Assistant to the Village Manager
Craig Failor, Development Services Director
Greg Smith and Brooke Lenneman, Village Attorney
Christina M. Waters, Village Clerk
All Department Directors

Referendum Examples

Shall the Stone Park Fire Department serving the citizens with the Village of Stone Park cease to provide emergency services and be dissolved and discontinued? **25 words**

Shall the Village of Lynwood become a Home Rule Unit of Government pursuant to Article VII, Section 6 of the Constitution of the State of Illinois? **26 words**

Shall the Village of Stone Park adopt and make effective an Ordinance that reinstates the Stone Park Fire Department to serve the citizens of the Village of Stone Park by providing emergency services? **33 words**

Shall the Village of Riverside, Cook County, Illinois, renovate the interior of the lower level of the Riverside Public Library building and furnish necessary equipment in connection therewith and issue its bonds to the amount of \$1,500,000 for the purpose of paying the costs thereof? **45 words**

Shall bonds in an amount not to exceed \$42,000,000 be issued by the Village of Westchester, Cook County, Illinois, for the purpose of paying costs of street, alley, sewer and related improvements throughout the Village and expenses incidental thereto, said bonds bearing interest at a rate not to exceed 5% per annum? **52 words**

Shall the Board of Education of Golf School District Number 67, Cook County, Illinois, build and equip a new school building to serve pre-kindergarten through 8th grade and replace the Golf Middle School and Hynes Elementary School Buildings, improve the site thereof and issue bonds of said School District to the amount of \$56,000,000 for the purpose of paying the costs thereof? **62 words**

Shall the Village of Flossmoor, Cook County, Illinois, issue General Obligation bonds in an amount not to exceed \$10,000,000, said bonds bearing interest at not to exceed the rate of 9.00% per annum, for the purpose of paying the costs of the following infrastructure improvements throughout the Village: street reconstruction, street resurfacing and sidewalk improvements; and storm sewer system improvements including those related to the Flossmoor Road viaduct, and expenses related thereto? **72 words**

Shall the Board of Education of Elmwood Park Community Unit School District Number 401, Cook County, Illinois, build and equip an addition to and renovate, alter, repair and equip the existing John Mills Elementary School Building, renovate, alter, repair and equip the existing Elmwood Elementary School Building, install safety and security improvements, improve sites and issue bonds of said School District to the amount of \$55,000,000 for the purpose of paying the costs thereof? **74 words**

Shall the debt service extension base under the Property Tax Extension Limitation Law for Lindop School District Number 92, Cook County, Illinois, for payment of principal and interest on limited bonds be established at \$425,000 for the 2022 levy year and all subsequent levy years, such debt service extension base to be increased each year by the lesser of 5% or the percentage increase in the Consumer Price Index during the 12-month calendar year preceding the levy year? **78 words**

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Shall the Board of Education of Barrington Community Unit School District Number 220, Lake, Cook, Kane and McHenry Counties, Illinois, build and equip additions to and alter, repair and equip existing buildings, including but not limited to renovating instructional spaces, restrooms and food service areas, installing school safety and security improvements, replacing roofs and mechanical, electrical and plumbing systems and constructing additions to eliminate mobile classrooms, improve school sites and issue bonds of said School District to the amount of \$147,000,000 for the purpose of paying the costs thereof? **89 words**

Shall the Village of Oak Lawn (?Village?) add to the existing Village real estate transfer tax by also imposing the tax on transfers of controlling interests in real estate entities owning property in the Village at a rate of five dollars (\$5.00) for every one thousand dollars (\$1,000.00) in value or fraction thereof of the real estate transferred in the Village, to be paid by the seller of the real estate transferred, with the revenue of the proposed additional real estate transfer tax to be used for general municipal purposes? **90 words**

Shall the Board of Education of Glenview Community Consolidated School District Number 34, Cook County, Illinois, improve the sites of, build and equip additions to and alter, repair and equip existing buildings, including but not limited to replacing fire suppression, plumbing, electrical and mechanical systems, increasing accessibility to comply with the Americans with Disabilities Act (ADA), improving underground stormwater detention, renovating and expanding Springman Middle School, adding classrooms for full-day kindergarten and renovating classrooms and science labs, and issue bonds of said School District to the amount of \$119,000,000 for the purpose of paying the costs thereof? **97 words**

Shall the limiting rate under the Property Tax Extension Limitation Law for Homewood School District Number 153, Cook County, Illinois, be increased by an additional amount equal to 1.20% above the limiting rate for the purpose of funding increased educational and other school district expenses for levy year 2020 and be equal to 5.610% of the equalized assessed value of the taxable property therein for levy year 2022? (1) The approximate amount of taxes extendable at the most recently extended limiting rate is \$15,356,687 and the approximate amount of taxes extendable if the proposition is approved is \$19,535,377. (2) For the 2022 levy year the approximate amount of the additional tax extendable against property containing a single family residence and having a fair market value at the time of the referendum of \$100,000 is estimated to be \$386.81. (3) If the proposition is approved, the aggregate extension for 2022 will be determined by the limiting rate set forth in the proposition, rather than the otherwise applicable limiting rate calculated under the provisions of the Property Tax Extension Limitation Law (commonly known as the Property Tax Cap Law). **187 words**

Shall the limiting rate under the Property Tax Extension Limitation Law for Lemont-Bromberek Combined School District 113A, Cook and DuPage Counties, Illinois be increased by an additional amount equal to 0.2900% above the limiting rate for school purposes for levy year 2019 and be equal to 2.124% of the equalized assessed value of the taxable property therein for levy year 2021? 1) The approximate amount of taxes extendable at the most recently extended limiting rate is \$22,112,851 and the approximate amount of taxes extendable if the proposition is approved is \$25,609,431. 2) For the

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2019 levy year the approximate amount of the additional tax extendable against property containing a single-family residence and having a fair market value at the time of the referendum of \$100,000 is estimated to be \$96.57 for DuPage County and \$84.56 for Cook County. 3) If the proposition is approved, the aggregate extension for levy year 2021 will be determined by the limiting rate set forth in the proposition, rather than the otherwise applicable limiting rate calculated under the provisions of the Property Tax Extension Limitation Law (commonly known as the Property Tax Cap Law). **189 words**

Shall the limiting rate under the Property Tax Extension Limitation Law for Gail Borden Public Library District, Kane County and Cook County, Illinois, be increased by an additional amount equal to 0.08765% above the limiting rate for levy year 2018 in Kane County, Illinois and by an additional amount equal to 0.0850% above the limiting rate for levy year 2018 in Cook County, Illinois for the purpose of the establishment, maintenance, and support of a public library and be equal to 0.486% of the equalized assessed value of the taxable property therein for levy year 2020? 1) The approximate amount of taxes extendable at the most recently extended limiting rate is \$12,321,622.56, and the approximate amount of taxes extendable if the proposition is approved is \$15,009,960.42. 2) For the 2020 levy year the approximate amount of the additional tax extendable against property containing a single family residence and having a fair market value at the time of the referendum of \$100,000 is estimated to be \$29.22 in Kane County, Illinois and \$24.74 in Cook County, Illinois. 3) If the proposition is approved, the aggregate extension for 2020 will be determined by the limiting rate set forth in the proposition rather than the otherwise applicable limiting rate calculated under the provisions of the Property Tax Extension Limitation Law (commonly known as the Property Tax Cap Law) **225 words**

FOREST PRESERVE DISTRICT OF COOK COUNTY, ILLINOIS - CLEAN AIR, CLEAN WATER, AND WILDLIFE HABITAT PROTECTION ONE-YEAR LIMITING RATE INCREASE Shall the limiting rate under the Property Tax Extension Limitation Law for the Forest Preserve District of Cook County, Illinois, be increased by an additional amount equal to 0.025% above the limiting rate for levy year 2020 for the purposes of conserving and restoring land to good health, protecting the water quality of rivers, lakes, and streams, providing natural flood water storage, protecting wildlife habitat, protecting forests to improve air quality, improving and maintaining existing forest preserves and trails of said District, and other lawful purposes of the Forest Preserve District of Cook County, with public disclosure of expenditures, and be equal to 0.076% of the equalized assessed value of the taxable property therein for levy year 2022? (1)The approximate amount of taxes extendable at the most recently extended limiting rate is \$88,665,270 and the approximate amount of taxes extendable if the proposition is approved is \$132,128,637. (2) For the 2022 levy year the approximate amount of the additional tax extendable against property containing a single-family residence and having a fair market value at the time of the referendum of \$100,000 is estimated to be \$8.06.(3)If the proposition is approved, the aggregate extension for 2022 will be determined by the limiting rate set forth in the proposition, rather than the otherwise applicable limiting rate calculated under the provisions of the Property Tax Extension Limitation Law (commonly known as the Property Tax Cap Law). **253 words**

Illinois Constitution – SECTION 8.1. CRIME VICTIMS' RIGHTS.

(a) Crime victims, as defined by law, shall have the following rights:

(1) The right to be treated with fairness and respect for their dignity and privacy and to be free from harassment, intimidation, and abuse throughout the criminal justice process.

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(2) The right to notice and to a hearing before a court ruling on a request for access to any of the victim's records, information, or communications which are privileged or confidential by law.

(3) The right to timely notification of all court proceedings.

(4) The right to communicate with the prosecution.

(5) The right to be heard at any post-arraignment court proceeding in which a right of the victim is at issue and any court proceeding involving a post-arraignment release decision, plea, or sentencing.

(6) The right to be notified of the conviction, the sentence, the imprisonment, and the release of the accused.

(7) The right to timely disposition of the case following the arrest of the accused.

(8) The right to be reasonably protected from the accused throughout the criminal justice process.

(9) The right to have the safety of the victim and the victim's family considered in denying or fixing the amount of bail, determining whether to release the defendant, and setting conditions of release after arrest and conviction.

(10) The right to be present at the trial and all other court proceedings on the same basis as the accused, unless the victim is to testify and the court determines that the victim's testimony would be materially affected if the victim hears other testimony at the trial.

(11) The right to have present at all court proceedings, subject to the rules of evidence, an advocate and other support person of the victim's choice.

(12) The right to restitution.

(b) The victim has standing to assert the rights enumerated in subsection (a) in any court exercising jurisdiction over the case. The court shall promptly rule on a victim's request. The victim does not have party status. The accused does not have standing to assert the rights of a victim. The court shall not appoint an attorney for the victim under this Section. Nothing in this Section shall be construed to alter the powers, duties, and responsibilities of the prosecuting attorney.

(c) The General Assembly may provide for an assessment against convicted defendants to pay for crime victims' rights.

(d) Nothing in this Section or any law enacted under this Section creates a cause of action in equity or at law for compensation, attorney's fees, or damages against the State, a political subdivision of the State, an officer, employee, or agent of the State or of any political subdivision of the State, or an officer or employee of the court.

(e) Nothing in this Section or any law enacted under this Section shall be construed as creating (1) a basis for vacating a conviction or (2) a ground for any relief requested by the defendant. **492 words**

Shall the Village of Oak Park elect its President and Village Board of Trustees by "Ranked Choice Voting"?

"Ranked Choice Voting" provides each voter with one vote and allows voters to rank candidates in order of preference to maximize the power of their vote. This method of voting would be used to rank candidates for President and Village Board. If approved, the following rules shall apply beginning with the April 2027 consolidated election: (1) voters shall vote by ranking one or more candidates up to the number of candidates in the race (the number "1" is the highest ranking, followed by "2" then "3" and so on); (2) a candidate for President who receives 50% plus one of first rankings and any candidate for Village Board Trustee who receives 25% plus one of first rankings shall be elected; (3) in the event that the President and/or all three Village Board Trustees are not elected by first rankings, tabulation for the unelected offices proceeds as follows: (a) for any elected Village Board Trustee who receives more votes than needed to win a seat, a part of each vote received by that candidate shall be transferred to each ballot's next-ranked candidate who has not yet been eliminated, where the part of the vote to be transferred is the number of surplus votes received by that candidate above the threshold needed to win

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a seat divided by the total votes for that elected Trustee (the fraction of the candidate's votes that were in surplus of the number needed to win a seat that would be wasted if not transferred); (b) any candidate for Village Board Trustee who receives 25% of the vote plus one after this transfer is elected, and, pursuant to step (a), a part of each vote in surplus of 25% plus one is transferred to the next highest-ranked candidate who has not yet been eliminated; (c) if there are no surplus votes to transfer and all seats are not filled, the candidate with the fewest total votes is eliminated, and votes for the eliminated candidate are counted for each ballot's next-ranked candidate who has not been eliminated; (d) steps (a) - (c) shall continue until a candidate for President is elected with 50% of the vote plus one and three Village Board Trustees are elected with 25% of the vote plus one. Ranked Choice Voting eliminate a primary election for President and Village Board of Trustees. In the event of a Village Board vacancy, Ranked Choice Voting shall be used, and the percentage required for a candidate to be elected shall be based on the number of vacancies. In the event a voter "overvotes" by ranking multiple candidates at the same ranking, their vote shall be counted up to the overvote. For all declared write-in candidate(s), the ballot shall include a write-in line, and voters may write in a candidate's name and rank that candidate in the same manner as a candidate whose name is printed on the ballot. The election authority for Oak Park shall design and print ballots that allow Ranked Choice Voting and program electronic voting machines to enable Ranked Choice Voting. **525 words**