

VILLAGE CODE
of
CHADWICK
ILLINOIS

1987



STERLING CODIFIERS, Inc.

7600 Mineral Drive

Coeur d'Alene, Idaho 83814

(208) 762-3449 • fax (208) 762-9140

STERLING CODIFIERS, Inc.

7600 Mineral Drive, Coeur d'Alene, Idaho 83814

(208) 762-3449 - (800) 338-7458

INSTRUCTION SHEET:

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Supplement No. 15/February, 2007
Includes Ordinances: 483 and 484

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STERLING CODIFIERS, Inc.

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INSTRUCTION SHEET:

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INSTRUCTION SHEET: CHADWICK, Illinois
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INSTRUCTION SHEET: CHADWICK, Illinois
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ORDINANCE NO. 349

AN ORDINANCE ADOPTING THE VILLAGE CODE OF CHADWICK, ILLINOIS

BE IT ORDAINED by the Village President and Board of Trustees of the Village of Chadwick, Carroll County, Illinois, an Illinois Municipal Corporation:

Section 1: From and after the date of passage of this Ordinance, the Village Code of the Village of Chadwick, Illinois, prepared by Sterling Codifiers, Inc., containing the compilation of all ordinances of a general nature, together with the changes made to said ordinances, under the direction of the governing body of the Village, shall be accepted in all courts without question as the Official Code and Law of the Village as enacted by the President and Board of Trustees.

Section 2: There is hereby adopted as a method of perpetual codification the loose-leaf type of binding, together with the continuous supplement service provided by Sterling Codifiers, Inc. whereby each newly adopted ordinance of a general and permanent nature amending, altering, adding, or deleting provisions of the Village Code is identified by the proper catchline and is inserted in the proper place in each of the official copies, three (3) copies of which shall be maintained in the office of the Village Clerk, certified as to the correctness and available for inspection at any and all times that said office is regularly open.

Section 3: All ordinances of a general nature included in this Official Village Code shall be considered as a continuation of said ordinance provision and the fact that some provisions have been deliberately eliminated by the governing body shall not serve to cause any interruption in the continuous effectiveness of ordinances included in said Official Village Code. All ordinances of a special nature, such as tax levy ordinances, bond ordinances, franchises, vacating ordinances, and annexation ordinances, shall continue in full force and effect unless specifically repealed or amended by a provision of the Village Code. Such ordinances are not intended to be included in the Official Village Code.

Section 4: It shall be unlawful for any person, firm or corporation to change or amend by additions or deletions, any part or portion of such Code, or to insert or delete pages or portions thereof, or to alter or tamper with such Code in any manner whatsoever which will cause the law of the Village of Chadwick to be misrepresented thereby.

Section 5: All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 6: Any person violating any provision of this Ordinance and the Code adopted by the same shall be punished by a fine not to exceed five hundred dollars (\$500.00).

Section 7: This Ordinance and the Code adopted by the same shall be in full force and effect from and after its passage and approval in accordance with law ten days from the publication thereof as printed and published in pamphlet form by order of the President and Board of Trustees.

PASSED and APPROVED this 1st day of February, A.D. 1988.


Village President

ATTEST:


Village Clerk

Passed: February 1, 1988
Approved: February 1, 1988
Published by pamphlet: February 1, 1988

STATE OF ILLINOIS)
) SS.
COUNTY OF CARROLL)

I, JANICE M. QUECKBOERNER, certify that I am the duly elected and acting Village Clerk of the Village of Chadwick, Carroll County, Illinois.

I further certify that on February 1, 1988, the Corporate Authorities of such municipality passed and adopted Ordinance No. 349 entitled

AN ORDINANCE ADOPTING THE VILLAGE CODE OF CHADWICK, ILLINOIS

The pamphlet form of Ordinance 349, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on February 1, 1988, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Clerk.

DATED at Chadwick, Illinois, this 1st day of February, A.D. 1988.


VILLAGE CLERK

PREFACE

This village code of the village of Chadwick, as supplemented, contains ordinances up to and including ordinance 484, passed July 10, 2006. Ordinances of the village adopted after said ordinance supersede the provisions of this village code to the extent that they are in conflict or inconsistent therewith. Consult the village office in order to ascertain whether any particular provision of the code has been amended, superseded or repealed.

Sterling Codifiers, Inc.
Coeur d'Alene, Idaho

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CHAPTER 1

OFFICIAL VILLAGE CODE

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- 1-1-1: Title
- 1-1-2: Acceptance
- 1-1-3: Amendments
- 1-1-4: Code Alterations

1-1-1: **TITLE:** Upon adoption by the Board of Trustees, this Village Code is hereby declared to be and shall hereafter constitute the official Village Code of Chadwick. This Village Code of ordinances shall be known and cited as the *CHADWICK VILLAGE CODE*, and it is hereby published by authority of the Board of Trustees and shall be kept up to date as provided in Section 1-1-3 of this Chapter under the direction of the Village Attorney, acting for said Village Board of Trustees. Any reference to the number of any section contained herein shall be understood to refer to the position of the same number, its appropriate chapter and title heading, and to the general penalty clause relating thereto, as well as to the section itself, when reference is made to this Village Code by title in any legal document.

1-1-2: **ACCEPTANCE:** This Village Code, as hereby amended in printed form, shall hereafter be received without further proof in all courts and in all administrative tribunals of this State as the ordinances of the Village of general and permanent effect, except the excluded ordinances enumerated in Section 1-2-1 of this Code.

1-1-3: **AMENDMENTS:** Any ordinance amending this Village Code shall set forth the title, chapter and section number of the section or sections to be amended, and this shall constitute a sufficient compliance with any statutory requirement pertaining to the amendment or revision by ordinance of any part of this Village Code. All such amendments or revisions by ordinance shall be immediately forwarded to the codifiers and the said ordinance materials shall be prepared for insertion in its proper place in each copy of this Village Code. Each such replacement page shall be properly identified and shall be inserted in each individual copy of this Village Code.

1-1-4: **CODE ALTERATIONS:** It shall be deemed unlawful for any person to alter, change, replace or deface in any way any section or any page of this Village Code in such a manner that the meaning of any phrase or order may be changed or omitted. Replacement pages may be inserted according to the official instructions when so authorized by the Village Board. The Clerk shall see that the replacement pages are properly inserted in the official copies maintained in the office of the Clerk. Any person having in his custody an official copy of this Village Code shall make every effort to maintain this Code in an up to date and efficient manner. He shall see to the immediate insertion of new or replacement pages when such are delivered to him or made available to him through the office of the Village Clerk. Said Code books, while in actual possession of officials and other interested persons, shall be and remain the property of the Village and shall be returned to the office of the Clerk when directed so to do by order of the Village Board.

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- 1-2-2: Public Utility Ordinances
- 1-2-3: Court Proceedings
- 1-2-4: Severability Clause

1-2-1: REPEAL OF GENERAL ORDINANCES: All general ordinances of the Village passed prior to the adoption of this Village Code are hereby repealed, except such as are included in this Village Code or are by necessary implication herein reserved from repeal (subject to the saving clauses contained in the following sections), and excluding the following ordinances which are not hereby repealed: tax levy ordinances; appropriation ordinances; ordinances relating to boundaries and annexations; franchise ordinances and other ordinances granting special rights to persons or corporations; contract ordinances and ordinances authorizing the execution of a contract or the issuance of warrants; salary ordinances; ordinances establishing, naming or vacating streets, alleys or other public places; improvement ordinances; bond ordinances; ordinances relating to elections; ordinances relating to the transfer or acceptance of real estate by or from the Village; and all special ordinances.

1-2-2: PUBLIC UTILITY ORDINANCES: No ordinance relating to railroads or railroad crossings with streets and other public ways, or relating to the conduct, duties, service or rates of public utilities shall be replaced by virtue of the preceding section, excepting as this Village Code may contain provisions for such matters, in which case this Village Code shall be considered as amending such ordinance or ordinances in respect to such provisions only.

1-2-3: COURT PROCEEDINGS: No new ordinance shall be construed or held to repeal a former ordinance, whether such former ordinance is expressly repealed or not, as to any offense committed against such former ordinance or as to any act done, any penalty, forfeiture or punishment so incurred, or any right accrued or claim arising under the former ordinance,

or in any way whatever to affect any such offense or act so committed or so done, or any penalty, forfeiture or punishment so incurred or any right accrued or claim arising before the new ordinance takes effect, save only that the proceedings thereafter shall conform to the ordinance in force at the time of such proceeding, so far as practicable. If any penalty, forfeiture or punishment be mitigated by any provision of a new ordinance, such provision may be, by the consent of the party affected, applied to any judgment announced after the new ordinance takes effect.

This Section shall extend to all repeals, either by express words or implication, whether this repeal is in the ordinance making any new provisions upon the same subject or in any other ordinance.

Nothing contained in this Chapter shall be construed as abating any action now pending under or by virtue of any general ordinance of the Village herein repealed and the provisions of all general ordinances contained in this Code shall be deemed to be continuing provisions and not a new enactment of the same provisions; nor shall this Chapter be deemed as discontinuing, abating, modifying or altering any penalty accrued or to accrue, or as affecting the liability of any person, firm or corporation, or as waiving any right of the Village under any ordinance or provision thereof in force at the time of the adoption of this Village Code.

1-2-4: **SEVERABILITY CLAUSE:** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Village Code or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Code, or any part thereof. The Village Board of Trustees hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

CHAPTER 3
DEFINITIONS

SECTION:

- 1-3-1: Construction of Words
- 1-3-2: Definitions
- 1-3-3: Catchlines

1-3-1: **CONSTRUCTION OF WORDS:** Whenever any word in any section of this Village Code importing the plural number is used in describing or referring to any matters, parties or persons, any single matter, party or person shall be deemed to be included, although distributive words may not have been used. When any subject matter, party or person is referred to in this Village Code by words importing the singular number only, or the masculine gender, several matters, parties or persons and females as well as males and bodies corporate shall be applied to any section of this Village Code which contains any express provision excluding such construction or where the subject matter or content may be repugnant thereto.

The word “ordinance” contained in the ordinances of the Village has been changed in the content of this Village Code to “title”, “chapter”, “section” and/or “subsection” or words of like import for organizational and clarification purposes only. Such change to the Village’s ordinances is not meant to amend the passage and effective dates of such original ordinances.

1-3-2: **DEFINITIONS:** Whenever the following words or terms are used in this Code, they shall have the meanings herein ascribed to them, unless the context makes such meaning repugnant thereto:

AGENT	A person acting on behalf of another.
BOARD	Unless otherwise indicated, the Board of Trustees of the Village.
CODE	The Municipal Code of Chadwick, Illinois, and amendments thereto.
COUNTY	The County of Carroll, State of Illinois.

EMPLOYEES	Whenever reference is made in this Code to a Village employee by title only, this shall be construed as though followed by the words, "of the Village of Chadwick".
FEE	A sum of money charged by the Village for the carrying on of a business, profession or occupation.
LICENSE	The permission granted for the carrying on of a business, profession or occupation.
MAYOR	See Village President.
MISDEMEANOR	Any offense for which a sentence to a term of imprisonment in other than a penitentiary for less than one year may be imposed.
NUISANCE	Anything offensive or obnoxious to the health and welfare of the inhabitants of the Village; or any act or thing repugnant to, or creating a hazard to, or having a detrimental effect on the property of another person or to the community.
OCCUPANT	As applied to a building or land, this term shall include any person who occupies the whole or any part of such building or land, whether alone or with others.
OFFENSE	Any act forbidden by any provision of this Code or the omission of any act required by the provisions of this Code.
OFFICERS	Whenever reference is made in this Code to a Village officer by title only, this shall be construed as though followed by the words "of the Village of Chadwick".
OPERATOR	The person who is in charge of any operation, business or profession.
OWNER	As applied to a building or land, this term shall include any part owner, joint owner, tenant in common, joint tenant or lessee of the whole or of a part of such building or land.
PERSON	Any public or private corporation, firm, partnership, association, organization, government or any other group acting as a unit, as well as a natural person.
PERSONAL PROPERTY	Every description of money, goods, chattels, effects, evidence of rights in action and all written instruments by which any pecuniary obligation, right

Personal Property (cont.)	or title to property is created, acknowledged, transferred, increased, defeated, discharged or diminished and every right or interest therein.
RETAILER	Unless otherwise specifically defined, this term shall be understood to relate to the sale of goods, merchandise, articles or things in small quantities direct to the consumer.
STATE	The State of Illinois.
STREET	This term shall include alleys, lanes, courts, boulevards, public squares, public places and sidewalks.
TENANT	As applied to a building or land, this term shall include any person who occupies the whole or any part of such building or land, whether along or with others.
VILLAGE	The Village of Chadwick, County of Carroll, State of Illinois.
VILLAGE PRESIDENT	The President of the Village may be referred to as "Mayor" or "President" of the Village.
WHOLESALE and WHOLESALE DEALER	Unless otherwise specifically defined, such terms shall be understood to relate to the sale of goods, merchandise, articles or things in quantity to persons who purchase for the purpose of resale.
WRITTEN, IN WRITING	These terms may include printing and any other mode of representing words and letters, but when the written signature of any person is required by law to any official or public writing or bond required by law, it shall be in the proper handwriting of such person, or in case he is unable to write, by his proper mark.

1-3-3: CATCHLINES: The catchlines of the several sections of this Village Code are intended as mere catchwords to indicate the content of the section and shall not be deemed or taken to be the titles of such sections, nor be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any division or section hereof, nor unless expressly so provided, shall they be so deemed when any of such sections, including the catchlines, are amended or re-enacted.

CHAPTER 4

GENERAL PENALTY

SECTION:

- 1-4-1: General Penalty
- 1-4-2: Application of Provisions
- 1-4-3: Liability of Officers
- 1-4-4: Penalties for Certain Offenses

1-4-1: **GENERAL PENALTY:** Any person convicted of a violation of any section or provision of this Village Code, where no other penalty is set forth, shall be punished by a fine not to exceed five hundred (\$500.00) for any one offense.¹

1-4-2: **APPLICATION OF PROVISIONS:** The penalty provided in this Chapter shall be applicable to every section of this Village Code the same as though it were a part of each and every separate section. Any person convicted of a violation of any section of this Village Code where any duty is prescribed or obligation imposed, or where any action which is of a continuing nature is forbidden or is declared to be unlawful, shall be deemed guilty of a misdemeanor. A separate offense shall be deemed committed upon each day such duty or obligation remains unperformed or such act continues, unless otherwise specifically provided in this Village Code.

In all cases where the same offense is made punishable or is created by different clauses or sections of this Village Code, the prosecuting officer may elect under which to proceed; but not more than one recovery shall be had against the same person for the same offense; provided, that the revocation of a license or permit shall not be considered a recovery or penalty so as to bar any other penalty being enforced.

1. S.H.A. ch. 24, ¶ 1-2-1.

Whenever the doing of any act or the omission to do any act constitutes a breach of any section or provision of this Code and there shall be no fine or penalty specifically declared for such breach, the provisions of this Chapter shall apply. (1987 Code)

1-4-3: **LIABILITY OF OFFICERS:** No provision of this Code designating the duties of any officer or employee shall be so construed as to make such officer or employee liable for any fine or penalty provided for a failure to perform such duty, unless the intention of the Board of Trustees to impose such fine or penalty on such officer or employee is specifically and clearly expressed in the section creating the duty. (1987 Code)

1-4-4: **PENALTIES FOR CERTAIN OFFENSES:** The police officers of the Village may continue to prepare a normal complaint with the below listed offenses. However, the police officers may, in the alternative, prepare a short form complaint to be prescribed by the Village which states that a fine consistent with the provisions of this Chapter may be paid prior to a formal filing of the complaint with the Circuit Clerk of Carroll County. In the event this short form complaint or ticket is issued, it shall provide that the person who violates the offense in question shall be fined five dollars (\$5.00) if the fine is paid within seven (7) days of the date of the issuance of the short form complaint or ticket. It shall further provide that if the fine is not paid within seven (7) days of the issuance of the short form complaint or ticket but it is paid within fourteen (14) days of the issuance of the short form complaint or ticket the fine shall be ten dollars (\$10.00). In the event the fine is not paid within said fourteen (14) day period, a regular complaint shall then be issued by the Chadwick Police Department and filed with the Circuit Clerk of Carroll County. In the event a regular complaint is filed, it shall be served in the normal manner of all other complaints and shall be prosecuted and the penalties levied consistent with the general applications of the penalty clause of the Village.

In the event a short form complaint or ticket is issued, it may be served upon the person who violates the provision either by hand delivery by a police officer or, in the alternative, by delivery by mail against the offender, or also in the event of offense involving a motor vehicle, by placing a copy of the short form complaint or ticket on the motor vehicle by attaching it to a windshield wiper or otherwise attaching it to the motor vehicle in a way where it is reasonably visible by a person approaching said motor vehicle.

September 2000

Village of Chadwick

The following offenses shall be subject to the provisions of this Section:

- A. All offenses dealing with parking within the Village. (Ord. 364, 1-7-1991)
- B. All offenses dealing with littering in the Village.
- C. All offenses dealing with nuisances which take place within the Village. (Ord. 364, 1-7-1991; amd. Ord. 412, 3-2-1998, eff. 5-1-1998; Ord. 433, 2-7-2000)

CHAPTER 5
VILLAGE PRESIDENT

SECTION:

- 1-5-1: Election
- 1-5-2: Duties
- 1-5-3: Appointment Of Officers
- 1-5-4: Designation Of Officers' Duties
- 1-5-5: Village President Pro Tem
- 1-5-6: Acting Village President
- 1-5-7: Formal Occasions
- 1-5-8: Bond

1-5-1: **ELECTION:** The village president shall be elected for a four (4) year term, and shall serve until his successor is elected and qualified as is provided by statute¹. (1987 Code)

1-5-2: **DUTIES:** The village president shall be the chief executive officer of the village, shall preside over the meetings of the board and shall perform such duties as may be required by him by statute or ordinance. He shall have supervision over all of the executive officers and employees of the village, and shall have the power and authority to inspect all books and records pertaining to village affairs and kept by any officer or employee of the village at any reasonable time. (1987 Code)

1-5-3: **APPOINTMENT OF OFFICERS:** The village president shall appoint, by and with the advice and consensual vote of the village board, all officers of the village whose election or appointment is not otherwise provided for. Any vacancies occurring in an appointive office shall be filled in the same manner. (Ord. 483, 6-5-2006)

1. 65 ILCS 5/3-5-1.

1-5-4: **DESIGNATION OF OFFICERS' DUTIES:** Whenever there is a dispute as to the respective duties or powers of any appointed officer of the village this dispute shall be settled by the president after consultation with the village attorney; and the president shall have the power to delegate to any appointed officer any duty which is to be performed when no specific officer has been directed to perform that duty. (1987 Code)

1-5-5: **VILLAGE PRESIDENT PRO TEM:** During a temporary absence or disability of the president, the village board shall elect one of its number to act as president pro tem, who during such absence or disability shall possess the powers of president, as is provided by statute¹. (1987 Code)

1-5-6: **ACTING VILLAGE PRESIDENT:** In the event of a vacancy in the office of president, the board may appoint one of its members as acting president to serve until the vacancy is filled at a regular or special election as provided by law. (1987 Code)

1-5-7: **FORMAL OCCASIONS:** The president shall act for and on behalf of the village on formal occasions and receptions; but in his absence or inability to attend any such function, the board may select any other village officer to so act. (1987 Code)

1-5-8: **BOND:** Before entering upon the duties of his office, the president shall execute a bond in such amount and with such sureties as may be required by the board, conditioned upon the faithful performance of the duties of his office, provided the amount of such bond shall not be less than three thousand dollars (\$3,000.00)². (1987 Code)

1. 65 ILCS 5/3-11-7.
2. 65 ILCS 5/3-14-3.

CHAPTER 6

VILLAGE BOARD OF TRUSTEES

SECTION:

- 1-6- 1: Election, Functions
- 1-6- 2: Meetings
- 1-6- 3: Special Meetings
- 1-6- 4: Presiding Officer
- 1-6- 5: Quorum
- 1-6- 6: Standing Committees
- 1-6- 7: Special Committees
- 1-6- 8: Membership In Committees
- 1-6- 9: Records
- 1-6-10: Disturbing Meetings
- 1-6-11: Order Of Business
- 1-6-12: Rescinded Action
- 1-6-13: Resolutions
- 1-6-14: Addressing Meetings
- 1-6-15: Suspension Of Rules
- 1-6-16: Robert's Rules Of Order

1-6-1: **ELECTION, FUNCTIONS:** The members of the board of trustees shall be elected and serve a four (4) year term¹. The board of trustees of the village shall be composed of six (6) trustees, all six (6) to be elected from the village at large. The village board of trustees shall be the legislative division of the village government and shall perform such duties and have such powers as may be authorized by statute. (1987 Code)

1-6-2: **MEETINGS:** The regular meetings of the village board of trustees shall be held on the first Monday of each month at the hour of seven thirty o'clock (7:30) P.M. Provided, that if the regular meeting falls on a legal holiday, the meeting shall take place on the next secular day at the same hour. Adjourned meetings may be held at such times as the board of trustees may determine. (1987 Code)

1. 65 ILCS 5/3-5-2.

1-6-3: **SPECIAL MEETINGS:** Special meetings of the board of trustees may be called by the president and two (2) trustees or by three (3) trustees; provided that a written notice of such meeting shall be given to each member of the board at least twenty four (24) hours before the time set for the meeting. Provided, further, that in case all of the elected members of the board are present at any special meeting then the requirement of notice shall be unnecessary and shall be deemed waived. In addition, the standard notice as required by the Illinois state statutes mandating a twenty four (24) hour notice to the public together with any other notices required by said statute¹ shall be complied with in all situations. (1987 Code)

1-6-4: **PRESIDING OFFICER:** The village president shall be the presiding officer of the board of trustees at all regular or special meetings and when the board meets as a committee of the whole. (1987 Code)

1-6-5: **QUORUM:** A majority of the elected members of the board of trustees shall constitute a quorum thereof. (Ord. 483, 6-5-2006)

1-6-6: **STANDING COMMITTEES:** The following shall be the standing committees of the board of trustees:

Economic development
Finance
Parks and trees
Police, license and liquor
Streets, alleys and sidewalks
Water, sewer and garbage

(Ord. 483, 6-5-2006)

1-6-7: **SPECIAL COMMITTEES:** The president shall appoint such special committees as he may deem necessary or as may be directed by the board of trustees. (1987 Code)

1. 5 ILCS 120/2.02.

1-6-8: **MEMBERSHIP IN COMMITTEES:** The president shall appoint the members of all standing and special committees, in the absence of specific direction by the board, and shall designate the chairman of each committee.

Every committee of the board of trustees shall consist of three (3) members, including the chairman, unless the board of trustees shall provide otherwise. (1987 Code)

1-6-9: **RECORDS:** The village clerk shall keep the minutes and records of the board proceedings. (1987 Code)

1-6-10: **DISTURBING MEETINGS:** It shall be unlawful to disturb any meeting of the village board of trustees or of any committee thereof, or to behave in a disorderly manner at any such meeting.

Any person violating any provision of this section shall be fined not less than one dollar (\$1.00) nor more than ten dollars (\$10.00) for each offense. (1987 Code)

1-6-11: **ORDER OF BUSINESS:** The order of business at meetings of the board of trustees shall be as follows:

- Roll call
- Minutes of last meeting
- Finance
 - Reading of approved bills from the finance committee
 - Treasurer's report
 - Finance committee report
- Village clerk report
- Additions to the agenda
- Public report
- Committee reports
- New business
- Village attorney
- Adjourn

(Ord. 483, 6-5-2006)

1-6-12: **RESCINDED ACTION:** No vote or action of the board of trustees shall be rescinded at any special meeting unless there be present at such special meeting as many members of the board as were present at the meeting when such vote or action was taken, as provided by statute. (1987 Code)

1-6-13: **RESOLUTIONS:** Any resolution submitted to the board of trustees shall be reduced to writing before being voted upon, at the request of any two (2) members of the board. (1987 Code)

1-6-14: **ADDRESSING MEETINGS:** No person other than the president or a member of the board of trustees or other municipal officer or employee shall address that body at any regular or special meeting of the board except upon consent of a majority of the members present. (1987 Code)

1-6-15: **SUSPENSION OF RULES:** The rules of order, other than those prescribed by statute, may be suspended at any time by consent of a majority of the members present at any meeting. (1987 Code)

1-6-16: **ROBERT'S RULES OF ORDER:** Except when in conflict with the foregoing provisions, "Robert's Rules Of Order" shall govern the deliberations of the board of trustees. (1987 Code)

CHAPTER 7
VILLAGE CLERK

SECTION:

- 1-7- 1: Election, Term
- 1-7- 2: Bond
- 1-7- 3: Signatures
- 1-7- 4: Money Collected
- 1-7- 5: Accounts
- 1-7- 6: Records
- 1-7- 7: Seal
- 1-7- 8: Documents
- 1-7- 9: Indices
- 1-7-10: Ex Officio Collector
- 1-7-11: Additional Duties
- 1-7-12: Vacancies

- 1-7-1: **ELECTION, TERM:** The Village Clerk shall be elected and serve for a four (4) year term and until his successor is elected and qualified, as provided by statute.¹
- 1-7-2: **BOND:** Before entering upon his duties of office, the Village Clerk shall execute a bond in such amount as is provided by statute,² conditioned upon the faithful performance of his duties.
- 1-7-3: **SIGNATURES:** The Village Clerk shall seal and attest all contracts of the Village and all licenses, permits and such other documents as shall require this formality.
- 1-7-4: **MONEY COLLECTED:** The Clerk shall turn over all money received by him on behalf of the Village to the Village Treasurer promptly upon receipt of the same; and with such money he shall give a statement as to the source thereof.

1. S.H.A. ch. 24, ¶ 3-5-9.
2. S.H.A. ch. 24, ¶ 3-14-3.

- 1-7-5: **ACCOUNTS:** The Clerk shall keep accounts showing all money received by him and the source and disposition thereof; and such other accounts as may be required by statute or ordinance.
- 1-7-6: **RECORDS:** In addition to the record of ordinances and other records which the Clerk is required by statute¹ to keep, he shall keep a register of all licenses and permits issued and the payments thereon; a record showing all of the officers and regular employees of the Village; and such other records as may be required by the Board of Trustees.
- 1-7-7: **SEAL:** The Clerk shall be the custodian of the Village Seal, and shall affix its impression on documents whenever this is required.
- 1-7-8: **DOCUMENTS:** The Clerk shall be the custodian of all documents belonging to the Village which are not assigned to the custody of some other officer.
- 1-7-9: **INDICES:** The Clerk shall keep and maintain a proper index to all documents and records kept by him, so that ready access thereto and use thereof may be had.
- 1-7-10: **EX OFFICIO COLLECTOR:** The Clerk shall act as and perform all duties of Collector unless and until a separate Collector is appointed.
- 1-7-11: **ADDITIONAL DUTIES:** In addition to the duties herein provided, the Clerk shall perform such other duties and functions as may be required by statute or ordinance.
- 1-7-12: **VACANCIES:** In case the office of Village Clerk shall become vacant for any reason, the President and Board of Trustees shall appoint a successor as provided by statute.

1. S.H.A. ch. 24, ¶ 3-10-7, 3-10-8.

CHAPTER 8
VILLAGE TREASURER

SECTION:

- 1-8-1: Appointment
- 1-8-2: Bond
- 1-8-3: Duties
- 1-8-4: Deposit of Funds
- 1-8-5: Records
- 1-8-6: Accounts
- 1-8-7: Reports
- 1-8-8: Register of Warrants

1-8-1: **APPOINTMENT:** The Village Treasurer shall be appointed by the President by and with the advice and consent of the Board of Trustees and shall continue in office until his successor has been chosen and has qualified.

1-8-2: **BOND:** The Village Treasurer shall give bond in an amount of money as determined by statute,¹ with sureties to be approved by the Board of Trustees. The bond shall be conditioned upon the faithful performance by the Treasurer of his duties of office, and to indemnify the Village for any loss due to any neglect of duty or wrongful act on the part of the Treasurer.

1-8-3: **DUTIES:** The Treasurer shall perform such duties as may be prescribed for him by statute² or ordinance. He shall receive all money paid to the Village, either directly from the person paying it or from the hands of such other officer as may receive it, and he shall pay out only on vouchers or orders properly signed by the Village Clerk and the President.

1-8-4: **DEPOSIT OF FUNDS:** He shall deposit the Village funds in such depositories as may be selected from time to time as is provided

1. S.H.A. ch. 24, ¶ 3-14-3.
2. S.H.A. ch. 24, ¶ 3-10-1 et. seq.

by statute,¹ and he shall keep the Village money separate and distinct from his own, and shall not intermingle his own money with it or make private or personal use of Village funds.

1-8-5: **RECORDS:** The Treasurer shall keep such records showing all money received by him, the source from which it was received, and the purpose for which it was paid out; and he shall keep a record showing at all times the financial status of the Village.

1-8-6: **ACCOUNTS:** The Treasurer shall keep books and accounts as may be required by the Board of Trustees, and shall keep them in the manner required by law.

1-8-7: **REPORTS:** The Treasurer shall make monthly reports to the Board of Trustees showing the state of the finances of the Village, and the amounts received and spent during the month, which reports shall be filed. He shall also make an annual report at the close of the fiscal year with the total amount of all receipts and expenditures of the Village and his transactions during the preceding year.

1-8-8: **REGISTER OF WARRANTS:** The Treasurer shall keep a register of all warrants, bonds or orders filed with him or paid by him, and all vouchers, as is required by statute.

¹ S.H.A. ch. 24, § 3-10-3.

CHAPTER 9
CORPORATE SEAL

SECTION:

1-9-1: Design and Custody

1-9-1: **DESIGN AND CUSTODY:** The Corporate Seal of the Village shall be circular in form and so constructed as to impress upon paper the words “*Village Seal*” in a circle formed by the words “*Village of Chadwick, Carroll County, Illinois*”.

Said Seal shall be and remain in the custody of the Village Clerk and his successor in office, to be used by him in all cases provided for by the ordinances of the Village or the laws of the State, and in all such other cases where, by the laws and customs of any state or nation, the use of the Corporate Seal of the Village becomes necessary.

CHAPTER 10
VILLAGE ATTORNEY

SECTION:

- 1-10-1: Creation of Office, Appointment
- 1-10-2: Suits and Actions
- 1-10-3: Judgments
- 1-10-4: Advice
- 1-10-5: Special Assessments
- 1-10-6: Ordinances and Documents
- 1-10-7: Powers and Duties

1-10-1: **CREATION OF OFFICE, APPOINTMENT:** There is hereby created the office of Village Attorney, an executive office of the Village. The Attorney shall be appointed by the President, by and with the advice and consent of the Board of Trustees.

1-10-2: **SUITS AND ACTIONS:** The Attorney shall prosecute or defend any and all suits or actions at law or equity to which the Village may be a party, or in which it may be interested, or which may be brought against, or by, any officer of the Village on behalf of the Village, or in the capacity of such person as an officer of the Village.

1-10-3: **JUDGMENTS:** It shall be the duty of the Attorney to see to the full enforcement of all judgments or decrees rendered or entered in favor of the Village, and of all similar interlocutory orders.

1-10-4: **ADVICE:** The Attorney shall be the legal advisor of the Village, and shall render advice on all legal questions affecting the Village, whenever requested to do so by any Village official. Upon request by the President or by the Board of Trustees, he shall reduce any such opinion to writing.

1-10-5: **SPECIAL ASSESSMENTS:** It shall be the duty of the Attorney to see to the completion of all special assessments proceedings and condemnation proceedings.

1-10-6: **ORDINANCES AND DOCUMENTS:** It shall be the duty of the Attorney to draft or supervise the phraseology of any contract, lease or other documents or instruments, to which the Village may be a party; and upon request of the Board of Trustees, to draft ordinances covering any subjects within the power of the Village.

1-10-7: **POWERS AND DUTIES:** It shall be the duty of the Attorney to attend meetings of the Board of Trustees when directed by the President or a member or group of members of the Board. At all such meetings, on all questions, resolutions or motions before the said Board affecting the legal rights or liabilities of said Village or any of its departments or officers, he shall be entitled to all the privileges of a Trustee, except the privilege of voting.

CHAPTER 11
PUBLIC WORKS DEPARTMENT

SECTION:

- 1-11-1: Appointment
- 1-11-2: Duties
- 1-11-3: Additional Duties
- 1-11-4: Custodian of Village Property

1-11-1: **APPOINTMENT:** There is hereby created the Department of Public Works, an executive department of the Village. It shall consist of the Superintendent of Public Works, who shall be the head of the Department, and all officers and employees assigned thereto. All such officers and employees shall perform their duties subject to the supervision of the Superintendent.

1-11-2: **DUTIES:** The Department of Public Works shall have charge of and supervision over the care, maintenance and construction of all streets, sidewalks, alleys and public ways; the construction, operation, and maintenance of all storm water and sanitary sewers, and all street gutters and drains and the appurtenances thereto.

1-11-3: **ADDITIONAL DUTIES:** All physical properties of the Village, including the water distribution, parks, playground, and all Municipal utilities not assigned to some other department or officer shall be and are hereby assigned to the Department of Public Works.

1-11-4: **CUSTODIAN OF VILLAGE PROPERTY:** The Superintendent of Public Works shall be custodian of all tools, equipment and other personal property belonging to the Village and not assigned to the care of the Village or any other public officer.

CHAPTER 12
POLICE DEPARTMENT

SECTION:

- 1-12- 1: Department Created
- 1-12- 2: Appointments
- 1-12- 3: Rank
- 1-12- 4: Duties Of Chief
- 1-12- 5: Duties
- 1-12- 6: Serving Process
- 1-12- 7: Conduct Of Members
- 1-12- 8: Witness Fees
- 1-12- 9: Rules And Regulations
- 1-12-10: Special Police (Rep. by Ord. 483, 6-5-2006)
- 1-12-11: Stolen Property, Custody Of
- 1-12-12: Matron (Rep. by Ord. 483, 6-5-2006)
- 1-12-13: Rewards
- 1-12-14: Chief, Tenure Of Office

1-12-1: **DEPARTMENT CREATED:** There is hereby created a police department for the village which shall consist of the chief of police and such other members as may be provided for by the board of trustees. (Ord. 483, 6-5-2006)

1-12-2: **APPOINTMENTS:** The chief of police and all patrolmen shall be appointed by the board of trustees. (1987 Code)

1-12-3: **RANK:** The chief of police shall be the head of the department and have supervision over all patrolmen. (1987 Code)

1-12-4: **DUTIES OF CHIEF:** The chief of police shall keep such records and make such reports concerning the activities of his

department as may be required by statute or by the board of trustees. The chief shall be responsible for the performance by the police department of its functions, and all persons who are members of the police department shall serve subject to the orders of the chief of police. (1987 Code)

1-12-5: **DUTIES:** It shall be the duty of the members of the police department to see to the enforcement of all of the ordinances of the village and all state statutes applicable therein; and to preserve order and prevent infractions of the law and arrest violators thereof. (1987 Code)

1-12-6: **SERVING PROCESS:** No member of the police department, except the chief, shall serve any process except on command of the chief of the police department. (1987 Code)

1-12-7: **CONDUCT OF MEMBERS:** It shall be the duty of every member of the police department to conduct himself, or herself, in a proper and law abiding manner, at all times, and to avoid the use of unnecessary force. Each member of the department shall obey the orders and directions of his superior. (1987 Code)

1-12-8: **WITNESS FEES:** Every member of the police department shall appear as witness whenever this is necessary in a prosecution for a violation of an ordinance or of any state or federal law. No such members shall retain any witness fee for service as witness in any action or suit to which the village is a party; any fees paid for such services shall be turned over to the chief, who shall deposit the same with the village treasurer. (1987 Code)

1-12-9: **RULES AND REGULATIONS:** The chief of the police department may make or prescribe such rules and regulations as he shall deem advisable; such rules, when approved by the board, shall be binding on such members. Such rules and regulations may cover, besides the conduct of the members, uniforms and equipment to be worn or carried, hours of service, vacations, and all other similar matters necessary or desirable for the better efficiency of the department. (1987 Code)

1-12-10: **SPECIAL POLICE:** (Rep. by Ord. 483, 6-5-2006)

1-12-11: **STOLEN PROPERTY, CUSTODY OF:** The chief of police shall have the custody of all lost, abandoned or stolen property recovered in the village. (1987 Code)

1-12-12: **MATRON:** (Rep. by Ord. 483, 6-5-2006)

1-12-13: **REWARDS:** The chief of police, for meritorious service rendered by any member of the police force in the due discharge of his duty, may permit such member to retain for his own benefit so far as he may be permitted by law, any reward or present tendered him therefor, and it shall be cause of removal for any member of the force to receive any such reward or present without notice thereof to the chief of police and without his permission. (1987 Code)

1-12-14: **CHIEF, TENURE OF OFFICE:** The chief of police shall serve for such term as may be provided by law, and may be removed in the manner provided for the removal of officers. (1987 Code)

CHAPTER 13

CONDUCT OF MEMBERS OF THE POLICE DEPARTMENT

SECTION:

- 1-13- 1: Chief Of Police
- 1-13- 2: Patrolmen
- 1-13- 3: Police Officers' Responsibility
- 1-13- 4: Absence From Duty
- 1-13- 5: Leaving The Village
- 1-13- 6: Attention To Duty
- 1-13- 7: Asleep On Duty (Rep. by Ord. 483, 6-5-2006)
- 1-13- 8: Department Stationery (Rep. by Ord. 483, 6-5-2006)
- 1-13- 9: False Reports
- 1-13-10: Address And Telephone
- 1-13-11: Insubordination
- 1-13-12: Courtesy
- 1-13-13: Criticizing (Rep. by Ord. 483, 6-5-2006)
- 1-13-14: Name And Number
- 1-13-15: Care Of Equipment
- 1-13-16: Lost Equipment
- 1-13-17: Furlough (Rep. by Ord. 483, 6-5-2006)
- 1-13-18: Performance Of Duties (Rep. by Ord. 483, 6-5-2006)
- 1-13-19: Games Of Chance (Rep. by Ord. 483, 6-5-2006)
- 1-13-20: Drinking
- 1-13-21: Intoxication (Rep. by Ord. 483, 6-5-2006)
- 1-13-22: Aiding Prisoners
- 1-13-23: Altercations
- 1-13-24: Conduct
- 1-13-25: Debts (Rep. by Ord. 483, 6-5-2006)
- 1-13-26: Confidential Information
- 1-13-27: Subpoenas
- 1-13-28: Stolen Or Abandoned Property
- 1-13-29: Acceptance Of Presents (Rep. by Ord. 476, 12-6-2004)
- 1-13-30: Bribes
- 1-13-31: Police Uniforms
- 1-13-32: Identification
- 1-13-33: Rules And Regulations, Posting
- 1-13-34: Fines (Rep. by Ord. 483, 6-5-2006)
- 1-13-35: Resignation

- 1-13-36: Other Laws
1-13-37: Residence Requirements Of Police Personnel

1-13-1: **CHIEF OF POLICE:** The chief of police shall be specifically charged with the supervision of all members of the department and shall be held strictly responsible for the conduct and efficiency of all such members for the general good order of the department, and shall be responsible to the police committee. The chief of police shall have a thorough knowledge of all sections of the village, and when going on duty shall immediately familiarize himself with all police business transacted since his last tour of duty. It shall be the duty of the chief of police to inform the commanding officer coming on duty of all important matters which have occurred and which may require attention. The chief of police shall diligently inquire into all complaints and charges of laxity and misconduct in the performance of duty by members under his command and shall take such steps as set forth in these rules and regulations, or as he may deem necessary when not in conflict with these rules and regulations.

- A. The chief of police in the exercise of his duties shall have the power to establish and enforce rules and regulations for the government of the members and employees of the department, which rules, shall however, be consistent with the ordinances of the village and the laws of the state.
- B. It shall be the duty of the chief of police to cause the public peace to be preserved and to enforce all ordinances of the village of which the police department must take cognizance. The chief of police shall receive and give proper attention to complaints of all persons referred to him and perform such other duties as may be required from time to time prescribed by the rules and regulations.
- C. The chief of police shall have full power and authority to reprimand any member of the police department.
- D. The chief of police shall have custody and control of all books, records, machines, tools, apparatus or equipment of every kind necessary for the use of the department.
- E. Further, all the following rules and regulations which are applicable to the members of the police department are also applicable to the chief of police. (Ord. 483, 6-5-2006)

1-13-2: **PATROLMEN:** Every patrolman, in carrying out the functions of the police department, namely, the preservation of the public peace, the protection of life and property, the prevention of crime, the arrest of violators of the law, the proper enforcement of all the laws and ordinances of which the department takes cognizance, shall be consistently direct in their efforts to accomplish that end intelligently and efficiently, and shall hold themselves in readiness at all times to answer the calls and obey the orders of their superiors and shall be accountable to their superior officers for the general conditions of the village during the hours assigned to them.

- A. All original appointments shall be for probational period of six (6) months. Continuance in service shall be dependent upon the conduct of the appointee and his fitness for the performance of the duties to which he is assigned as indicated by the quality of his work and the reports and recommendations of his superior officers. If, during the said year, the appointee proves unfit, he will be dismissed from the service by the chief of police with the approval of the commission and shall not be entitled to appeal from such dismissal.
- B. Patrolmen, unless otherwise ordered, shall wear the regulation uniforms in keeping with the specifications, including materials, designated and adopted by the department and approved by the commission.
- C. Patrolmen assigned to squad or motorcycle duty shall, at the completion of their tours of duty, check the vehicle used and see that the same is left in a clean condition and refueled and ready for the incoming shift. (1987 Code)

1-13-3: **POLICE OFFICERS' RESPONSIBILITY:** Members of the police department shall be subject to duty at all times and at all times subject to orders from the proper authorities and superiors. They shall not be considered off duty and shall not be relieved of taking proper police duty at any time. (1987 Code)

1-13-4: **ABSENCE FROM DUTY:** No member of the police department shall be absent from his regular hours of duty without permission. In the event of sickness, notice shall be given to the commanding officer, allowing him ample time to cancel days off or make other necessary changes to fill the vacancy of any such persons reporting sick. (1987 Code)

1-13-5: **LEAVING THE VILLAGE:** No member of the department doing patrol duty shall go beyond the limits of the village unless in the performance of actual police duty, or upon direct orders from the superior officer. (1987 Code)

1-13-6: **ATTENTION TO DUTY:** All regular members of the department, regardless of rank, shall at all times be attentive to their duties. (1987 Code)

1-13-7: **ASLEEP ON DUTY:** (Rep. by Ord. 483, 6-5-2006)

1-13-8: **DEPARTMENT STATIONERY:** (Rep. by Ord. 483, 6-5-2006)

1-13-9: **FALSE REPORTS:** No member of the department shall knowingly make a misstatement or make a false report. (1987 Code)

1-13-10: **ADDRESS AND TELEPHONE:** Members of the department shall notify the chief of police of any change in their residence address or telephone number. (1987 Code)

1-13-11: **INSUBORDINATION:** Members and employees of the police department shall treat their superior officers with respect, and in their demeanor toward other associates in the department shall be courteous and considerate, guarding themselves against jealousy and other unfriendly feelings. It is their duty to inform their superior officers of any neglect or disobedience of orders that may come to their knowledge. Members and employees shall not, under any circumstances, or in any manner whatsoever, speak critically or derogatorily to any member of the department, or to any person outside the department regarding the orders or instructions issued by a superior officer; provided, however, in any case where there is a sound reason to believe that such orders or instructions are inconsistent or unjust, it is the right and duty of any member or employee to appeal to higher authority. (1987 Code)

1-13-12: **COURTESY:** Courtesy and civility towards the public are demanded from all members and employees of the department and any conduct to the contrary will not be tolerated. Members and employees in their conduct and deportment shall be quiet, civil and orderly and shall at all times be attentive and serious in the discharge of their duties, controlling their tempers and exercising the utmost patience and discretion. They must at all times refrain from using violent, profane and insolent language, but when required must act with sufficient force to perform their duties. They shall be civil and respectful towards each other. (1987 Code)

1-13-13: **CRITICIZING:** (Rep. by Ord. 483, 6-5-2006)

1-13-14: **NAME AND NUMBER:** A police officer shall furnish such information or render such aid to all persons when requested, as is consistent with his duties. He shall at all times, when in uniform, keep his badge in sight, and give his name and badge number in a respectful manner when requested. (1987 Code)

1-13-15: **CARE OF EQUIPMENT:** Members and employees of the department shall be responsible for the good care of department property whether fixed or movable, assigned to their use or keeping, and shall promptly report to their commanding officers the loss or damage to, or unserviceable condition of such property. Roughness or carelessness in the handling of such property will not be tolerated and will be made the subject of charges of superior officers who will be responsible for the strict enforcement of this rule. (Ord. 483, 6-5-2006)

1-13-16: **LOST EQUIPMENT:** All members of the department shall immediately report to the chief of police the loss of any village equipment that has been furnished to the individual. (1987 Code)

1-13-17: **FURLOUGH:** (Rep. by Ord. 483, 6-5-2006)

1-13-18: **PERFORMANCE OF DUTIES:** (Rep. by Ord. 483, 6-5-2006)

- 1-13-19: **GAMES OF CHANCE:** (Rep. by Ord. 483, 6-5-2006)
- 1-13-20: **DRINKING:** Members of the police department shall not drink any intoxicating liquor while either on duty or in uniform. (1987 Code)
- 1-13-21: **INTOXICATION:** (Rep. by Ord. 483, 6-5-2006)
- 1-13-22: **AIDING PRISONERS:** No member of the department shall aid any prisoner in obtaining an attorney. (Ord. 483, 6-5-2006)
- 1-13-23: **ALTERCATIONS:** Members of the department shall refrain from physical altercations except in line of duty and shall not maltreat any person or prisoner. (1987 Code)
- 1-13-24: **CONDUCT:** No member of the police department shall conduct himself in a disorderly or any other manner as to bring discredit upon the department. (1987 Code)
- 1-13-25: **DEBTS:** (Rep. by Ord. 483, 6-5-2006)
- 1-13-26: **CONFIDENTIAL INFORMATION:** No member of the department shall give out or release any information covering the affairs, business or operation of the police department without the consent of the commanding officer.
- Members and employees of the police department shall not deliver addresses in meetings concerning the work of the police department, nor shall they make statements for publication concerning plans, policies or affairs of the police department unless authorized to do so by the chief of police. (1987 Code)
- 1-13-27: **SUBPOENAS:** Members of the department when subpoenaed or requested to appear for the defense in the prosecution of a criminal case, shall immediately report to their commanding officer whose duty it shall be to notify the state's attorney. (1987 Code)

1-13-28: **STOLEN OR ABANDONED PROPERTY:** It shall be the duty of all officers, upon the finding or recovery of any abandoned vehicle or stolen property, or abandoned property, to bring such vehicle or property to the police station, placing such vehicle or property in the care of the chief of police. (1987 Code)

1-13-29: **ACCEPTANCE OF PRESENTS:** (Rep. by Ord. 476, 12-6-2004)

1-13-30: **BRIBES:** No member of the department shall accept bribes of money, gifts or other articles of apparent or actual value. (1987 Code)

1-13-31: **POLICE UNIFORMS:** All members of the police department shall acquire police uniforms which shall be worn at all times when on regular duty and whenever practical when appearing for emergency duty. The uniforms shall be of a style and quality consistent with guidelines established by the board of trustees. The board of trustees shall reserve the right to require changes in the uniforms of policemen at any time. Consistent with the outline set forth by the board of trustees, the police shall be free to purchase their uniforms from any reputable uniform distributor. The board of trustees may, at its option but shall not be required, provide a uniform allowance which shall be paid to policemen to help defray the cost of uniforms. In the event a uniform allowance is made to police, said uniform allowance shall be made for a given period and an accrued right to said allowance shall not exist until the end of the designated period. Should a police officer terminate service to the community during said period, a refund of the uniform allowance paid to the police officer for said outstanding period shall be made upon leaving the force. (1987 Code)

1-13-32: **IDENTIFICATION:** Every member of the department shall be furnished a badge or shield designating his rank. Such shield shall be worn by the individual and shall not under any circumstances be traded or exchanged. (1987 Code)

1-13-33: **RULES AND REGULATIONS, POSTING:** Rules and regulations should be posted. (1987 Code)

1-13-34: **FINES:** (Rep. by Ord. 483, 6-5-2006)

1-13-35: **RESIGNATION:** All members of the police department shall give fourteen (14) days' written notice to the chief of police or commanding officer of their intentions of resigning from the police department. Any member leaving the department without due notice as aforesaid shall be disqualified from ever again becoming a member of the police department. However, before any resignation is accepted, all equipment and property belonging to the village must be returned to the commanding officer. (1987 Code)

1-13-36: **OTHER LAWS:** In addition to the rules and regulations as established by the board of trustees, the laws of the state, ordinances of the village, and federal laws pertaining to and affecting police officers shall be the governing factors in the conduct of all members of the police department, who shall at all times be subject to the same.

- A. It shall be the duty of the chief of police and president to enforce the foregoing rules and regulations.
- B. A copy of the foregoing rules and regulations shall be delivered as promptly as possible by the chief of police to each member of the police department. (1987 Code)

1-13-37: **RESIDENCE REQUIREMENTS OF POLICE PERSONNEL:**
There shall be no residence requirement concerning village police personnel. Village police personnel may live within the village of Chadwick or outside of the village of Chadwick without any limitation. (Ord. 484, 7-10-2006)

CHAPTER 14

SALARIES

SECTION:

- 1-14-1: Salary Of Village Clerk
- 1-14-2: Salary Of President
- 1-14-3: Compensation Of Village Treasurer
- 1-14-4: Compensation Of Trustees

1-14-1: **SALARY OF VILLAGE CLERK:** The salary of the village clerk shall be five hundred fifty dollars (\$550.00) per annum plus thirty five dollars (\$35.00) for each regular and each regular adjourned meeting of the board of trustees actually attended by said village clerk. (Ord. 376, 3-1-1993)

1-14-2: **SALARY OF PRESIDENT:** The salary of the president of the village shall be four hundred dollars (\$400.00) per annum plus thirty five dollars (\$35.00) for each regular and each regular adjourned meeting of the board of trustees actually attended by said village president. (Ord. 376, 3-1-1993)

1-14-3: **COMPENSATION OF VILLAGE TREASURER:** The compensation of the village treasurer shall be three hundred eighty dollars (\$380.00) per month, and she shall receive no further fees or compensation for her services as such treasurer. (Ord. 443, 11-6-2000)

1-14-4: **COMPENSATION OF TRUSTEES:** The compensation of the village trustees is hereby fixed at the amount of thirty five dollars (\$35.00) for each trustee for each regular and each regular adjourned meeting of the board of trustees actually attended by said trustee. (Ord. 376, 3-1-1993)

CHAPTER 15

CONDUCT OF VILLAGE EMPLOYEES

SECTION:

- 1-15- 1: General Restrictions
- 1-15- 2: Absence From Duty
- 1-15- 3: Attention to Duty
- 1-15- 4: Asleep on Duty
- 1-15- 5: Department Stationery
- 1-15- 6: Insubordination
- 1-15- 7: Courtesy
- 1-15- 8: Criticizing
- 1-15- 9: Care of Equipment
- 1-15-10: Lost Equipment
- 1-15-11: Furlough
- 1-15-12: Performance of Duties
- 1-15-13: Drinking
- 1-15-14: Altercations
- 1-15-15: Conduct
- 1-15-16: Resignation
- 1-15-17: Other Laws
- 1-15-18: Probationary Period
- 1-15-19: Chain of Command
- 1-15-20: Attendance at Board Meetings
- 1-15-21: Residency Requirements
- 1-15-22: Sick Leave
- 1-15-23: Violations and Discipline

1-15-1: **GENERAL RESTRICTIONS:** Restrictions set forth in this Chapter shall apply to all Village employees. In those situations in which this Code provides specific requirements for a given employment position, or department such as police regulations which are in conflict with this Chapter, the specific provisions shall be controlling. With the exception of conflicts with specific provisions, this Chapter shall apply to all Village employees.

1-15-2: **ABSENCE FROM DUTY:** No member of any Village department shall be absent from his regular hours of duty without permission. In event of sickness, notice shall be given to the department head allowing him ample time to cancel days off or make other necessary changes to fill the vacancy of any such persons reporting sick.

1-15-3: **ATTENTION TO DUTY:** All members of all Village departments, regardless of position, shall at all times be attentive to their duties.

1-15-4: **ASLEEP ON DUTY:** Sleeping or loafing on duty is a serious dereliction, and any member or employee of the department guilty of such conduct is subject to charges for neglect of duty.

1-15-5: **DEPARTMENT STATIONERY:** Department stationery shall not be used for personal correspondence, nor shall any department property, whatsoever, be used for private purposes.

1-15-6: **INSUBORDINATION:** Members and employees of all Village departments shall treat their superior officers with respect, and in their demeanor toward other associates in the department shall be courteous and considerate, guarding themselves against jealousy and other unfriendly feelings. It is their duty to inform their superior officers of any neglect or disobedience of orders that may come to their knowledge. Members and employees shall not, under any circumstances, or in any manner whatsoever, speak critically or derogatorily to any member of the department, or to any person outside the department regarding the orders or instructions issued by a superior officer; provided, however, in any case where there is a sound reason to believe that such orders or instructions are inconsistent or unjust, it is the right and duty of any member or employee to appeal to higher authority.

1-15-7: **COURTESY:** Courtesy and civility towards the public are demanded from all members and employees of the department and any conduct to the contrary will not be tolerated.

Members and employees in their conduct and deportment, shall be quiet, civil and orderly and shall at all times be attentive and serious in the discharge of their duties, controlling their tempers and exercising the utmost patience and discretion. They must at all times refrain from using violent, profane and insolent language, but when required, must act with sufficient force to perform their duties. They shall be civil and respectful towards each other.

1-15-8: **CRITICIZING:** Members of the department shall not discuss or criticize publicly or privately the personal habits, character or conduct or the official action of other members of the department unless it be a violation of the rules and regulations, in which case the same should be reported to their superior officers.

1-15-9: **CARE OF EQUIPMENT:** Members and employees of the department shall be responsible for the good care of department property whether fixed or movable, assigned to their use or keeping, and shall promptly report to their department heads the loss or damage to, or unserviceable condition of such property. Roughness or carelessness in the handling of such property will not be tolerated and will be made the subject of charges of superior officers who will be responsible for the strict enforcement of this rule.

Any member found guilty of damages to or destruction of Village property, either through wilfulness or negligence, shall be required to pay all costs of repairs or replacements thereto, besides suffering any penalty for the violation of this Section.

1-15-10: **LOST EQUIPMENT:** All members of the department shall immediately report to the appropriate Village official the loss of any Village equipment that has been furnished to the individual.

1-15-11: **FURLOUGH:** When the department or appropriation for the maintenance of the respective departments is sufficient and no emergencies exist, furloughs with full pay will be granted to each member of a department for a period of ten (10) eight (8) hour working days each year, which will be known as annual vacation furlough, provided, however, no member who has served less than one year in the respective department shall be entitled to annual vacation furlough. The department head or the Board of Trustees shall designate when said annual vacation furlough shall take place.

The department head or the Board of Trustees shall have the right to refuse or cancel any annual vacation furlough or days off in the event of any emergency.

1-15-12: **PERFORMANCE OF DUTIES:** No member of any Village department shall perform his duty or duties in an ineffective manner.

1-15-13: **DRINKING:** Members of Village departments shall not drink any intoxicating liquor while on duty.

1-15-14: **ALTERCATIONS:** Members of the department shall refrain from physical altercations.

1-15-15: **CONDUCT:** No member of a Village department shall conduct himself in a disorderly or any other manner as to bring discredit upon the department.

1-15-16: **RESIGNATION:** All members of the Village departments shall give fourteen (14) days' written notice to their superior or to the Board of Trustees of their intention of resigning from a Village department. Any member leaving the department without due notice as aforesaid shall be disqualified from ever again being employed by the Village. However, before any resignation is accepted, all equipment and property belonging to the Village must be surrendered to the Village.

1-15-17: **OTHER LAWS:** In addition to the within rules and regulations as established by the Board of Trustees, the laws of the State, ordinances of the Village and Federal laws pertaining to and affecting Village employees shall be the governing factors in the conduct of all members of the Village departments, who shall at all times be subject to the same.

- A. It shall be the duty of the department head and President to enforce the foregoing rules and regulations.
- B. A copy of the foregoing rules and regulations shall be delivered as promptly as possible by the department head to each member of his department.

1-15-18: **PROBATIONARY PERIOD:** The first six (6) months of service of any employee is a probationary period during which there shall be no responsibility on the part of the Village for the continued employment of the new employee. Termination of employment during this period may be made for any cause at any time by the Village and shall not be subject to challenge by employee. When the probationary period is completed, seniority will date back six (6) months from the date of completion of the probationary period. At the end of said six (6) month period, a review of the employee's performance will be made by an executive session of the Board of Trustees at which time any problems or recommendations will be discussed with the employee. A raise at the end of the probationary period will be considered but will not be required. Termination may take place at the end of this review and will qualify as a probationary period termination.

1-15-19: **CHAIN OF COMMAND:** All employees will be subject to instructions from the head of the departments. They are also

subject to instructions from the Board as a whole and from committee chairman of the representative Board of Trustees committee dealing with the area in which the employees are engaged.

1-15-20: **ATTENDANCE AT BOARD MEETINGS:** Employees shall attend Board meetings when requested by the Village President, a Board member or a group of Board members. At said Board meetings any problems involving the employee should be brought to the Board's attention. An employee shall have a right to request an executive session to discuss problems he wishes to bring before the Board, provided the topic for discussion is appropriate for an executive session consistent with the Illinois open meeting law and other statutory restrictions on executive sessions.¹

1-15-21: **RESIDENCY REQUIREMENTS:** Village employees during their probationary period immediately after they join the department shall be allowed to live outside the corporate limits of the Village. Village employees shall be required to establish residency not later than the end of their probationary period and upon termination of their probationary period they shall be required to live in the Village limits.

1-15-22: **SICK LEAVE:** All employees on a full-time basis shall receive ten (10) days sick leave per year not to be carried into the next year and to be used as follows: If used one or two (2) days at a time, proof of sickness may be demanded by the Board of Trustees. In all situations extending for more than two (2) days, proof of sickness shall be presented to the Board of Trustees. Sick leave shall not accumulate.

1-15-23: **VIOLATIONS AND DISCIPLINE:** Should at any time the Board of Trustees determine that an employee of the Village has violated any of the provisions of this Chapter, the Board of Trustees shall have a right to discipline said employee. The Board of Trustees shall have broad discretion in the form of said discipline which may include suspension for a period of time, deductions to pay, and/or dismissal.

1. S.H.A. ch. 102, § 42.01 et seq.

CHAPTER 16
ETHICAL CONDUCT

SECTION:

1-16-1: State Officials And Employees Ethics Act

1-16-1: STATE OFFICIALS AND EMPLOYEES ETHICS ACT:

- A. The regulations of section 5-15¹ and article 10² of the state officials and employees ethics act, 5 Illinois Compiled Statutes 430/1-1 et seq., (hereinafter referred to as the "act" in this chapter) are hereby adopted by reference and made applicable to the officers and employees of the village of Chadwick to the extent required by 5 Illinois Compiled Statutes 430/70-5.
- B. The solicitation or acceptance of gifts prohibited to be solicited or accepted under the act, by any officer or any employee of the village of Chadwick, is hereby prohibited.
- C. The offering or making of gifts prohibited to be offered or made to an officer or employees of the village of Chadwick under the act, is hereby prohibited.
- D. The participation in political activities prohibited under the act, by any officer or employee of the village of Chadwick, is hereby prohibited.
- E. For purposes of this section, the terms "officer" and "employee" shall be defined as set forth in 5 Illinois Compiled Statutes 430/70-5(c).
- F. The penalties for violations of this section shall be the same as those penalties set forth in 5 Illinois Compiled Statutes 430/50-5 for similar violations of the act.

1. 5 ILCS 430/5-15.

2. 5 ILCS 430/10-10 – 10-40.

- G. This section does not repeal or otherwise amend or modify any existing ordinances or policies which regulate the conduct of village officers and employees. To the extent that any such existing ordinances or policies are less restrictive than this section, however, the provisions of this section shall prevail in accordance with the provisions of 5 Illinois Compiled Statutes 430/70-5(a).
- H. Any amendment to the act that becomes effective after the effective date of this section shall be incorporated into this section by reference and shall be applicable to the solicitation, acceptance, offering and making of gifts and to prohibited political activities. However, any amendment that makes its provisions optional for adoption by municipalities shall not be incorporated into this section by reference without formal action by the corporate authorities of the village of Chadwick.
- I. If the Illinois supreme court declares the act unconstitutional in its entirety, then this section shall be repealed as of the date that the Illinois supreme court's decision becomes final and not subject to any further appeals or rehearings. This section shall be deemed repealed without further action by the corporate authorities of the village of Chadwick if the act is found unconstitutional by the Illinois supreme court.
- J. If the Illinois supreme court declares part of the act unconstitutional but upholds the constitutionality of the remainder of the act, or does not address the remainder of the act, then the remainder of the act as adopted by this section shall remain in full force and effect, however, that part of this section relating to the part of the act found unconstitutional shall be deemed repealed without further action by the corporate authorities of the village of Chadwick. (Ord. 468, 5-3-2004)

TITLE 2
BOARDS AND COMMISSIONS

(Reserved)

TITLE 3
BUSINESS REGULATIONS

Subject	Chapter
Municipal Occupation Taxes	1
Liquor Regulations	2

CHAPTER 1

MUNICIPAL OCCUPATION TAXES

SECTION:

- 3-1-1: Municipal Retailers' Occupation Tax
- 3-1-2: Municipal Service Occupation Tax
- 3-1-3: Use Tax on Tangible Personal Property Purchased at Retail Outside of Illinois

3-1-1: MUNICIPAL RETAILERS' OCCUPATION TAX:

- A. Imposition of Tax: A tax is hereby imposed upon all persons engaged in the business of selling tangible personal property at retail in the Village at the rate of one percent (1%) of the gross receipts from such sales made in the course of such business while this Section is in effect, in accordance with the provisions of section 8-11-1 of the Illinois Municipal Code.
- B. Reports: Every such person engaged in such business in the Village shall file, on or before the last day of each calendar month, the report to the State Department of Revenue required by section 3 of "An Act in Relation to a Tax Upon Persons Engaged in the Business of Selling Tangible Personal Property to Purchasers for Use or Consumption", approved June 28, 1933, as amended.¹
- C. Payment of Tax: At the time such report is filed, there shall be paid to the State Department of Revenue the amount of tax hereby imposed on account of the receipts from sales of tangible personal property during the preceding month.

3-1-2: MUNICIPAL SERVICE OCCUPATION TAX:

- A. Imposition of Tax: A tax is hereby imposed upon all persons engaged in this Municipality in the business of making sales of service at the rate of one percent (1%) of the cost price of all tangible personal property transferred by said servicemen either in the form of tangible personal property or in the form of real estate as an incident to a sale of service, in accordance with the provisions of section 8-11-5 of the Illinois Municipal Code.

1. S.H.A. ch. 120, ¶ 440 et seq.

- B. Servicemen to File Reports: Every supplier or serviceman required to account for Municipal Service Occupation Tax for the benefit of this Municipality shall file, on or before the last day of each calendar month, the report to the State Department of Revenue required by section nine of the "Service Occupation Tax Act", approved July 10, 1961, as amended.¹
- C. Payment of Tax: At the time such report is filed, there shall be paid to the State Department of Revenue the amount of tax hereby imposed.

3-1-3: USE TAX ON TANGIBLE PERSONAL PROPERTY PURCHASED AT RETAIL OUTSIDE OF ILLINOIS: There shall be and is hereby imposed a use tax upon the privilege of using, within the corporate limits of the Village, any item of tangible personal property purchased outside the State of Illinois at retail from a retailer and which is titled or registered with an agency of the State of Illinois. The effective rate of such use tax shall be one percent (1%) of the selling price of such tangible personal property. Selling price shall be defined in the existing Use Tax Act of the State of Illinois and the definition therein contained is hereby incorporated and a part hereof.²

1. S.H.A. ch. 120, § 439.31 et seq.

2. S.H.A. ch. 120, § 439.2.

CHAPTER 2

LIQUOR REGULATIONS

SECTION:

- 3-2- 1: Definitions
- 3-2- 2: License Required, Term
- 3-2- 3: Application For License
- 3-2- 4: Restriction On Licenses
- 3-2- 5: Examination Of Applicant For Local License
- 3-2- 6: License Classification, Fees
- 3-2- 7: Payment And Disposition Of Fees
- 3-2- 8: Record Of Licenses Issued
- 3-2- 9: Transfer Of License
- 3-2-10: Renewal Of License
- 3-2-11: Bond Required
- 3-2-12: Filing Of Applications And Bonds
- 3-2-13: Change Of Location
- 3-2-14: Location Restrictions (Rep. by Ord. 483, 6-5-2006)
- 3-2-15: Hours Of Operation
- 3-2-16: Premises Requirements (Rep. by Ord. 483, 6-5-2006)
- 3-2-17: Employees
- 3-2-18: Minors, Certain Persons; Restrictions (Rep. by Ord. 483, 6-5-2006)
- 3-2-19: Warning Sign Required (Rep. by Ord. 483, 6-5-2006)
- 3-2-20: Unsealed Alcoholic Liquor (Rep. by Ord. 483, 6-5-2006)
- 3-2-21: Consumption In Public Place (Rep. by Ord. 483, 6-5-2006)
- 3-2-22: Peddling (Rep. by Ord. 483, 6-5-2006)
- 3-2-23: Gambling (Rep. by Ord. 483, 6-5-2006)
- 3-2-24: Disorderly House (Rep. by Ord. 483, 6-5-2006)
- 3-2-25: Violation Of State Laws
- 3-2-26: Revocation Or Suspension Of License
- 3-2-27: Penalty
- 3-2-28: Notification

3-2-1: **DEFINITIONS:** Unless the context otherwise requires, the following terms, as used in this chapter, shall be construed according to the definitions given below:

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ALCOHOLIC LIQUOR:	Includes alcohol, spirits, wine or beer, and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer, and capable of being consumed as a beverage by a human being; however, the provisions of this chapter shall not apply to alcohol used in the manufacture of denatured alcohol, produced in accordance with state law, nor to any liquid or solid containing one-half of one percent (0.5%), or less, of alcohol by volume.
LOCAL LIQUOR CONTROL COMMISSIONER:	The village president and the person charged with the administration of the appropriate provisions of the Illinois liquor control act ¹ and of such ordinances and resolutions relating to alcoholic liquor as may be enacted. The village president may appoint a person or persons to assist him in the exercise of his powers and performance of his duties set forth in said Illinois liquor control act, and in this chapter.
RESTAURANT:	Any public place kept, used, maintained, advertised and held out to the public as a place where meals are served and where meals are actually and regularly served, without sleeping accommodations, such space being provided with adequate and sanitary kitchen and dining room equipment and capacity, and having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for its guests.
RETAIL SALE:	The sale for use or consumption, and not for resale.
VILLAGE:	The village of Chadwick, Carroll County, Illinois, including all the territory bounded by the limits of the village. (1987 Code)

1. 235 ILCS 5.

3-2-2: LICENSE REQUIRED, TERM: No person shall sell or offer for sale at retail in the village any alcoholic liquor without having a retail liquor dealer's license, or in violation of the terms of such license, or in violation of this chapter.

Each license issued hereunder shall terminate on April 30 following the issuance thereof. (1987 Code)

3-2-3: APPLICATION FOR LICENSE: Application for such license shall be made to the local liquor control commissioner, in writing, signed by the applicant, if an individual, or by a duly authorized agent thereof, if a corporation, verified by oath or affidavit, and shall contain the following statements and information:

- A. The name, age and address of the applicant in the case of an individual; in the case of a copartnership, the persons entitled to share in the profits thereof; in the case of a corporation, the objects for which organized, the names and addresses of the officers and directors, and if a majority interest of stock of such corporation is owned by one person or his nominee, the name and address of such person.
- B. The citizenship of the applicant, his place of birth, and if a naturalized citizen, the time and place of his naturalization.
- C. The character of business of the applicant, and in the case of a corporation, the objects for which it was formed.
- D. The length of time said applicant has been in business of that character, or in the case of a corporation, the date when its charter was issued.
- E. The amount of goods, wares and merchandise on hand at the time application is made.
- F. The location and description of the premises or place of business which is to be operated under such license.
- G. A statement whether applicant has made application for a similar or other license on premises other than described in this application, and the disposition of such application.
- H. A statement that applicant has never been convicted of a felony and is not disqualified to receive a license by reason of any matter or

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thing contained in this chapter, laws of this state, or the ordinances of the village.

- I. Whether a previous license by any state or subdivision thereof, or by the federal government has been revoked, and the reasons therefor.
- J. A statement that the applicant will not violate any of the laws of the state of Illinois, or of the United States, or any ordinance of the village in the conduct of his place of business. (1987 Code)

3-2-4: **RESTRICTION ON LICENSES:** No such license shall be issued to:

- A. A person who is not a resident of the village.
- B. A person who is not of good character and reputation in the community in which he resides.
- C. A person who is not a citizen of the United States.
- D. A person who has been convicted of a felony.
- E. A person who has been convicted of being the keeper or is keeping a house of ill fame.
- F. A person who has been convicted of pandering or other crime or misdemeanor opposed to decency and morality.
- G. A person whose license under this chapter has been revoked for cause.
- H. A person who, at the time of application for renewal of any license issued hereunder, would not be eligible for such license upon a first application.
- I. A copartnership, unless all of the members of such copartnership shall be qualified to obtain a license. (1987 Code)
- J. A corporation, if any officer, manager or director thereof, or any stockholder or stockholders owning in the aggregate more than five percent (5%) of the stock of such corporation, would not be eligible to receive a license hereunder for any reason other than citizenship and residence within the political subdivision. (Ord. 350, 5-2-1988)

- K. A person whose place of business is conducted by a manager or agent unless said manager or agent possesses the same qualifications required of the licensee.
- L. A person who has been convicted of a violation of any federal or state law concerning the manufacture, possession or sale of alcoholic liquor, or who shall have forfeited his bond to appear in court to answer charges for any such violation.
- M. A person who does not own the premises for which a license is sought, or does not have a lease thereon for the full period for which the license is issued.
- N. Any law enforcing public official, any village president or member of the village board, and no such official shall be interested in any way, either directly or indirectly, in the manufacture, sale or distribution of alcoholic liquor.
- O. Any person not eligible for a state liquor dealer's license.
- P. Any person for the sale at retail of any alcoholic liquor at any store or other place of business where the majority of customers are minors of school age or where the principal business transacted consists of school books, school supplies, lunches, food or drinks for such minors. (1987 Code)
- Q. A corporation unless it is incorporated in Illinois, or unless it is a foreign corporation which is qualified under the "business corporation act of 1983" to transact business in Illinois. (Ord. 350, 5-2-1988)

3-2-5: EXAMINATION OF APPLICANT FOR LOCAL LICENSE:

The local liquor control commissioner shall have the right to examine, or cause to be examined, under oath, any application for a local license or for a renewal thereof, or any licensee upon whom notice of revocation or suspension has been served as provided by statute, and to examine or cause to be examined the books and records of any such applicant or licensee; to hear testimony and take proof for his information in the performance of his duties; and for such purpose to issue subpoenas which shall be effective in any part of the state. For the purpose of obtaining any of the information desired by the local liquor control

commissioner under this section, he may authorize his agent to act on his behalf, as provided by statute¹. (1987 Code)

3-2-6: **LICENSE CLASSIFICATION, FEES:** Liquor licenses issued by the village shall be, and they are, divided into classes, as follows:

- A. Class A licenses shall authorize the retail sale on the premises specified in such license of alcoholic liquor for consumption on the premises, as well as other retail sales of such liquor. The annual fee for such license shall be one thousand dollars (\$1,000.00). (1987 Code)
- B. Class B licenses shall authorize the retail sale of beer and wine only for consumption off the premises. The annual fee for such license shall be seven hundred fifty dollars (\$750.00). (Ord. 350, 5-2-1988)
- C. Class C licenses shall authorize the retail sale of beer and wine in connection with the operation of an established food serving facility during times when food is dispensed for consumption upon the premises, and such sales may be made only:

- 1. With food served to the customer; and
- 2. At a dining table and not across a bar.

The annual fee for such license shall be seven hundred fifty dollars (\$750.00). (1987 Code)

- D. A class D license shall be a license extended only to not for profit corporations, a license to be issued for a designated period of time. It shall be issued for a set number of days with a separate license fee for each day. A class D license shall allow the not for profit organization to sell only beer and/or wine for consumption on the location set forth in the license and shall not allow any package goods, sales or any removal of liquor in its original package, seal broken or unbroken, from the location set forth in the license. The cost of a class D license shall be the sum of ten dollars (\$10.00) for each day or part thereof in which the license shall allow for sale of alcoholic liquor, or in the alternative, twenty five dollars (\$25.00) for

1. 235 ILCS 5/4-5.

the sale of alcoholic liquor for a three (3) day period. (Ord. 356, 2-6-1989)

- E. Should any licensee surrender his license for any reason prior to its expiration date, no refund of any type will be undertaken by the village.
- F. All licenses issued hereunder shall be designated by the classification letter herein provided. The approval of a new license will be made by the village board. (1987 Code)

3-2-7: **PAYMENT AND DISPOSITION OF FEES:** All license fees may be paid in two (2) installments, but each installment shall be paid semiannually in advance. The fee to be paid shall be reduced in proration to the full calendar months which have expired in the license year prior to issuing such license. All such fees shall be paid to the village. (Ord. 483, 6-5-2006)

3-2-8: **RECORD OF LICENSES ISSUED:** The village clerk shall keep a complete record of all such licenses issued and shall furnish the village police chief with a copy thereof. Upon revocation or suspension of any license, the village clerk shall immediately give written notice thereof to the village police chief. (1987 Code)

3-2-9: **TRANSFER OF LICENSE:** A license shall be purely a personal privilege, good for not to exceed one year after issuance unless sooner revoked as in this chapter provided, and shall not constitute property, nor shall it be subject to attachment, garnishment or execution, nor shall it be alienable or transferable, voluntarily or involuntarily, or subject to being encumbered or hypothecated. Such license shall not descend by the laws of testate or intestate devolution, but it shall cease upon the death of the licensee; provided, that executors or administrators of the estate of any deceased licensee, and the trustee of any insolvent or bankrupt licensee, when such estate consists in part of alcoholic liquor, may continue the business of the sale of alcoholic liquor under order of the appropriate court, and may exercise the privileges of the deceased or insolvent or bankrupt licensee after the death of said decedent, or such insolvency or bankruptcy until the expiration of such license but not longer than twelve (12) months after the death, bankruptcy or insolvency of such licensee. A refund shall be made of that portion of the license fee paid for any license in accordance with the provisions of this

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section. A licensee may renew his license at the expiration thereof, provided he is then qualified to receive a license and the premises for which such renewal license is sought are suitable for such purposes; and, provided further, that the renewal privilege herein provided for shall not be construed as a vested right. (Ord. 483, 6-5-2006)

3-2-10: **RENEWAL OF LICENSE:** Any licensee may renew his license at the expiration thereof; provided, that he is then qualified to receive a license and the premises for which such renewal license is sought are suitable for such purpose; provided further, that the renewal privilege herein provided for shall not be construed as a vested right which shall in any case prevent the local liquor control commissioner from decreasing the number of licenses to be issued within his jurisdiction. (1987 Code)

3-2-11: **BOND REQUIRED:** Each applicant for a liquor license hereunder shall give bond before a license is issued, in the penal sum of one thousand dollars (\$1,000.00), running to the village as obligee, to be approved by the village clerk, and conditioned as follows:

- A. That such applicant shall at all times observe and comply with the ordinances of the village relative to the license issued hereunder.
- B. That said applicant will at all times observe and keep a good and orderly house.
- C. That such applicant shall well and truly pay all fines, penalties and costs which such applicant may incur for any violation of said ordinances, including all valid police and health regulations that apply to his business.

This bond shall cover the same period as the license and shall thereafter continue in force until all obligations incurred thereunder shall have been performed. Such bond shall be signed by such applicant as principal and by a responsible surety company or by at least two (2) responsible residents of the village, as sureties. No person shall be accepted as surety on any bond unless he shall be the owner of real estate located in the village of the value, in excess of all exemptions and encumbrances thereon, of at least double the amount of the penalty of the bond. Any violation of any of the provisions of this chapter or of any other village ordinances amendatory thereof, or any breach or violation of any other of the provisions or conditions of said bond, shall work and be a forfeiture of the penalty thereof to the extent of all fines, penalties and costs which such obligator may incur

for any violation of said ordinance which shall be recovered by the village in an action of debt. (1987 Code)

3-2-12: FILING OF APPLICATIONS AND BONDS: All licenses issued hereunder shall be issued by the village clerk under the corporate seal of the village, but no license shall issue until the application therefor and the bond pertaining thereto have been approved by the village president as herein provided, and until at least the first installment of the license fee shall have been paid. All applications for licenses and all bonds pertaining thereto shall remain on file in the office of the village clerk and be listed in a record to be kept for that purpose. The licenses issued hereunder shall be posted at all times in a conspicuous place on the premises for which it was allowed so that it may be seen by the public. (1987 Code)

3-2-13: CHANGE OF LOCATION: A license issued hereunder shall permit the sale of alcoholic liquor only in the premises described in the application and license. Such location may be changed only when the new location is a proper one for the retail sale of alcoholic liquor under the laws of the state of Illinois and this chapter and other ordinances of the village. (1987 Code)

3-2-14: LOCATION RESTRICTIONS: (Rep. by Ord. 483, 6-5-2006)

3-2-15: HOURS OF OPERATION:

- A. No person shall sell or offer for sale at retail, or give away, in or upon any licensed premises in the village, any alcoholic liquor except during the hours permitted by this section. Said hours shall be as follows: On Monday, Tuesday, Wednesday, Thursday, Friday and Saturday of each week, except as otherwise provided, liquor may be sold between six o'clock (6:00) A.M. and one o'clock (1:00) A.M. the following morning. (Ord. 379, 6-14-1993)
- B. On Sundays liquor may be sold between the hours of eleven o'clock (11:00) A.M. and twelve o'clock (12:00) midnight. (Ord. 483, 6-5-2006)

3-2-16: **PREMISES REQUIREMENTS:** (Rep. by Ord. 483, 6-5-2006)

3-2-17: **EMPLOYEES:**

- A. In the sale, distribution or delivery of alcoholic liquors, no retail liquor licensee may employ, with or without compensation, or in any way directly or indirectly use the services of a minor. (Ord. 477, 6-6-2005)

3-2-18: **MINORS, CERTAIN PERSONS; RESTRICTIONS:** (Rep. by Ord. 483, 6-5-2006)

3-2-19: **WARNING SIGN REQUIRED:** (Rep. by Ord. 483, 6-5-2006)

3-2-20: **UNSEALED ALCOHOLIC LIQUOR¹:** (Rep. by Ord. 483, 6-5-2006)

3-2-21: **CONSUMPTION IN PUBLIC PLACE:** (Rep. by Ord. 483, 6-5-2006)

3-2-22: **PEDDLING:** (Rep. by Ord. 483, 6-5-2006)

3-2-23: **GAMBLING:** (Rep. by Ord. 483, 6-5-2006)

3-2-24: **DISORDERLY HOUSE:** (Rep. by Ord. 483, 6-5-2006)

3-2-25: **VIOLATION OF STATE LAWS:** Any violation of the laws of the state of Illinois pertaining to alcoholic liquor shall constitute and be a violation of this chapter. (1987 Code)

1. See section 4-5-39 of this code.

3-2-26: **REVOCATION OR SUSPENSION OF LICENSE:** The local liquor control commissioner may suspend for not more than thirty (30) days or revoke for cause any liquor dealer's license for any violation of any provision of this chapter, or for any violation of any state law pertaining to the sale of alcoholic liquor, as provided by law; but no such license shall be so revoked or suspended except after a public hearing by the local liquor control commissioner with a three (3) day written notice to the licensee affording said licensee an opportunity to appear and defend himself. (1987 Code)

3-2-27: **PENALTY:** Any person violating any provision of this chapter shall be fined not to exceed five hundred dollars (\$500.00) for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (1987 Code)

3-2-28: **NOTIFICATION:** It shall be the duty of any person holding a liquor license or any person employed or an owner or stockholder or other equity owner of any entity holding a liquor license to report immediately to the village president any change in circumstance or other change which causes or might cause a violation of any of the provisions of the village liquor ordinance. A failure to make such notification immediately shall in and of itself be considered grounds for revocation and/or suspension of said liquor license. (Ord. 350, 5-2-1988)

TITLE 4
POLICE REGULATIONS

Subject	Chapter
Animals	1
Nuisances	2
Litter	3
Civil Emergencies	4
Miscellaneous Offenses	5
Inoperable Motor Vehicle	6
Fair Housing Policy	7
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CHAPTER 1
ANIMALS

SECTION:

- 4-1-1: Definitions
- 4-1-2: Running At Large Prohibited
- 4-1-3: Authority To Kill Vicious Or Dangerous Animals
- 4-1-4: Excessive Barking; Actions
- 4-1-5: Penalty

4-1-1: DEFINITIONS:

- ANIMAL: Any nonhuman living creature, domestic or wild.
- ANIMAL SHELTER: Any premises designated by the village for the purpose of impounding or caring for animals held under authority of this chapter.
- DANGEROUS: An animal that may cause injury, pain or peril to a human being or a domestic animal.
- DOMESTIC: An animal which has been tamed for man’s use.
- OWNER: Any person, partnership or corporation owning, keeping or harboring animals.
- PERSON: An individual, partnership, company or corporation.
- RESTRAINT: An animal shall be deemed to be under restraint if on the enclosed premises of its owner or upon a leash and under the control of a responsible person.
- VICIOUS: An animal with a propensity, tendency or disposition to attack, to cause injury or to

otherwise endanger the safety of human beings or domestic animals; or any animal which attacks a human being or a domestic animal on two (2) or more occasions without provocation. (Ord. 483, 6-5-2006)

4-1-2: **RUNNING AT LARGE PROHIBITED:**

- A. It shall be unlawful to permit any dog to run at large in the village at any time. Dogs which are on any street, sidewalk, alley or other public place without being held securely on a leash shall be deemed running at large. Dogs which are running at large shall be taken up and impounded by the police department.

- B. Any person violating any provision of this section shall be deemed to be guilty of an offense and shall be punished by fines not less than the following:

First offense	\$ 10.00
Second offense	20.00
Third offense	40.00
Fourth offense	80.00
Fifth offense	160.00
Each offense thereafter	200.00

If any violation shall be of a continuing nature, a separate offense shall be deemed committed on each day of such violation and the person committing such violation shall be subject to the progressive penalties contained herein. (Ord. 483, 6-5-2006)

4-1-3: **AUTHORITY TO KILL VICIOUS OR DANGEROUS ANIMALS:** The members of the police department are authorized to kill any vicious or dangerous animal running at large when necessary for the protection of any person or domestic animal. (Ord. 483, 6-5-2006)

4-1-4: **EXCESSIVE BARKING; ACTIONS:** No owner shall fail to exercise proper care and control of his animals to prevent them from becoming a public nuisance. Excessive, continuous or untimely barking, molesting passersby, chasing vehicles, habitually attacking other domestic animals, trespassing upon school grounds or trespassing upon

private property in such manner as to damage property, shall be deemed a nuisance. (Ord. 483, 6-5-2006)

4-1-5: **PENALTY:** Any person, firm or corporation violating any provision of this chapter shall be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (Ord. 483, 6-5-2006)

CHAPTER 2**NUISANCES****SECTION:**

4-2- 1:	Nuisances Defined
4-2- 2:	Enumeration Of Nuisance Items
4-2- 3:	Nuisances Prohibited
4-2- 4:	Responsibility Of Property Owner
4-2- 5:	Notice To Abate
4-2- 6:	Contents Of Notice
4-2- 7:	Service Of Notice
4-2- 8:	Abatement By Village
4-2- 9:	Village's Costs Declared Lien
4-2-10:	Alternative Method Of Abatement
4-2-11:	Penalty

4-2-1: NUISANCES DEFINED:

- A. For the purposes of this chapter the word "nuisance" is defined as any person doing an unlawful act, or omitting to perform a duty, or suffering or permitting any condition or thing to be or exist, which act, omission, condition or thing in the village either:
1. Injures or endangers the comfort, repose, health or safety of others; or
 2. Offends decency; or
 3. Is offensive to the senses; or
 4. Unlawfully interferes with, obstructs or tends to obstruct or renders dangerous for passage any public or private street, highway, sidewalk, stream, ditch or drainage; or
 5. In any way renders other persons insecure in life or the use of property; or

6. Essentially interferes with the comfortable enjoyment of life and property, or tends to depreciate the value of the property of others.

- B. A public nuisance consists of knowingly creating, performing or maintaining anything affecting any number of citizens without lawful authority which is either:
 - 1. Injurious to public health, safety, morals or welfare; or
 - 2. Interferes with the exercise and enjoyment of public rights, including the right to use public property.
- C. Whoever commits a public nuisance for which the act or penalty is not otherwise prescribed by law is guilty of a petty misdemeanor. (Ord. 483, 6-5-2006)

4-2-2: **ENUMERATION OF NUISANCE ITEMS:** The maintaining, using, placing, depositing, leaving or permitting to be or remain on any public or private property in the village of any of the following items, conditions or actions are defined and declared to be and found to constitute a nuisance; provided, however, this enumeration shall not be deemed or construed to be conclusive, limiting or restrictive:

- A. Noxious weeds and other rank vegetation;
- B. Accumulation of rubbish, trash, refuse, junk and other abandoned materials, metals, lumber or other things;
- C. Any condition which provides harborage for rats, mice, snakes and other vermin;
- D. Any building or other structure which is in such a dilapidated condition that it is unfit for human habitation, or kept in such an unsanitary condition that it is a menace to the health of people residing in the vicinity thereof, or presents a more than ordinarily dangerous fire hazard in the vicinity where it is located;
- E. All unnecessary or unauthorized noises and annoying vibrations, including animal noises;
- F. All disagreeable or obnoxious odors and stenches, as well as the conditions, substances or other causes which give rise to the emission or generation of such odors and stenches;

- G. The carcasses of animals or fowl not disposed of within a reasonable time after death;
- H. The pollution of any public well or cistern, stream, lake, canal or body of water by sewage, dead animals, creamery or other industrial wastes or other substances;
- I. Any building, structure or other place or location where any activity which is in violation of local, state or federal law is conducted, performed or maintained;
- J. Any accumulation of stagnant water permitted or maintained on any lot or piece of ground. (Ord. 483, 6-5-2006)

4-2-3: **NUISANCES PROHIBITED:** It is unlawful for any person to cause, permit, maintain or allow the creation or maintenance of a nuisance. Any violation of this section shall be subject to a fine of up to seven hundred fifty dollars (\$750.00) per occurrence or by imprisonment not to exceed six (6) months or by both such fine and imprisonment in the discretion of the court. (Ord. 483, 6-5-2006)

4-2-4: **RESPONSIBILITY OF PROPERTY OWNER:** Each property owner within the village, whether a natural person or other legal entity, shall be responsible under the provisions of this chapter for each individual tract of property owned and his responsibility established herein will extend to abutment of other adjoining property lines. When any portion of the property abuts on a public road or alley the property owner's responsibility shall extend to the center of the road or alley; provided, however, that this section shall not restrict in any manner the maintenance of the full alley and street by the street department. (Ord. 483, 6-5-2006)

4-2-5: **NOTICE TO ABATE:** Whenever a nuisance is found to exist within the village or within the village's extraterritorial jurisdiction, an officer of the village shall give written notice to the owner or occupant of the property upon which such nuisance exists or upon the person causing or maintaining the nuisance. (Ord. 483, 6-5-2006)

4-2-6: **CONTENTS OF NOTICE:** The notice to abate a nuisance issued under the provisions of this chapter shall contain:

- A. An order to abate the nuisance or to request a hearing within a stated time, which shall be reasonable under the circumstances;
- B. The location of the nuisance, if the same is stationary;
- C. A description of what constitutes the nuisance;
- D. A statement of acts necessary to abate the nuisance;
- E. A statement that if the nuisance is not abated as directed and no request for hearing is made within the prescribed time, the village will abate such nuisance and assess the cost thereof against such person and any applicable property. (Ord. 483, 6-5-2006)

4-2-7: **SERVICE OF NOTICE:** A notice to abate a nuisance issued under the provisions of this chapter shall be served as any other legal process may be served pursuant to law. (Ord. 483, 6-5-2006)

4-2-8: **ABATEMENT BY VILLAGE:** Upon the failure of the person upon whom notice to abate a nuisance was served pursuant to the provisions of this chapter to abate the same, an officer of the village shall proceed to abate such nuisance and shall prepare a statement of costs incurred in the abatement thereof. (Ord. 483, 6-5-2006)

4-2-9: **VILLAGE'S COSTS DECLARED LIEN:** Any and all costs incurred by the village in the abatement of a nuisance under the provisions of this chapter shall constitute a lien against the property upon which the nuisance existed, which lien shall be filed, proven and collected as provided for by law. Such lien shall be notice to all persons from the time of its recording, and shall bear interest at the legal rate thereafter until satisfied and the village shall be entitled to recover its reasonable attorney fees in the preparation, filing and enforcement of said lien. (Ord. 483, 6-5-2006)

4-2-10: **ALTERNATIVE METHOD OF ABATEMENT:**

- A. Except as herein provided, an action for the abatement of a public nuisance shall be governed by the general rules of civil procedure.

- B. A civil action to abate a public nuisance may be brought by verified complaint in the name of the village, by any public official as designated by the village board of trustees, against any person who shall create, perform or maintain a public nuisance.
- C. When judgment is against the defendant in an action to abate a public nuisance, he shall be adjudged to pay all court costs and a reasonable fee for the village's attorney. (Ord. 483, 6-5-2006)

4-2-11: PENALTY:

- A. Whenever in this chapter an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor or a petty misdemeanor, or whenever in this chapter the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision or the failure to perform any such act shall be punishable by a fine of up to seven hundred fifty dollars (\$750.00) or by imprisonment not to exceed six (6) months or by both such fine and imprisonment in the discretion of the court.
- B. Each day any such violation or failure to perform such act shall continue shall constitute a separate offense and a separate violation of an ordinance of this village, unless otherwise specifically provided. (Ord. 483, 6-5-2006)

CHAPTER 3

LITTER

SECTION:

- 4-3-1: Depositing Of Litter Prohibited
- 4-3-2: Vehicles To Be Covered
- 4-3-3: Penalty

4-3-1: **DEPOSITING OF LITTER PROHIBITED:** It shall be unlawful for any person, in person or by his agent, employee or servant, to cast, throw, sweep, sift or deposit in any manner in or upon any public way or other public place in the village or any public water, drain, sewer or receiving basin within the jurisdiction of the village any kind of dirt, rubbish, waste article, thing or substance whatsoever, whether liquid or solid. Nor shall any person, cast, throw, sweep, sift or deposit any of the aforementioned items anywhere within the jurisdiction of the village in such manner that it may be carried or deposited in whole or in part, by the action of the sun, wind, rain or snow, into any of the aforementioned places.

Provided, that this section shall not apply to the deposit of material under a permit authorized by any ordinance of the village or to goods, wares or merchandise deposited upon any public way or other public place temporarily, in the necessary course of trade, and removed therefrom within two (2) hours after being so deposited; or to articles or things deposited in or conducted into the village sewer system through lawful drains in accordance with the ordinances of the village relating thereto¹. (1987 Code)

4-3-2: **VEHICLES TO BE COVERED:** It shall be unlawful for any person, in person or by his or its agent, employee or servant, to use any vehicle to haul any kind of dirt, rubbish, waste articles or things or substance, whether liquid or solid, unless such vehicle is covered to prevent any part of its load from spilling or dropping at all times while such

1. See title 7, chapter 4 of this code.

vehicle is in motion on any street or alley in the municipality. Provided, however, that the requirements herein for covering vehicles shall not apply to vehicles carrying

brush cuttings, tree trimmings, branches, logs and similar waste material, if such matter is securely lashed to such vehicle to prevent spilling or dropping as aforesaid.

4-3-3: PENALTY: Any person, violating any of the provisions of this Chapter shall be fined not less than ten dollars (\$10.00) nor more than two hundred dollars (\$200.00) for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

CHAPTER 4
CIVIL EMERGENCIES

SECTION:

- 4-4-1: Definitions
- 4-4-2: Proclamation by President
- 4-4-3: Imposition of Curfew
- 4-4-4: Additional Regulations
- 4-4-5: Emergency Powers
- 4-4-6: Penalty

4-4-1: DEFINITIONS:

- | | |
|------------------------|--|
| CIVIL EMERGENCY | A. A riot or unlawful assembly characterized by the use of actual force or violence or any threat to use force if accompanied by immediate power to execute by three (3) or more persons acting together without authority of law; or

B. Any natural disaster or manmade calamity, including flood, conflagration, cyclone, tornado, earthquake or explosion within the corporate limits of the Village, resulting in the death or injury of persons or the destruction of property to such an extent that extraordinary measures must be taken to protect the public health, safety and welfare. |
| CURFEW | A prohibition against any person or persons walking, running, loitering, standing or motoring upon any alley, street, highway, public property or vacant premises within the corporate limits of the Village during the hours in which a curfew has been imposed, excepting persons officially designated to duty with reference to said civil emergency. |

4-4-2: **PROCLAMATION BY PRESIDENT:** When, in the judgment of the President, a civil emergency as defined herein is deemed to exist, he shall forthwith proclaim in writing the existence of same.

4-4-3: **IMPOSITION OF CURFEW:** After proclamation of a civil emergency by the President, he may order a general curfew applicable to such geographical areas of the Village or to the Village as a whole, as he deems advisable and applicable during such hours of the day or night as he deems necessary in the interest of the public safety and welfare.

4-4-4: **ADDITIONAL REGULATIONS:** After proclamation of a civil emergency, the President may also in the interest of public safety and welfare make any or all of the following orders:

- A. The closing of all retail liquor stores.
- B. The closing of all taverns.
- C. The closing of all private clubs or portions thereof wherein the consumption of intoxicating liquor and/or beer is permitted.
- D. The discontinuance of the sale of beer.
- E. The discontinuance of selling, distributing or giving away gasoline or other liquid flammable or combustible products in any container other than a gasoline tank properly affixed to a motor vehicle.
- F. The closing of gasoline stations and other establishments, the chief activity of which is the sale, distribution or dispensing of liquid flammable or combustible products.
- G. The discontinuance of selling, distributing, dispensing or giving away of any firearms or ammunition of any character whatsoever.
- H. The closing of any or all establishments or portions thereof, the chief activity of which is the sale, distribution, dispensing or giving away of firearms and/or ammunition.
- I. Issue such other orders as are imminently necessary for the protection of life and property.

4-4-5: **EMERGENCY POWERS:** During the period of a declared state of emergency, the President shall have the power to invoke any or all of the following provisions:

- A. Alcoholic Beverages: No person shall consume any alcoholic beverages in a public street or place which is publicly owned or in any motor vehicle driven or parked thereon which is within a duly designated restricted area.
- B. Weapons: No person shall carry or possess any rock, bottle, club, brick or weapon, who uses or intends to use the same unlawfully against the person or property or another.
- C. Incendiary Missiles: No person shall make, carry, possess or use any type of "Molotov Cocktail", gasoline or petroleum base fire bomb or other incendiary missile.
- D. Restricted Areas: No person shall enter any area designated by the President as a restricted area unless in the performance of official duties or with written permission from the President or his duly designated representative, or unless such person shall prove residence therein.

4-4-6: **PENALTY:** Any person violating any provision of this Chapter shall be punishable by a fine of not more than five hundred dollars (\$500.00).

CHAPTER 5
MISCELLANEOUS OFFENSES

SECTION:

- 4-5- 1: Gambling
- 4-5- 2: Abandoned Refrigerators
- 4-5- 3: Disorderly Conduct
- 4-5- 4: Profanity
- 4-5- 5: Indecent Conduct
- 4-5- 6: Fighting
- 4-5- 7: False Alarms
- 4-5- 8: Disturbing Assemblages
- 4-5- 9: Weapons
- 4-5-10: Discharge of Weapons
- 4-5-11: Combustible Refuse
- 4-5-12: Fires
- 4-5-13: Burning Leaves, Refuse and Garbage
- 4-5-14: Wind-Blown Refuse
- 4-5-15: Deposit of Refuse or Garbage on Private Premises
- 4-5-16: Burning of Refuse
- 4-5-17: Missiles
- 4-5-18: Debris on Streets
- 4-5-19: Advertising
- 4-5-20: Unlawful Assemblages
- 4-5-21: Unwholesome Business
- 4-5-22: Bathing
- 4-5-23: Posting Bills
- 4-5-24: Placing Advertising Matter in Motor Vehicles
- 4-5-25: Fences
- 4-5-26: Deposit of Grass and Rubbish Prohibited in Public Streets
- 4-5-27: Indecent Publications
- 4-5-28: Scaffolds
- 4-5-29: Articles on Windows
- 4-5-30: Whistles
- 4-5-31: Obstructing Stairways or Exits
- 4-5-32: Mendicants-Vagrants
- 4-5-33: Loitering
- 4-5-34: Expectorating
- 4-5-35: Hitchhiking
- 4-5-36: Defacing Public or Private Property
- 4-5-37: Noises
- 4-5-38: Giving False Information
- 4-5-39: Possession of Unsealed Alcoholic Liquor in Public Place
- 4-5-40: Fireworks
- 4-5-41: Penalty

4-5-1: GAMBLING: It shall be unlawful to gamble or attend any gambling resort or to make any bet, lottery or gambling hazard, or to buy or sell any chances or tickets in any gambling game, arrangement or device.

It shall be unlawful to possess any gambling device or paraphernalia with the intent to use the same for an unlawful purpose; and any such device or paraphernalia kept with such intent may be confiscated by any member of the Police Department.

It shall be unlawful to maintain or patronize any establishment maintained for a gambling house or resort anywhere in the Village.

It shall be unlawful to advertise any gambling house or resort in any street, alley or other public place within the Village.

All forms of gambling which are sanctioned by State statutes such as bingo when conducted pursuant to the provisions of existing State statutes, lotteries when conducted pursuant to the provisions of the existing State statutes, Illinois State lotteries as operated by the State of Illinois, and other forms of gambling consistent with the provisions of the statutes of the State of Illinois, shall not be deemed to be a violation of this Section provision.

4-5-2: ABANDONED REFRIGERATORS:¹ It shall be unlawful to abandon any refrigerator, freezer or icebox or other device having an automatic lock on a compartment large enough to enclose a human being in a place accessible to children without first removing the doors of such refrigerator, freezer or icebox.

4-5-3: DISORDERLY CONDUCT: It shall be unlawful for any person to be guilty of disorderly conduct or of any conduct tending toward a breach of the peace. The causing or making of any unnecessary loud noise or shouting or yelling shall be considered disorderly conduct.

4-5-4: PROFANITY: It shall be unlawful to use profanity on any street, alley or other public place in the Village.

4-5-5: INDECENT CONDUCT: It shall be unlawful for any person to commit any indecent or immoral act in public view.

It shall be unlawful to present, exhibit, conduct or take part in any indecent, lascivious or obscene show, play, theatrical, exhibition or other form of entertainment.

4-5-6: FIGHTING: It shall be unlawful for any person to knowingly start a fight, or to fight, or to commit any assault or battery in any public place in the Village.

¹. See Section 4-2-11 of this Code.

4-5-7: **FALSE ALARMS:** It shall be unlawful for any person to knowingly start or spread any false alarm of fire, riot, explosion, civil disturbance or other breach of the peace in the Village.

A. Prohibition: It shall be unlawful for any person to report the existence of a fire or other emergency to the police, Fire Department or any other agency empowered to deal with an emergency when such person knows the report to be false.

It shall be unlawful for any persons to report or cause to be reported to any police agency any information concerning the commission of any offense or other incident, which would require police action, when (1) he knows that no such offense or other incident has occurred; or (2) he knows the information is false or that he has no such information.

B. Penalty: Any person violating any provision of this Section shall be fined not less than five dollars (\$5.00) nor more than five hundred dollars (\$500.00) for each offense; and a separate offense shall be deemed committed on each day during or on which an offense occurs or continues.

4-5-8: **DISTURBING ASSEMBLAGES:** It shall be unlawful for any person to disturb any lawful assemblage or gathering in the Village.

4-5-9: **WEAPONS:** It shall be unlawful to carry any concealed weapons in the Village in violation of the laws of this State.

4-5-10: **DISCHARGE OF WEAPONS:** It shall be unlawful to discharge any firearm or airgun, beebie gun, or any toy gun, projecting lead or any missiles excepting in a regularly established shooting gallery; provided that this Section shall not be construed to prohibit any officer of the law from discharging a firearm in the performance of his duty; nor to any citizen from discharging a firearm when lawfully defending person or property.

4-5-11: **COMBUSTIBLE REFUSE:** It shall be unlawful to permit or store any combustible refuse in such a way as to create a fire hazard or to throw away any refuse of any kind in an alley, street or public way in the Village.

Accumulations of wastepaper, hay, grass, straw, weeds, litter or combustible or flammable waste or rubbish of any kind shall not be permitted to remain upon any roof or in any court, yard, vacant lot or open space or upon any public street, sidewalk, easement or alley abutting thereon. All weeds, grass, vines or other growth, when the same endangers property or is liable to be fired, shall

be cut down and removed by the owner or occupant of the property, including all weeds, grass, vines or other growth growing in or upon any public street, sidewalk, easement or alley abutting said property.

4-5-12: **FIRES:** It shall be unlawful to build or light any bonfire so close to any building or other structure as to endanger such building or structure, or on any asphalt street or sidewalk pavement.

4-5-13: **BURNING LEAVES, REFUSE AND GARBAGE:** It shall be unlawful to burn any garbage, or other organic refuse, outside of any building at any time in the Village.

It shall be unlawful to burn papers, excelsior or other material which may be blown about by the wind anywhere in the Village unless the same is burned in a stove, fireplace or furnace or in an incinerator sufficiently fine to prevent the escape of ignited particles.

It shall be unlawful to burn grass or leaves at any time except between the hours of sunrise and sunset.

4-5-14: **WIND-BLOWN REFUSE:** It shall be unlawful to deposit or leave any refuse or material in such a place or condition that it can be blown by the wind so as to be scattered or cause clouds of dust or particles; and it shall be unlawful to permit the escape of soot, ashes or other solid products or results of combustion so as to be wind-blown or scattered.

4-5-15: **DEPOSIT OF REFUSE OR GARBAGE ON PRIVATE PREMISES:** It shall be unlawful to place, deposit, leave or dump any trash, ashes, broken articles, garbage, junk, refuse or waste material of any kind on any premises in the Village without the consent of the owner or tenant in possession thereof. For the purpose of this Section, vehicles or parts of vehicles not in condition for normal use shall be considered as junk or trash.

4-5-16: **BURNING OF REFUSE:** The burning of shavings, sawdust and refuse materials shall be permitted only under boilers, in furnaces, or in incinerators or refuse burners safely constructed and located. Stacks shall be provided with approved spark arresters having openings not greater than one-fourth inch ($\frac{1}{4}$ "), or other effective means provided which will eliminate the danger from sparks, such as an expansion chamber, baffle walls, or other effective arrangement. At the boiler or other points where sawdust or shavings are used as fuel, a storage bin or noncombustible construction with raised sill, shall be provided.

- 4-5-17: **MISSILES:** It shall be unlawful to cast, throw, or propel any missile on any street, alley or other public place.
- 4-5-18: **DEBRIS ON STREETS:** It shall be unlawful to throw or deposit any glass, tacks, nails or other similar articles on any street, alley or sidewalk or other public place in the Village.
- 4-5-19: **ADVERTISING:** It shall be unlawful to advertise any unlawful business or article in the Village and it shall be unlawful to injure or deface any lawful advertisement or notice.
- 4-5-20: **UNLAWFUL ASSEMBLAGES:** It shall be unlawful to collect, gather or be a member of any disorderly crowd, or any crowd gathered for any unlawful purpose.
- 4-5-21: **UNWHOLESOME BUSINESS:** It shall be unlawful to establish or conduct any packing plant, slaughterhouse, rendering plant, tallow chandlery, soap factory, glue factory, tannery, or any offensive or unwholesome business within the Village or within one mile of the limits thereof.
- 4-5-22: **BATHING:** It shall be unlawful for any person to bathe at any public place or in any place open to the public view unless such person is adequately garbed in a bathing suit.
- 4-5-23: **POSTING BILLS:** It shall be unlawful for any person to post any bills or advertisements on any public property without the authority of the Village; and it shall be unlawful to post any bill or advertisement on any property without the written consent of the owner thereof.
- 4-5-24: **PLACING ADVERTISING MATTER IN MOTOR VEHICLES:** It shall be unlawful for any person, whether a licensed bill poster or not, to distribute handbills, circulars, dodgers, pamphlets, cards, pictures or any advertising matter of any kind whatsoever, by placing the same in or upon any motor vehicle standing or parked in the public streets of the Village.
- 4-5-25: **FENCES:** It shall be unlawful to construct any fence on an area zoned for residence purpose only, to a height greater than four

and one-half feet (4½') above the ground level, or to construct on such area any fence to a height greater than three feet (3') between the building line, where set by ordinance, and the street.

4-5-26: **DEPOSIT OF GRASS AND RUBBISH PROHIBITED IN PUBLIC STREETS:** It shall be unlawful for any person, poration to dump or deposit, or cause to be dumped or deposited any grass, leaves, branches, or any other things in the roadway or gutter of any public street in the Village.

4-5-27: **INDECENT PUBLICATIONS:** It shall be unlawful to sell or offer for sale, or to circulate, pass from one person to another or expose in any public place or anywhere in view of a store or place frequented by the public, any immoral, indecent or obscene publications, printed or written matter or picture or other representation.

It shall be unlawful to keep any such publication, printed or written matter, picture or other representation in any place frequented by or where it may come into the possession of minors or to disclose or expose any such material to a minor.

It shall be unlawful for any person, to print, publish, design, prepare, import, distribute, exhibit, display, sell, possess with intent to sell, offer for sale, loan or give away to a minor within the Village, any book, pamphlet, magazine, printed paper, phonograph record, drawing, picture, photograph, figure, image, article, or other thing which is obscene, immoral, lewd, lascivious, or indecent, or which depicts by pictures or printed matter fanciful deeds of crime or bloodshed tending to incite minors to violent, depraved or immoral acts, or manifestly tend to the corruption of the morals of minors or which manifestly tends to incite minors to disregard the law of the land. The provisions of this Section shall have no application to the printing of factual information or news about a crime which has been committed, when printed in a newspaper or magazine of general circulation, and such publications are printed at regular intervals not greater than once a month, and regularly admitted to the United States mail, nor shall this Section apply to the distribution of such information so printed.

4-5-28: **SCAFFOLDS:**¹ Any scaffold or ladder placed in such a way that it overhangs or can fall onto any public street, alley or other public place in the Village, shall be firmly constructed and safeguarded; and it shall be unlawful to place or leave any tools or articles on any such place in such a manner that the same can fall onto any such street, sidewalk, alley or other public place from a height greater than four feet (4').

4-5-29: **ARTICLES ON WINDOWS:** It shall be unlawful to place any movable article on any window ledge or other place abutting on a

1. See Section 4-2-13 of this Code.

public street, alley or other place at a height four feet (4') from the ground in such a manner that the same can be or is in danger of falling onto any such street, sidewalk, alley or other public place. (1987 Code)

4-5-30: **WHISTLES:** It shall be unlawful to blow or cause to be blown any steam whistle of any stationary engine or steam engine in the village except as a signal for starting or stopping work or in emergencies to avoid injury to persons or property. (1987 Code)

4-5-31: **OBSTRUCTING STAIRWAYS OR EXITS:** It shall be unlawful to obstruct or permit the obstruction of any stairway, aisle, corridor, or exit in any office building, factory, hotel, school, church, theater, assembly hall, lodge or other public hall, or any building used by two (2) or more tenants or families in such a manner that it interferes with the free use of such stairway, aisle, corridor or exit. (1987 Code)

4-5-32: **MENDICANTS; VAGRANTS:** It shall be unlawful for mendicants or vagrants to frequent any depot, store, theater, street, alley, sidewalk, park, or other place publicly frequented in the village. Any person found sleeping in any such place, and who has not any established domicile or residence shall be considered a vagrant. (1987 Code)

4-5-33: **LOITERING:**

- A. Definition: As used in this section, "loitering" shall mean remaining idle in essentially one location and shall include the concepts of spending time idly, loafing, or walking about aimlessly and shall also include the colloquial expression "hanging around".
- B. Certain Types Of Loitering Prohibited: No person shall loiter in a public place in such manner as to:
 - 1. Create or cause to be created a danger of a breach of the peace.
 - 2. Create or cause to be created any disturbance or annoyance to the comfort and repose of any person.
 - 3. Obstruct the free passage of pedestrians or vehicles.

4. Obstruct, molest, or interfere with any person lawfully in any public place. This shall include the making of unsolicited remarks of an offensive, disgusting, or insulting nature or which are calculated to annoy or disturb the person to, or in whose hearing, they are made.

- C. Request To Leave: Whenever the presence of any person in any public place is causing or is likely to cause any of the conditions enumerated in subsection B of this section, any police officer may order that person to leave that place. Any person who shall refuse to leave after being ordered to do so by a police officer shall be guilty of a violation of this section.
- D. Violation: A separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (1987 Code)

4-5-34: **EXPECTORATING:** It shall be unlawful to expectorate on any public street, or upon any public sidewalk or in any other public place; or in any public vehicle, or any store, assembly hall, corridor or other place open to and used by the public. (1987 Code)

4-5-35: **HITCHHIKING:** It shall be unlawful for any person or persons, to stand or loiter upon any sidewalk, street, avenue, alley or public highway or grounds within the limits of the village for the purpose of "thumbing", requesting, asking, or soliciting a ride from the operator of any motor vehicle.

The provisions hereof shall not be construed to prevent a person upon a public highway from soliciting, or a driver of a vehicle from giving a ride where an emergency actually exists, nor to prevent a person from signaling or requesting transportation from a passenger carrier for the purpose of becoming a passenger thereon for hire.

No person shall stand in a roadway for the purpose of soliciting employment or business from the occupant of any vehicle. (1987 Code)

4-5-36: **DEFACING PUBLIC OR PRIVATE PROPERTY:** No person shall mar, injure, destroy or deface, or aid in injuring, destroying, or defacing in said village, any public or private property, or cause to be posted or stuck, any handbill or placard upon any public or private building, or upon any fence or other property within the village

without the permission from the owner or occupant first obtained; nor mar, injure, destroy or deface or cause to be marred, destroyed, injured or defaced any bridge, fence, tree, street sign, awning, lamppost, electric light post, or apparatus or any other property, not belonging to the person so offending, whether public or private. (1987 Code)

4-5-37: **NOISES:** It shall be unlawful to make or cause to be made any noise or sounds of such volume or of such a nature as to cause annoyance to residents of the village.

It shall be unlawful to disturb the peace by the making of any unnecessary noise.

It shall be unlawful to operate any pneumatic hammer, grinding or crushing machinery, mixing or leading machine, or any other machinery, equipment or device in the village which makes or causes a noise in violation of any of the provisions of this section. (1987 Code)

4-5-38: **GIVING FALSE INFORMATION:** It shall be unlawful to give false information, knowingly, to any official or employee or representative of the village on any matter pertaining to or affected by his or her official duties.

It shall be unlawful for any person to conceal his or her identity, or to falsely identify himself or herself in response to any inquiry by an official or employee of the village in connection with the performance of his or her official duties. (1987 Code)

4-5-39: **POSSESSION OF UNSEALED ALCOHOLIC LIQUOR IN PUBLIC PLACE:** For the purpose of this section, the term "public place" shall be defined to include, and shall not be limited to, all public streets, highways, alleyways, thoroughfares, public sidewalks, public parks or parkways, and all other publicly owned property.

It shall be unlawful for any person to transport, carry, possess, or have any alcoholic liquor in or upon or about such public places, except in the original package and with the seal unbroken.

Any person violating this section shall be fined not less than twenty five dollars (\$25.00) nor more than two hundred dollars (\$200.00) for each offense. (1987 Code)

4-5-40: FIREWORKS: It shall be unlawful for any person to shoot, set off, fire, ignite, light, use, display, explode or put in use, action, operation or effect any fireworks, firecrackers, torpedoes, Roman candles or other pyrotechnic display or cause or suffer or permit the same to be done in the village unless such display is done pursuant to a permit issued by the state for public demonstrations¹. No private use of fireworks shall be permitted. (1987 Code)

4-5-41: PENALTY: Any person violating any provision of this chapter shall be fined not less than five dollars (\$5.00) nor more than five hundred dollars (\$500.00) and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (1987 Code)

1. 425 ILCS 35/2.

CHAPTER 6

INOPERABLE MOTOR VEHICLE

SECTION:

- 4-6-1: Words And Phrases Defined
- 4-6-2: Procedures
- 4-6-3: Penalty

4-6-1: **WORDS AND PHRASES DEFINED:**

- A. The term "inoperable motor vehicle" means any motor vehicle from which, for a period of at least thirty (30) days, the engine, wheels or other parts have been altered, damaged or otherwise so treated that the vehicle is incapable of being driven under its own motor power. In addition, a vehicle shall be termed an "inoperable motor vehicle" under the terms of this chapter if it remains for a period of thirty (30) days illegal to operate on the street because it does not have a valid license plate for operation on the street, does not have the mandatory insurance required of motor vehicles for operation on the street, does not have proper lighting in an operating form, or has any other defects which would make it illegal to drive on a public street or highway. (Ord. 458, 7-1-2002)
- B. The term "inoperable motor vehicle" shall not include any motor vehicle that is kept within a building when not in use.
- C. The term "inoperable motor vehicle" shall not include a motor vehicle which has been rendered temporarily incapable of being driven under its own motor power in order to perform ordinary service or repair operations. (1987 Code)
- D. The term "inoperable motor vehicle" shall not apply to any licensed junkyard.
- E. The term "inoperable motor vehicle" shall not apply to any place of business or person engaged in the business of repairing motor vehicles. (1987 Code; amd. Ord. 458, 7-1-2002)

4-6-2: PROCEDURES:

- A. The board of trustees may by resolution, duly adopt and declare an "inoperable motor vehicle" as defined in this chapter, whether on public or private property to be a nuisance and authorize the president and village clerk to give the owner or person having custody or control of the "inoperable motor vehicle" notice to remove the same from public or private property, within ten (10) days after the service of the notice.
- B. The notice provided for in subsection A of this section shall contain a certified copy of the resolution adopted by the board of trustees and shall be signed by the president and village clerk, directing the owner or person having custody or control of the "inoperable motor vehicle" to remove the same from public or private property within ten (10) days after the service of said notice.
- C. The notice provided for in subsection B of this section may be served by registered mail or by personal service by a police officer of the village. (1987 Code)
- D. Vehicles which are owned or in the possession of the fire district serving the village of Chadwick which are kept by the fire district for purposes of training shall be exempt from the provisions of this chapter.
- E. The village board may, after due consideration, grant special use permits to vehicles which would not otherwise comply with the terms of this chapter. Such permits shall be granted solely on the discretion of the village board when the village board feels it is in the best interests of the community to grant such a permit. (Ord. 458, 7-1-2002)

4-6-3: PENALTY: Any person after having received the notice provided for in section 4-6-2 of this chapter and after ten (10) days have elapsed after the service of notice shall violate the provision of this chapter and shall be fined not less than twenty five dollars (\$25.00) nor more than two hundred dollars (\$200.00) for each and every offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (1987 Code)

CHAPTER 7

FAIR HOUSING POLICY

SECTION:

- 4-7-1: Declaration Of Policy
- 4-7-2: Definitions
- 4-7-3: Prohibited Acts
- 4-7-4: Penalty

4-7-1: DECLARATION OF POLICY:

- A. In furthering the policy of the State of Illinois as expressed in its constitution and other laws; in order that the safety and general welfare, peace, and health of all the inhabitants of the Village may be ensured, it is hereby declared the policy of the Village, to assure equal opportunity to all residents, regardless of race, color, religion, national origin or ancestry, sex, creed, or physical disability to live in decent, sanitary, healthful, standard living quarters.
- B. It is the policy of the Village that no owner, lessee, sublessee, assignee, managing agent, or other person, firm, or corporation having the right to sell, rent, lease (or otherwise control) any housing accommodation and/or real property within the Village, or any agent of these shall refuse to sell, rent, lease, or otherwise deny to or withhold from any person or group of persons such housing accommodations and/or real property because of race, color, religion, national origin or ancestry, sex, creed, or disability of such person or persons or discriminate against any person or persons because of race, color, religion, national origin or ancestry, sex, creed or disability in the conditions, terms, privileges of the sale, rental, or lease of any housing accommodation and/or real property or in the furnishing of facilities and/or services in connection therewith.
- C. Relocation shall be carried out in a manner that will promote maximum choice within the community's total housing supply; lessen

racial, ethnic, and economic concentrations; and facilitate desegregation and racially inclusive patterns of occupancy and use of public and private facilities. (Ord. 421, 3-1-1999)

4-7-2: **DEFINITIONS:** Unless a different meaning clearly appears from the context, the following terms shall have the meanings as described in this Section and as used in this Chapter:

**DECENT, SANITARY,
HEALTHFUL
STANDARD LIVING
QUARTERS:**

Housing which is in sound, clean, and weathertight condition in conformance with applicable local, State, and national codes.

**DISCRIMINATE OR
DISCRIMINATION:**

Any difference expressed in any way toward a person or persons in the terms of the sale, exchange, lease, rental, or financing for housing accommodation and/or real property in regard to such sale, exchange, rental, lease, or finance because of race, color, religion, national origin or ancestry, sex, creed, or disability of such person.

**FINANCIAL
INSTITUTION:**

Any person, institution, or business entity of any kind which loans money to persons and receives as security for said loans a secured interest of any kind in the real property of the borrower.

**HOUSING
ACCOMMODATION:**

Includes any building, structure, or portion thereof which is used or occupied, maintained, arranged, or designed to be used or occupied as a home, residence, or sleeping place of one or more human beings, or any real estate so used, designed, or intended for such use.

OWNER:

Any person/persons who hold legal or equitable title to, or own any beneficial interest in any real property or who hold legal or equitable title to shares of, or hold any beneficial interest in any real estate cooperative which owns any real property and/or housing accommodations.

REAL ESTATE BROKER:	Any person, partnership, association, corporation, and/or agent thereof, who for a fee or other valuable consideration offers, sells, purchases, exchanges or rents, or negotiates for the sale, purchase, exchange, or rental of a housing accommodation and/or real property of another, or collects rental for the use of housing accommodation and/or real property of another.
REAL PROPERTY:	Any real estate, vacant land, building, structure, or housing accommodations within the corporate limits of the Village of Chadwick, Illinois. (Ord. 421, 3-1-1999)

4-7-3: **PROHIBITED ACTS:**

- A. It shall be unlawful for any owner of real estate, lessee, sublessee, real estate broker or salesman, financial institution, or employee of the financial institution, advertiser, or agent of any or all of the foregoing, to discriminate against any person or persons because of their race, color, religion, national origin or ancestry, sex, creed, or disability with regard to the sale, exchange, or rental, or any dealing concerning any housing accommodation and/or real property.

- B. In addition to the foregoing, it shall also be unlawful for any real estate broker or employee thereof, owner, or other person, or financial institution dealing with housing or real property in the Village:
 - 1. To discriminate against any person in the availability of or the price, terms, conditions, or privileges of any kind relating to the sale, rental, lease, or occupancy of any housing accommodation or real property in the Village or in furnishing of any facilities or services in connection therewith.

 - 2. To publish or circulate, or cause to be published or circulated, any notice, statement, or advertisement, or to announce a policy, or to use any form of application for the purchase, lease, rental, or financing of real property, or to make any record of inquiry in connection with the prospective purchase, rental, or lease of such real estate, which expresses directly or indirectly any discrimination as to race, color, religion, national origin or ancestry, sex, creed, or disability of any person.

3. To discriminate in connection with lending money, guaranteeing loans, accepting mortgages or otherwise obtaining or making available funds for the purchase, acquisition, construction, rehabilitation, repair, or maintenance of any housing accommodation and/or real property.

4. To solicit for sale, lease, or listing for the sale or lease, of any housing accommodation and/or real property on the grounds of loss of value because of the present or prospective entry into any neighborhood of any person or persons of any particular race, color, religion, national origin or ancestry, sex, creed, or disability.

5. To distribute or cause to be distributed written material or statements designed to induce any owner or any housing accommodation and/or real property to sell or lease his or her property because of any present or prospective change in the race, color, religion, national origin or ancestry, sex, creed, or disability of persons in the neighborhood.

6. To make any misrepresentations concerning the listing for sale or the anticipated listing for sale or the sale of any housing accommodation and/or real property for the purpose of inducing or attempting to induce the sale or listing for sale of any housing accommodation and/or real property by representing that the presence or anticipated presence of persons of any particular race, color, religion, national origin or ancestry, sex, creed, or disability in the area will or may result in the lowering of property values in the block, neighborhood, or area in which the property is located.

7. For an owner to solicit any real estate broker to sell, rent, or otherwise deal with such owner's housing accommodations and/or real property with any limitation on its sale based on race, color, religion, national origin or ancestry, sex, creed, or disability.

8. For an owner to refuse to sell, rent, or otherwise deal with any housing accommodation and/or real property because of race, color, religion, national origin or ancestry, sex, creed, or disability of the proposed buyer or tenant. (Ord. 421, 3-1-1999)

4-7-4: **PENALTY:** Any person convicted of violating any of the provisions of this Chapter shall be punished by a fine of not less than one hundred dollars (\$100.00) nor more than one thousand five hundred dollars (\$1,500.00). Each day a violation continues shall constitute a separate violation. This Section shall in no way abrogate or impair the

right of the Village, to specifically enforce by any legal means any of the provisions of this Chapter. (Ord. 421, 3-1-1999)

CHAPTER 8
WEEDS AND GRASS

SECTION:

- 4-8- 1: Nuisance Conditions
- 4-8- 2: Weeds; Duty To Cut; Noncompliance; Remedy Of Village
- 4-8- 3: Grass; Duty To Cut; Noncompliance; Remedy Of Village
- 4-8- 4: Notice Of Lien; Contents; Release
- 4-8- 5: Mandatory Injunction
- 4-8- 6: Incorporation Of Applicable Statutory Provisions
- 4-8- 7: Combustible Refuse
- 4-8- 8: Rubbish, Dry Grass
- 4-8- 9: Office Of Noxious Weed Commissioner Created; Appointment
- 4-8-10: Duties Of Noxious Weed Commissioner
- 4-8-11: Miscellaneous Requirements
- 4-8-12: Penalty

4-8-1: **NUISANCE CONDITIONS:** Whoever shall suffer or permit any noxious weeds, grass or vegetation to grow or be upon any lot or premises owned or controlled by him or her shall be deemed guilty of maintaining a nuisance. (Ord. 445, 11-6-2000)

4-8-2: **WEEDS; DUTY TO CUT; NONCOMPLIANCE; REMEDY OF VILLAGE:**

- A. No owner of real estate shall refuse or neglect to cut weeds when such weeds have reached a height in excess of six inches (6").
- B. If any owner permits weeds in excess of six inches (6") in height to remain standing upon his or her property, the village may cut the weeds or authorize someone to cut the weeds on its behalf. In such event the provisions of sections 4-8-4 and 4-8-12 of this chapter shall be applicable to this section. (Ord. 445, 11-6-2000)

4-8-3: GRASS; DUTY TO CUT; NONCOMPLIANCE; REMEDY OF VILLAGE:

- A. No owner of real estate shall refuse or neglect to cut grass when such grass shall have reached a height in excess of six inches (6").
- B. If any owner permits grass in excess of six inches (6") in height to remain standing upon his or her property, the village may cut the grass or authorize someone to cut the grass on its behalf. In such event the provisions of sections 4-8-4 and 4-8-12 of this chapter shall be applicable to this section. (Ord. 445, 11-6-2000)

4-8-4: NOTICE OF LIEN; CONTENTS; RELEASE:

- A. Notice Of Lien; Minimum Charge For Work: If weeds or grass are cut by the village or by someone directed to cut them on its behalf, a notice of lien for the cost and expense thereof incurred shall be recorded in the office of the recorder of deeds of the county within sixty (60) days after the cost and expenses are incurred. The amount charged shall in no event be less than thirty dollars (\$30.00) per hour.
- B. Contents: The notice of lien shall consist of a sworn statement setting out the following:
 - 1. A description of the real estate sufficient for identification thereof;
 - 2. The amount of money representing the cost and expense incurred or payable for the service; and
 - 3. The date or dates when said cost and expense were incurred.
- C. Release Of Lien: Upon payment of the costs and expenses, the lien shall be released by the village. (Ord. 445, 11-6-2000)

4-8-5: MANDATORY INJUNCTION: In addition to all other penalties and remedies provided for in this chapter, the village shall have the right to seek and obtain a mandatory injunction against the owner of any such real estate who is in violation of any of the provisions of this chapter, enjoining and ordering him or her to cut grass and weeds in compliance with the provisions of this chapter. (Ord. 445, 11-6-2000)

4-8-6: INCORPORATION OF APPLICABLE STATUTORY PROVISIONS: All applicable and pertinent provisions of 65 Illinois Compiled Statutes 5/11-20-7, as heretofore and hereafter amended, are incorporated herein by reference. (Ord. 445, 11-6-2000)

4-8-7: COMBUSTIBLE REFUSE: It shall be unlawful to permit or store any combustible refuse in such a way as to create a fire hazard or to store or throw away any refuse of any kind in an alley, street or public way in the village.

Accumulations of wastepaper, hay, grass, straw, weeds, litter or combustible or flammable waste or rubbish of any kind shall not be permitted to remain upon any roof or in any court, yard, vacant lot or open space or upon any public street, sidewalk, easement or alley abutting thereon. All weeds, grass, vines or other growth, when the same endangers property or is liable to be fired, shall be cut down and removed by the owner or occupant of the property, including all weeds, grass, vines or other growth growing in or upon any public street, sidewalk, easement or alley abutting said property. (Ord. 445, 11-6-2000)

4-8-8: RUBBISH, DRY GRASS: It is hereby declared a menace to the public safety and health and a nuisance for any person to cause or permit:

- A. Rubbish, Rags: The deposit or accumulation of any refuse, oily rags, rubbish or other materials or substances of any kind, so as to constitute a fire hazard; or
- B. Dry Grass, Vegetation: The deposit, accumulation, existence or growth upon any property of any dry or dead weeds, grass, vegetation or other like substances of any kind, so as to constitute a fire hazard. (Ord. 445, 11-6-2000)

4-8-9: OFFICE OF NOXIOUS WEED COMMISSIONER CREATED; APPOINTMENT: There is hereby created the office of noxious weed commissioner. The office of the noxious weed commissioner shall be filled by appointment by a majority vote of the village board. The appointment shall continue until the person so appointed resigns, vacates the office or is removed by a majority vote of those present at any lawfully declared village board meeting. (Ord. 445, 11-6-2000)

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4-8-10: **DUTIES OF NOXIOUS WEED COMMISSIONER:** The duties of the office of noxious weed commissioner shall be as follows:

- A. To take actions including the filing of complaints through the appropriate village ordinances for any person or persons found to violate village ordinances concerning noxious weeds being allowed to grow within the village limits.
- B. To take steps including spraying, plowing, etc., to destroy noxious weeds found to be growing on village property or on other property where said action is deemed appropriate by the village board. (Ord. 445, 11-6-2000)

4-8-11: **MISCELLANEOUS REQUIREMENTS:**

- A. The owner, lessee, or manager of any ground sign or the owner of the land on which the same is located, shall keep grass or weeds and other growth cut, and debris and rubbish cleaned up and removed from the lot on which the sign is located.
- B. In the event that the owner, lessee or manager of said ground sign fails to keep the grass or weeds or other growth cut and other debris and rubbish cleaned up and removed from the lot, the village shall undertake to complete said remedial work and shall bill the property owner accordingly. (Ord. 445, 11-6-2000)

4-8-12: **PENALTY:** Whoever violates any of the provisions of this chapter shall be subject to a fine of not less than five dollars (\$5.00) nor more than five hundred dollars (\$500.00) and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (Ord. 445, 11-6-2000)

TITLE 5
MOTOR VEHICLES AND TRAFFIC

Subject	Chapter
Definitions And General Provisions	1
Through Streets	2
Rules For Driving	3
Leaving Ignition Keys In Unattended Vehicle (Rep. by Ord. 483, 6-5-2006)	4
Pedestrians	5
Parking Rules	6
Condition Of Vehicle	7
Drivers	8
Penalty	9
Towing Cars Away	10
Abandoned Motor Vehicles (Rep. by Ord. 483, 6-5-2006)	11
Wheel Tax (Rep. by Ord. 412, 3-2-1998, eff. 5-1-1998)	12
Railroads (Rep. by Ord. 483, 6-5-2006)	13
Snowmobiles	14

CHAPTER 1
DEFINITIONS AND GENERAL PROVISIONS

SECTION:

- 5-1-1: Definitions
- 5-1-2: Obedience to Police
- 5-1-3: Scene of Fire
- 5-1-4: Signs and Signals
 - 5-1-4-1: Unauthorized Signs
 - 5-1-4-2: Flashing Signals
- 5-1-5: Animals or Bicycles
- 5-1-6: Exemptions

5-1-1: **DEFINITIONS:** Whenever in this Chapter the following terms are used, they shall have the meanings respectively ascribed to them in this Section:

ALLEY	A public way within a block generally giving access to the rear of lots or buildings, and not used for general traffic circulation.
BICYCLE	Every device propelled by human power upon which any person may ride, having one or more wheels any one of which is more than sixteen inches (16'') in diameter.
BUSINESS DISTRICT	The territory within the Village contiguous to and including a street or highway when within any six hundred feet (600') along such highway there are buildings in use for business or industrial purposes.
CROSSWALK	That portion of the roadway included within the prolongation of the sidewalk lines at street intersections.
DRIVER	Every person who drives or is in actual physical control of a vehicle.

EMERGENCY VEHICLE	Police vehicles, vehicles of the Fire Department, ambulances, vehicles carrying a State, County or Municipal officer or employee in response to an emergency call and emergency vehicles of public service corporations on an emergency call.
EXPLOSIVE	Any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustible units or other ingredients in such proportions, quantities, or packing that an ignition by fire, by friction, by concussion, by percussion or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructible effects on contiguous objects or of destroying life or limb.
FARM TRACTOR	Every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements of husbandry.
FLAMMABLE LIQUIDS	Any liquid which has a flash point of seventy degrees (70°) Fahrenheit or less, as determined by tabliabue or equivalent closed cup test device.
IMPROVED HIGHWAY	A roadway of concrete, brick, asphalt, macadam or gravel.
INTERSECTION	The area embraced within the prolongation of the property lines of two (2) or more streets which join at an angle whether or not such streets cross.
LANED ROADWAY	A street, the roadway of which is divided into two (2) or more clearly marked lanes for vehicular traffic.
LOADING ZONE	The space adjacent to a curb reserved for the exclusive use of vehicles during the loading and unloading of passengers or materials.
MERGING TRAFFIC	A maneuver executed by the drivers of vehicles on converging roadways to permit simultaneous or alternate entry into the junction thereof, wherein the driver of each vehicle involved is required to adjust his vehicular speed and lateral position so as to avoid a collision with any other vehicle.
METAL TIRE	Every tire the surface of which in contact with the roadway is wholly or partially of metal or other hard, non-resilient material.

MOTOR VEHICLE	Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead wires, but not operated upon rails.
MOTORCYCLE	Every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, but excluding a tractor.
PARK	To stand a vehicle, whether occupied or not, for a period of time greater than is reasonably necessary for the actual loading or unloading of persons.
PEDESTRIAN	Any person afoot.
PNEUMATIC TIRE	Every tire in which compressed air is designed to support the load.
PROPERTY LINE	The line marking the boundary between any street and the lots or property abutting thereon.
PUBLIC BUILDING	A building used by the Municipality, the County, any park district, school district, the State of Illinois, or the United States government.
RESIDENCE DISTRICT	The territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of three hundred feet (300') or more is in the main improved with residences or residences and buildings in use for business.
RIGHT OF WAY	The privilege of the immediate use of the roadway.
ROAD TRACTOR	Every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.
SAFETY ZONE	That portion of a roadway reserved for the exclusive use of pedestrians, suitably marked or elevated.
SCHOOL BUS	Every motor vehicle of the second division operated by or for a public or governmental agency or by or for a private or religious organization solely for the transportation of pupils in connection with school activities.
SEMI-TRAILER	Every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

SIDEWALK	That portion of a street between the curb line or roadway and the adjacent property line designated for pedestrian use.
SOLID TIRE	Every tire of rubber or other resilient material which does not depend upon compressed air for the support of the load.
STREET or HIGHWAY	The entire width between property lines of each side or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for the purpose of vehicular traffic and each way set aside for public travel by vehicles.
TRAFFIC	Pedestrians, ridden or herded animals, vehicles and other conveyances either singly or together while using any highway for the purpose of travel.
TRAILER	Every vehicle without motive power designed for carrying passengers or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.
TRUCK TRACTOR	Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.
URBAN DISTRICT	The territory contiguous to and including any street which is built up with structures devoted to business, industry or dwelling houses situated at intervals of less than one hundred feet (100') for a distance of a quarter (¼) mile or more.
VEHICLE	Every device in, upon or by which any person or property is or may be transported or drawn upon a highway except devices moving by human power or used exclusively upon stationary rails or tracks.
YIELD RIGHT OF WAY	When required by an official sign, means the act of granting the privilege of the immediate use of the intersecting roadway to traffic within the intersection and to vehicles approaching from the right or left, provided that when the roadway is clear the vehicle may proceed into the intersection.

5-1-2: **OBEDIENCE TO POLICE:** Members of the Police Department, police officers and special policemen assigned to traffic duty, are hereby authorized to direct all traffic in accordance with the provisions of this Title, or in emergencies as public safety or convenience may require, and it shall be unlawful for any person to fail or refuse to comply with any lawful order, signal or directions of a policeman. Except in case of emergency, it shall be unlawful for any person not authorized by law to direct or attempt to direct traffic.

5-1-3: **SCENE OF FIRE:** A Fire Department officer in command, or any fireman designated by him, may exercise the powers and authority of a police officer in directing traffic at the scene of any fire or where a Fire Department has responded to an emergency call for so long as Fire Department equipment is on the scene, in the absence of or in assisting the police.

5-1-4: **SIGNS AND SIGNALS:** It shall be unlawful for the driver of any vehicle to disobey the instructions of any traffic sign or signal placed in view by authority of the Board of Trustees or in accordance with the laws of the State of Illinois, excepting on direction of a police officer. All signs and signals established by direction of the governing body shall conform to the State Manual of Uniform Traffic Control Devices for streets and highways.

5-1-4-1: **UNAUTHORIZED SIGNS:** No person shall place, maintain, or display upon or in view of any highway any unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles an official traffic-control device or railroad sign or signal, or which attempts to direct the movement of traffic, nor shall any person place, maintain or display upon or in view of any highway any other sign which hides from view or interferes with the movement of traffic or effectiveness of any traffic control device or any railroad sign or signal, and no person shall place or maintain nor shall any public authority permit upon any highway any traffic or signal bearing thereon any commercial advertising.

It shall be unlawful for any person to deface, injure, move or interfere with any official traffic sign or signal. Any such unauthorized device is hereby declared to be a nuisance and may be removed by any police officer.

5-1-4-2: **FLASHING SIGNALS:** Whenever flashing red or yellow signals are used they shall require obedience by vehicular traffic as follows:

- A. **Flashing Red (Stop Signal):** When a red lens is illuminated by rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, or if none, then before entering the intersection and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

- B. Flashing Yellow (Caution Signal): When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past signal only with caution.

5-1-5: **ANIMALS OR BICYCLES:** Every person riding a bicycle or an animal, or driving any animal drawing a vehicle upon any street, shall be subject to the provisions of this Title applicable to the driver of a vehicle, except those provisions which can have no application to one riding a bicycle or driving or riding an animal.

5-1-6: **EXEMPTIONS:** The provisions of this Title regulating the movement or parking of vehicles shall not apply to the driver of any authorized emergency vehicle when responding to an emergency call, but such driver, on approaching a red or stop signal or any stop sign, shall slow down as necessary for safety and may proceed cautiously past such red or stop sign or signal. At other times drivers of authorized emergency vehicles shall stop in obedience to a stop sign or signal.

No driver of any authorized emergency vehicle shall assume any special privileges under the act except when such vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law.

The provisions of the Title regulating the movement and parking of vehicles shall not apply to equipment or vehicles while actively engaged in installing, repairing or otherwise improving streets or street pavement.

CHAPTER 2
THROUGH STREETS

SECTION:

- 5-2-1: Through Streets
- 5-2-2: One-Way Streets Or Alleys
- 5-2-3: Stop Streets
- 5-2-4: Posting Signs

5-2-1: **THROUGH STREETS:** The streets and parts of streets of the village designated by ordinance as through streets are hereby declared to be through streets. The driver of a vehicle shall stop at the entrance to a through street and shall yield the right of way to other vehicles which have entered the intersection or which are approaching so close on a through street as to constitute an immediate hazard, unless directed otherwise by the traffic officer or a traffic control signal. Main Street from First Street to Third Street is hereby designated a through street and all vehicles entering from First Street and Second Street shall stop before driving onto Main Street. (1987 Code)

5-2-2: **ONE-WAY STREETS OR ALLEYS:** It shall be unlawful to operate any vehicle on any street or alley designated as a one-way street or alley by ordinance, in any direction other than that so designated. Upon a roadway designated and signposted for one-way traffic a vehicle shall be driven only in the direction designated. (1987 Code)

5-2-3: **STOP STREETS:** The driver of a vehicle shall stop in obedience to a stop sign at an intersection where a stop sign is erected at one or more entrances thereto, and shall proceed cautiously yielding to the vehicles not so obliged to stop which are within the intersection or approaching so close as to constitute an immediate hazard, unless traffic at such intersection is controlled by a police officer on duty, in which event the directions of the police officer shall be complied with. (1987 Code)

5-2-4: **POSTING SIGNS:** The chief of police or any other person designated by the president and the board of trustees shall post or cause to be posted suitable signs for all such through streets, one-way streets or alleys, and stop or yield intersections. At this time signs shall be placed as follows: (Ord. 435, 3-6-2000)

A. Stop Signs:

Calvert southbound at Route 40.
 Howard Street westbound at Main.
 Main northbound at Route 40.
 Main southbound at Route 40.
 Marion northbound at Route 40.
 Marion southbound at Route 40.
 Plummer northbound at Route 40.
 Plummer southbound at Route 40.
 Rahn eastbound at Calvert.
 Rahn Street westbound at Calvert Street.
 Rahn westbound at Main.
 School Street northbound at Route 40.
 School Street southbound at Route 40.
 Snow northbound at Second Street.
 Snow southbound at Route 40.
 Snow southbound at Second Street.
 Wilson Avenue northbound at Second Street.
 Wilson Avenue southbound at Second Street.
 Wilson northbound at Route 40.
 Wilson southbound at Route 40.
 First Street eastbound at Route 40.
 First Street westbound at Main.
 First Street westbound at Route 40.
 Second Street eastbound at Main.
 Second Street eastbound at Route 40.
 Second Street eastbound at School Street.
 Second Street westbound at Main.
 Second Street westbound at Route 40.
 Third westbound at Route 40. (Ord. 435, 3-6-2000; amd. Ord. 447, 5-7-2001)

B. Yield Signs:

Calvert northbound at Fourth Street.
 Calvert northbound at Third Street.
 Calvert southbound at Third Street.
 Main Street northbound at Taylor Road.

Plummer northbound at Fourth Street.
Plummer northbound at Third Street.
Plummer southbound at Second Street.
Plummer southbound at Third Street.
School Street northbound at Taylor Road.
Snow northbound at Fourth Street.
Wilson Avenue northbound at First Street.
Wilson Avenue northbound at Fourth Street.
Wilson Avenue southbound at First Street.
First Street eastbound at School Street.
First Street eastbound at Snow.
First Street westbound at Snow.
Third Street eastbound at School Street.
Third Street eastbound at Snow.
Third Street eastbound at Wilson Avenue.
Third Street westbound at Snow.
Third Street westbound at Wilson Avenue.
Fourth Street eastbound at Main.
Fourth Street eastbound at School Street.
Fourth Street westbound at Main.
Fifth Street eastbound at Calvert.
Fifth Street eastbound at Main.
Fifth Street westbound at Main.

- C. Sign Locations: The above stop sign locations and yield sign locations may be changed by direction of the village board of trustees at any time in the future. (Ord. 435, 3-6-2000)

CHAPTER 3
RULES FOR DRIVING

SECTION:

5-3-1: Motor Vehicle Code Adopted

5-3-1: **MOTOR VEHICLE CODE ADOPTED:** 625 Illinois Compiled Statutes 5/1-100 to 5/20-204, as the same may be amended from time to time, are hereby adopted and incorporated by reference as the motor vehicle code traffic ordinance of the village of Chadwick, Carroll County, Illinois. All citations issued pursuant to this section shall be in the name of the village and shall refer to this chapter and to the corresponding numbered sections of 625 Illinois Compiled Statutes 5/1-100 to 5/20-204.

All fines and penalties for violations shall be in accordance with the fines and penalties established in 625 Illinois Compiled Statutes 5/1-100 to 5/20-204. (Ord. 483, 6-5-2006)

CHAPTER 4

LEAVING IGNITION KEYS IN UNATTENDED VEHICLE

(Rep. by Ord. 483, 6-5-2006)

CHAPTER 5
PEDESTRIANS

SECTION:

5-5-1: Pedestrian Crossing

5-5-1: **PEDESTRIAN CROSSING:**

- A. Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except in a crosswalk.
- B. No pedestrian shall cross a roadway other than in a crosswalk in any business section. (1987 Code; amd. Ord. 483, 6-5-2006)

CHAPTER 6

PARKING RULES

SECTION:

- 5-6- 1: No Parking Places
- 5-6- 2: Parking At Curb (Rep. by Ord. 483, 6-5-2006)
- 5-6- 3: Vehicles For Sale (Rep. by Ord. 483, 6-5-2006)
- 5-6- 4: Loading Zone (Rep. by Ord. 483, 6-5-2006)
- 5-6- 5: Alleys
- 5-6- 6: Limited Winter Parking (Rep. by Ord. 483, 6-5-2006)
- 5-6- 7: Parking Motor Vehicles On Private Property
- 5-6- 8: Signs
- 5-6- 9: Tire Markings (Rep. by Ord. 483, 6-5-2006)
- 5-6-10: Violation
- 5-6-11: Removal Of Illegally Parked Vehicles
- 5-6-12: Presumption Of Liability
- 5-6-13: Parking Restrictions
- 5-6-14: All Night Parking
- 5-6-15: Required Off Street Parking (Rep. by Ord. 483, 6-5-2006)
- 5-6-16: Restrictions For Combination And/Or Commercial Vehicles
Weighing Ten Thousand Pounds Or More
- 5-6-17: Truck Parking

5-6-1: **NO PARKING PLACES:** At any time it shall be unlawful to permit any vehicle to stand in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device:

- A. In any intersection.
- B. In a crosswalk. (1987 Code)
- C. (Rep. by Ord. 483, 6-5-2006)
- D. (Rep. by Ord. 483, 6-5-2006)

- E. Within thirty feet (30') of a traffic sign on the approaching side. (Ord. 483, 6-5-2006)
- F. Within twenty feet (20') of any intersection or crosswalk. (1987 Code)
- G. At any place where the standing of a vehicle will reduce the usable width of the roadway for moving traffic to less than a reasonable and safe width for traffic to pass. (Ord. 446, 3-5-2001)
- H. Within fifteen feet (15') of a fire hydrant.
- I. At any place where the vehicle would block the use of a driveway.
- J. Within fifty feet (50') of the nearest rail or a railroad grade crossing. (1987 Code)
- K. (Rep. by Ord. 483, 6-5-2006)
- L. On any sidewalk or parkway.
- M. At any place where official signs prohibit parking. (1987 Code)

5-6-2: **PARKING AT CURB:** (Rep. by Ord. 483, 6-5-2006)

5-6-3: **VEHICLES FOR SALE:** (Rep. by Ord. 483, 6-5-2006)

5-6-4: **LOADING ZONE:** (Rep. by Ord. 483, 6-5-2006)

5-6-5: **ALLEYS:** No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten feet (10') of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand, or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting property. (1987 Code)

5-6-6: **LIMITED WINTER PARKING:** (Rep. by Ord. 483, 6-5-2006)

5-6-7: **PARKING MOTOR VEHICLES ON PRIVATE PROPERTY:** It shall be unlawful to park any motor vehicle on any private property without the consent of the owner of the property. (1987 Code)

5-6-8: **SIGNS:** The chief of police or any other person authorized by the president and board of trustees shall cause signs to be posted in all areas where parking is limited or prohibited, indicating such limitations or prohibitions. (1987 Code)

5-6-9: **TIRE MARKINGS:** (Rep. by Ord. 483, 6-5-2006)

5-6-10: **VIOLATION:** Any person who violates the provisions of any parking ordinance of the village shall be fined not less than ten dollars (\$10.00) nor more than twenty five dollars (\$25.00) for each offense. (Ord. 435, 3-6-2000)

5-6-11: **REMOVAL OF ILLEGALLY PARKED VEHICLES:** Any car or other vehicle parked on the streets listed hereunder during the hours when parking thereon is prohibited, may be removed and towed away. The police department and all members thereof are hereby authorized to remove and tow away or have removed and towed away by commercial towing service, any such car or other vehicle parked in violation hereof. Cars so towed away for illegal parking shall be stored in a safe place and shall be restored to the owner or operator of such car upon payment of a fee as determined by the president and board of trustees. (1987 Code)

5-6-12: **PRESUMPTION OF LIABILITY:** Proof of registration of a motor vehicle and proof of a violation of this code shall be construed a prima facie proof that the registered owner of such motor vehicle was the user or operator thereof at the time of the violation charged. (1987 Code)

5-6-13: **PARKING RESTRICTIONS:**

- A. Perpendicular Parking: All motor vehicles parked on Main Street between First Street and Third Street shall be parked so that the front of the vehicles shall face toward the sidewalk, and said

vehicles shall be parallel and between any markings that may designate parking space. Provided, further, that the said vehicle shall be left so that the right front wheel shall be even with the sidewalk or curb line. (Ord. 397, 2-5-1996)

- B. **Parking On School Street:** Parking, stopping, or standing is hereby prohibited on the west side of School Street beginning at the point at which School Street crosses Illinois State Route 40 and running from said point south to the village limits. It shall be a violation of the village ordinances to park, stop or stand on the west side of School Street. (Ord. 446, 3-5-2001; amd. Ord. 483, 6-5-2006)

5-6-14: **ALL NIGHT PARKING:** When signs are erected giving notice thereof, no persons shall park a vehicle on Main Street from First Street to Third Street at any time between the hours of one thirty o'clock (1:30) A.M. and six o'clock (6:00) A.M. of any day except for emergency vehicles engaged in an emergency call. (Ord. 483, 6-5-2006)

5-6-15: **REQUIRED OFF STREET PARKING:** (Rep. by Ord. 483, 6-5-2006)

5-6-16: **RESTRICTIONS FOR COMBINATION AND/OR COMMERCIAL VEHICLES WEIGHING TEN THOUSAND POUNDS OR MORE:** No curbside parking shall be allowed for combination and/or commercial vehicles weighing ten thousand (10,000) pounds or more except as provided below:

- A. Parking is permitted for two (2) hours on the north side of 2nd Street for an area of one-half ($\frac{1}{2}$) block east to west beginning at Main Street.
- B. For periods of loading and unloading subject to other restrictions on loading set forth in this code.
- C. Trucks being parked in connection with testing at the driver's license facility located in the village.
- D. This section shall not apply to emergency vehicles when engaged in emergency activities.

- E. This section shall not apply to municipal vehicles when engaged in municipal work. (Ord. 405, 8-11-1997)

5-6-17: TRUCK PARKING:

- A. The provisions of this section shall apply to all trucks heavier in weight than what are commonly referred to as one ton pickup trucks.
- B. Truck parking of trucks heavier than a one ton pickup shall be permitted in the following areas and shall be prohibited in all other areas not specifically designated by ordinance. These areas are as follows:
1. The south half of the one hundred block of Main Street on both sides of the street.
 2. On 2nd Street on the north side of the street from Main Street to one-half ($\frac{1}{2}$) block west.
 3. On the south side from Main Street west to 16 West 2nd Street.
 4. In addition, a driver may park a truck in front of his residence in other portions of the village for a period not to exceed one-half ($\frac{1}{2}$) hour. Said parking shall be directly in front of the residence or as close as it is physically possible to park directly in front of said residence. (Ord. 453, 1-7-2002)

CHAPTER 7

CONDITION OF VEHICLE

SECTION:

- 5-7- 1: Clear Vision
- 5-7- 2: Signal Lamps
- 5-7- 3: Unnecessary Noise
- 5-7- 4: Horn
- 5-7- 5: Gas And Smoke
- 5-7- 6: Projecting Loads, Width And Height
- 5-7- 7: Brakes
- 5-7- 8: Muffler
- 5-7- 9: Lights
- 5-7-10: Volunteer Fireman
- 5-7-11: Nonskid Devices
- 5-7-12: Tires
- 5-7-13: Weight
- 5-7-14: Spilling Loads
- 5-7-15: Bicycles
- 5-7-16: Driving Unsafe Vehicles Prohibited

5-7-1: **CLEAR VISION:** It shall be unlawful to operate any vehicle which is loaded or in such a condition that the operator does not have a clear vision of all parts of the roadway essential to the safe operation of the vehicle. Any view of the roadway to the rear so obstructed shall be equipped with a mirror so attached as to give him a view of the roadway behind him. (1987 Code)

5-7-2: **SIGNAL LAMPS:** Any motor vehicle in use on a highway shall be equipped with, and required signal shall be given by, a signal lamp or lamps or mechanical signal device when the distance from the center of the top of the steering post to the left outside four inches (4"), or when the distance from the center of the top of the steering post to the rear limit of the body or load thereof exceeds fourteen feet (14'). The latter

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measurement shall apply to any single vehicle, also to any combination of vehicles. (1987 Code)

5-7-3: **UNNECESSARY NOISE:** It shall be unlawful to operate a vehicle which makes unusually loud or unnecessary noise. (1987 Code)

5-7-4: **HORN:** Every motor vehicle shall be equipped with a good and sufficient audible signaling device in efficient working condition. Such signaling device shall be sounded when necessary to give timely warning of the approach of a vehicle, but such horn or other signaling shall not be sounded for any purpose other than as a warning of impending danger.

No motor vehicle other than an emergency vehicle shall be equipped with a siren or gong signaling device. (1987 Code)

5-7-5: **GAS AND SMOKE:** It shall be unlawful to operate any vehicle which emits dense smoke or such an amount of smoke or fumes as to be dangerous to the health of persons or as to endanger the drivers of other vehicles. (1987 Code)

5-7-6: **PROJECTING LOADS, WIDTH AND HEIGHT:** The maximum width and height of any vehicle and its load shall not exceed the limits expressed under the relevant portions of the State traffic code. All of said relevant portions are hereby adopted by reference as they are now existing or as amended at any time in the future. (Ord. 435, 3-6-2000)

5-7-7: **BRAKES:** It shall be unlawful to drive any motor vehicle upon a street unless such vehicle is equipped with good and sufficient brakes in good working condition, as required by the State traffic law¹, or to operate any vehicle which is so loaded that the operator does not have ready access to the mechanics operating the brakes of such vehicle. (1987 Code)

1. 625 ILCS 5/12-301.

5-7-8: **MUFFLER:** No motor vehicle shall be operated on any street unless such vehicle is provided with a muffler in efficient actual working condition; and the use of a cutout is prohibited. (1987 Code)

5-7-9: **LIGHTS:** It shall be unlawful to operate or park on any street any vehicle not equipped with adequate lights conforming to the requirements of the state law¹, provided that vehicles may be parked at nighttime without lights on any street or portion thereof, designated by ordinance as a place where vehicles may so park at nighttime. (1987 Code)

5-7-10: **VOLUNTEER FIREMAN:** Any motor vehicle owned or usually operated by a volunteer fireman may be equipped with not more than two (2) lamps which shall emit a blue light without glare. One such lamp may be mounted on the rear of any such vehicle. A flashing blue light may be used only when such fireman is responding to a fire call. (1987 Code)

5-7-11: **NONSKID DEVICES:** It shall be unlawful to operate upon any street any motor vehicle equipped with any nonskid device so constructed that any rigid or nonflexible portion thereof comes into contact with the pavement, or roadway. (1987 Code)

5-7-12: **TIRES:** It shall be unlawful to operate on any street any motor vehicle which is not equipped with tires conforming to the requirements of the state traffic law². (1987 Code)

5-7-13: **WEIGHT:** It shall be unlawful to drive on any street any motor vehicle with a weight, including load, in excess of that permitted by the state traffic law³ for driving on improved highways, or with weight distributed in a manner not conforming to such law, or in violation of special weight limits provided for by ordinance and signposted. (1987 Code)

1. 625 ILCS 5/12-201.

2. 625 ILCS 5/12-401.

3. 625 ILCS 5/15-107.

5-7-14: **SPILLING LOADS:** No vehicle shall be so loaded that any part of its load spills or drops on any street or alley in the municipality. (1987 Code)

5-7-15: **BICYCLES:**

- A. Every bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred feet (500') to the front and with a reflector on the rear of a type which shall be visible from all distances from fifty feet (50') to three hundred feet (300') to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred feet (500') to the rear may be used in addition to the red reflector.
- B. No person shall operate a bicycle that is not equipped with a bell or other device capable of giving a signal audible for a distance of at least one hundred feet (100'), except that a bicycle shall not be equipped with nor shall any person use upon a bicycle any siren or whistle.
- C. Every bicycle shall be equipped with a good and adequate brake. (1987 Code)

5-7-16: **DRIVING UNSAFE VEHICLES PROHIBITED:** It is unlawful for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any highway any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person or property, or which does not contain those parts or is not at all times equipped with such lamps and other equipment in proper condition and adjustment as required in this chapter, or which is equipped in any manner in violation of this chapter. (1987 Code)

CHAPTER 8

DRIVERS

SECTION:

5-8-1: Liquor or Drugs

5-8-2: Accidents

5-8-1: **LIQUOR OR DRUGS:** It shall be unlawful for the habitual user of narcotic drugs to operate any motor vehicle on any street; and it shall be unlawful for any intoxicated person, or any person under the influence of alcohol or of a narcotic drug, to operate or attempt to operate any motor vehicles on any street.

5-8-2: **ACCIDENTS:** The driver of a vehicle which has collided with, or been in an accident with any vehicle, person or property in such a manner as to cause injury or damage, shall stop immediately, and render such assistance as may be possible, and to give his true name and residence to the injured person, or the owner of the property damaged, and to a police officer if one is present. A report of each such accident shall be given by the driver of each vehicle concerned in it to the Chief of Police within twenty four (24) hours after the accident.

CHAPTER 9

PENALTY

SECTION:

- 5-9-1: General Penalty
- 5-9-2: Arrests
- 5-9-3: Tickets
- 5-9-4: Prima Facie Proof
- 5-9-5: Attorney's Fees
- 5-9-6: Court Costs

5-9-1: **GENERAL PENALTY:** Any person violating any provisions of this Title shall be fined not less than five dollars (\$5.00) nor more than two hundred dollars (\$200.00) for each offense, unless the offense in question provides for a penalty for that specific offense, in which case the specific penalty for the offense shall apply.

5-9-2: **ARRESTS:** Any person arrested for a violation of any provision of this Title shall be released upon proper bail being furnished as required by statute. The police officer in command at the station may, in the absence of a court officer, prescribe the amount of bail or bond in each instance. Provided that any arrested person may at his own request, have the amount of such bond set by a magistrate or justice of the peace as provided by statute.

5-9-3: **TICKETS:** For offenses other than driving while intoxicated or reckless driving, police officers, after making note of the license number of the vehicle (and name of the offender where possible) may issue a traffic violation ticket notifying the offender to appear in court at the time designated for hearing such cases. Such officer may sign a complaint for the issuance of a warrant if the offender does not appear at the time and place so specified.

5-9-4: **PRIMA FACIE PROOF:** The fact that an automobile which is illegally parked is registered in the name of a person shall be considered prima facie proof that such person was in control of the automobile at the time of such parking.

5-9-5: **ATTORNEY FEES:** In the event the village attorney or any attorney representing the village appears to prosecute a violation of any provision of this title an additional charge of the maximum amount of money permitted under Illinois law shall be taxed to the defendant as costs. (1987 Code)

5-9-6: **COURT COSTS:** Whenever a person pleads guilty, forfeits a duly posted bond, or is found guilty at trial on any offense the costs of the proceeding shall be paid by such person. When a person is found not guilty or the cause of action is dismissed on motion of the village, the village shall pay the costs. (1987 Code)

CHAPTER 10

TOWING CARS AWAY

SECTION:

5-10-1: General

5-10-1: **GENERAL:** The police department, and all members thereof assigned to traffic duty, are hereby authorized to remove and tow away, or have removed and towed away by commercial towing service, any car or other vehicle illegally parked in any place where such parked vehicle creates or constitutes a traffic hazard, blocks the use of a fire hydrant, or obstructs or may obstruct the movement of any emergency vehicle. (Ord. 483, 6-5-2006)

CHAPTER 11
ABANDONED MOTOR VEHICLES¹

(Rep. by Ord. 483, 6-5-2006)

1. See title 4, chapter 6 of this code for inoperable motor vehicles.

CHAPTER 12

WHEEL TAX

(Rep. by Ord. 412, 3-2-1998, eff. 5-1-1998)

CHAPTER 13

RAILROADS

(Rep. by Ord. 483, 6-5-2006)

CHAPTER 14
SNOWMOBILES

SECTION:

- 5-14-1: Restricted
5-14-2: Snowmobile Route
5-14-3: Penalty

5-14-1: **RESTRICTED:** No snowmobile shall be operated upon a public highway within the village except on the route hereinafter described and as set forth in section 5-14-2 of this chapter. (Ord. 454, 1-7-2002)

5-14-2: **SNOWMOBILE ROUTE:**

- A. Snowmobile route is described as follows: that portion of Main Street north of 4th Street; that portion of 4th Street running from Main Street to Marion Street; that portion of Marion Street running from 4th Street to 1st Street; that portion of 1st Street running from Marion Street to School Street; and that portion of School Street south of 1st Street to the south edge of the village.
- B. Snowmobiles may be operated to and from the owner's residence to the nearest approved portion of the route only for the purposes of going to and from said route. (Ord. 454, 1-7-2002)

5-14-3: **PENALTY:** Any person operating a snowmobile other than under the provisions of this chapter on a village street in the village of Chadwick shall be subject to a fine set forth in the general penalty provisions of the ordinances of the village of Chadwick. (Ord. 454, 1-7-2002)

TITLE 6
PUBLIC SERVICES

Subject	Chapter
Garbage Collection Charges.....	1

CHAPTER 1

GARBAGE COLLECTION CHARGES

SECTION:

- 6-1-1: Garbage Collection Rate
- 6-1-2: Billing With Water And Sewer Charges
- 6-1-3: Liability For Payment
- 6-1-4: Delinquencies, Lien Against Property
- 6-1-5: Village Treasurer, Render Bills
- 6-1-6: Revenues Kept Separate
- 6-1-7: System Of Accounts, Garbage Fund (Rep. by Ord. 483, 6-5-2006)
- 6-1-8: Provisions Filed With County

6-1-1: GARBAGE COLLECTION RATE:

- A. Each residence, including expressly each separate household in a multiple dwelling in the village, is hereby assessed a monthly rate or charge of eight dollars (\$8.00) in advance to defray the cost of garbage collection. Each residence shall be entitled to have collected a total of thirty (30) gallons of garbage per week. This garbage may be contained in a single thirty (30) gallon garbage bag or in two (2) or more smaller containers totaling thirty (30) gallons. (Ord. 383, 2-7-1994)
- B. The village shall provide to each household an initial recycling bin without cost to the residents of the household. In the event the bin is lost, stolen, broken or otherwise no longer able to be used, additional bins shall be sold by the village to householders at replacement cost to the village. Said bin shall initially have a replacement cost of five dollars (\$5.00) which may be adjusted from time to time by the village without requiring amendment of this section. (Ord. 383, 2-7-1994; amd. Ord. 483, 6-5-2006)

6-1-2: **BILLING WITH WATER AND SEWER CHARGES:** For convenience in billing and payment, as to residences within the village which are currently being assessed a monthly water and sewer rate charge, the village representative is hereby authorized and directed to add to each of the billings therefor, as an additional item each month, the said eight dollar (\$8.00) garbage charge, and to collect the same concurrently with said water and sewer charges. As to all residences not being assessed a water and sewer charge in the village, the village representative shall bill such garbage collection and disposal charge monthly in advance at the rate of eight dollars (\$8.00) to the head of the household occupying such residence. (Ord. 464, 9-8-2003)

6-1-3: **LIABILITY FOR PAYMENT:** Charges for garbage collection and disposal shall be paid consistent with the provisions for payment of water and sewer bills set forth in sections 7-2-3 and 7-2-4 of this code and shall be billed consistent with said provisions. The owner of the premises, the occupant thereof and each user of said service shall be jointly and severally liable for payment of the service upon such premises. The service is furnished to the premises by the village expressly upon the condition that the owner of the premises, the occupant and each user of the service are jointly and severally liable therefor to the village, and that any and all delinquent charges therefor shall constitute a lien upon the real estate as hereinafter provided. (Ord. 467, 3-1-2004)

6-1-4: **DELINQUENCIES, LIEN AGAINST PROPERTY:** In the event the charges for service are not paid consistent with the provisions of sections 7-2-3 and 7-2-4 of this code and a delinquency arises, the delinquency shall constitute a lien upon the real estate for which the service is supplied. The village clerk, or the village attorney acting as agent for the village clerk, is hereby authorized and directed to file sworn statements showing such delinquencies in the office of the recorder of deeds of Carroll County, Illinois, and the filing of such statements shall be deemed notice for the payment of such charges for service. As set forth in section 7-2-4 of this code, all costs in connection with the filing of said lien, including filing fees, attorney fees, etc., shall attach to the amount due on said lien and shall be collectible by the village. (Ord. 467, 3-1-2004)

6-1-5: **VILLAGE TREASURER, RENDER BILLS:** It is hereby made the duty of the village treasurer to render bills for service and for all rates and charges in connection therewith and to collect all monies due thereon. (1987 Code)

6-1-6: **REVENUES KEPT SEPARATE:** All revenues and monies derived from the garbage collection and disposal charges shall be held by the village treasurer separately from all other funds of the village. (1987 Code)

6-1-7: **SYSTEM OF ACCOUNTS, GARBAGE FUND:** (Rep. by Ord. 483, 6-5-2006)

6-1-8: **PROVISIONS FILED WITH COUNTY:** A copy of this chapter, certified by the village clerk, shall be on file in the office of the recorder of deeds of Carroll County, and shall be deemed notice to all owners of real estate of their liability for garbage collection and disposal service of the village on their properties. (1987 Code)

TITLE 7
PUBLIC WAYS AND PROPERTY

Subject	Chapter
Streets And Sidewalks	1
Combined Waterworks And Sewerage	
System Rates And Charges	2
Water Service Regulations	3
Sewer Use And Connection Regulations	4
Plumbing Code	5
Backflow Devices	6
Park Regulations	7

CHAPTER 1

STREETS AND SIDEWALKS

SECTION:

- 7-1-1: Datum Plane (Rep. by Ord. 483, 6-5-2006)
- 7-1-2: Streets In Subdivisions, Additions To Village
- 7-1-3: Dumping Gravel, Rock
- 7-1-4: Obstructing Streets (Rep. by Ord. 483, 6-5-2006)
- 7-1-5: Encroachment Of Public Right Of Way (Rep. by Ord. 483, 6-5-2006)
- 7-1-6: Metal Drainage Tubes For Driveways Adjoining Village Streets

7-1-1: **DATUM PLANE:** (Rep. by Ord. 483, 6-5-2006)

7-1-2: **STREETS IN SUBDIVISIONS, ADDITIONS TO VILLAGE:**

No addition, subaddition or division of addition to the village shall be accepted by the board of trustees unless, previously to the date of the tendering of the plot of said addition, subaddition or division of addition to said board, all the streets of such addition, subaddition or division of addition shall have been graded and substantial culverts or bridges placed in all hollows where, by reason of the flow of water, the same are necessary.

No addition, subaddition or division of addition will be accepted by the village board unless the rear of each lot is bounded by a street or alley sixteen feet (16') or more in width. (1987 Code)

7-1-3: **DUMPING GRAVEL, ROCK:** It shall be unlawful for any person to dump, spread or in any manner place gravel, road rock or any material in the gutters or ditches in or on the streets of the village without prior approval of the village board of trustees or its designated representative. Any person violating any of the provisions of this

section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined fifty dollars (\$50.00). (Ord. 483, 6-5-2006)

7-1-4: **OBSTRUCTING STREETS:** (Rep. by Ord. 483, 6-5-2006)

7-1-5: **ENCROACHMENT OF PUBLIC RIGHT OF WAY:** (Rep. by Ord. 483, 6-5-2006)

7-1-6: **METAL DRAINAGE TUBES FOR DRIVEWAYS ADJOINING VILLAGE STREETS:**

- A. If a citizen who owns property within the village wishes to have a metal drainage tube placed in the driveway of said property where it adjoins a village street they may request the village board of trustees to provide said tube.
- B. The village board of trustees after reviewing the application shall determine whether or not it would be beneficial to provide drainage to the streets and to maintain the streets of the village to provide said tube.
- C. If the village board of trustees determines that said tube is in the best of interest of the village, a tube shall be provided free of charge. The village board of trustees shall normally use a sixteen foot (16') tube and shall have complete discretion to provide a tube which is most appropriate for the setting.
- D. In the event said tube is installed free of charge by the village and the tube should, in the future, deteriorate due to natural wear and tear and require replacement, it shall be replaced by the village at village expense.
- E. In the event said tube should become damaged as a result of being driven over, hit by a vehicle, or in any other way other than normal wear and tear, the tube shall be replaced solely at the expense of the property owner.
- F. This provision to provide a tube shall be limited to one entrance tube per property. The property owner shall not have a right to have two (2) entrances onto the village street containing the tubes at village expense.

- G. Should any question arise determining whether it is proper to place a tube in a driveway adjoining a village street or to repair or replace a tube and to determine whether the tube needs to be replaced because of natural wear and tear or because of damage, the village board of trustees shall make a finding of fact and determination as to the need for replacement of a tube. The village board of trustees determination shall be final on all questions concerning said tube including the determination of whether the village shall pay for the cost of the tube or whether it should be borne by the property owner. (Ord. 392, 4-3-1995)

CHAPTER 2

COMBINED WATERWORKS AND SEWERAGE
SYSTEM RATES AND CHARGES

SECTION:

- 7-2- 1: Rates And Charges
- 7-2- 2: Charges For Each Lot, User
- 7-2- 3: Bills Rendered By Village Treasurer
- 7-2- 4: Delinquent Bills, Penalty And Water Shutoff
- 7-2- 5: Liability For Payment
- 7-2- 6: Waterworks And Sewerage Fund
- 7-2- 7: Notice By Consumer For Shutoff
- 7-2- 8: Village Right To Impose Special Charges
- 7-2- 9: Resale Of Water Prohibited
- 7-2-10: Village Not Liable
- 7-2-11: Right Of Access
- 7-2-12: Supply Water To Others
- 7-2-13: Village Right To Shut Off Water
- 7-2-14: Separate Connections Required
- 7-2-15: Delinquencies, Lien Against Property For Water And Sewer Charges

7-2-1: **RATES AND CHARGES:** The following rates and charges for the use and services of the combined waterworks and sewerage system of the village are hereby established: (1987 Code)

A. Water Rates For Users Within Corporate Limits¹:

First	1,000 gallons (minimum bill)	\$15.75 per month
Next	7,000 gallons, per 1,000 gallons	3.94 per month
Next	4,000 gallons, per 1,000 gallons	3.68 per month
Next	28,000 gallons, per 1,000 gallons	3.41 per month
Over	40,000 gallons, per 1,000 gallons	0.52 per month

1. These rate changes shall be effective for sewer and water services provided by the village of Chadwick on August 1, 2002, and thereafter.

- B. Sewer Rates For Users Within Corporate Limits¹:
- First 1,000 gallons (minimum bill) \$9.50 per month
Over 1,000 gallons, per 1,000 gallons 2.50 per month
- (Ord. 457, 7-1-2002)
- C. Water And Sewer User Rates Outside Corporate Limits: Each user of the waterworks and/or sewerage system of the village located outside the corporate limits shall have fifty percent (50%) added to the bill rendered for the type of service used. (1987 Code)
- D. Minimum Charge: The minimum charge for both water and sewer services within the corporate limits shall be twenty five dollars twenty five cents (\$25.25) per month for each user. (Ord. 464, 9-8-2003)
- E. Irrigation Rates: Irrigation users who have first purchased and installed a meter for said purposes shall be charged water rates only, in accordance with rates specified in subsection A or C of this section. (1987 Code)
- F. Installation Fee: Each user requesting a new service shall pay an installation fee based on time and materials which includes the furnishing of a standard water meter. (Ord. 436, 4-3-2000)
- G. Water Meter Testing Fee: In the event a water user desires to test the accuracy of a water meter, the village will test the meter for a fee of twenty five dollars (\$25.00) paid in advance. If the meter test indicates that the meter registers erroneously in excess of two percent (2%), either fast or slow, the meter will be repaired or replaced, and the testing fee will be returned to the customer; otherwise, the testing fee will be retained by the village to cover the cost of the test. (Ord. 464, 9-8-2003)
- H. Turning Off, Turning On Fee: A charge of twenty five dollars (\$25.00) will be made for turning off and turning on water service, except at the time of commencement of such service or at its termination². This charge shall apply only to turning on or off of the water service during normal business hours, said business hours being from eight o'clock (8:00) A.M. to five o'clock (5:00) P.M. Monday through

1. These rate changes shall be effective for sewer and water services provided by the village of Chadwick on August 1, 2002, and thereafter.
2. See also section 7-2-4 of this chapter.

Friday. If said water service is turned off or turned on at other than normal business hours, including, but not limited to, during a holiday or weekend, the charge for turning said water service on or off shall be fifty dollars (\$50.00). (Ord. 455, 2-4-2002)

7-2-2: CHARGES FOR EACH LOT, USER: Charges for service shall be made and collected against each lot, parcel of land or premises to which water is supplied by the village waterworks system or which may have any active sewer connection with the sewerage system of the village or which may actively discharge sewage or industrial waste either directly or indirectly into said system or any part thereof. (1987 Code)

7-2-3: BILLS RENDERED BY VILLAGE TREASURER: Bills for the rates and charges herein established shall be made out by the village treasurer or a board approved entity and shall be sent out bimonthly. The bills shall be payable on the twentieth day of the month following the rendering of the service. All bills shall be payable by mail to the village treasurer in the village hall, or at a designated collection agency. (Ord. 411, 11-3-1997)

7-2-4: DELINQUENT BILLS, PENALTY AND WATER SHUTOFF: A procedure is hereby established for discontinuance of water and sewer service for failure to pay water and sewer charges in a timely manner. In addition, a procedure is established for reconnection of water and sewer service after late payment of water and sewer charges. Said procedure shall be as follows:

- A. All payments made for water and sewer charges on or before the due date shall be considered timely. (Ord. 455, 2-4-2002)
- B. On the first day after water and sewer charges become due and payable a twenty five dollar (\$25.00) fee shall be attached to said water and sewer charges and shall become an additional charge. (Ord. 466, 12-1-2003)
- C. Five (5) days after water and sewer charges become due and payable, a written notice of intention to disconnect water service shall be mailed to all delinquent accounts. (Ord. 464, 9-8-2003)

- D. All persons concerned with said delinquent accounts shall have the right to address the board and to be heard and to offer explanation or otherwise to comment on said delinquent accounts.
- E. Following said village board meeting, the board may, if it feels it is in the best interests of the village, order the disconnection of water services of delinquent accounts. Immediately following said direction by the village board said water connection shall be disconnected.
- F. Upon payment of all outstanding services plus a reconnection charge, delinquent accounts which have been disconnected shall be reconnected. In the event the reconnection is made during normal business hours of between eight o'clock (8:00) A.M. and five o'clock (5:00) P.M., Monday through Friday, the reconnection charge in addition to the amount of the delinquent account shall be twenty five dollars (\$25.00). If said reconnection is made at other than normal business hours, including, but not limited to, during a holiday or weekend, the reconnection charge shall be fifty dollars (\$50.00).
- G. In addition to all other charges set forth in this and the other codified ordinances of the village with regard to failure to pay water and sewer charges, any person or persons or any entity delinquent in payment of said water and sewer charges shall also become liable for all court costs, filing fees, and reasonable attorney fees incurred by the village in connection with enforcing ordinances related to water and sewer charges. Said charges shall become due and payable as they are incurred and in the event a water and sewer service has been disconnected, no reconnection shall take place until these charges have been paid in full together with all other outstanding charges.
- H. From the effective date of this subsection and subsections I and J of this section, all outstanding bills due and owing for water and sewer services or for any other services provided and billed through the water and sewer department shall accrue interest on any unpaid amounts at the rate of one and one-half percent ($1\frac{1}{2}\%$) for all accounts that are due and delinquent more than thirty (30) days. All bills which are paid within thirty (30) days of their being issued shall be interest free; all subsequent bills shall accrue interest.
- I. When a person or other entity applies for hookup or otherwise applies to receive services from the water and sewer department, be it sewer services, water services, or other services, the village may require a deposit of fifty dollars (\$50.00) prior to said hookup. In the event a deposit is made and the customer's bill remains current for a

period of six (6) months and at no time does the bill become delinquent during said six (6) month period, the deposit shall be refunded. At the time it is determined that the deposit is to be refunded, fifty dollars (\$50.00) will be applied as a credit on the customer's bill.

- J. In the event the village is required to incur any additional fees to collect outstanding water and sewer payments, including, but not limited to, attorney fees, filing fees, service of process fees, and any other type of collection fees, said fees shall attach to the amount due and owing and shall be collected as part of said outstanding bill due the village. (Ord. 455, 2-4-2002)

7-2-5: **LIABILITY FOR PAYMENT:** The owner of any lot, parcel of land or premises receiving any of the services of the combined waterworks and sewerage system of the village, the occupant of such premises and the user of the services shall be jointly and severally liable for the payment of services to such lot, parcel of land or premises and all services are rendered to the premises by the village only on the condition that such owner, occupant and user shall be jointly and severally liable therefor to the village. (1987 Code)

7-2-6: **WATERWORKS AND SEWERAGE FUND:** The village treasurer shall receive all such revenues from the combined waterworks and sewerage system and all other funds and monies incident to the operation of such system as the same may be delivered to him and deposit the same in a separate fund and in a separate bank account designated as the "waterworks and sewerage fund" of the village, established by ordinance 244 of the village which authorized the issuance of revenue bonds, and the village treasurer shall administer such fund in every respect in the manner provided by said ordinance and by law. (1987 Code)

7-2-7: **NOTICE BY CONSUMER FOR SHUTOFF:** Water shall be deemed to have been supplied to any property connected to the waterworks system during any month, unless the water user shall have given written notice to the village treasurer prior to the first day of the month that service should be discontinued on or prior to the first day of such month. Upon the receipt of such notice, water service shall be discontinued in accordance therewith and shall not be resumed until a request for the resumption of water service shall be made. (1987 Code)

7-2-8: **VILLAGE RIGHT TO IMPOSE SPECIAL CHARGES:** The village president and board of trustees reserve the right to make special charges for water or sewerage service supplied to properties not covered by the above rates or which, in the judgment of said board, should be charged special rates. (1987 Code)

7-2-9: **RESALE OF WATER PROHIBITED:** No water supplied by the waterworks system of the village shall be resold by any user, and such resale shall be grounds for the discontinuance of water service to the user so reselling water. (1987 Code)

7-2-10: **VILLAGE NOT LIABLE:** All water or sewerage service supplied by the combined system shall be upon the express condition that the village shall not be liable nor shall any claim be made against it for damages or injury caused by reason of the breaking of any main, branches, service pipes, apparatus or appurtenances connected with said combined system or any part or portion thereof, or for any interruption of the supply by reason of the breakage of machinery, or by reason of stoppage, alterations, extensions or renewals. (1987 Code)

7-2-11: **RIGHT OF ACCESS:** The village and its employees shall have ready access at all reasonable times to the premises, places or buildings where water or sewerage service is supplied for the following purposes:

- A. Examination and testing of the consumption, use and flow of water and/or sewage of the combined system.
- B. Examination of the water meter, examination, testing and/or replacement of the water meter.
- C. To perform any reasonable repair, cleaning, replacement or other types of maintenance.
- D. Any other lawful purpose.

Should the property owner, occupant or any other person interfere with, prevent, or obstruct the village or its duly authorized agents in performing the inspections and activities set forth under this section, it shall be grounds for disconnection of water service to the premises in question until the access requested by the village or its duly authorized agent is complied

with. Should said disconnection be necessary, the standard disconnection and reconnection fees called for under this chapter shall apply.

In the event said inspection is refused, the village employee or duly authorized agent shall be empowered to immediately disconnect the water service to said premises. (Ord. 469, 6-7-2004)

7-2-12: SUPPLY WATER TO OTHERS: No water consumer may supply to other families or allow them to take water, except for use on the premises and for the purposes specified in the application, nor after water is introduced into any building or upon any premises shall any person make or employ any other person to make any tap or connection with work upon the premises for alterations, repairs, extensions or attachments without written permit therefor. (1987 Code)

7-2-13: VILLAGE RIGHT TO SHUT OFF WATER: The village reserves the right to shut off water at any time in the mains for the purpose of repairing, cleaning, making connections with or extensions to same, or for the concentrating of water in any part of the village in case of fire, and for restricting the use of water in case of deficiency in supply, including the suspension of the use of water for sprinkling lawns or gardens. The village shall not be liable for damages to pipes or service cocks arising from shutting off of water for repairing, laying or relaying mains, hydrants or other connections or repairing any part of the water system, or from failure of the water supply, or by increasing the water pressure at any time, or from concentrated or restricted use of water as above provided. (1987 Code)

7-2-14: SEPARATE CONNECTIONS REQUIRED: No owner or plumber shall be permitted to connect water pipes into any two (2) distinct premises or tenements unless separate and distinct stopcocks shall be placed on the outside of each such premises along the sidewalk opposite the same, nor shall any pipe be allowed to cross lots or buildings to adjoining premises. Each family unit of duplex flats, double houses and apartment houses shall be considered as one "premises". A "premises" shall be construed to cover all buildings and divisions under one common roof, owned by one party who will be liable for payment for all services to such premises. (1987 Code)

7-2-15: DELINQUENCIES, LIEN AGAINST PROPERTY FOR WATER AND SEWER CHARGES: All charges for water and sewer service in the village or for property outside the village which receives village water and sewer services and which are not paid in a timely manner shall become a lien upon the real estate to which the services are provided. The village clerk is hereby authorized and directed to file a sworn statement showing such delinquencies in the office of the recorder of deeds of Carroll County, Illinois, and the filing of such statement shall be deemed notice for the payment of said charges for service. In addition to the basic charges as outlined in other paragraphs of this code, all additional expenses incurred by the village in connection with preparing said lien, filing said lien, and any expenses involved in collecting the amount due under said lien shall become additional amounts due and owing the village and shall also become a lien on said property. These additional charges shall include, but shall not be limited to, filing fees incurred in the filing of said lien, a reasonable fee not to exceed twenty five dollars (\$25.00) per check for any check returned to the village for insufficient funds or for any other reason, reasonable attorney fees incurred by the village in connection with the preparing, filing, releasing, etc., of said lien or liens, and all other out of pocket expenses which the village may incur in connection with said delinquent water and sewer charges. It is further directed that the village clerk may combine a lien for failure to pay garbage disposal fees with said water and sewer lien and that all of the provisions set forth in this section for additional charges in connection with said lien shall apply to said garbage service liens. (Ord. 352, 6-6-1988)

CHAPTER 3

WATER SERVICE REGULATIONS

SECTION:

- 7-3-1: Village Representative
- 7-3-2: Water Connections
- 7-3-3: Excavation Permit, Lay Water Pipes
- 7-3-4: Turning Water On
- 7-3-5: Water Meter Required
- 7-3-6: Rules And Regulations
- 7-3-7: Penalty

7-3-1: **VILLAGE REPRESENTATIVE:** The village president and board of trustees shall, at the first regular meeting after the annual election in each year, or as soon thereafter as practicable, appoint a village representative, who shall qualify and give bond in the sum as the village president and board of trustees shall determine. It shall be the duty of such officer, in addition to other duties prescribed:

- A. To preserve and protect the property of the village in, about and relating to the municipal waterworks and water system.
- B. To direct the time, place and manner of tapping water pipes and of turning on and off water.
- C. To make out and present to the village president and board of trustees each month, the payroll of waterworks employees and such other reports as the said president and village board shall prescribe.

In case of vacancy in the office of village representative, the village waterworks engineer shall perform all the duties of said village representative, possess the same powers and be subject to the same liability, without extra compensation. (Ord. 483, 6-5-2006)

7-3-2: WATER CONNECTIONS:

- A. **Application For Permit, Charges:** The applicant for a permit to tap any water main shall pay all the cost and expense of labor and materials for tapping such main, for inserting the corporation cock, laying the service pipe from such tap to a point six feet (6') from the property line, and there placing a stopcock and an iron cutoff box. (1987 Code)
- B. **Materials And Workmanship:** All of such service pipes and other materials so to be furnished by the applicant shall be of a quality that is approved by the village representative and all such work shall be performed under the direction and supervision of such village representative. (1987 Code; amd. Ord. 483, 6-5-2006)
- C. **Keep Pipes In Good Repair:** All persons taking water or whose property is now or shall be hereafter connected with said municipal water system shall keep the service pipes, stopcocks and other apparatus, whether within their property line or between the same and their respective taps, in good repair to prevent waste of water.
- D. **Nonliability Of Village:** It is expressly understood that no claim shall be made or allowed against the village or against any of its agents or officers on account of the breakage of any apparatus, stopping of any water supply, or accident to machinery or mains. (1987 Code)

7-3-3: EXCAVATION PERMIT, LAY WATER PIPES:

- A. No person shall make any excavation in the streets for the purpose of laying water pipe, or tap any surface pipe of the municipal water system without first obtaining a written permit from the village representative, and then only such persons as are authorized to perform such work shall do the same; and the particular person to be employed shall in each case be named in the permit.
- B. No person shall make any excavation in any street or highway within four and one-half feet ($4\frac{1}{2}'$) of any laid water pipe while the ground is frozen, except by special order of the village representative or the village president and board of trustees.
- C. Pipes shall not be laid at less than four and one-half feet ($4\frac{1}{2}'$) below the surface and shall remain uncovered until inspected by the village representative. (1987 Code; amd. Ord. 483, 6-5-2006)

7-3-4: **TURNING WATER ON:** The water will not be turned into any home or private service pipe except upon the order of the village representative; and the plumbers are strictly prohibited from turning the water into any service pipe, except upon the order and permission of the village representative. This rule shall not be construed to prevent any plumber admitting water to test the pipes and for that purpose only. (1987 Code; amd. Ord. 483, 6-5-2006)

7-3-5: **WATER METER REQUIRED:** All persons using water shall install a water meter, the same to be furnished and kept in repair by the village and to be of standard make. Such meters may be installed in manholes outside of the property line or at some suitable place on the property of the water user, at the option of the village. (1987 Code)

7-3-6: **RULES AND REGULATIONS:** The following rules and regulations to govern water takers and plumbers are hereby adopted and established¹:

- A. The village president and board of trustees shall appoint all necessary officers and agents for furnishing water, reading meters, collecting water rates and supervision of the water system, and the president and board of trustees shall determine the term of office, duties and salaries or other compensation of such officers and agents. (1987 Code)
- B. All work done on the streets and contemplated by this chapter must be done under the supervision of the village representative and street commissioner and subject to their direction and approval.
- C. The ferrule inserted in the distributing pipes and the service pipe laid shall be of the size specified in the permit. The village representative shall keep a complete record and the profile of the exact location, number and sizes of all taps inserted and the length of the service pipe laid, the tapper being hereby required to make immediate return to said village representative of said details.
- D. Application for permits to connect service pipes with any supply pipe must be made to the village representative.

1. See also section 7-5-1 of this title.

- E. Notice must be given to the village representative by the plumber about to lay down service pipes, fixing the day upon which he wishes the ferrule inserted. (1987 Code; amd. Ord. 483, 6-5-2006)
- F. No person except the village tapper will be permitted, under any circumstances, to tap the street mains or insert stopcocks, shutoff valves or ferrules therein. All service cocks, valves or ferrules must be inserted at or near the top of the street main and not in any case nearer than six inches (6") from the bell of the pipe. The size of the cock or valve shall be specified in the permit. (1987 Code)
- G. It shall be the duty of the village representative and the street commissioner to superintend and direct all work connected with the water system, and from time to time report to the village president and board of trustees as to the manner in which the plumbers perform their work and the condition in which they find the street repaired. (1987 Code; amd. Ord. 483, 6-5-2006)
- H. No private hydrants shall be located on the sidewalk or elsewhere beyond the limits of the lot of the person to whom the permit is issued. (1987 Code)

7-3-7: **PENALTY:** Any person violating any provision of this chapter shall be subject to a fine of five hundred dollars (\$500.00). (Ord. 483, 6-5-2006)

CHAPTER 4

SEWER USE AND CONNECTION REGULATIONS

SECTION:

- 7-4- 1: Definitions
- 7-4- 2: Use Of Public Sewers Required
- 7-4- 3: Building Sewers And Connections
- 7-4- 4: Use Of The Public Sewers
- 7-4- 5: Discharging Sewage Into Storm Drains Prohibited
- 7-4- 6: Protection From Damage
- 7-4- 7: Powers And Authority Of Inspectors
- 7-4- 8: Permit System
- 7-4- 9: Cross Connections
- 7-4-10: Penalty

7-4-1: **DEFINITIONS:** Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

BOD (Denoting Biochemical Oxygen Demand): The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five (5) days at twenty degrees Celsius (20°C), expressed in milligrams per liter.

BUILDING DRAIN: That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet (5') outside the inner face of the building wall.

BUILDING SEWER: The extension from the building drain to the public sewer or other place of disposal.

COMBINED SEWER: A sewer receiving both surface runoff and sewage.

CONTROL MANHOLE	A structure located on a site from which industrial wastes are discharged. The purpose of a "control manhole" is to provide access for a Village representative to sample and/or measure discharges.
GARBAGE	Solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.
INDUSTRIAL WASTES	The liquid wastes from industrial manufacturing processes, trades or businesses as distinct from sanitary sewage.
NATURAL OUTLET	Any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.
PERSON	Any individual, firm, company, association, society, corporation or group.
pH	The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
PROPERLY SHREDDED GARBAGE	The wastes from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (½") in any dimension.
PUBLIC SEWER	A sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.
SANITARY SEWER	A sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.
SEWAGE	A combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface and storm waters as may be present.
SEWAGE TREATMENT PLANT	Any arrangement of devices and structures used for treating sewage.
SEWAGE WORKS	All facilities for collecting, pumping, treating and disposing of sewage.

SEWER	A pipe or conduit for carrying sewage.
SHALL, MAY	“Shall” is mandatory; “may” is permissive.
SLUG	Any discharge of water, sewage or industrial waste which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty four (24) hour concentration of flows during normal operation.
STORM DRAIN (sometimes termed “storm sewer”)	A sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.
SUPERINTENDENT	The Building Inspector of the Village, or his authorized agent or representative.
SUSPENDED SOLIDS	Solids that either float on the surface of, or are in suspension in water, sewage or other liquids, and which are removable by laboratory filtering.
VILLAGE	The Village of Chadwick.
WATERCOURSE	A channel in which a flow of water occurs, either continuously or intermittently.

7-4-2: USE OF PUBLIC SEWERS REQUIRED:

- A. It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the Village, or in any area under the jurisdiction of the Village, any human or animal excrement, garbage or other objectionable waste.
- B. It shall be unlawful to discharge to any natural outlet within the Village, or in any area under the jurisdiction of the Village, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Chapter.
- C. The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes situated within the Village and abutting on any street, alley or right of way in which there is now located or may in the future be located a public sanitary or combined sewer of the Village, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Chapter, within ninety (90) days after date of official notice to do so; provided, that said public sewer is within two hundred feet (200') of the property line.

- D. Nothing in this Chapter gives any person the right to have any public sewer main extended. Any determination to extend the public sewer rests in the sound discretion of the corporate authorities.

7-4-3: BUILDING SEWERS AND CONNECTIONS:

- A. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent.
- B. All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Village from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- C. A separate and independent building sewer shall be provided for every building, except where one building stands at the rear of another or an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.
- D. Old building sewers may be used in connection with new buildings only when they are found, upon examination and test by the Superintendent, to meet all requirements of this Chapter.
- E. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench shall all conform to the requirements of the Building and Plumbing Codes¹ or other applicable rules and regulations of the Village.
- F. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- G. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains or other sources of surface runoff or ground water to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.
- H. The connection of the building sewer into the public sewer shall conform to the requirements of the Building and Plumbing Codes¹ or other applicable rules and regulations of the Village. All such connections shall be made gas tight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installation.

1. See Section 7-5-1 of this Code.

- I. The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent or his representative.
- J. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Village.

7-4-4: USE OF THE PUBLIC SEWERS:

- A. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer.
- B. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Superintendent. Industrial cooling waters or unpolluted process waters may be discharged, on approval of the Superintendent, to a storm sewer, combined sewer or natural outlet.
- C. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:
 - 1. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
 - 2. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to damage sewers and/or treatment works structures and/or equipment, to injure or interfere with any sewage treatment process, to constitute a safety hazard to humans or animals, to create a public nuisance, or to cause the effluent from the treatment works to violate applicable effluent standards.
 - 3. Any waters or wastes having a pH lower than five and five-tenths (5.5), or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
 - 4. Solid or viscous substances or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

- D. No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the Superintendent that such wastes can harm either the sewers, sewage treatment process or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Superintendent, in consultation with the Village Engineer, Superintendent of Sewage Treatment Plant and the County and State regulating agency, will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

1. Any liquid or vapor having a temperature higher than one hundred fifty degrees (150°) F.

2. Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty two degrees (32°) and one hundred fifty degrees (150°) F.

3. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths ($\frac{3}{4}$) horsepower or greater shall be subject to the review and approval of the Superintendent.

4. No discharge of mercury shall be permitted which, alone or in combination with other sources, causes a violation of the water quality standard of 0.0005 mg/l of Hg.

5. No waste discharge to the Municipal sewer system shall contain detectable levels of cyanide at any time except as permitted below:

Any person desiring to discharge cyanide or cyanogen compounds to the Municipal sewer system shall apply for and procure approval from the Village and Environmental Protection Agency.

Total cyanide shall not exceed ten (10) mg/l, provided any sample tested shall not release more than two (2) mg/l of cyanide when tested at a pH of four and five-tenths (4.5) and at a temperature of one hundred fifty degrees (150°) for a period of thirty (30) minutes. Such discharges shall be permitted only when the agency has determined that no violation of the effluent criteria of 0.025 mg/l concentration (alone or in combination with other sources) will result from such discharge.

- D) 6. Any concentration of certain substances in the waste discharged to the Village sewers in excess of the following:

<u>Waste or Chemical</u>	<u>Concentration - mg/l</u>
Boron	1.0
Copper	1.0
Chromium (Hexavalent)	0.3
Chromium (Trivalent)	1.0
Iron	2.0
Lead	0.1
Nickel	1.0
Zinc	1.0
Cadmium	0.15

7. Any substance listed in subsection D6 above or any other substance not listed whose concentrations can result in any of the following conditions:

a. Decreased sewage plant treatment process efficiencies and degraded effluent qualities exceeding the current requirements of the regulatory agencies.

b. Concentrations of any toxic or objectionable substance in the sewage treatment plant effluent exceeding the current maximum limits established by the regulatory agencies for such plant effluent flows.

c. Any concentrations of toxic or objectionable substances in plant effluent flows which will result in concentrations of such substances in the receiving waters which will exceed the regulatory agency's maximum allowable limits for these substances in the receiving waters.

8. Any radioactive wastes or isotopes of such half-life concentration as may exceed limits established by the Superintendent in compliance with applicable State or Federal regulations.

9. Any waters or wastes having a pH in excess of nine and five-tenths (9.5).

10. Materials which exert or cause:

a. Unusual concentrations of inert suspended solids (such as, but not limited to, Fuller's earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).

b. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).

D10) c. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.

d. Unusual volume of flow or concentration of waste constituting "slugs" as defined in this Chapter.

E. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in subsection D of this Section, and which in the judgment of the Superintendent, may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:

1. Reject the wastes.

2. Require pretreatment to an acceptable condition for discharge to the public sewers.

3. Require control over the quantities and rates of discharge. The Superintendent shall require flow equalization facilities for any person producing a discharge into a public sewer in excess of twenty five thousand (25,000) gallons in one day. Each person subject to this requirement shall construct and maintain at his own expense a suitable storage and flow-control facility to insure equalization of discharge over a twenty four (24) hour period. This facility shall have a capacity of at least twenty five percent (25%) of the total normal volume of a twenty four (24) hour production period, and the outlet to the sewer shall be equipped with a rate discharge controller or other approved device, the regulation of which shall be directed by the Village.

4. Require payment of a surcharge to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under subsection J of this Section.

The amount of the surcharge shall be negotiated between the Village and the industry and shall be based on the industrial hydraulic and/or BOD₅ load to the sewage treatment plant in proportion to the sewage treatment plant capacity and the sewage treatment plant costs.

The surcharges for said wastes shall be adjusted annually based upon an annual audit of the sewage treatment plant costs and revenues received.

Wastes subject to surcharges shall be those having unusual volumes of flows and those having concentrations greater than the following "normal" concentrations:

- E4) a. A five (5) day, twenty degree (20°) C. biochemical oxygen demand (BOD) of two hundred (200) mg/l.
- b. A suspended solids content of two hundred twenty (220) mg/l.

When pretreatment or equalization of waste flows is required, the design and installation of the plants and equipment shall be subject to the review and approval of the Superintendent, and subject to the requirements of all applicable codes, ordinances and laws of the Village, the County and the State.

- F. Grease, oil and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection.
- G. Where preliminary treatment or flow-equalizing facilities are required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.
- H. When required by the Superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Superintendent. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.
- I. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this Chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. (The particular analyses involved will determine whether a twenty four [24] hour composite of all outfalls of a premise is appropriate or whether a

- I) grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from twenty four [24] hour composites of all outfalls whereas pH's are determined from periodic grab samples.)
- J. No statement contained in this Section shall be construed as preventing any special agreement or arrangement between the Village and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Village for treatment, subject to payment therefor, by the industrial concern. Surcharge rates shall be as adopted in the Village ordinance concerning the establishment of rates and charges for the services of the combined waterworks and sewerage system of the Village.¹

7-4-5: DISCHARGING SEWAGE INTO STORM DRAINS

PROHIBITED: It shall be unlawful for any person to connect or cause to be connected, any drain carrying or to carry any toilet, sink, basement, septic tank, cesspool, industrial waste, or any fixture or device discharging polluting substances, to any storm water drain in the Village. Any person violating this Section shall be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for each offense, and a separate offense shall be deemed committed for each and every day during which a violation continues or exists.

7-4-6: PROTECTION FROM DAMAGE:

No unauthorized person shall maliciously, wilfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

7-4-7: POWERS AND AUTHORITY OF INSPECTORS:

- A. The Superintendent and other duly authorized employees of the Village bearing credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this Chapter. The Superintendent or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.
- B. While performing the necessary work on private properties referred to in subsection A above, the Superintendent or duly authorized employees of the Village shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the Village employees and the Village shall indemnify

1. See Chapter 2 of this Title.

- B) the company against loss or damage to its property by Village employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Section 7-4-4H of this Chapter.

- C. The Superintendent and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all private properties through which the Village holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

7-4-8: **PERMIT SYSTEM:** It is accepted practice for those political entities using the permit system to call for two (2) classes of permits:

- A. For residential and commercial building sewers; and
- B. For industrial sewer connections.

7-4-9: **CROSS-CONNECTIONS:**

A. Definitions: For the purpose of this Chapter the following definitions shall apply:

BACKFLOW	Water of questionable quality, wastes or other contaminants entering a public water supply system due to a reversal of flow.
CROSS-CONNECTION	A connection or arrangement of piping or appurtenance which a backflow would occur.
SAFE AIR GAP	The minimum distance of water inlet or opening above the maximum high water level or overflow rim in a fixture, device or container to which public water is furnished which shall be at least two (2) times the inside diameter of the water inlet pipe; but shall not be less than one inch (1'') and need not be more than twelve inches (12'').
SECONDARY WATER SUPPLY	A water supply system maintained in addition to a public water supply, including but not limited to water systems from ground or surface sources not meeting the requirements of Act. No.98 of the Public Acts of 1913, as amended, being sections

- A) Secondary Water Supply (cont.) 325.210 to 325.214 of the Compiled Laws of 1948, or water from a public water supply which in any way has been treated, processed or exposed to any possible contaminant or stored in other than an approved storage facility.
- SUBMERGED INLET A water pipe or extension thereto from a public water supply terminating in a tank, vessel, fixture or appliance which may contain water of questionable quality, waste or other contaminant and which is unprotected against backflow.
- WATER UTILITY The Village of Chadwick Water Department.
- B. Compliance with Existing Laws: A connection with a public water supply system shall comply with the existing laws and rules and the provisions of the Code of the Village.
- C. Cross-Connections Prohibited: Cross-connections of the public water supply system and any other water supply system or source including but not limited to the following are prohibited:
1. Between a public water supply system and a secondary water supply.
 2. By submerged inlet.
 3. Between a lawn sprinkling system and the public water supply system.
 4. Between a public water supply and piping which may contain sanitary waste or a chemical contaminant.
 5. Between a public water supply system and piping immersed in a tank or vessel which may contain a contaminant.
- D. Local Cross-Connection Control Program: The Village shall develop a comprehensive control program for the elimination and prevention of all cross-connections, and removal of all existing cross-connections and prevention of all future cross-connections.
- E. Corrections and Protective Devices: Any user of Chadwick water shall obtain written approval from the Water Department of any proposed corrective action or protection device before using or

- E) installing it. The total time allowed for completion of the necessary corrections shall be contingent upon the degree of hazard involved and include the time required to obtain and install equipment. If the cross-connection has not been removed within the time as herein-after specified, the Village shall physically separate the Chadwick water supply from the on-site piping system in such manner that the two (2) systems cannot be connected by any unauthorized person.
- F. Piping Identification: When a secondary water source is used in addition to the Chadwick water supply, exposed Chadwick water and secondary water piping shall be identified by distinguishing colors or tags and so maintained that each pipe may be traced readily in its entirety. It will be necessary to protect the Chadwick water supply at the service connection in a manner acceptable to the Water Department.
- G. Private Water Storage Tanks: A private water storage tank supplied from the Chadwick water supply system shall be deemed a secondary water supply unless it is designed and approved for potable water usage.
- H. Elimination of Existing Cross-Connections: Within one year from the effective date of this Section all existing cross-connections to the Chadwick water supply systems shall be eliminated. The expenses of such elimination shall be that of the owner of the property on which such cross-connection exists.
- I. Inspection: The Water Department of the Village or any representative thereof shall have the authority to inspect any premises to determine the presence of an existing cross-connection and to order the elimination of such cross-connection.
- J. Discontinuance of Water Service: The Water Department is hereby authorized to discontinue water service after a reasonable notice to any person owning any property where a cross-connection in violation of this Code exists. The Water Department may take such other precautionary measures as necessary to eliminate any danger of the contamination of the Chadwick water supply system. Water service to such property shall not be restored until such cross-connection has been eliminated. (1987 Code)
- K. The Village Board is hereby empowered to establish regulations for cross-connection control for the Village water and sewer system.

- L. It is hereby made a requirement that all potable water, plumbing and any connection to potable water inside the Village or outside the Village, if the area in question is part of the Chadwick sanitary water and sewer system, shall attach to the Village water and sewer system and must be installed in accordance with the requirements of the Illinois State Plumbing Code, as set forth in 77 Illinois Administrative Code 890, or as amended at any time in the future.
- M. It is hereby required that any inspection of plumbing or plumbing appurtenances, including the verification of the presence or absence of cross-connections, shall be conducted by an Illinois licensed plumber. Any cross-connection inspections undertaken under the provisions of this subsection shall be done only by a licensed plumber or other person licensed to do plumbing or plumbing appurtenances as set forth in the Illinois Plumbing Licensure Law as it is presently stated or as amended. (Ord. 360, 10-2-89)

7-4-10: PENALTY:

- A. Any person found to be violating any provision of this Chapter, except Section 7-4-6, shall be served by the Village with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- B. Any person who shall continue any violation beyond the time limit provided for in subsection A above shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in the amount not exceeding one hundred dollars (\$100.00) for each violation. A separate offense shall be deemed committed for each day in which any such violation shall continue.
- C. Any person violating any of the provisions of this Chapter shall become liable to the Village for any expense, loss or damage occasioned the Village by reason of such violation.

CHAPTER 5
PLUMBING CODE

SECTION:

7-5-1: Illinois State Plumbing Code

7-5-1: **ILLINOIS STATE PLUMBING CODE:** The Illinois State Plumbing Code as amended is hereby incorporated by reference by the Village.

CHAPTER 6

BACKFLOW DEVICES

SECTION:

- 7-6-1: Backflow Devices Required
7-6-2: Penalty

7-6-1: **BACKFLOW DEVICES REQUIRED:** All new construction in the Village, or existing construction in which substantial renovation is done which has provisions for draining into either the sanitary sewer system of the Village or the storm sewer system of the Village, shall, at the time said construction is done, install in said drainage piping the most technologically advanced devices then available to prevent a backflow from occurring through said sanitary or storm sewer drainage system. It is the intention of this Chapter that a property owner in the Village shall be required to take all reasonable precautions to prevent any future backflow through the storm or sanitary sewers regardless of whether said backflow shall be caused by rainwater, sewage water, or any type of water or contaminant that may appear in a storm or sanitary sewer system. (Ord. 401, 3-3-1997)

7-6-2: **PENALTY:**

- A. Any person who shall continue any violation beyond the time limit provided in this Chapter shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in the amount not exceeding one hundred dollars (\$100.00) for each violation. A separate offense shall be deemed committed each day in which any such violation shall continue.
- B. Any person violating any of the provisions of this Chapter shall become liable to the Village for any expense, loss or damage occasioned the Village by reason of such violation. (Ord. 401, 3-3-1997)

CHAPTER 7
PARK REGULATIONS

SECTION:

- 7-7-1: Hours
- 7-7-2: Penalty

7-7-1: **HOURS:** All parks owned by the Village or maintained by the Village in the Village shall be closed beginning at ten o'clock (10:00) P.M. each evening and remain closed until seven o'clock (7:00) A.M. the following morning. During the period that the parks are closed no person shall enter or remain in any of said parks. (Ord. 404, 7-7-1997)

7-7-2: **PENALTY:** Each violation of this Chapter shall be subject to a fine of not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00) per occurrence. Each entry into a park during closed hours shall be considered a separate violation. (Ord. 404, 7-7-1997)

TITLE 8
CABLE TELEVISION

Subject	Chapter
Cable Communications	1

CHAPTER 1

CABLE COMMUNICATIONS

SECTION:

- 8-1-1: Cable Television Franchise Agreement Adopted By Reference
8-1-2: Cable Communications Regulatory Ordinance Adopted By Reference

8-1-1: **CABLE TELEVISION FRANCHISE AGREEMENT ADOPTED BY REFERENCE:** The Village officials have determined that it is in the best interest of the Village to adopt a Cable Television Franchise Agreement, that may be amended from time to time. A copy of the Cable Television Franchise Agreement and all amendments thereto, is on file in the Clerk's office. (Ord. 417, 8-10-1998; amd. Ord. 427, 7-19-1999)

8-1-2: **CABLE COMMUNICATIONS REGULATORY ORDINANCE ADOPTED BY REFERENCE:** The Village officials have determined that it is in the best interest of the Village to adopt a Cable Communications Regulatory Ordinance, that may be amended from time to time. A copy of the Cable Ordinance, and all amendments thereto, is on file in the Clerk's office. (Ord. 416, 8-10-1998)

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