



VILLAGE OF PALATINE
VILLAGE HALL - COUNCIL CHAMBERS
200 E. WOOD STREET
PALATINE, IL 60067-5339 – (847) 359-9050
<http://www.palatine.il.us>

VILLAGE COUNCIL & COMMITTEE OF THE WHOLE

AGENDA

DECEMBER 4, 2023

Regular Meeting

7:00 PM

I. ROLL CALL

II. PLEDGE TO THE FLAG

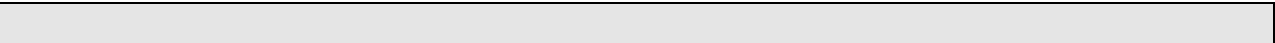
III. APPROVAL OF MINUTES

1. Village Council & Committee of the Whole - Regular Meeting - November 20, 2023

IV. MAYOR'S REPORT

1. Certificate of Recognition for Fremd High School Swimming and Diving Team Member Katie Kuehn for 1st Place at the 2023 Illinois High School Association's Girls State Swimming and Diving Championship
2. As Submitted

V. RECESS TO THE COMMITTEE OF THE WHOLE



VI. COMMITTEE OF THE WHOLE

A. COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

BRAD HELMS, CHAIRMAN

1. Consider an Ordinance Granting a Four-Unit Condominium Conversion at 425 - 431 N. Cambridge Drive (Cornell Lakes Unit #2) and a Waiver Request from the Village's Sprinkler Requirements (Chapter 6 - Sect. 82 of the Village's Code of Ordinances) (Council District: One)
2. Consider an Ordinance Granting a Final Planned Development to Allow a Mixed-Use Building, with 2 Commercial Tenant Spaces and 1 Residential Apartment, at 101 & 103 S. Northwest Highway and 411 E. Glencoe Street (Council District: Six)
3. As Submitted

B. POLICE POLICY & CODE SERVICES COMMITTEE

TIM MILLAR, CHAIRMAN

1. Consider Granting an Ordinance for a Variation to Permit a Deck to Encroach into the Required Rear Yard at 28 W. Michigan Avenue (Council District: Two)
2. Consider an Ordinance Granting a Special Use, Minor Planned Development Amendment, and Parking Variations to Permit a Montessori School at 600 N. First Bank Drive (Council District: Six)
3. As Submitted

C. BUSINESS FINANCE & BUDGET COMMITTEE

SCOTT LAMERAND, CHAIRMAN

1. 2024 Operating Budget & Capital Investment Plan and Related Approvals
 - A. Consider an Ordinance Adopting the Calendar Year 2024 Annual Budget
 - B. Consider the 2023 Tax Levy Ordinance
 - C. Consider an Ordinance to Abate 2023 Property Tax Levy
 - D. Consider an Ordinance Adopting the 2024 Salary Rates of Compensation for Certain Officers and Employees of the Village, Effective January 1, 2024
 - E. Consider a Resolution Appropriating \$2,364,045 of Motor Fuel Tax Funds for the Maintenance of Streets and Highways
 - F. Consider a Motion to Approve the Updated Fee Schedule Supplement to the Village's Code of Ordinances
2. Consider a Resolution Amending the Village's Employee Handbook for 2024
3. As Submitted

D. ADMINISTRATION, TECHNOLOGY & COMMUNITY HEALTH COMMITTEE

KOLLIN KOZLOWSKI, CHAIRMAN

1. Consider Amendments to the Code of Ordinances
 - A. Consider an Ordinance Amending Chapter 12 Offenses and Miscellaneous Provisions of the Palatine Code of Ordinances
 - B. Consider an Ordinance Amending Chapter 18 Traffic of the Palatine Code of Ordinances

2. Consider a Motion to Approve the Village of Palatine 2024 Regular Scheduled Meeting Calendar
3. As Submitted

E. FIRE POLICY & COMMUNITY INFORMATION COMMITTEE

GREG SOLBERG, CHAIRMAN

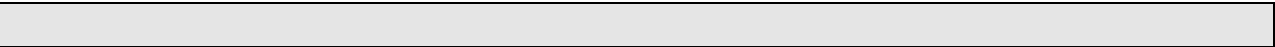
1. As Submitted

F. INFRASTRUCTURE & ENVIRONMENT COMMITTEE

DOUG MYSLINSKI, CHAIRMAN

1. As Submitted

VII. RECONVENE THE VILLAGE COUNCIL MEETING



VIII. CONSENT AGENDA

All items are considered to be routine by the Village Council and will be enacted by one motion, with waiver of first reading. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

1. Consider a Motion to Approve 2023 Warrant #23
2. Consider an Ordinance Granting a Four-Unit Condominium Conversion at 425 - 431 N. Cambridge Drive (Cornell Lakes Unit #2) and a Waiver Request from the Village's Sprinkler Requirements (Chapter 6 - Sect. 82 of the Village's Code of Ordinances) (Council District: One)
3. Consider an Ordinance Granting a Final Planned Development to Allow a Mixed-Use Building, with 2 Commercial Tenant Spaces and 1 Residential Apartment, at 101 & 103 S. Northwest Highway and 411 E. Glencoe Street (Council District: Six)
4. Consider Granting an Ordinance for a Variation to Permit a Deck to Encroach into the Required Rear Yard at 28 W. Michigan Avenue (Council District: Two)
5. Consider an Ordinance Adopting the 2024 Salary Rates of Compensation for Certain Officers and Employees of the Village, Effective January 1, 2024
6. Consider a Resolution Appropriating \$2,364,045 of Motor Fuel Tax Funds for the Maintenance of Streets and Highways
7. Consider a Motion to Approve the Updated Fee Schedule Supplement to the Village's Code of Ordinances

8. Consider a Resolution Amending the Village's Employee Handbook for 2024
9. Consider an Ordinance Amending Chapter 12 Offenses and Miscellaneous Provisions of the Palatine Code of Ordinances
10. Consider an Ordinance Amending Chapter 18 Traffic of the Palatine Code of Ordinances
11. Consider a Motion to Approve the Village of Palatine 2024 Regular Scheduled Meeting Calendar

IX. REPORTS OF STANDING COMMITTEE

A. ADMINISTRATION, TECHNOLOGY & COMMUNITY HEALTH COMMITTEE

KOLLIN KOZLOWSKI, CHAIRMAN

1. As Submitted

B. BUSINESS FINANCE & BUDGET COMMITTEE

SCOTT LAMERAND, CHAIRMAN

1. Consider an Ordinance Adopting the Calendar Year 2024 Annual Budget
2. Consider the 2023 Tax Levy Ordinance
3. Consider an Ordinance to Abate 2023 Property Tax Levy
4. As Submitted

C. COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

BRAD HELMS, CHAIRMAN

1. As Submitted

D. FIRE POLICY & COMMUNITY INFORMATION COMMITTEE

GREG SOLBERG, CHAIRMAN

1. As Submitted

E. INFRASTRUCTURE & ENVIRONMENT COMMITTEE

DOUG MYSLINSKI, CHAIRMAN

1. As Submitted

F. POLICE POLICY & CODE SERVICES COMMITTEE

TIM MILLAR, CHAIRMAN

1. Consider an Ordinance Granting a Special Use, Minor Planned Development Amendment, and Parking Variations to Permit a Montessori School at 600 N. First Bank Drive (Council District: Six)
2. As Submitted

X. REPORTS OF THE VILLAGE OFFICERS

A. VILLAGE MANAGER

1. As Submitted

B. VILLAGE CLERK

1. As Submitted

C. VILLAGE ATTORNEY

1. As Submitted

XI. CLOSED SESSION AS REQUIRED

XII. RECOGNITION OF AUDIENCE

XIII. ADJOURNMENT



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VILLAGE COUNCIL & COMMITTEE OF THE WHOLE

MINUTES

NOVEMBER 20, 2023

Regular Meeting

7:00 PM

I. ROLL CALL – Time: 7:00 PM

Attendee Name	Title	Status	Arrived
Jim Schwantz	Mayor	Present	
Tim Millar	District 1 Councilman	Present	
Scott Lamerand	District 2 Councilman	Absent	
Doug Myslinski	District 3 Councilman	Present	
Greg Solberg	District 4 Councilman	Present	
Kollin Kozlowski	District 5 Councilman	Present	
Brad Helms	District 6 Councilman	Present	

Also Present:

Deputy Village Clerk Doris Sadik, Village Manager Reid Ottesen, Deputy Village Manager Hadley Skeffington-Vos, Village Attorney Patrick Brankin, Director of Community Development Mike Jacobs, Director of Planning & Zoning Ben Vyverberg, Director of Public Works Matt Barry, Police Chief Dave Daigle, Fire Chief Patrick Gratziana, IT Director Larry Schroth, Director of Finance Paul Mehning, and Director of Human Resources Pam Jackson

II. PLEDGE TO THE FLAG

Mayor Schwantz invited everyone to stand and join him in the Pledge to the Flag.

III. APPROVAL OF MINUTES

RESULT:	ADOPTED BY VOICE VOTE [UNANIMOUS]
MOVER:	Doug Myslinski, District 3 Councilman
SECONDER:	Tim Millar, District 1 Councilman
AYES:	Millar, Myslinski, Solberg, Kozlowski, Helms
ABSENT:	Lamerand

1. Village Council & Committee of the Whole - Special Meeting - November 13, 2023 - **Accepted**
2. Village Council & Committee of the Whole - Regular Meeting - November 13, 2023 - **Accepted**

IV. MAYOR'S REPORT

1. As Submitted -

Mayor Schwantz announced upcoming events:

November 24: 10:00 AM - 8:00 PM

November 25: 9:00 AM - 8:00 PM

November 26: 10:00 AM - 5:00 PM

Palatine Jaycees Christmas Tree Sale

Palatine Aquatic Center

November Coat Drive Now Through Thursday, November 30th

The Palatine Police Department is collecting new and gently used winter coats and winter clothing for all ages. Drop off is at the Palatine Police Department lobby. The collection will be donated to the Palatine Assisting Through Hope (P.A.T.H.) program benefiting the residents of Palatine.

Public Works continues to monitor the weather and will announce on Wednesday, November 22, 2023, if conditions allow for an additional all zone sweep.

Toys for Tots Holiday Toy Drive

The Village of Palatine has once again partnered with the United States Marine Corps for the annual Toys for Tots Drive. New, unwrapped toys can be dropped off at Village Hall, Fire Station 85 and the Police Dept. through December 11th. Toys collected will be distributed to children in the Palatine area. Your donation is greatly appreciated.

Village Hall will be closed on Thursday, November 23 and Friday, November 24 in observance of the Thanksgiving holiday.

V. PUBLIC HEARING

1. Consider a Motion to Open the Public Hearing on the Proposed CY 2024 Operating Budget & Capital Investment Plan - **Approved by Voice Vote**

Village Manager Reid Ottesen announced the budget has been before the Village Council twice for review. It is a balanced budget with no property tax increase and continues to offer all services to the residents. Formal adoption of the 2024 Budget will be at the Village Council meeting of December 4th.

No one from the public came forward for comment.

Mayor Schwantz noted this budget works toward the Village being debt free by 2025 and complimented Directors and staff on their contribution and continued efforts to raise the bar each year.

RESULT:	APPROVED BY VOICE VOTE [UNANIMOUS]
MOVER:	Greg Solberg, District 4 Councilman
SECONDER:	Brad Helms, District 6 Councilman
AYES:	Millar, Myslinski, Solberg, Kozlowski, Helms
ABSENT:	Lamerand

2. Close the Public Hearing - **Motion Carried by Voice Vote**

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Brad Helms, District 6 Councilman
SECONDER:	Tim Millar, District 1 Councilman
AYES:	Millar, Myslinski, Solberg, Kozlowski, Helms
ABSENT:	Lamerand

VI. RECESS TO THE COMMITTEE OF THE WHOLE – Time: 7:05 PM

Recess to the Committee of the Whole - **Motion Carried by Voice Vote**

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Tim Millar, District 1 Councilman
SECONDER:	Doug Myslinski, District 3 Councilman
AYES:	Millar, Myslinski, Solberg, Kozlowski, Helms
ABSENT:	Lamerand

VII. COMMITTEE OF THE WHOLE

A. COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

BRAD HELMS, CHAIRMAN

1. Consider an Ordinance Annexing 650 W. Hill Road - **Motion Carried by Voice Vote** (Council District: One)

Director of Planning & Zoning Ben Vyverberg reported on the Village applying for annexation of the subject property located directly south and west of the existing Village of Palatine corporate boundary and that all notice requirements have been met.

In response to Councilman Millar's question regarding whether the road is part of the annexation, Vyverberg confirmed the road is included in the annexation and managed by the Palatine Township.

Village Manager Reid Ottesen explained that when annexing property, the portion of the road within the annexation boundary is included. The Village will inform the Township when resurfacing is scheduled and there is coordination between the two governing bodies.

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Tim Millar, District 1 Councilman
SECONDER:	Doug Myslinski, District 3 Councilman
AYES:	Schwantz, Millar, Myslinski, Solberg, Kozlowski, Helms
ABSENT:	Lamerand

2. As Submitted -

Nothing was submitted.

B. FIRE POLICY & COMMUNITY INFORMATION COMMITTEE

GREG SOLBERG, CHAIRMAN

1. Consider a Motion Approving an Amendment to the Professional Services Agreement for Phase 2 Architectural and Engineering Services for the Remodeling of Fire Stations 82 and 85 - **Approved by Voice Vote**

Director of Public Works Matt Barry reported as part of the 2022 Capital Improvement Program, American Rescue Plan Act (ARPA) funding was appropriated to begin the process to design an addition to and remodeling of Fire Station 82, located at 1475 North Hicks Road, and remodeling of Fire Station 85, located at 39 East Colfax Street. The proposed scope of work for Fire Station 82 includes construction of a building addition of just over 4,000 square feet to house the Fire Department Administrative Offices, replacement of the existing roof, replacement of the existing HVAC equipment, and additive alternates of renovating the existing kitchen and locker rooms and updating the existing day room of the existing building. The scope of work to be designed for Fire Station 85 includes updates to the plumbing system. Interior renovations in the former administrative offices will be considered as a separately-contracted improvement.

Design development and construction services are the second phase and recommended for approval at this time. Construction is anticipated to occur in the spring or summer with move-in date targeted for late 2024 or early 2025.

Staff recommends approving an amendment to the professional services agreement for Phase 2 Architectural and Engineering Services for the Fire Stations 82 and 85 Remodeling with FGM Architects in an amount not-to-exceed \$247,660.

Mayor Schwantz commented on the impressive fore thought of acquiring the land to expand and using ARPA funds towards this renovation project.

In response to Councilman Kozlowski's question regarding the design concept for Station 85, Village Manager Reid Ottesen reported that Station 85 is being re-purposed on the main floor where the Chief and Deputy Chief's office are located converting one office into a conference room. There is plumbing work to be done and workout equipment to bring in.

In response to Councilman Helms, Ottesen mentioned that Station 85 was remodeled 12-15 years ago.

Ottesen explained the Village's 10-year capital program for updating facilities.

RESULT:	APPROVED BY VOICE VOTE [UNANIMOUS]
MOVER:	Jim Schwantz, Mayor
SECONDER:	Kollin Kozlowski, District 5 Councilman
AYES:	Schwantz, Millar, Myslinski, Solberg, Kozlowski, Helms
ABSENT:	Lamerand

2. As Submitted -

Nothing was submitted

C. POLICE POLICY & CODE SERVICES COMMITTEE

TIM MILLAR, CHAIRMAN

1. Consider an Ordinance Amending Section 18-81 of the Code of Ordinances to Add a Temporary No Parking Restriction on West Johnson Street Between the Temporary Construction Entrance to 301 W. Johnson Street and Rose Street - **Motion Carried by Voice Vote** (Council District: Two)

Village Manager Reid Ottesen explained this is temporary in nature during the course of construction. The Village has requested that all large trucks and equipment utilize only Rose Street for access to/from Palatine Road. To ensure this option remains viable during construction, the contractor has requested a temporary parking restriction on both sides of W. Johnson Street, between the site's temporary construction entrance and Rose Street, until the project is complete.

Councilman Millar asked if we expect any challenges from the school. Ottesen confirmed school officials have had direct contact with the contractor/developer and traffic plans are in place.

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Doug Myslinski, District 3 Councilman
SECONDER:	Brad Helms, District 6 Councilman
AYES:	Schwantz, Millar, Myslinski, Solberg, Kozlowski, Helms
ABSENT:	Lamerand

2. As Submitted -

Nothing was submitted.

D. INFRASTRUCTURE & ENVIRONMENT COMMITTEE*DOUG MYSLINSKI, CHAIRMAN*

1. Illinois Avenue (Council District: Two)

Motion was to approve items A. and B. with one motion.

Director of Public Works Matt Barry explained the funding for resurfacing Illinois Avenue from Quentin Road to Plum Grove Road. Barry mentioned the Village secured Federal funding in the amount of \$853,000 for 50% of the total construction cost. Village participation for construction is estimated at \$789,338 (\$140,000 in participation is planned from the Palatine Park District for the off-road shared use path and the remaining \$650,000 from the Village). The State requires this resolution to stay on track for January 2024 letting and construction in the spring of 2024.

Staff recommends that the resolution appropriating \$789,338 of Capital Improvement funds for the resurfacing of Illinois Avenue from Quentin Road to Plum Grove Road be approved.

RESULT:	ADOPTED BY VOICE VOTE [UNANIMOUS]
MOVER:	Jim Schwantz, Mayor
SECONDER:	Tim Millar, District 1 Councilman
AYES:	Schwantz, Millar, Myslinski, Solberg, Kozlowski, Helms
ABSENT:	Lamerand

A. Consider a Resolution Appropriating \$789,338 of Funds for the Resurfacing of a Portion of Illinois Avenue from Quentin Road to Plum Grove Road - **Adopted by Voice Vote** (Council District: Two)

B. Consider a Motion to Approve a Local Public Agency Agreement for Federal Participation for the Resurfacing of Illinois Avenue from Quentin Road to Plum Grove Road - **Approved** (Council District: Two)

2. As Submitted -

Nothing was submitted.

E. ADMINISTRATION, TECHNOLOGY & COMMUNITY HEALTH COMMITTEE*KOLLIN KOZLOWSKI, CHAIRMAN*

1. As Submitted -

Nothing was submitted.

F. BUSINESS FINANCE & BUDGET COMMITTEE*SCOTT LAMERAND, CHAIRMAN***1. As Submitted -**

Nothing was submitted.

VIII. RECONVENE THE VILLAGE COUNCIL MEETING – Time: 7:14 PMReconvene the Village Council Meeting - **Motion Carried by Voice Vote**

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Brad Helms, District 6 Councilman
SECONDER:	Tim Millar, District 1 Councilman
AYES:	Millar, Myslinski, Solberg, Kozlowski, Helms
ABSENT:	Lamerand

IX. CONSENT AGENDA

All items are considered to be routine by the Village Council and will be enacted by one motion, with waiver of first reading. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

RESULT:	ADOPTED BY ROLL CALL [UNANIMOUS]
MOVER:	Greg Solberg, District 4 Councilman
SECONDER:	Brad Helms, District 6 Councilman
AYES:	Millar, Myslinski, Solberg, Kozlowski, Helms
ABSENT:	Lamerand

1. Consider a Motion to Approve 2023 Warrant #22 - **Approved**
2. Consider an Ordinance Annexing 650 W. Hill Road - **Approved** (Council District: One)

Ordinance #O-135-23
3. Consider a Motion Approving an Amendment to the Professional Services Agreement for Phase 2 Architectural and Engineering Services for the Remodeling of Fire Stations 82 and 85 - **Approved**
4. Consider an Ordinance Amending Section 18-81 of the Code of Ordinances to Add a Temporary No Parking Restriction on West Johnson Street Between the Temporary Construction Entrance to 301 W. Johnson Street and Rose Street - **Approved** (Council District: Two)

Ordinance #O-136-23

5. Consider a Resolution Appropriating \$789,338 of Funds for the Resurfacing of a Portion of Illinois Avenue from Quentin Road to Plum Grove Road - **Adopted by Roll Call** (Council District: Two)

Resolution #R-31-23

6. Consider a Motion to Approve a Local Public Agency Agreement for Federal Participation for the Resurfacing of Illinois Avenue from Quentin Road to Plum Grove Road - **Approved** (Council District: Two)

X. REPORTS OF STANDING COMMITTEE

A. ADMINISTRATION, TECHNOLOGY & COMMUNITY HEALTH COMMITTEE

KOLLIN KOZLOWSKI, CHAIRMAN

1. As Submitted -

No Report

B. BUSINESS FINANCE & BUDGET COMMITTEE

SCOTT LAMERAND, CHAIRMAN

1. As Submitted -

No Report

C. COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

BRAD HELMS, CHAIRMAN

1. As Submitted -

No Report

D. FIRE POLICY & COMMUNITY INFORMATION COMMITTEE

GREG SOLBERG, CHAIRMAN

1. As Submitted -

No Report

E. INFRASTRUCTURE & ENVIRONMENT COMMITTEE

DOUG MYSLINSKI, CHAIRMAN

1. As Submitted -

No Report

F. POLICE POLICY & CODE SERVICES COMMITTEE*TIM MILLAR, CHAIRMAN*

1. As Submitted -

No Report

XI. REPORTS OF THE VILLAGE OFFICERS**A. VILLAGE MANAGER**

1. As Submitted -

No Report

B. VILLAGE CLERK

1. As Submitted -

No Report

C. VILLAGE ATTORNEY

1. As Submitted -

No Report

XII. CLOSED SESSION AS REQUIRED

No Closed Session requested.

XIII. RECOGNITION OF AUDIENCE

No one came forward.

XIV. ADJOURNMENT – Time: 7:15 PM

Adjourn the Village Council Meeting - **Motion Carried by Voice Vote**

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Brad Helms, District 6 Councilman
SECONDER:	Kollin Kozlowski, District 5 Councilman
AYES:	Millar, Myslinski, Solberg, Kozlowski, Helms
ABSENT:	Lamerand

SUBMITTED BY:

Doris Sadik
Deputy Village Clerk

Minutes Acceptance: Minutes of Nov 20, 2023 7:00 PM (APPROVAL OF MINUTES)

Certificate of Recognition for Fremd High School Swimming and Diving Team Member Katie Kuehn for 1st Place at the 2023 Illinois High School Association's Girls State Swimming and Diving Championship

BACKGROUND:

On Saturday, November 11, 2023, Fremd High School Girls Swimming and Diving team member, Katie Kuehn, took 1st Place in the IHSA Girls State Swimming and Diving State Championship in the 50-yard freestyle in Normal, Illinois.

Here tonight to accept Certificates of Recognition are Katie Kuehn, Head Coach Andrew Kitrell and coaches Kristin Newby and Brian Newby.

Consider an Ordinance Granting a Four-Unit Condominium Conversion at 425 - 431 N. Cambridge Drive (Cornell Lakes Unit #2) and a Waiver Request from the Village's Sprinkler Requirements (Chapter 6 - Sect. 82 of the Village's Code of Ordinances)

BACKGROUND:

The Subject Property, a 4-unit building, is located within Cornell Lakes Unit #2. The Petitioner and property owner submitted an application and plans to convert the 4-unit building into condominiums. Therefore, the Petitioner is requesting approval of the following:

Approval to convert an existing 4-unit rental townhouse building into a 4-unit condominium building and a waiver of the applicable requirement to install sprinklers (per Section 6-82 Condominium Conversion) of the Village Code of Ordinances.

KEY ISSUES:

- Cornell Lakes was annexed into the Village in 1980 and ultimately rezoned to Planned Development to allow 160 townhouse units in 40 buildings. Over time, many of these units were converted to condominiums.
- The proposed 4-unit building has 4 garage parking spaces and 4 driveway parking spaces, for a total of 2 spaces/unit. The driveway spaces are included in the common area and governed by the declarations/bylaws.
- A component of the petition for Condominium Conversion is a request for a waiver from the applicable sprinkler requirements associated within the Village's Condominium Conversion Ordinance. Many of the existing condominium units within this development have been converted to condominiums without requiring sprinkler installation. As part of the conversion process, and as required by Code, the Petitioner will complete the hard wiring of the fire detection devices within the building. The Petitioner obtained a quote to complete this work and submitted it to the Village's Fire Marshal. Given the size and layout of the building (no common areas or shared entrances), and proposed modifications to the fire protection devices, Staff does not object to the requested waiver of the applicable sprinkler requirements.
- In addition to the application for conversion, the Petitioner submitted draft declarations and a Condominium Plat for the Subject Property. The Condominium Declarations and Association Articles of Incorporation have been initially reviewed as part of the conversion process. These units have been inspected as part of the Village's Rental License review process.

ALTERNATIVES:

1. Approve the condominium conversion and sprinkler requirement waiver.
2. Do not approve the condominium conversion and sprinkler requirement waiver.

RECOMMENDATION:

Staff recommends approval of the Condominium Plat for the property located at 425-431 N. Cambridge Drive and a waiver of the requirement to install sprinklers, per

section 6-82 d (2) and (5).

ACTION REQUIRED:

Consider an Ordinance approving a request for condominium conversion at 425-431 N. Cambridge Drive, and a waiver of the requirement to install sprinklers, per section 6-82 d (2) and (5), subject to the identified conditions.

ATTACHMENTS:

- Aerial Map
- ORD Condo Plat
- EXHIBIT - 425-431 Cambridge Condo Survey
- EXHIBIT - Revised Declarations
- EXHIBIT - Initial By-Laws 2023 (01412218xCF553)
- Plat of Survey
- Art. of Inc. (01543485xCF553)

**Legend**

0 150 300
ft

Print Date: 11/14/2023

Notes

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

ORDINANCE NO. _____

**AN ORDINANCE APPROVING THE CONDOMINIUM PLAT AND CONDOMINIUM
DECLARATIONS FOR A BUILDING IN CORNELL LAKES UNIT #2 AT
425-431 N. CAMBRIDGE DRIVE**

WHEREAS, pursuant to an application for Condominium Conversion, the Village Council of the Village of Palatine, in accordance with the Municipal Code of the Village of Palatine, in such case made and provided, pursuant to Section 6.82 of the Village of Palatine Code of Ordinances, approved the Plat of Condominium, subject to the conditions below, for the property commonly known as 425-431 N. Cambridge Drive.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Village Council of the Village of Palatine, Cook County, Illinois, acting in the exercise of their home rule power that:

SECTION 1: Approval of the condominium plat for 425-431 N. Cambridge Drive, pursuant to Section 6.82 of the Village of Palatine Code of Ordinances, is hereby granted, subject to the following condition(s):

1. The final Declarations and Plat of Condominium shall be revised in a manner acceptable to the Village Attorney, except as such shall be amended to conform to Village Codes and Ordinances.
2. Any future Amendments to the Condominium Declarations shall require review and approval of the Village Attorney.
3. As outlined in Section 6.82 (d) of the Village of Palatine Code of Ordinances, the Condominium Plat may not be recorded until the Village Manager or designee issues a letter of approval.
4. The final smoke detector connections/installation shall be completed in a manner acceptable to the Fire Marshal.
5. A waiver of the fire sprinkler requires, per Chapter 6, Section 82 of the Village's Code of Ordinances, is hereby granted.

SECTION 2: That this ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PASSED: This _____ day of _____, 2023

AYES:_____ **NAYS:**_____ **ABSENT:**_____ **PASS:**_____

APPROVED by me this _____ day of _____, 2023

Mayor of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk this

_____ day of _____, 2023

Village Clerk



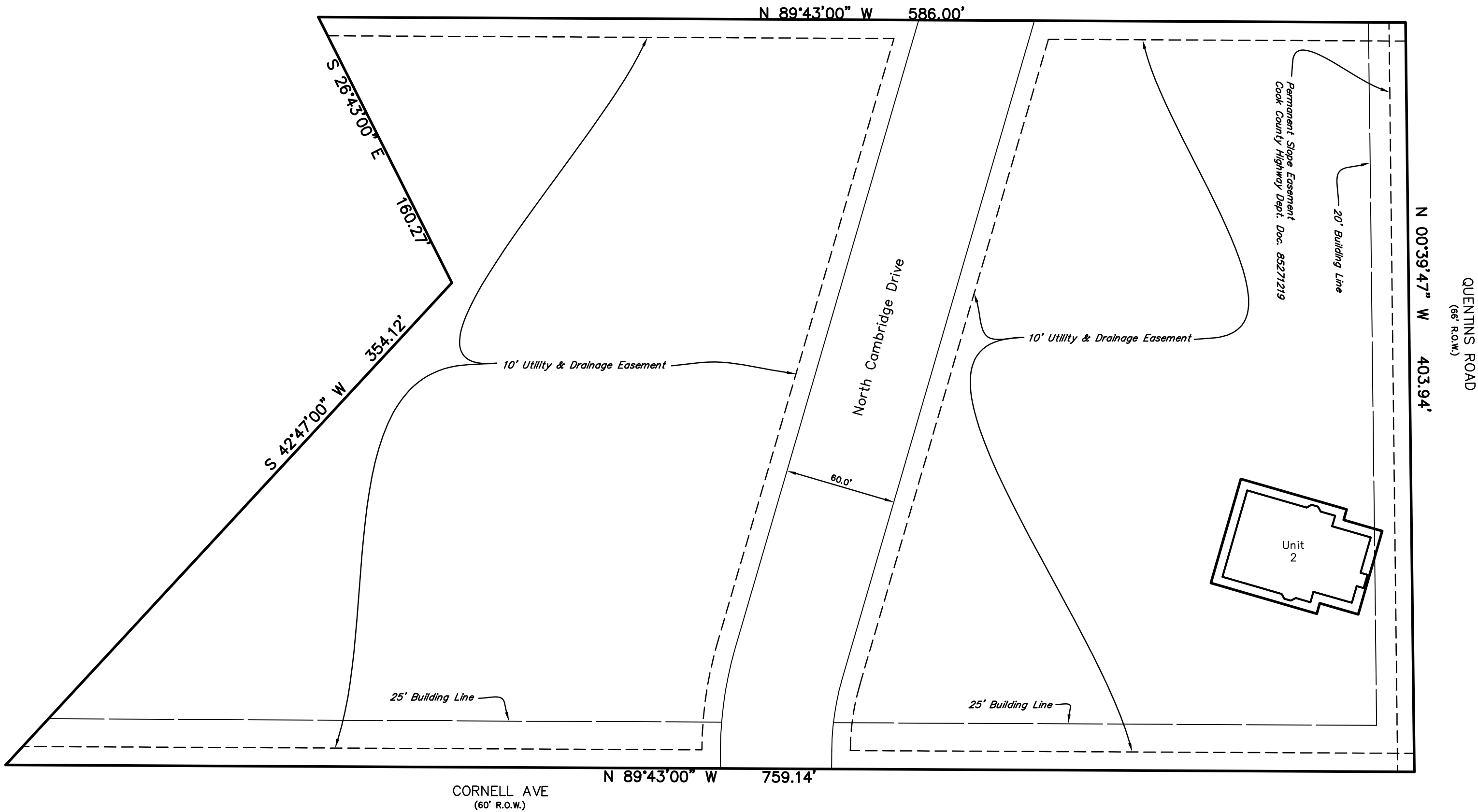
PLAT OF SURVEY

OF

UNIT 2 OF CORNELL LAKES APARTMENTS UNIT 1, A SUBDIVISION OF PART OF THE NORTH EAST 1/4 OF SECTION 16, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:
EASEMENT FOR THE BENEFIT OF PARCEL 1 AFORESAID; AS SET FORTH IN THE DECLARATION OF EASEMENTS RECORDED AS DOCUMENT 87292350, AND AS CREATED BY DEED FROM AMERICAN NATIONAL BANK AND KNOWN AS TRUST NUMBER 41512 TO JOSEPH J. FERA AND JOANN FERA RECORDED AUGUST 27, 1987 AS DOCUMENT 87473953, FOR WALKS, DRIVEWAYS, INGRESS AND EGRESS, PARKING AND RECREATIONAL FACILITIES, OVER SUCH PORTIONS OF THE FOLLOWING PROPERTY AS FALL IN COMMON AREAS, AS COMMON ARE DEFINED IN SAID DECLARATION OF EASEMENT: LOTS 1 AND 2, THE SOUTH 60 FEET OF LOT 3 (EXCEPT THE EAST 17 FEET THEREOF, TAKEN FOR HIGHWAY PURPOSES) AND ALL OF LOT 4 (EXCEPT THE EAST 17 FEET THEREOF, TAKEN FOR HIGHWAY PURPOSES) IN ARTHUR T. MCINTOSH AND COMPANY'S PALATINE FARMS; A SUBDIVISION OF THAT PART OF THE WEST 1/2 OF THE NORTH WEST 1/4 AND THE NORTH WEST 1/4, AND OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 15, LYING SOUTHERLY OF THE SOUTHWESTERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD, AND ALSO OF THAT PART OF LOT 8 IN THE SCHOOL TRUSTEE'S SUBDIVISION OF SECTION 15 LYING SOUTHERLY OF THE SOUTHWESTERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD, ALL IN TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL INDEX NUMBER:
02-16-215-002



SURVEYOR'S NOTES

REFER TO YOUR DEED, ABSTRACT, TITLE POLICY AND LOCAL BUILDING AND ZONING ORDINANCE FOR ITEMS NOT SHOWN HEREON.

THE BEARINGS SHOWN HEREON ARE BASED UPON THE WEST LINE OF QUENTIN ROAD N 00°39'47" W PER DOCUMENT NUMBER 87292349

ELEVATIONS ARE REFERENCED TO NAVD88 DATUM

MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

DIMENSIONS ENCLOSED IN () INDICATE RECORD OR DEED DATA. ALL OTHER DIMENSIONS ARE MEASURED OR RECORD EQUALS MEASURED.

SURVEYED AREA: 4,476± SQ. FT.

SURVEYOR'S CERTIFICATE

THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S ORIGINAL SIGNATURE IN BLUE INK

NO MEASUREMENTS ARE TO BE ASSUMED BY SCALING

STATE OF ILLINOIS)

SS

COUNTY OF DUPAGE)

I, JEFFREY R. PANKOW, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN SURVEYED UNDER MY DIRECTION AND THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

FIELD WORK COMPLETED AND DATED
THIS 6TH DAY OF NOVEMBER, A.D., 2023



ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3483
MY REGISTRATION EXPIRES ON NOVEMBER 30, 2024
PROFESSIONAL DESIGN FIRM LICENSE NO. 184-002937,
EXPIRATION DATE IS APRIL 30, 2025.

LINE/SYMBOL/ABBREVIATION LEGEND

- BOUNDARY LIMITS
- ADJACENT PROPERTY OR R.O.W. LINE
- BUILDING LINE
(Long Dashed Lines)
- EASEMENT LINE/LIMITS OF EASEMENT
(Short Dashed Lines)

CEMCON, Ltd.

Consulting Engineers,
Land Surveyors & Planners
2280 White Oak Circle, Suite 100
Aurora, Illinois 60502-9675
Phone: 630-862-2100
Fax: 630-862-2199

COMMON ADDRESS : 425-431 N. CAMBRIDGE DR

CLIENT: ROMAN RAJCHEL

JOB NO.: 0904.0480 FILE NAME.: condo.dwg

SCALE: 1"= 50' DISC. NO: 904480

TAB: PAGE 1

DWG: P:\904480\dwg\Survey\Drawings\Plats\condo.dwg

PLAT OF SURVEY	NOTES	11/09/23 FCT	JRP
TYPE OF SURVEY	BK.-PG.	DATE/ DRN.BY	CHECKED BY

CEMCON, Ltd. Consulting Engineers, Land Surveyors & Planners 2280 White Oak Circle, Suite 100 Aurora, Illinois 60502-9675 Phone: 630-862-2100 Fax: 630-862-2199	COMMON ADDRESS : 425-431 N. CAMBRIDGE DR	
	CLIENT: ROMAN RAJCHEL	
	JOB NO.: 0904.0480	FILE NAME.: condo.dwg
	SCALE: 1" = 10'	DISC. NO.: 904480
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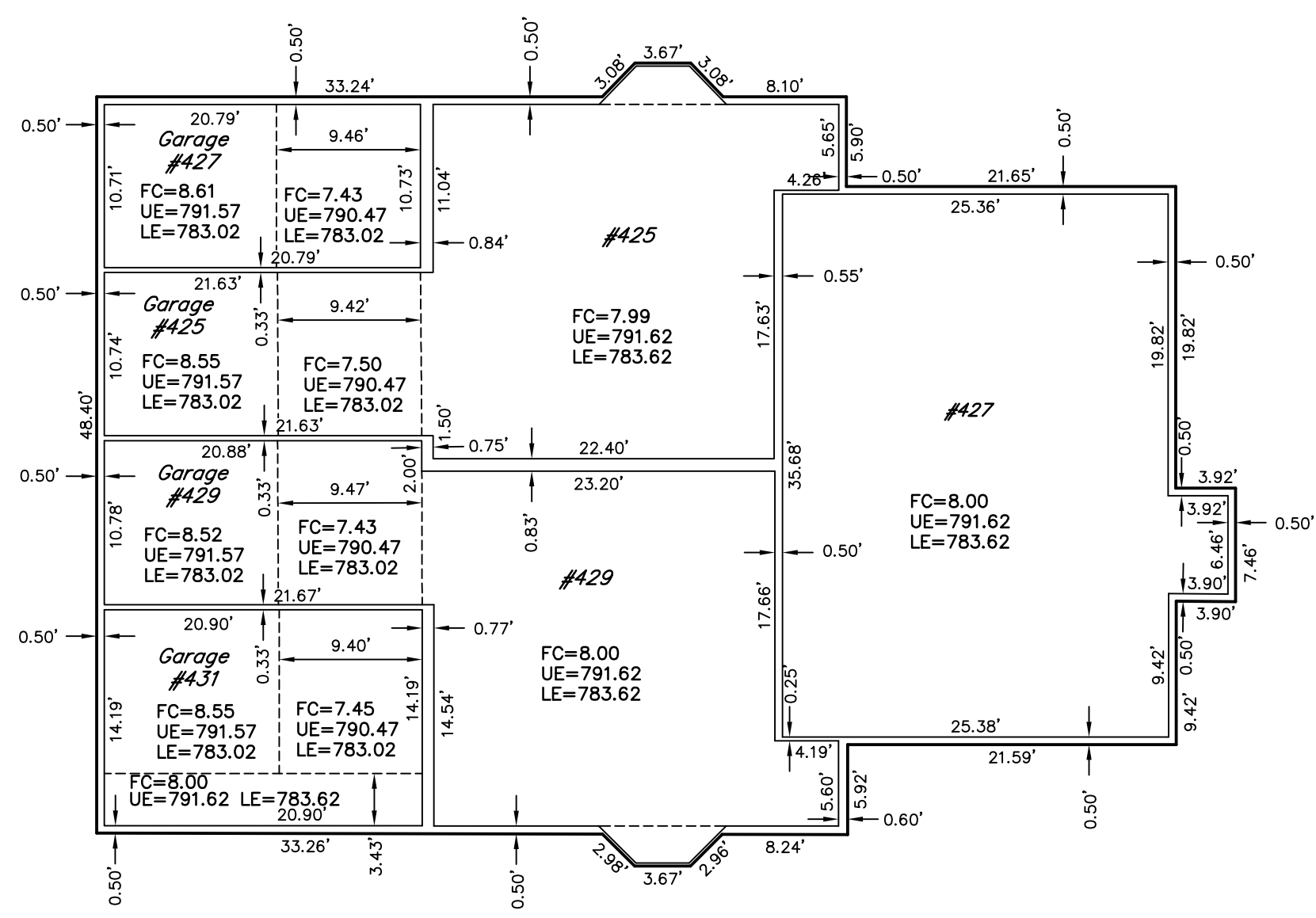
Packet Pg. 22

DRAWING PATH: P:\904480\dwg\Survey\Drawings\Plats\condo.dwg

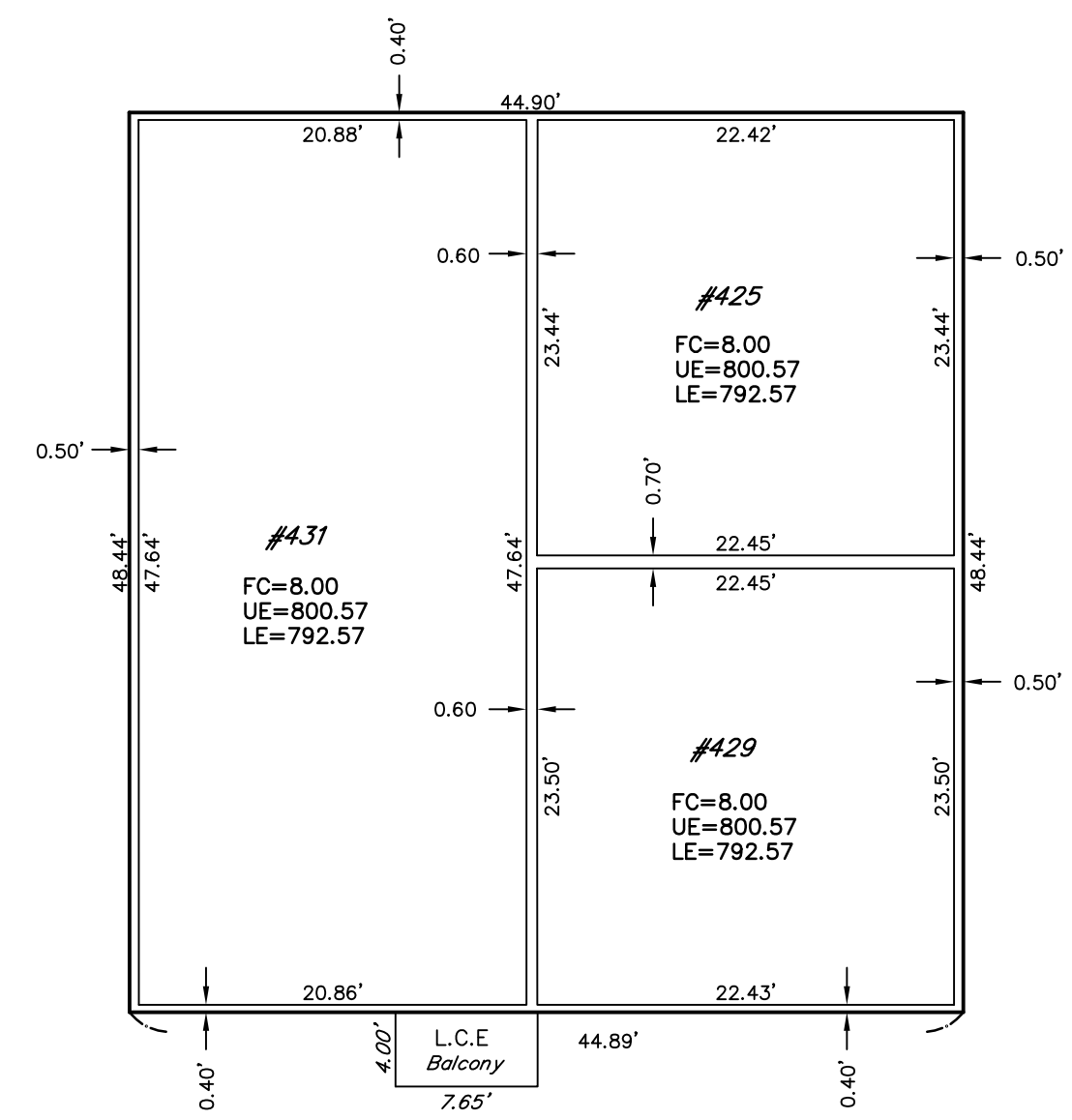
PLOT FILE CREATED:



PLAT OF SURVEY



FIRST FLOOR



SECOND FLOOR

LINE/SYMBOL/ABBREVIATION LEGEND

- UE UPPER ELEVATION
- LE LOWER ELEVATION
- FC FLOOR TO CEILING
- LCE LIMITED COMMON ELEMENT

CEMCON, Ltd.		COMMON ADDRESS : 425-431 N. CAMBRIDGE DR	
Consulting Engineers, Land Surveyors & Planners 2280 White Oak Circle, Suite 100 Aurora, Illinois 60502-9675 Phone: 630-862-2100 Fax: 630-862-2199		CLIENT: ROMAN RAJCHEL	
JOB NO.: 0904.0480		FILE NAME.: condo.dwg	
Scale: 1" = 10'		DISC. NO: 904480	
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PLAT OF SURVEY	NOTES	11/09/23 FCT	JRP
TYPE OF SURVEY	BK.-PG.	DATE/ DRN.BY	CHECKED BY

DRAWING PATH: P:\904480.dwg\Survey\Drawings\Plats\condo.dwg
PLOT FILE CREATED:

Attachment: EXHIBIT - 425-431 Cambridge Condo Survey (425-431 N. Cambridge Drive - 4-unit Condominium Conversion - Cornell Lakes Unit #2)

DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS FOR 425-431 CAMBRIDGE CONDOMINIUMS

This Declaration is made and entered into this _____ day of _____, 2023 by ROMAR, LLC, an Illinois Limited Liability Company (hereinafter collectively referred to as "Declarant").

WITNESSETH:

WHEREAS, Declarant is the owner in fee simple of certain real estate in Palatine, Cook County, Illinois, which is legally described on Exhibit "A" attached hereto and made a part hereof;

WHEREAS, Declarant desires and intends by this Declaration to submit the Property (as hereinafter defined), including but not limited to all buildings, structures, improvements and other permanent fixtures of whatsoever kind thereon, and all rights and privileges belonging or in any way pertaining thereto, to the provisions of the Condominium Property Act of the State of Illinois, as amended from time to time (the "Act");

WHEREAS, Declarant further desires and intends by this Declaration to reserve to itself the right, but not the obligation, to submit the Additional Property (as hereinafter defined) to the provisions of the Act at a later date;

WHEREAS, Declarant further desires and intends by this Declaration to establish for its own benefit and for the benefit of all future owners and occupants of the Property, and each part thereof, certain easements and rights in, over and upon the Property and certain mutually beneficial restrictions and obligations with respect to the use and maintenance thereof;

WHEREAS, the Property shall from and after the date of the Recording of this Declaration be known as 425-431 Cambridge Condominiums, or such other name as may be subsequently adopted pursuant to the Act by the Board (as hereinafter defined);

WHEREAS, Declarant further desires and intends by this Declaration to declare that the owners, mortgagees, occupants and other persons acquiring any interest in the Property shall at all times enjoy the benefits of and shall at all times hold their interests subject to the rights, easements, privileges and restrictions hereafter set forth, all of which are declared to be in furtherance of a plan to promote and protect the cooperative aspect of ownership, and to facilitate the proper administration of the Property and are established for the purpose of enhancing and perfecting the value, desirability and attractiveness of the Property; and

WHEREAS, this Declaration and the By-Laws attached hereto as Exhibit "C" shall become effective upon Recordation in the Office of Recorder of Deeds of Cook County, Illinois.

NOW THEREFORE, the Declarant DECLARES as follows:

ARTICLE I

DEFINITIONS

For the purpose of brevity and clarity, certain words and terms used in this Declaration are defined as follows:

- Section 1.01: **"Act"** shall mean the "Condominium Property Act" of the State of Illinois (765 ILCS 605/1 et. seq.), as amended from time to time.
- Section 1.03: **"Apartment Association"** shall mean "Cornell Lakes Owners Association," an Illinois not-for-profit corporation.
- Section 1.04: **"Association"** shall mean the association of all the Unit Owners acting pursuant to the By-Laws through its duly elected Board.
- Section 1.05: **"Board"** shall mean the Board of Managers of the Association as constituted at any time and from time to time as further provided in the By-Laws. In the event the Association is incorporated, the Board shall mean the Board of Directors of the incorporated Association.
- Section 1.06: **"Building or Buildings"** shall mean the building or buildings located on the Parcel and forming part of the Property and containing one (1) or more of the Units.
- Section 1.07: **"By-Laws"** shall mean the By-Laws of the Association, attached hereto as Exhibit "C", as may be amended from time to time.
- Section 1.08: **"City"** shall mean and refer to the City of Aurora, Illinois or any political entity which may from time to time be empowered to perform the functions or exercise the powers vested in the City of Aurora as of the Recording of this Declaration.
- Section 1.09: **"Common Elements"** means all portions of the Property except the Units, including the Limited Common Elements unless otherwise specified.

- Section 1.10: **“Common Expenses”** means the proposed or actual expenses affecting the Property, including Reserves, if any, lawfully assessed by the Board.
- Section 1.11: **“Condominium Instruments”** means all documents and authorized amendments thereto Recorded pursuant to the provisions of the Act, including this Declaration, the By-Laws and the Plat.
- Section 1.12: **“Declarant”** means Romar, LLC an Illinois Limited Liability Company, and their successors and assigns. Declarant is the “Developer” of the Property, as that term is defined in the Act.
- Section 1.13: **“Declaration”** shall mean this instrument, by which the Property is submitted to the provisions of the Act, together with the exhibits attached hereto and made a part hereof, and shall include amendments, if any, as may be adopted from time to time pursuant to the terms hereof.
- Section 1.14: **“Development Area”** shall mean the lot or lots, tract or tracts of land described on Exhibit “A” attached to this Declaration. The Development Area shall be comprised of both the Property that is submitted to the provisions of the Act and the terms of this Declaration and the Additional Property that may be annexed and added to the Property pursuant to the terms of Article XIV hereof.
- Section 1.15: **“Limited Common Elements”** means a portion of the Common Elements so designated in this Declaration as being reserved for the use of a certain Unit or Units, to the exclusion of other Units, or which, by its nature or location, is clearly intended to serve exclusively a certain Unit or Units (but less than all of the Units) or the Unit Owners(s) thereof. Without limiting the generality of the foregoing, the Limited Common Elements shall include, without limitation, the following: (a) the interior surfaces of the perimeter walls, floors and ceilings which define the boundary planes of a Unit; (b) perimeter doors and windows, including glass, which serve exclusively a single Unit; (c) any system or component part thereof including, without limitation and to the extent applicable, furnaces, fittings, pipes, ducts, flues, shafts, electrical wiring and conduits which serve a Unit exclusively to the extent such system or component part is located outside the boundaries of the Unit; (d) the garage parking space assigned to each Unit, the exclusive use of which is outlined in the initial deed of conveyance of such Unit; and (e) portions of the Common Elements which have been designated by this Declaration or the plat as Limited Common

Elements including, but not limited to, patios, terraces and balconies.

- Section 1.16: **“Majority”** or **“Majority of the Owners”** means the Owners of more than fifty percent (50%) in the aggregate in interest of the undivided ownership of the Common Elements. Any specified percentage of the Owners means such percentage in the aggregate in interest of such undivided ownership of the Common Elements.
- Section 1.17: **“Occupant”** shall mean a Person or Persons, other than an Owner, in possession of a Unit.
- Section 1.18: **“Owner”** or **“Unit Owner”** means the Person or Persons whose estates or interests, individually or collectively, aggregate fee simple absolute ownership of a Unit.
- Section 1.19: **“Parcel”** shall mean the lot or lots, tract or tracts of land described on Exhibit “A” attached to this Declaration, as it may be amended from time to time, and that is submitted to the provisions of the Act.
- Section 1.20: **“Person”** means a natural individual, corporation, partnership, limited liability company, trustee or other legal entity capable of holding title to real property.
- Section 1.21: **“Plat”** means the plat or plats of survey of the Parcel and of all Units in the Property attached to this Declaration as Exhibit “D”, as may be amended from time to time, which shall consist of a three dimensional horizontal and vertical delineation of all such Units and such other data as may be required by the Act.
- Section 1.22: **“Property”** means all the land, property and space comprising the Parcel, all improvements and structures erected, constructed or contained therein or thereon, including the Building(s) and all easements, rights and appurtenances belonging thereto, and all fixtures, equipment and furnishings intended for the mutual use, benefit or enjoyment of the Owners, submitted to this Declaration and the provisions of the Act and as legally described in Exhibit “A” attached hereto.
- Section 1.23: **“Record”** means to record in the Office of the Recorder of Deeds of Cook County, Illinois.
- Section 1.24: **“Reserves”** means those sums paid by Owners which are separately maintained by the Board for purposes specified by the Board or the Condominium Instruments.

Section 1.25: **“Unit”** means a part of the Property designed and intended for any type of independent use and more specifically described in Article II and depicted on the Plat.

Section 1.26: **“Unit Ownership”** means title to both a part of the Property consisting of one (1) Unit and the undivided percentage interest in the Common Elements allocated thereto.

Section 1.27: **“Village”** means the Village of Palatine, Illinois.

Section 1.27: **“Voting Member”** means one (1) person with respect to each Unit Ownership designated and entitled to vote at any meeting of the Owners.

ARTICLE II

UNITS

Section 2.01: **Description**

- (a) All Units are located on the Property, are delineated on the Plat by a distinguishing number or other symbol and are listed on and have the percentage ownership as set forth in Exhibit “B” attached hereto and made a part hereof. The legal description of each Unit shall refer to such identifying number or symbol.
- (b) Each Unit consists (or shall consist) of the space enclosed and bounded by the horizontal and vertical planes constituting the boundaries of such Unit as delineated on the Plat; provided, however, that no structural components of a Building, and no pipes, wires, conduits, ducts, flues, shafts, or public utility lines situated within a Unit and forming part of any system serving one or more other Units or the Common Elements shall be deemed to be a part of said Unit.

Section 2.02: **Real Estate Taxes**

It is intended and understood that real estate taxes are to be separately taxed to each Owner for his or her Unit and his or her corresponding percentage of ownership in the Common Elements as provided in the Act. In the event that for any year such taxes are not separately taxed to each Owner, but are taxed on the Property as a whole, then each Owner shall pay his or her proportionate share thereof in accordance with his or her respective percentage of ownership interest in the Common Elements. Upon authorization by a two-thirds (2/3) vote of the members of the Board or by the affirmative vote of not less than a majority of the Owners at a meeting duly called for such purpose, the Board, acting on

behalf of all Owners, shall have the power to seek relief from or in connection with the assessment or levy of any such taxes, special assessments or charges, and to charge and collect all expenses incurred in connection therewith as Common Expenses.

Section 2.03: Combination of Units

Except as provided by the Act, no Owner (other than the Declarant) shall, by deed, plat, court decree or otherwise, combine or subdivide or in any other manner cause any Unit owned by such Owner (other than the Declarant) to be separated into any tracts or parcels different from the whole Unit as shown on the Plat. Notwithstanding the foregoing, the Declarant shall have the right at any time and from time to time to increase or decrease the size of a Unit or Units owned by the Declarant and the Declarant shall have the right in connection therewith to, at the Declarant's own expense, locate or relocate Common Elements affected or required by such change.

Section 2.04: Amendment of Plat

To the extent such data is available to the Declarant at the time this Declaration is Recorded, the Plat sets forth the measurements, elevations, locations and other data, as required by the Act, with respect to (a) the Parcel and its exterior boundaries; (b) the Building(s) and each floor thereof; and (c) each Unit in the Building(s) and said Unit's horizontal and vertical dimensions. However, the Declarant reserves unto itself, the right, from time to time, as further data becomes available, to amend the Plat so as to set forth the measurements, elevations, locations and other data required by the Act, with respect to the Building(s) and the Units now or hereafter constructed on the Parcel. In furtherance of the foregoing, a power coupled with an interest is hereby granted to the Declarant, acting by or through its duly authorized officers, its successors, or its designee, and their agents, and each of them singly, as attorney-in-fact, to amend the Plat, as described above, without notice to any Owner. Each deed, mortgage, or other instrument with respect to a Unit, and the acceptance thereof, shall be deemed a grant of such power to each of said attorneys-in-fact, and acknowledgement of the consent to such power, and shall be deemed to reserve to each of said attorneys-in-fact the power to amend the Plat, as described above.

ARTICLE III

COMMON ELEMENTS

Section 3.01: Ownership of Common Elements

Each Owner shall be entitled to the percentage of ownership in the Common Elements allocated to the respective Unit owned by such Owner as set forth in the schedule attached hereto as Exhibit "B" and by this reference made a part hereof as though fully set forth herein. The aforesaid percentages of ownership interest have been computed and determined in accordance with the Act, and shall remain constant and may not be changed without unanimous approval of all Owners, except as otherwise provided in the Act; provided, however, that Declarant may change such percentages of ownership interest by Recording an amendment to this Declaration during the period of time Declarant has the authority to annex the Additional Property to the Property through an add-on amendment pursuant to the terms of Article XIV hereof. Said ownership interests in the Common Elements shall be undivided interests, and the Common Elements shall be owned by the Owners as tenants in common in accordance with their respective percentages of ownership as set forth in Exhibit "B". The ownership of each Unit and the Owner's corresponding percentage of ownership in the Common Elements shall not be separated.

Section 3.02: Use of the Common Elements

Each Owner shall have the right to use the Common Elements (except the Limited Common Elements) in common with all other Owners, as may be required for the purposes of access, ingress, and egress to and from and use, occupancy and enjoyment of the respective Unit owned by such Owner. Such right to use the Common Elements shall extend to each Owner, and the agents, servants, tenants, family members and invitees of each Owner. Each Owner shall have the right to the exclusive use and possession of the Limited Common Elements serving his or her Unit exclusively. Such rights to use and possess the Common Elements, including the Limited Common Elements, shall be subject to and governed by the provisions of the Act and of this Declaration and the By-Laws and the rules and regulations of the Board. The Board shall have the exclusive authority from time to time to adopt or amend administrative rules and regulations governing the use, occupancy and control of the Common Elements and Limited Common Elements. The Board shall have the authority to lease or to grant licenses or concessions with respect to parts of the Common Elements, subject to the provisions of the Declaration and By-Laws.

Section 3.03: Limited Common Elements

As further defined in Article I hereof, the Limited Common Elements are a portion of the Common Elements so designated in this Declaration as being reserved for the use of a certain Unit or Units, to the exclusion of other Units, or which, by its nature or location, is clearly intended to serve exclusively a certain Unit or Units (but less than all of the Units) or the Unit Owners(s) thereof. The Limited Common Elements appertaining to, or designated or reserved for or for the use of, or serving any Unit (alone or in conjunction with other Units) are hereinafter from time to time referred to as the Limited Common Elements of such Unit. Each Owner shall have the right to the exclusive use and possession of the Limited Common Elements contiguous to and serving only his or her Unit and the Limited Common Elements access to which is available only through his or her Unit. The right to the exclusive use and possession of the Limited Common Elements as aforesaid shall be appurtenant to and run with the Unit of such Owner benefitted by the Limited Common Element. Except as set forth in the preceding sentence, Limited Common Elements may not be transferred between or among Owners, except as provided within the Act.

Section 3.04: Parking Spaces

- (a) It is intended that the Property shall have parking, with parking spaces located both in certain portions of the exterior of the Property located outside of Buildings as well as interior parking spaces located in the garage included within the Building. Except for those garage parking spaces allocated to particular Units by the Declarant, as further provided in this Section, or as otherwise provided in this Declaration, all parking spaces shall be part of the Common Elements.
- (b) Upon the initial sale of a Unit, the Declarant shall allocate to such Unit one (1) parking space within the garage located in the Building, which exclusive use shall be deemed to be appurtenant to and pass with the title to such Unit to which the same is allocated regardless of whether or not it is expressly so mentioned in the deed conveying title to the Unit. Such assigned garage parking space shall be considered a Limited Common Element for the Unit it is assigned to.
- (c) The garage parking space, upon allocation by the Declarant, shall not thereafter be separated from such Unit except by deed, lease or assignment of the exclusive use thereof to another Owner, as provided in the Act. The Declarant shall give the Board notice of the Unit to which the exclusive use of each garage parking space has been granted, which notice shall be conclusive upon the Board, the Association and all Owners as the rights of the Owner designated in such notice. Each deed, lease, mortgage or other instrument affecting such Unit, without also including such specific exclusive use of the parking space allocated to such Unit,

shall be deemed and taken to include such exclusive use to such parking space even though not mentioned therein.

ARTICLE IV

GENERAL PROVISIONS AS TO UNITS AND COMMON ELEMENTS

Section 4.01: Submission of Property to the Act

The Parcel and the Property is hereby submitted to the Declaration, By-laws and the provisions of the Act, as amended from time to time.

Section 4.02: No Severance of Ownership

No Owner shall execute any deed, mortgage, lease or other instrument affecting title to his or her Unit without including therein both his or her interest in the Unit and his or her corresponding percentage of ownership in the Common Elements, it being the intention hereof to prevent any severance of such combined ownership. Any such deed, mortgage, lease or other instrument purporting to affect the one, without including also the other, shall be deemed and taken to include the interest so omitted, even though the latter is not expressly mentioned or described therein.

Section 4.03: Separate Mortgages of Units

Each Owner shall have the right, subject to the provisions herein, to make a separate mortgage or encumbrance on his or her own respective Unit, together with his or her respective ownership interest in the Common Elements. No Owner shall have the right or authority to make or create or permit to be made or created any mortgage or encumbrance or other lien on or affecting the Property or any part thereof, except only to the extent of his or her Unit and his or her respective ownership interest in the Common Elements.

Section 4.04: Utilities

Each Owner shall pay for his or her own telephone, electricity and other utilities which are separately metered or billed to each Owner for the Unit owned by such Owner by the respective utility company furnishing such utility. Utilities which are not separately metered or billed shall be treated as part of the Common Expenses.

Section 4.05: Easements

- (a) **Encroachment.** In the event that, by reason of the construction, settlement or shifting of a Building, or the design or construction of any

Unit, any part of the Common Elements encroaches, or shall hereafter encroach upon any part of any Unit, or any part of any Unit encroaches or shall hereafter encroach upon any part of the Common Elements or any other Unit, or, if by reason of the design or construction of utility systems, any main pipes, ducts or conduits serving more than one Unit encroach or shall hereafter encroach upon any part of any Unit, valid easements for the maintenance of such encroachment are hereby established and shall exist for the benefit of such Unit and Common Elements, as the case may be, so long as all or any part of a Building containing such Unit shall remain standing; provided, however, that in no event shall a valid easement for any encroachment be created in favor of the Owner of any Unit for use of any portion of the Common Elements if such encroachment occurred due to the willful conduct of said Owner or Owners.

- (b) **Village and Utilities.** An easement for serving the subdivision and other property with electrical and communications services, gas, cable television, storm water drainage and sanitary sewers is hereby reserved for and granted to Commonwealth Edison Company and Ameritech and Northern Illinois Gas Company and any Cable Communications Firm or Company granted a Cable Communications Franchise by the Village of Palatine and The Village of Palatine, Grantees their respective successors and assigns, jointly and severally, for the placement, installation, use, operation, maintenance, repair, relocation, replacement and removal of watermains, storm sewers, sanitary sewers, drainage ditches and swales, retention ponds, gas mains, electrical lines, telephone lines, facilities used in connection with underground transmission and distribution of electricity and sounds and signals, including but not limited to television, data and radio signals, together with all braces, guys, anchors, manholes, valves and all other equipment and appurtenances necessary in connection upon and under the subdivision in, under, across, along and upon the surface of the property shown within the dotted lines on the plat and marked "easement", the property designated in the Declaration of Condominium and/or on this plat as "Common Elements", and the property designated on the plat for streets and alleys, whether public or private, together with the right to install required service connections over or under the surface of each lot and Common Elements or areas to serve improvements thereon or on adjacent lots, or Common Elements, the right to cut, trim, or remove trees, bushes and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. Obstructions shall not be placed over the grantees' facilities or in, upon or over the property within the dotted lines marked "easement" without the prior written consent of grantees, except garden, shrubs and landscaping may be placed over any sub surface facilities that do not unreasonably interfere with the safety, usefulness of unreasonably restrict to, or prevent

the prompt maintenance of repair of any such sub surface facilities. After installation of any such facilities, the grade of the subdivided property shall not be altered in a manner so as to interfere with the proper operation and maintenance thereof.

- (c) **Easements for Ingress and Egress.** The Declarant or the Board shall have the right to hereafter grant easements over and upon the Parcel for ingress and egress for motor vehicles and/or pedestrians for the benefit of adjacent property owners on such terms and conditions acceptable to the Declarant or the Board in its sole discretion.
- (d) **Easements Reserved by the Declarant and Developer.** The Declarant and its agents, employees, contractors, guests, invitees and licensees shall have the right and easement at all times to use the Common Elements (i) to perform any construction, maintenance, repair, renovation, restoration or rehabilitation of, in or under all or any part of the Property which the Declarant desires to perform; (ii) for the purpose of selling, displaying and having ingress to and egress from one or more of the Units; and (iii) for the purpose of erecting, maintaining and displaying one or more of the signs desired by Declarant. Nothing in this Declaration shall in any way affect, alter, modify, amend or terminate any easements signed by the Declarant and Recorded prior to the Recording of this Declaration. The easements granted within this paragraph shall continue until such time as the rights of Declarant to submit the Additional Property to the Act has expired and Declarant no longer holds legal title to any Units, whichever is later, at which time such easements shall cease and be of no further force and effect without the necessity of any further action. The easements granted within this paragraph shall be deemed and taken to be covenants running with the land.
- (e) **Easements Run With the Land.** All easements and rights described herein are easements, appurtenant to and running with the land, perpetually in full force and effect, and at all times shall inure to the benefit of and be binding on the Declarant, its successors and assigns, and any Owner, purchaser, mortgagee and other Person having an interest in said land or any part or portion thereof.

Reference in the respective deeds of conveyance or in any mortgage or trust deed or other evidence of obligation to the easements and rights described in this Section, or described in any other part of this Declaration, shall be sufficient to create and reserve such easements and rights to the respective grantees, mortgagees and trustees of such Property as fully and completely as though such easements and rights were recited fully and set forth in their entirety in such documents.

Section 4.06: Easement in Favor of the Association

A blanket easement over the Property, including each Unit, is hereby granted in favor of the Association for the purpose of exercising its rights and performing its duties under this Declaration. The authorized representatives of the Association or the Board, or of the manager or managing agent for the Association, shall be entitled to reasonable access to, over and through the individual Units as may be required in connection with the operation, maintenance, repairs or replacements of or to the Common Elements or any equipment, facilities or fixtures affecting or serving other Units or the Common Elements.

Section 4.07: Security

The Association may from time to time, but is not obligated to, provide measures of security on the Property; however, the Association is not a provider of security and shall have no duty or obligation to provide any security on the Property. The obligation to provide security lies solely with each Owner individually. The Association shall not be held liable for any loss or damage by reason of failure to provide adequate security or ineffectiveness of security measures undertaken.

Section 4.08: No Bailee

Notwithstanding anything to the contrary contained in this Declaration, neither the Board, the Association, any Owner, nor the Declarant shall be considered a bailee of any personal property stored in the Common Elements and shall not be responsible for the security of such personal property or for any loss or damage thereto, whether or not due to negligence.

ARTICLE V**MAINTENANCE, REPAIRS AND REPLACEMENTS****Section 5.01: By the Association**

The Association shall be responsible for the maintenance, repair, and replacement of the Common Elements as a Common Expense.

Section 5.02: By the Owner

- (a) Each Owner shall furnish and be responsible for, at his or her own expense, all of the maintenance, repairs and replacements within his or her own Unit and shall be obligated to maintain and keep his or her Unit in good order and repair.
- (b) Whenever the Board shall determine, in its sole discretion, that any maintenance, repair or replacement of any Unit is necessary to protect the

Common Elements or any other portion of the Property, the Board may cause a written notice of the necessity for such maintenance, repair or replacement to be served upon such Owner, which notice may be served by delivering a copy thereof to any Occupant of such Unit, or by mailing the same to the Owner at the Unit. If such Owner fails or refuses to perform any such maintenance, repair or replacement within a reasonable time stated in the notice (or any extension thereof approved by the Board), the Board may cause such maintenance, repair and replacement to be performed. Provided, however, that in the event of the need for emergency maintenance, repairs and/or replacement, as determined by the Board, the Board shall have the right to perform such maintenance, repairs and/or replacement within or to the Unit or Limited Common Elements without any requirement to notify the Owner beforehand as provided above. In the event the Association performs any maintenance, repair and/or replacement to a Unit, the Owner of the Unit shall be responsible for all costs incurred by the Association in maintaining, repairing and/or replacing the Unit as well as all costs incurred by the Association in accessing the Unit, including, but not limited to, any locksmith costs, and all such costs shall also be a lien against such Owner's Unit enforceable by the Association in the same manner as provided herein for unpaid assessments.

Section 5.03: **Limited Common Elements**

Each Owner shall be responsible, at his or her own expense, for the maintenance, repair and replacements of the Limited Common Elements benefitting his or her Unit, in whole or in part, except to the extent as otherwise directed by the Board or as is otherwise provided herein. At the discretion of the Board, the Association may perform, or cause to be performed, such maintenance, repairs and replacements of the Limited Common Elements, or any portion thereof, and the cost thereof shall be assessed in whole or in part to Owners benefited thereby, and further, at the discretion of the Board, the Board may direct such Owners to arrange for such maintenance, repairs and replacements, to pay the cost thereof with the funds of the Owner, and to procure and deliver to the Board such lien waivers and contractor's or subcontractor's sworn statements as may be required to protect the Property from all mechanic's or materialmen's lien claims that may arise therefrom.

Section 5.04: **Mechanic's Liens**

The Board may cause to be discharged any mechanic's lien or other encumbrance which, in the opinion of the Board, may constitute a lien against the Property or Common Elements, rather than against a particular Unit and its corresponding percentage of ownership in the Common Elements. When less than all the Owners are responsible for the existence of any such lien, the

Owners responsible shall be jointly and severally liable for the amount necessary to discharge the same and for all costs and expenses (including attorneys' fees) incurred by reason of such lien.

Section 5.05: Damage Caused by Owner or Guest

If, due to the act, omission or neglect of an Owner, or of a member of his or her family or household pet or of a guest, invitee or other authorized Occupant or visitor of such Owner, damage shall be caused to the Common Elements or to a Unit or Units owned by others, and maintenance, repairs or replacements shall be required which would otherwise be a Common Expense, then such Owner shall pay for such damage and such maintenance, repairs and replacements, as may be determined by the Board, and in addition shall be liable for any attorneys' fees and costs incurred by the Association in correcting such damage.

Section 5.06: Certain Facilities

To the extent that equipment, facilities and fixtures within any Unit or Units shall be connected to similar equipment, facilities or fixtures affecting or serving other Units or the Common Elements, then the use thereof by the individual Owners shall be subject to the rules and regulations of the Board. The authorized representatives of the Association or the Board, or of the manager or managing agent, if any, shall be entitled to reasonable access to the individual Units as may be required in connection with maintenance, repairs, or replacements of or to the Common Elements or any equipment, facilities or fixtures affecting or serving other Units of the Common Elements.

Section 5.07: No Contractual Obligation

Nothing herein contained shall be construed to impose a contractual liability upon the Association for maintenance, repair and replacement, but the Association's liability shall be limited to damages resulting from negligence. The respective obligations of the Association and the Owners set forth in this Declaration shall not be limited, discharged or postponed by reason of the fact that any such maintenance, repair or replacement is required to cure a latent or patent defect in material or workmanship in the construction of the Building, nor because they may become entitled to proceeds under policies of insurance. In addition, and notwithstanding anything hereinabove to the contrary, no Owner shall have a claim against the Board, Association or Declarant for any work ordinarily the responsibility of the Board or Association, but which the Owner himself or herself has performed or paid for, unless the same shall have been agreed to in advance by the Board, Association or the Declarant, as their interests may appear.

ARTICLE VI

INSURANCE

Section 6.01: **Fire and Hazard Insurance**

- (a) The Board shall obtain, as a Common Expense, a policy or policies of insurance insuring the Common Elements, including the Limited Common Elements (including, but not limited to, the bare walls, floors and ceilings of the Units), and the Units providing coverage for special form causes of loss, and providing coverage, at the time the insurance is purchased and at each renewal date, in a total amount of not less than the full insurable replacement cost of the insured property, less deductibles, but including coverage sufficient to rebuild the insured property in compliance with building code requirements subsequent to an insured loss, including: Coverage B, demolition costs; and Coverage C, increased cost of construction coverage. The combined total of Coverage B and Coverage C shall be no less than ten percent (10%) of each insured building value, or Five Hundred Thousand Dollars (\$500,000.00), whichever is less. Such policies shall include, if agreeable to the insurer, coverage for the payment of Common Expenses with respect to damaged Units during the period of reconstruction thereof. Premiums for such insurance shall be Common Expenses. Insurance coverage shall be written in the name of, losses under such policies shall be adjusted by, and the proceeds of such insurance shall be payable to the Board as trustee for each of the Owners in their respective percentages of ownership interest in the Common Elements as established in the Declaration.

- (b) The Board may engage the services of any bank or trust company authorized to do trust business in Illinois to act as trustee, agent or depository on behalf of the Board for the purpose of receiving and disbursing the insurance proceeds resulting from any loss, upon such terms as the Board shall determine consistent with the provisions of the Act and this Declaration. The fees of such corporate trustee shall be a Common Expense. In the event of any loss in excess of fifty thousand dollars (\$50,000.00) in the aggregate, the Board shall engage a corporate trustee as aforesaid, or in the event of any loss resulting in the destruction of the major portion of one or more Units, the Board shall engage a corporate trustee as aforesaid upon the written demand of the mortgagee or Owner of any Unit so destroyed.

- (c) The proceeds of such insurance shall be applied by the Board or by the corporate trustee on behalf of the Board for the reconstruction of a Building or one or more Units or shall be otherwise disposed of, in accordance with the provisions of this Declaration and the Act; and the

rights of the mortgagee of any Unit under any standard mortgage clause endorsement to such policies shall, notwithstanding anything to the contrary therein contained, at all times be subject to the provisions of the Act with respect to the application of insurance proceeds to reconstruction of a Building.

Section 6.02: General liability insurance

The Board shall have the authority to and shall obtain commercial general liability insurance against claims and liabilities arising in connection with the ownership, existence, use, or management of the Property in a minimum amount of One Million Dollars (\$1,000,000.00) or a greater amount deemed sufficient in the judgment of the Board, insuring the Board, the Association, the Declarant, the managing agent, and their respective employees and agents and all persons acting as agents. The Owners shall be included as additional insured parties but only for claims and liabilities arising in connection with the ownership, existence, use, or management of the Common Elements. The insurance shall cover claims of one or more insured parties against other insured parties. Such insurance coverage shall include a severability of interest endorsement which shall preclude the insurer from denying the claim of an Owner because of negligent acts of the Association or other Owners and a waiver of any rights to subrogation by the insuring company against any of the above named persons. The premiums for such insurance shall be Common Expenses.

Section 6.03: Directors and Officers Liability Coverage

The Board shall obtain, as a Common Expense, directors' and officers' liability coverage at a level deemed reasonable by the Board. Directors' and officers' liability coverage shall extend to all contracts and other actions taken by the Board in their official capacity as directors and officers, but this coverage shall exclude actions for which the directors are not entitled to indemnification under the Illinois General Not For Profit Corporation Act of 1986 or the Declaration and By-Laws. Additionally, such coverage shall include, but not be limited to, coverage of defense of non-monetary actions, defense of breach of contract, and defense of decisions related to the placement or adequacy of insurance, and shall include as an insured the following: past, present, and future Board members while acting in their capacity as members of the Board; the managing agent; and employees of the Board and the managing agent.

Section 6.04: Fidelity bond

- (a) The Association shall obtain, as a Common Expense, and maintain a fidelity bond covering persons, including the managing agent and its employees, who control or disburse funds of the Association, for the maximum amount of coverage available to protect funds in the custody or control of the Association, plus the Association reserve fund.

- (b) All management companies that are responsible for the funds held or administered by the Association must be covered by a fidelity bond for the maximum amount of coverage available to protect those funds. The Association has standing to make a loss claim against the bond of the managing agent as a party covered under the bond.
- (c) For purposes of this Section, the fidelity bond must be in the full amount of Association funds and reserves in the custody of the Association or the management company.

Section 6.05: Owner Coverage

Each Owner shall be responsible for his or her own insurance on the contents of his or her own Unit and furnishings and personal property therein, his or her personal property stored elsewhere on the Property, and his or her personal liability to the extent not covered by the liability insurance for all of the Owners obtained as part of the Common Expenses as above provided. The premium for such insurance shall be paid by the Owner directly to his or her own insurance company or agency.

Section 6.06: Unit Improvements and Betterments

The Board shall not be responsible for obtaining insurance on any improvements and betterments made by any Owner to his or her Unit unless and until such Owner shall request the Board in writing so to do, and shall make arrangements satisfactory to the Board to reimburse the Board for any additional premiums attributable thereto; and upon the failure of such Owner so to do, the Board shall not be obligated to apply any insurance proceeds to restore the affected Unit to a condition better than the condition existing prior to the making of such improvements and betterments. For purposes of this Article, "improvements and betterments" means all decorating, fixtures, and furnishings installed or added to and located within the boundaries of the Unit, including electrical fixtures, appliances, air conditioning and heating equipment, water heaters, built-in cabinets installed by Owners, or any other additions, alterations or upgrades installed or purchased by any Owner.

Section 6.07: Waiver and Release of Claims

Each Owner hereby waives and releases any and all claims which he or she may have against any other Owner, the Declarant, the Association, its officers, the Board, the manager and managing agent of the Buildings, if any, and their respective employees and agents, for damage to the Common Elements, the Units, or to any personal property located in the Units or Common Elements, caused by fire or other casualty, to the extent that such damage is covered by fire or other form of casualty insurance.

Section 6.08: Other Types of Insurance

The Association shall have the right, but not the obligation, to obtain any other insurance including, but not limited to, workers compensation, employment practices, environmental hazards and equipment breakdown insurance, that the Board considers appropriate to protect the Association, the Owners, the officers, the directors, or the agents of the Association.

Section 6.09: Adjustment of Losses and Distribution of Proceeds

Any loss covered by one of the Association's insurance policies shall be adjusted by and with the Association. The insurance proceeds for that loss shall be payable to the Association, or to the insurance trustee provided for in this Article. The insurance trustee or the Association shall hold any insurance proceeds in trust for Owners and secured parties as their interests may appear. The proceeds must be disbursed first for the repair or restoration of the damaged Common Elements, the bare walls, ceilings, and floors of the Units, and then to any improvements and betterments the Association may insure. Owners are not entitled to receive any portion of the proceeds unless there is a surplus of proceeds after the Common Elements and Units have been completely repaired or restored or the Association has been terminated as trustee.

Section 6.10: Insured Parties and Waiver of Subrogation

Those insurance policies provided for in Sections 6.01 and 6.02 of this Article shall include each of the following provisions:

- (a) Each Owner and secured party is an insured person under the policy with respect to liability arising out of the Owner's interest in the Common Elements or membership in the Association.
- (b) The insurer waives its right to subrogation under the policy against any Owner in the Association or members of the Owner's household and against the Declarant, the Association and members of the Board.
- (c) The Owner waives his or her right to subrogation under the Association policy against the Declarant, the Association and members of the Board.

Section 6.11: Deductibles

In the event any of the insurance policies of the Association have a deductible, the Board may, in the case of a claim for damage to a Unit or the Common Elements on such policy, (i) pay the deductible amount as a Common Expense, (ii) after notice and an opportunity for a hearing, assess the deductible amount against the Owner(s) who caused the damage or from whose Unit(s) the damage

or cause of loss originated, or (iii) require the Owner(s) of the Unit(s) affected to pay the deductible amount.

ARTICLE VII

ASSESSMENTS

Section 7.01: **Assessments are a lien**

Except as otherwise provided in the By-Laws, each Owner shall pay his or her proportionate share of the expense of administration, maintenance and repair of the Common Elements and of any other expenses incurred in conformance with the Declaration and By-Laws or otherwise lawfully agreed upon (which expenses are herein sometimes referred to as "Common Expenses") on the basis of his or her respective percentage of ownership as set forth in Exhibit "B" including amounts which may be assessed to establish an adequate reserve fund for maintenance, repair and replacement of Common Elements ("Reserves"). Such proportionate share of the Common Expenses for each Owner shall be in such amounts and at such times as determined in the manner provided in this Declaration. If any Owner shall fail or refuse to make any such payment of the Common Expenses when due, the amount thereof plus costs and expenses of collection including, without limitation, reasonable attorneys' fees, shall constitute a lien on the interest of such Owner in the Property as provided in the Act; provided, however, said lien shall be subject as to priority to liens of first mortgages (or trust deeds) in accordance with Section 7.02 below. The lien for Common Expenses shall, in addition to being a lien on the Unit, be a personal obligation of the Owner, which personal obligation shall not pass to successors in title unless assumed by them.

Section 7.02: **Association's Lien Subordinate to Mortgages**

The lien for assessments and other charges provided for in Section 7.01 of this Article shall be subordinate to a mortgagee's mortgage on the Unit that was Recorded prior to the date that any such assessments and other charges became due. Except as hereinafter provided, the lien for assessments and other charges, provided for in Section 7.01, shall not be affected by any sale or transfer of a Unit. Where title to a Unit is transferred pursuant to a decree of foreclosure of a mortgagee's mortgage or by deed or assignment in lieu of foreclosure of a mortgagee's mortgage, such transfer of title shall extinguish the lien for unpaid assessments or other charges that became due prior to the date of the transfer of title to the extent provided by law. However, such sale or transfer shall not relieve the Unit from liability for any assessments or installments or other charges thereafter becoming due. Further, the transferee of the Unit shall be personally liable for his or her share of the assessments or other charges with respect to which a lien against his or her Unit has been extinguished pursuant to the preceding sentence where such assessments or other charges are reallocated

among all the Owners pursuant to a subsequently adopted annual or revised annual assessment or special assessment, and non-payment thereof shall result in a lien against the transferee's Unit, as provided in this Article.

Section 7.03: Use of Assessments

The assessments levied by the Association shall be used for the purpose of promoting the recreation, health, safety, and welfare of the residents of the Property, to administer the affairs of the Association, and to pay the Common Expenses, and shall be deemed to be held for the benefit, use, and account of all the Owners in the percentages set forth in Exhibit "B" hereto.

Section 7.04: Preparation of estimated annual budget

- (a) Each year, on or before November 1, the Board shall estimate the total amount necessary to pay the cost of all Common Expenses that will be required during the ensuing fiscal year for the rendering of all services, together with a reasonable amount considered by the Board to be necessary for a reserve for contingencies and replacements. The annual budget shall set forth with particularity all anticipated Common Expenses by category as well as all anticipated assessments and other income. The budget shall also set forth each Owners' proposed Common Expense assessment for the ensuing calendar year, which shall be assessed to the Owners according to each Owner's percentage of ownership in the Common Elements as set forth in Exhibit "B" attached hereto. The annual budget shall also take into account the estimated net available cash income for the year from the operation or use of the Common Elements, if any. Each Owner shall receive, at least twenty-five (25) days prior to the adoption thereof by the Board, a copy of the proposed annual budget.
- (b) Provided that, if the annual budget adopted by the Board in a given year would result in assessments payable in the current fiscal year exceeding one hundred and fifteen percent (115%) of the sum of all regular and special assessments payable during the preceding fiscal year, then the Board, upon written petition by Owners of Units with at least twenty percent (20%) of the ownership in the Common Elements delivered to the Board within fourteen (14) days of the Board action adopting the annual budget, shall call a meeting of the Owners within thirty (30) days of the date of delivery of the petition to consider the annual budget. Unless Owners of Units with over fifty percent (50%) of the ownership in the Common Elements cast votes at the meeting to reject the annual budget, whether or not a quorum is present, it is ratified.

Section 7.05: Initial Budget

The initial Board appointed by the Declarant, as provided for in the By-Laws, shall determine and adopt, prior to the conveyance of the first Unit hereunder, the initial annual budget for the initial period commencing with the first day of the month in which the sale of the first Unit is closed and ending on December 31st of the calendar year in which such sale occurs and shall continue to determine the annual budget for each succeeding calendar year until such time as the first Board elected, as provided in the By-Laws, takes office. Assessments shall be levied against the Owners during such period as provided in this Article.

Section 7.06: Payment period of assessments

The regular assessments shall be payable monthly by each Owner on or before the first (1st) day of the month. The Board of the Association, as herein provided, shall have the authority to fix the monthly assessments for each fiscal year.

Section 7.07: Capital Reserve

The Association shall build up and maintain reasonable and adequate monies for contingencies and replacements, which monies shall be segregated and allocated for specific purposes (the "Capital Reserve"). Extraordinary expenditures not originally included in the annual budget which may become necessary during the year may be charged first against such portion of the Capital Reserve funds that remain unallocated. The Board shall determine, in a manner it deems fit, the appropriate level of the Capital Reserve based on a periodic review of the useful life of improvements to the Common Elements and equipment owned by the Association as well as periodic projections of the cost of anticipated major repairs or improvements to the Common Elements or the purchase of equipment to be used by the Association in connection with its duties hereunder. The Board may, but is not required to, have a reserve study performed from time to time to assist the Board in determining the appropriate level of the Capital Reserve. The Capital Reserve may be built up by special assessment or out of the annual assessment as provided in the budget. Each budget shall disclose that percentage of the annual assessment which shall be added to the Capital Reserve and shall also disclose (i) which portion thereof is for capital expenditures with respect to the Common Elements and (ii) which portion thereof is for capital expenditures with respect to property owned or to be owned by the Association. Special accounts set up for portions of the Capital Reserve to be used to make capital expenditures with respect to the Common Elements shall be held by the Association as agent and trustee for the Owners of Units with respect to which the Capital Reserve is held and such accounts shall be deemed to have been funded by capital contributions to the Association by the Owners.

Section 7.08: Initial Capital Contribution

At the time the initial sale of each Unit is closed, the purchaser of the Unit shall pay to the Association (or to the Declarant in the event that the Association has yet to be formed), an amount equal to two (2) times the first full monthly assessment for such Unit. This sum shall be used to initially fund the Reserves described in Section 7.07 hereof. Such Reserve contribution by the initial purchasers of Units shall be considered a capital contribution and shall not be refundable and shall not be applied as a credit against the Owner's monthly assessments.

Section 7.09: Change in Basis of Regular Assessments

If the annual assessment proves inadequate for any reason (including non-payment of any Owner's assessment) or proves to exceed funds reasonably needed, then the Board may increase or decrease the assessment payable under this Article by giving written notice thereof (together with a revised budget and explanation for the adjustment) to each Owner at least twenty-five (25) days prior to the adoption of said revised budget and assessment by the Board, and such revised budget and assessment shall take effect upon adoption by the Board or any date thereafter specified by the Board.

Section 7.10: Special Assessments

- (a) In addition to the annual assessments authorized in this Declaration, the Board, by majority vote, may levy in any assessment year a special assessment applicable to that year only, for the purpose of defraying, in whole or in part, the cost of any extraordinary or non-recurring Common Expense or any Common Expense not set forth in the budget as adopted. Any such special assessments shall be fixed at a rate for all Units in proportion to that Unit's ownership percentage in the Common Elements, and the funds raised through such special assessment may only be used for the purpose(s) specified by the Board when passing the special assessment.
- (b) Provided that, if any special assessment adopted by the Board would result in the sum of all regular and special assessments payable in the current fiscal year exceeding one hundred and fifteen percent (115%) of the sum of all regular and special assessments payable during the preceding fiscal year, then the Board, upon written petition by Owners of Units with at least twenty percent (20%) of the ownership in the Common Elements delivered to the Board within fourteen (14) days of the Board action adopting the special assessment, shall call a meeting of the Owners within thirty (30) days of the date of delivery of the petition to consider the special assessment. Unless Owners of Units with over fifty percent (50%) of the ownership in the Common Elements cast votes at the meeting to reject the special assessment, it is ratified. However, special

assessments for expenditures relating to emergencies or mandated by law may be adopted by the Board without the option of an Owner petition. As used in this section, "emergency" means an immediate danger to the structural integrity of the Common Elements or to the life, health, safety or property of the Owners.

- (c) Provided further that all assessments, including special assessments, for additions and alterations to the Common Elements or to Association-owned property not included in the adopted annual budget shall be subject to approval of Owners of Units with at least two-thirds (2/3) of the ownership in the Common Elements.
- (d) Special assessments adopted by the Board may be payable over more than one (1) fiscal year. With respect to special assessments payable over multiple years, when calculating whether the sum of all regular and special assessments payable in the current fiscal year exceed one hundred and fifteen percent (115%) of the sum of all regular and special assessments payable during the preceding fiscal year, the entire amount of the special assessment shall be deemed considered and authorized in the first (1st) fiscal year in which the assessment is approved.

Section 7.11: Itemized accounting of Common Expenses

Within a reasonable time after the close of the Association's fiscal year, the Board shall supply to all Owners an itemized accounting of the Common Expenses for the preceding fiscal year actually incurred or paid, together with an indication of which portions were for reserves, capital expenditures or repairs or payment of real estate taxes and with a tabulation of the amounts collected pursuant to the budget or assessments, and showing the net excess or deficit of income over expenditures plus reserves. Such accounting may, but need not be, prepared by a certified public accountant.

Section 7.12: Failure to Prepare Estimated Budget

The failure or delay of the Board to prepare or serve the estimated annual budget on the Owners, as provided in this Article, shall not constitute a waiver or release in any manner of such Owner's obligation to pay assessments, as herein provided, whenever the same shall be determined, and in the absence of any estimated annual budget the Owners shall continue to pay the monthly assessment amount at the then existing monthly rate established for the previous period until the next monthly assessment which is due not less than ten (10) days after such new annual budget shall have been mailed or delivered.

Section 7.13: Statement of Account

Upon ten (10) days written notice to the Board and payment of a reasonable fee, if any, to be determined by the Board, any Owner shall be furnished a statement of his or her account setting forth the amount of any unpaid assessments or other charges due and owing from such Owner as of the date of the statement.

Section 7.14: Association rights upon non-payment of assessments

Any assessments, other charges or expenses, including, but not limited to, regular assessments, special assessments and duly imposed fines, which an Owner is required to make or is liable for hereunder which are not paid when due shall be deemed delinquent. If an assessment, charge or expense is not paid when due, the Board shall have the right to assess a late fee for the delinquent payment and, if an assessment, charge or expense is not paid within thirty (30) days after the due date, the Board shall have those rights and remedies to enforce such collection as shall be provided or permitted by law and equity including, but not limited to, bringing suit for and on behalf of themselves and as representatives for all Owners, to enforce collection of the amount due, the costs of said suit, and other fees and expenses together with interest, including, but not limited to, reasonable attorney's fees, costs and managing agent fees associated with collection of unpaid assessments. Without limiting the foregoing, if any Owners shall fail to pay any assessments, charges or expenses required to be paid, the Board shall have such rights and remedies:

- (A) The right to enforce the collection of such defaulting Owner's assessments, charges or payments, together with interest thereon, and all fees and costs including attorney's fees, managing agent fees and court costs, incurred in the collection thereof;
- (B) The right to enforce and foreclose any lien which the Association has or which may exist for its benefit; and
- (C) The right to take possession of such defaulting Owner's interest in his or her Unit, to maintain for the benefit of all the Owners an action for possession in the matter prescribed in the Forcible Entry and Detainer Act (735 ILCS 5/9-101 et. seq.), as amended, and to execute leases of such defaulting Owner's interest in his or her Unit and apply rents derived therefrom against such unpaid assessments, charges or expenses.

Section 7.15: No waiver

No Owner may waive or otherwise escape liability for the assessments provided for herein by non-use of his or her Unit or the Common Elements, undertaking or performing the maintenance and other responsibilities, or by abandonment of his or her Unit. The obligation to pay assessments is a separate and independent covenant on the part of each Owner. No diminution or abatement of assessments or set-off shall be claimed or allowed by reason of any alleged

failure of the Association or Board to take some action or perform some function required to be taken or performed by the Association or Board under this Declaration, or for the inconvenience or discomfort arising from the making of repairs or improvements which are the responsibility of the Association, or from any action taken to comply with any law, ordinance, the Declaration or with any order of directive of any municipality, other governmental authority or the Association.

ARTICLE VIII

COVENANTS AND RESTRICTIONS AS TO USE AND OCCUPANCY

The Units and Common Elements shall be owned, occupied and used subject to the following covenants and restrictions:

Section 8.01: **General Use**

No part of the Units, Common Elements or Limited Common Elements shall be used for other than housing and related common purposes for which the Property was designed. Each Unit shall be used only for housing and related common purposes permitted by this Declaration and for no other purpose. Provided, however, that nothing herein contained shall be construed in such a manner as to prohibit an Owner from (a) maintaining his or her personal professional library in his or her Unit; (b) keeping his or her personal business or professional records or accounts in his or her Unit; or (c) handling his or her personal business or professional telephone calls or correspondence therefrom. Such uses are expressly declared customarily incident to the principal residential use of the Unit and not in violation hereof.

Section 8.02: **Leases**

All Owners leasing their Unit shall deliver a copy of the signed lease to the Board no later than the date of occupancy or ten (10) days after the lease is signed, whichever comes first. All leases shall be in writing. No Unit may be leased or rented for transient or hotel purposes or for a period of less than thirty (30) days. In the event that the Owner fails to comply with such leasing requirements, the Association may seek to evict a tenant from the Unit under Article IX of the Illinois Code of Civil Procedure. Furthermore, all provisions of this Declaration, the By-Laws and any rules and regulations adopted by the Board shall be applicable to any person leasing a Unit and shall be deemed to be incorporated in any lease executed or renewed. The Association is hereby expressly deemed to be a third party beneficiary of any such lease. Any violation of this Declaration, the By-Laws or any rules and regulations adopted by the Board shall be deemed a default under such lease and shall, regardless of the Owner's action or inaction in response to such default, entitle the Association to exercise any and all remedies under the lease or available at law or equity including, but not limited to, the right of the Board

to proceed directly against a tenant, at law or in equity under the provisions of Article IX of the Illinois Code of Civil Procedure, for any breach by tenant of any provision of this Declaration, the By-Laws or rules and regulations adopted by the Board. The Board may further adopt rules and regulations related to leasing of Units.

Section 8.03: Use of Common Elements

The Common Elements shall be used only for access, ingress and egress to and from the respective Units by the respective families residing therein and their respective guests, household help and other authorized visitors, and for such other purposes which are incidental to the residential use of the respective Units.

Section 8.04: Prohibited Use

Nothing shall be done or kept in any Unit or in the Common Elements which will increase the rate of insurance on a Building or contents thereof applicable for residential use without the prior written consent of the Board. No Owner shall permit anything to be done or kept in his or her Unit or in the Common Elements which will result in the cancellation of insurance on a Building or contents thereof, or which would be in violation of any law. The use, maintenance, and operation of the Common Elements shall not be obstructed, damaged or unreasonably interfered with by any Owner, nor shall anything be stored in the Common Elements without the prior written consent of the Board except as herein expressly provided. No waste shall be committed in the Common Elements.

Section 8.05: Exterior Walls

Owners shall not cause or permit anything to be placed on the outside walls of a Building and no sign, awning, canopy or shutter shall be affixed to or placed upon the exterior walls or roof or any part thereof, without the prior written consent of the Board.

Section 8.06: Animals and Pets

No animals, rabbits, livestock, fowl or poultry of any kind shall be raised, bred or kept in any Unit or in the Common Elements, except that dogs, cats or other common household pets owned by an Owner or other Occupant may be kept in the Units provided that they are not kept, bred, or maintained for any commercial purpose and that any such pet causing or creating a nuisance or unreasonable disturbance shall be permanently removed from the Property upon three (3) days written notice from the Board to the Owner of the Unit containing such pet, and the decision of the Board shall be final. The Board may adopt such rules and regulations regarding the ownership and keeping of pets in Units and the use of Common Elements by pets as it deems reasonable and appropriate.

Section 8.07: Nuisances

No illegal, noxious or offensive activity shall be conducted or carried on in anywhere on the Property, nor shall anything be done therein, either willfully or negligently, which may be or become an annoyance or nuisance to the other Owners or Occupants.

Section 8.08: No unsightliness

No clothes, sheets, blankets, laundry of any kind or other articles shall be hung out or exposed on any part of the Common Elements. The Common Elements shall be kept free and clear of rubbish, debris and other unsightly materials.

Section 8.09: Operation of Machinery

No Owner shall overload the electric wiring in a Building or operate any machines, appliances, accessories, or equipment in such manner as to cause, in the judgment of the Board, an unreasonable disturbance to others.

Section 8.10: Parking

Parking on the Property shall be subject to rules and regulations adopted by the Board including, but not limited to, rules calling for the removal by the Association of vehicles parked in violation of the Declaration, By-Laws or any rules and regulations and rules limiting and/or prohibiting the parking of certain types of vehicles, boats, trailers, snow mobiles, campers, or any similar type items on the Property.

Section 8.11: Trash and Garbage

No waste, refuse or rubbish shall be permitted in the Limited Common Elements and/or the Common Elements, except in the facilities specifically provided therefore.

Section 8.12: Signs

No "For Sale" or "For Rent" signs, advertising, or other displays shall be maintained or permitted on any part of the Property except at such location and in such form as shall be determined by the Board; provided that the right is reserved by the Declarant and its agents, to maintain on the Property until the sale of the last Unit, all models, sales offices, and advertising signs, banners, and lighting in connection therewith, at such locations and in such forms as Declarant shall determine, together with the right of ingress, egress, and transient parking therefor through the Common Elements in favor of Declarant, its agents, licensees, designees and its prospective purchasers and lessees.

Section 8.13: Common Elements and Improvements

- (a) The Board may authorize and charge as Common Expenses (or in the case of Limited Common Elements, may charge the Owners benefited thereby) the cost of the additions, alterations or improvements to the Common Elements. The cost of any such work to the Common Elements may be paid out of the annual assessments or out of a special assessment subject to the provisions of Article VII, Section 7.10 of this Declaration.
- (b) No additions, alterations or improvements shall be made by an Owner to any part of the Common Elements (including the Limited Common Elements) and no additions, alterations or improvements shall be made by an Owner to his or her Unit where such work alters a wall or partition, configuration, ceiling, perimeter doors or windows, or otherwise affects the structure of the Unit or increases the cost of insurance required to be carried by the Board hereunder without the prior written consent of the Board. Any Owner desiring to make any such addition, alteration or improvement shall be required to submit the plans and specifications showing the nature, kind, shape, height, materials, color and location of same to the Board, or an architectural committee appointed by the Board, for its prior written approval. The Board, or architectural committee appointed by the Board, shall review such submitted proposal for its harmony or external design and location in relation to surrounding structures as well as the overall appropriateness of the aesthetic appearance of such proposed item(s) as determined in the sole discretion of the Board. The Board may (but shall not be required to) condition its consent to the making of an addition, alteration or improvement by an Owner under this Section upon the Owner's agreement either (i) to be solely responsible for the maintenance of such addition, alteration or improvement, subject to such standards as the Board may from time to time set, or (ii) to pay to the Association from time to time the additional costs of maintenance of insurance as a result of the addition, alteration or improvement.
- (c) If an addition, alteration or improvement to the Units and/or Common Elements or otherwise covered by subsection (b) of this Section is made by an Owner without the prior written consent of the Board, then the Board may, in its discretion, take any of the following actions:
 - (i) Require the Owner to remove the addition, alteration or improvement and restore the Property to its original condition, all at the Owner's expense; or
 - (ii) If the Owner refuses or fails to properly perform the work required under (i) within a timeframe established by the Board, then the

Board may cause such work to be done and may charge the Owner for the cost thereof as determined by the Board; or

- (iii) Ratify the action taken by the Owner, and the Board may (but shall not be required to) condition such ratification upon the same conditions which it may impose upon the giving of its prior consent under this Section.
- (d) Any Owner may make alterations, additions or improvements within his or her Unit that are not visible from outside the Unit and are not covered by subsection (b) of this Section without the prior written approval of the Board, but in any event such Owner shall be responsible for any damage to other Units, the Common Elements and/or the Property as a result of such alterations, additions or improvements.

Section 8.14: Unit Decorating

Each Owner shall furnish and be responsible for, at his or her own expense, all of the decorating within his or her own Unit from time to time including, without limitation, painting, wallpapering, washing, cleaning, paneling, floor covering, draperies, window shades, curtains, lamps and other furnishings and interior decorating. The use of and the covering of the interior surfaces of windows, whether by draperies, shades or other items visible on the exterior of the Buildings, shall be subject to the rules and regulations of the Board.

Section 8.15: Satellite Dishes and Antennas

No satellite dish, radio or television antennas shall be affixed or placed upon the Common Elements (excluding those portions of the Limited Common Elements which are appurtenant to only one (1) Unit), including the outside walls of any of the Buildings in the Association or roof or any part thereof, without the prior written consent of the Board. The Board may proscribe further restrictions regarding satellite dishes, radio and television antennas in the rules and regulations. This provision, however, is not intended to interfere with the Owners' rights to adequate reception under the 1996 Telecommunications Act or other present, or future, federal or Illinois statute.

Section 8.16: Rules and Regulations

- (a) The Board shall have, and is hereby granted, the power, following a meeting of the Owners called for the specific purpose of discussing the proposed rules and regulations or modifications thereto, to adopt reasonable rules and regulations not inconsistent with the Declaration or By-Laws, or to amend, modify or otherwise alter and enforce previous rules and regulations bearing upon the use, manner of occupancy, maintenance, administration, operation, conservation and beautification of

the Property, including the Common Elements and the Units, and for the health, comfort, safety and general welfare of the Owners. The rules and regulations, and any new rule or regulation, shall be evidenced in writing by the Board.

- (b) Notice of the Owners' meeting called for the specific purpose outlined in this Section shall contain the full text of the proposed rules and regulations, and the meeting shall conform to the requirements for Owners' meetings in the By-Laws and the Act, except that no quorum is required at the meeting of the Owners.
- (c) Any rule or regulation that is applied to the Units shall be applied uniformly and the entire Property shall at all times be maintained subject to such rules and regulations. However, no rule or regulation may impair any rights guaranteed by the First Amendment to the Constitution of the United States or Section 4 of Article I of the Illinois Constitution including, but not limited to, the free exercise of religion, nor may any rules or regulations conflict with the provisions of the Act, the Articles of Incorporation of the Association, this Declaration or the By-Laws. Furthermore, no rule or regulation shall prohibit any reasonable accommodation for religious practices, including the attachment of religiously mandated objects to the front-door area of a Unit.
- (d) Without limiting the foregoing, and without limiting any of the other rights and powers granted to the Association and/or Board in this Declaration, the By-Laws, the Act or other applicable law, the Board may, after notice and an opportunity to be heard, levy a reasonable charge upon the Owners for a violation of a rule or regulation.

Section 8.17: Reserved Rights

Notwithstanding anything to the contrary in this Declaration:

- (a) Structural changes and alterations may be made by the Declarant in Units and Common Elements used by the Declarant or its agents as a model unit and/or sales and marketing areas, as may be reasonably necessary in Declarant's opinion to adapt the same to such uses; and
- (b) The Declarant and its agents further reserve the right at all times to use unsold Units and Common Elements for storage, offices, sales, models, transient parking and related purposes, until all Units on the Property have been sold.

ARTICLE IX

DAMAGE OR DESTRUCTION AND RESTORATION OF BUILDINGS

Section 9.01: **Sufficient Insurance**

In the event the improvements forming a part of the Property, or any portion thereof, including any Unit, shall suffer damage or destruction from any cause and the proceeds of any policy or policies insuring against such loss or damage, and payable by reason thereof, shall be sufficient to pay the cost of repair or restoration or reconstruction, then such repair, restoration or reconstruction shall be undertaken and the insurance proceeds shall be applied by the Board or the payee of such insurance proceeds in payment therefor; provided, however, that in the event within one hundred and eighty (180) days after said damage or destruction, the Owners elect either to sell the Property as hereinafter provided in Article XI hereof or to withdraw the Property from the provisions of this Declaration, and from the provisions of the Act as therein provided, then such repair, restoration or reconstruction shall not be undertaken. In the event such repair, restoration or reconstruction is not undertaken, the net proceeds of insurance policies shall be divided by the Board or the payee of such insurance proceeds as provided in the Act.

Section 9.02: **Insufficient Insurance**

In the event the Property or the improvements thereon so damaged or destroyed are not insured against the peril causing the loss or damage, or the insurance proceeds are not sufficient to pay the cost of repair, restoration or reconstruction and the Owners and all other parties in interest do not voluntarily make provision for reconstruction of the improvements within one hundred and eighty (180) days after said damage or destruction, then the provisions of the Act in such event shall apply.

Section 9.03: **Extent of Repair, Restoration or Reconstruction**

Repair, restoration or reconstruction of the improvements, as used in this Article, means restoring the improvements to substantially the same condition in which they existed prior to the damage or destruction, with each Unit and the Common Elements having the same vertical and horizontal boundaries as before.

ARTICLE X

EMINENT DOMAIN

- (a) In the event any portion of the Property is taken by condemnation or eminent domain proceedings, provisions for withdrawal from the provisions of the Act of such portion so taken may be made by the Board. Upon the withdrawal of any Unit or portion thereof due to eminent domain, the percentage of interest in the Common Elements appurtenant to such Unit or portion thereof shall be reallocated among the remaining Units on the basis of the percentage of interest of each remaining Unit. If only a portion of a Unit is withdrawn, the percentage of interest appurtenant to that Unit shall be reduced accordingly, upon the basis of diminution in market value of the Unit, as determined by the Board. The allocation of any condemnation award or other proceeds to any withdrawing or remaining Owner shall be on an equitable basis, which need not be a Unit's percentage interest. Any condemnation award or other proceeds available in connection with the withdrawal of any portion of the Common Elements, not necessarily including the Limited Common Elements, shall be allocated on the basis of each Owner's percentage interest therein. Proceeds available from the withdrawal of any Limited Common Element will be distributed in accordance with the interests of those entitled to their use. Upon the withdrawal of any Unit or portion thereof, the responsibility for the payment of assessments on such Unit or portion thereof by the Owner shall cease.
- (b) The Association shall represent the Owners in any condemnation proceedings or in negotiations, settlements and agreements with the condemning authority for the acquisition of the Common Elements or any part thereof. In the event of the total taking of the Property by eminent domain, the condemnation and award available in that connection shall be divided by the Association among all Owners according to each Owner's percentage of ownership in the Common Elements as set forth in Exhibit "B" attached hereto, after first paying from the share of each Owner the amount of any unpaid liens on his or her Unit, in the order of priority of such liens.

ARTICLE XI

SALE OF THE PROPERTY

- (a) Owners with not less than seventy-five percent (75%) of the total votes in the Association may, by affirmative vote at a meeting of Owners duly called for such purpose, elect to sell the Property. Such action shall be binding upon all Owners, and it shall thereupon become the duty of every

Owner to execute and deliver such instruments and to perform all acts as in manner and form may be necessary to effect such sale; provided, however, that any Owner who did not vote in favor of such action and who has filed written objection thereto with the manager or Board within twenty (20) days after the date of the meeting at which such sale was approved shall be entitled to receive from the proceeds of such sale an amount equivalent to the value of his or her interest, as determined by a fair appraisal, less the amount of any unpaid assessments or charges due and owing from such Owner.

- (b) If there is a disagreement as to the value of the interest of an Owner who did not vote in favor of the sale of the Property, that Owner shall have a right to designate an expert in appraisal or property valuation to represent him or her, in which case, the prospective purchaser of the Property shall designate an expert in appraisal or property valuation to represent him or her, and both of these experts shall mutually designate a third expert in appraisal or property valuation. The three (3) experts shall constitute a panel to determine by vote of at least two (2) of the members of the panel, the value of that Owner's interest in the Property.

ARTICLE XII

REMEDIES

Section 12.01: **Abatement and Enjoinment**

The violation of any restriction, covenant, provision, condition, rule or regulation adopted by the Board, or the breach of any covenant or provision herein contained or contained in the By-Laws, shall give the Board the right, in addition to the rights set forth elsewhere in this Declaration:

- (a) to enter upon that part of the Property, including any Unit, where such violation or breach exists and summarily abate and remove, at the expense of the defaulting Owner, any structure, thing or condition that may exist thereon contrary to the intent and meaning of the provisions hereof, and the Declarant or its successors or assigns, or the Board or its agents, shall not thereby be deemed guilty in any manner of trespass or conversion of or damage to property; or
- (b) to enjoin, abate or remedy by appropriate legal proceedings, either at law or in equity, the continuance of any breach.

Section 12.02: Other Remedies of the Board

In addition to or in conjunction with the remedies set forth in this Declaration, in the event of a violation by an Owner, or an Owner's tenants, guests, pets, family members, or other invitees, of the Act, this Declaration, the By-Laws, or rules and regulations of the Board, the Board may, after notice and an opportunity to be heard, levy reasonable fines and the Board or its agents shall have the right to bring an action at law or in equity against the Owner and/or others as permitted by law including, without limitation, (i) to foreclose a lien against the Unit Ownership, (ii) for damages, injunctive relief or specific performance, (iii) for judgment or for the payment of money and the collection thereof, (iv) for any combination of the remedies set forth in this Article, or (v) for any other relief which the Board may deem necessary or appropriate. Any and all rights and remedies provided for in this Article may be exercised at any time and from time to time cumulatively or otherwise by the Board in its discretion. The failure of the Board to enforce any provisions of this Declaration, the By-Laws or rules and regulations of the Board shall in no event be deemed a waiver of the right to do so thereafter.

Section 12.03: Involuntary Sale

If any Owner (either by his or her own conduct or by the conduct of any other Occupant of his or her Unit) shall violate any of the covenants or restrictions or provisions of this Declaration or the regulations adopted by the Board, and such violation shall not be cured within thirty (30) days after notice in writing from the Board, or shall re-occur more than once after such notice, then the Board shall have the power to issue to the defaulting Owner a ten (10) day notice in writing to terminate the rights of the said defaulting Owner to continue as an Owner and to continue to occupy, use or control his or her Unit, and thereupon an action in equity may be filed by the Board against said defaulting Owner for a decree of mandatory injunction against said defaulting Owner or Occupant or, in the alternative, for a decree declaring the termination of said defaulting Owner's right to occupy, use or control the Unit owned by him or her on account of said violation, and ordering that all the rights, title and interest of said defaulting Owner in the Property shall be sold (subject to the lien of any existing mortgage) at a judicial sale upon such notice and terms as the court shall determine, except that the court shall enjoin and restrain the said defaulting Owner from reacquiring his or her interest at such judicial sale. The proceeds of any such judicial sale shall first be paid to discharge court costs, court reporter charges, reasonable attorneys' fees and any other expenses of the proceeding and sale, and all such items shall be taxed against said defaulting Owner in said decree. Any balance of proceeds, after satisfaction of such charges and any unpaid assessments hereunder or any liens, shall be paid to said defaulting Owner. Upon the confirmation of such sale, the purchaser shall thereupon be entitled to a deed to the Unit and the Owner's corresponding percentage of ownership in the Common Elements, and to immediate possession of the Unit sold and may apply to the

court for a writ of assistance for the purpose of acquiring such possession, and it shall be a condition of any such sale, and the decree shall so provide that the purchaser shall take the interest in the Unit Ownership sold subject to this Declaration.

Section 12.04: Costs and Expenses

All expenses incurred by the Association and Board in connection with the enforcement of the provisions of the Act, this Declaration, the By-Laws or rules and regulations of the Board, or in connection with the exercise of the Association's rights and remedies under this Article, including, without limitation, court costs and attorney's fees and expenses, administrative and/or management company fees and charges pursuant to the terms of any existing management agreement, and other fees and expenses, and all damages liquidated or otherwise, together with interest thereon at the then highest rate allowable by law until paid, shall be charged to and assessed against the defaulting Owner, and shall be added to and deemed part of his or her respective share of the Common Expenses, and the Association shall have a lien for all of the same upon the Unit Ownership of such defaulting Owner and upon all of his or her additions and improvements thereto and upon all of his or her personal property in his or her Unit or located elsewhere on the Property.

Section 12.05: Managing Agent Fees

Any and all managing agent fees and costs associated with the collection of delinquent assessments and/or curing an Owner's or Unit Occupant's breach or violation of the Declaration, By-Laws and/or rules and regulations shall be assessed back to the defaulting Owner's account and become an additional obligation of such delinquent Owner. To assist the Association in collecting delinquent assessments and/or curing violations of the Declaration, By-Laws and/or rules and regulations from the Owners, the managing agent may perform the following duties: prepare and issue delinquency notices, prepare and issue statutory and other demand letters, order an ownership (tract) search to verify current ownership of the delinquent Unit, prepare and record a lien against the delinquent Unit for unpaid assessments and any such other services performed in an effort to assist the Association in the collection of delinquent assessments or curing breaches or violations of the Declaration, By-Laws and rules and regulations. The managing agent is entitled to receive a reasonable fee for such services performed, as more fully outlined in the management agreement entered into between the agent and the Association.

Section 12.06: Mortgage Foreclosure Fees

All expenses and fees, including, but not limited to, managing agent fees, attorney's fees and court costs, incurred by the Association as a result of the Association being included as a defendant in a mortgage foreclosure action shall

be assessed back to the Owner sued in such foreclosure action and become part of that Owner's assessment account.

Section 12.07: Owner Enforcement

Enforcement of the provisions contained in this Declaration, the By-Laws or rules and regulations may be by any proceeding at law or in equity by any aggrieved Owner against any person or persons violating or attempting to violate any such provisions, either to restrain such violation or to recover damages, and against a Unit Ownership to enforce any lien created hereunder.

ARTICLE XIII

VILLAGE OF PALTINE

In the event the Association fails to repair, maintain or replace common elements, the Village shall have the right to repair, maintain or replace any said common elements and charge the cost thereof back to the Association and the unit owners, jointly and severally. In addition, the Village shall have the right to place a lien upon the units and common elements in the event that the Association fails to pay or reimburse the Village for the costs expended by the Village. In addition, the Village shall have the right to collect its attorneys' fees incurred and enforce the terms and conditions of this Declaration as well as charge interest on the monies advanced by the Village at a rate of eighteen percent (18%) per annum from the date incurred until the date paid.

The Village is hereby granted the right to enter upon the property to complete for all lawful purposes including, but not limited to the ability to complete the maintenance, repair and replacement of the common elements as provided above.

in the event that the Village files an action against a Unit Owner or the Association for the costs and expense that the Village has incurred to complete any maintenance work on the Property, that the Village shall have the right to collect its reasonable attorney's fees and costs in collection of said amount.

ARTICLE XIV

APARTMENET ASSOCIATION

For purposes of this Article Fourteen, capitalized terms which are defined in the Apartment Association Declaration, to the extent not otherwise defined in this Article, shall have the meanings assigned to them in the Owner's Association Declaration for Common Area of Cornell Lakes Apartments, Inc. dated October 27, 1986 with the Cook County Recorder of Deeds as Document 87292350 ("Apartment Declaration"). The Apartment Association administers the real estate which is subject to the Apartment

Declaration. The Association, as a whole, shall be member of the Apartment Association, and shall be responsible for paying a share of the common expenses incurred by the Apartment Association pursuant to the Apartment Declaration ("Apartment Assessment") as part of the Common Expense.

ARTICLE XV

GENERAL PROVISIONS

Section 15.01: **Administration**

The administration of the Property shall be vested in the Board, which shall consist of the number of persons, and who shall be elected in the manner, provided for in the By-Laws. The Association shall be the governing body for all of the Owners for the maintenance, repair, replacement, administration and operation of the Common Elements and for such other purposes as are provided in this Declaration, the By-Laws and articles of incorporation. The Association is responsible for the overall administration of the Property through its duly elected Board and the duties and powers of the Association and Board shall be those set forth in this Declaration, the By-Laws, the articles of incorporation and the Act. The Board of the Association shall be deemed to be the Board referred to herein and in the Act.

Section 15.02: **Notices**

Notices provided for in this Declaration, the By-Laws, the rules and regulations or the Act shall be in writing, and shall be addressed to the Board or Association, or any Owner, as the case may be. Notices addressed to an Owner shall be addressed to such Owner's Unit, or at such other address as herein provided. The President of the Association is hereby designated as the person to mail and receive all notices to the Association as provided for in this Declaration, the By-Laws, the rules and regulations or the Act; provided, however, that the Board may designate a different address for notices to the Board or the Association, or designate a different officer or the managing agent to receive notices for the Association, by giving written notice of same to all Owners. Any Owner may also designate a different address for notices by giving written notice of such change of address to the Board. Any notice required to be sent to any Owner under the provisions of this Declaration, the By-Laws, the rules and regulations or the Act shall be deemed to have been delivered when mailed by United States mail, postage prepaid, to the last known address of such Owner as it appears on the records of the Association at the time of such mailing, or upon personal delivery to the Owner, or when deposited at the door of the Owner's Unit or in his or her mailbox. Notices to the Board or to the Association shall be deemed delivered when mailed, postage prepaid, by United States certified or registered mail to the

Board or Association. Additionally, notices sent to an Owner may be sent via electronic transmission, including e-mail, or other equivalent technological means if the Owner has provided his or her written authorization to the Association to provide notices via such methods.

Section 15.03: Notice to Decedent

Notices required to be given any devisee, heir or personal representative of a deceased Owner may be delivered either personally or by mail to such party at his, her or its address appearing in the records of the court wherein the estate of such deceased Owner is being administered.

Section 15.04: Rights and Obligations

Each grantee of the Declarant and each subsequent grantee by the acceptance of a deed of conveyance, and each purchaser under any contract for such deed of conveyance, and each tenant under a lease of a Unit accepts the same subject to all restrictions, conditions, covenants, reservations, liens and charges, and the jurisdiction, rights, and powers created or reserved by this Declaration, and all rights, benefits and privileges of every character hereby granted, created, reserved or declared, and all impositions and obligations hereby imposed shall be deemed and taken to be covenants running with the land, and shall bind any Person having at any time any interest or estate in said land, and shall inure to the benefit of such Person in like manner as though the provisions of this Declaration were recited and stipulated at length in each and every deed of conveyance. Reference in the respective deed of conveyance, or in any mortgage or trust deed or other evidence of obligation to the rights described in this Section or described in any other part of this Declaration or the By-Laws shall be sufficient to create and reserve such easements and rights to the respective grantees, mortgagees and trustees of such Unit Ownerships as fully and completely as though such rights were recited fully and set forth in their entirety in such documents.

Section 15.05: No Waiver

No covenants, restrictions, conditions, obligations or provisions contained in this Declaration shall be deemed to have been abrogated or waived by reason of any failure to enforce the same, irrespective of the number of violations or breaches which may occur.

Section 15.06: Amendment

Except as herein provided in this Declaration or the Act, the provisions of this Declaration may only be changed, amended, modified or rescinded by an instrument in writing setting forth such change, amendment, modification or rescission, signed and acknowledged by the President and Secretary of the

Board, and approved in writing by Owners having at least sixty-seven percent (67%) of the total ownership percentage in the Common Elements. Provided, however that no provision of this Declaration affecting or creating any of the rights, options, privileges or duties of the Declarant may be changed, amended, modified or rescinded in any way without the prior written approval of the Declarant. Any change, amendment, modification or rescission of this Declaration made in accordance with this Declaration shall be effective upon Recording of such instrument in the Office of the Recorder of Deeds, Cook County, Illinois.

Section 15.07: Special Amendment

The Declarant reserves the right and power to record a special amendment (the "Special Amendment") to this Declaration at any time and from time to time which amends this Declaration: (a) to comply with requirements of the Federal National Mortgage Association, the Governmental National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Department of Housing and Urban Development, the Federal Housing Association, the Veterans Administration, or any other governmental agency or any other public, quasi-public, or private entity which performs (or may in the future perform) functions similar to those currently performed by such entities; (b) to include any of such agencies or entities to make, purchase, sell, insure, or guarantee first mortgages covering Unit Ownerships; (c) to bring this Declaration into compliance with the Act; or (d) to correct clerical or typographical errors in this Declaration or any Exhibit hereto or any supplement or amendment thereto. In furtherance of the foregoing, a power coupled with an interest is hereby reserved and granted to the Declarant to vote in favor of, make, or consent to a Special Amendment on behalf of each Owner as proxy or attorney-in-fact, as the case may be. Each deed, mortgage, trust deed, other evidence of obligation, or other instrument affecting a Unit, and the acceptance thereof shall be deemed to be a grant and acknowledgement of, and a consent to the reservation of, the power to the Declarant to vote in favor of, make, execute and Record Special Amendments. The right of the Declarant to act pursuant to rights reserved or granted under this Section shall continue until such time as the rights of Declarant to submit the Additional Property to the Act has expired and Declarant no longer holds legal title to any Units, whichever is later.

Section 15.08: Liberal Construction

The provisions of this Declaration shall be liberally construed to effectuate its purpose of creating a uniform plan for the operation of a first class condominium development.

Section 15.09: Land Trust Owners' Exculpation

In the event title to any Unit Ownership is conveyed to a land title holding trust, under the terms of which all powers of management, operation, and control of the Unit Ownership remain vested in the trust beneficiary or beneficiaries, then the beneficiaries thereunder from time to time shall be responsible for payment of all obligations, liens or indebtedness and for the performance of all agreements, covenants, and undertakings chargeable or created under this Declaration against such Unit Ownership. No claim shall be made against any such title-holding trustee personally for payment of any lien or obligation hereunder created and the trustee shall not be obligated to sequester funds or trust property to apply in whole or in part against such lien or obligation. The amount of such lien or obligation shall continue to be a charge or lien upon the Unit Ownership and the beneficiaries of such trust notwithstanding any transfers of title to such Unit Ownership.

Section 15.10: Severability

Each covenant, condition, restriction and easement contained herein shall be considered to be an independent and separate right or obligation, and in the event one or more of such covenants, conditions, restrictions or easements shall for any reason be held to be invalid or unenforceable by legislation, judgment, court order or otherwise, all remaining covenants, conditions, restrictions and easements shall nevertheless remain in full force and effect.

Section 15.11: Rule Against Perpetuities

If any of the options, privileges, covenants or rights created by this Declaration would otherwise be unlawful or void for violation of (a) the rule against perpetuities or some analogous statutory provisions, (b) the rules restricting restraints on alienation, or (c) any other statutory or common law rules imposing time limits with respect to real property or interests therein, then such provisions shall continue only until twenty-one (21) years after the death of the last to die of the now living lawful descendants of Barack Obama, the forty-fourth President of the United States of America.

Section 15.12: Liens

In the event any lien exists against two (2) or more Units and the indebtedness secured by such lien is due and payable, the Owner of any such Unit so affected may remove such Unit and the undivided interest in the Common Elements appertaining thereto from such lien by payment of the proportional amount of such indebtedness attributable to such Unit. In the event such lien exists against the Units or against the Property, the amount of such proportional payment shall be computed on the basis of the percentage set forth in this Declaration. Upon payment as herein provided, it is the duty of the encumbrancer to execute and deliver to the Owner a release of such Unit

and the undivided interest in the Common Elements appertaining thereto from such lien. The Owner of such Unit shall not be liable for any claims, damages, or judgments entered as a result of any action or inaction of the Board of the Association other than for mechanics' liens as hereinafter set forth. Each Owner's liability for any judgment entered against the Board or the Association, if any, shall be limited to his or her proportionate share of the indebtedness as set forth herein, whether collection is sought through assessment or otherwise. An Owner shall be liable for any claim, damage, or judgment entered as a result of the use or operation of his or her Unit, or caused by his or her own conduct. If, as a result of work expressly authorized by the Board, a mechanic's lien claims is placed against the Property or any portion of the Property, each Owner shall be deemed to have expressly authorized it and consented thereto and shall be liable for the payment of his or her Unit's proportionate share of any due and payable indebtedness.

Section 15.13: **Headings and Gender**

The headings and captions contained herein are inserted for convenient reference only and shall not be deemed to construe or limit the Sections and Articles to which they apply. Whenever from the context it is appropriate, each term stated in either the singular or the plural shall include both the singular and the plural, and each term stated in either the masculine or feminine shall include the masculine, feminine and neuter pronouns.

Section 15.14: **Indemnification and Liability of Directors and Officers**

- (a) The members of the Board and officers thereof shall not be liable to the Owners for any mistake of judgment or for any acts or omissions made as such members of the Board or officers, except for any acts or omissions found by a court to constitute criminal conduct, gross negligence or fraud.
- (b) The Association and Owners shall indemnify and hold harmless each of such directors on the Board or officers against all contractual and other liabilities to others arising out of contracts made by such Owners or officers on behalf of the Owners or the Association, unless any such contract shall have been made criminally, fraudulently, or with gross negligence. It is intended that the foregoing indemnification shall include indemnification against all costs and expenses (including, but not limited to, attorney's fees, amounts of judgments paid and amounts paid or received in settlement) actually and reasonably incurred in connection with the defense of any claim, action, suit or proceeding, whether civil, criminal, administrative, or other, in which any member of the Board or officers of the Association may be involved by virtue of such persons being or having been such member or officer. Provided, however, that such indemnity shall not be operative with respect to (a) any matter as to which such person shall have been finally adjudged in such action, suit or proceeding

to be liable for criminal conduct, gross negligence or fraud in the performance of his or her duties as such director or officer, or (b) any matter settled or compromised, unless, in the opinion of independent counsel selected by or in a manner determined by the Board, there is not reasonable ground for such persons being adjudged liable for criminal conduct, gross negligence or fraud in the performance of his or her duties as a director or officer.

- (c) Notwithstanding any other provisions of this Section, expenses incurred in defending a civil or criminal action, suit or proceeding shall, unless the Board determines otherwise, be paid by the Association in advance of the final disposition of such action, suit or proceeding upon receipt of an undertaking by or on behalf of the Board director or officer to repay such amount, if it shall ultimately be determined that he or she is not entitled to be indemnified by the Association as authorized by this Section.
- (d) The indemnification and advancement of expenses provided by or granted under this Section shall not be deemed exclusive of any other rights to which those seeking indemnification or advancement of expenses may be entitled under any agreement, vote of members or disinterested directors, or otherwise, both as to action in his or her official capacity and as to action in another capacity while holding such office, and shall continue as to a person who has ceased to be a director, officer, employee or agent, and shall inure to the benefit of the heirs, executors and administrators of such a person.
- (e) If the Association has paid indemnity or has advanced expenses to a director or officer, then the Association shall report the indemnification or advance in writing to the Voting Members with or before the notice of the next meeting of the Voting Members.
- (f) The indemnification and advancement of expenses provided by or granted under this Section shall continue as to a person who has ceased to be a director or officer of the Association and shall inure to the benefit of the heirs, executors, and administrators of that person.
- (g) Any payments made to any indemnified person under this Section or under any other right to indemnification shall be deemed to be an ordinary and necessary business expense of the Association, and payment thereof shall not subject any person responsible for the payment, or the Board, to any action for corporate waste or to any similar action.
- (h) It is also intended that the liability of any Owner arising out of any contract made by the Board, or out of the aforesaid indemnity in favor of the members of the Board and the officers shall be limited to such proportion of the total liability thereunder as his or her Unit bears to the total number

of Units of the Association. Every agreement made by the Board or officers on behalf of the Owners shall provide that the members of the Board or officers, as the case may be, are acting only as agents for the Owners and shall have no personal liability thereunder (except as Owners) and that each Owner's liability thereunder shall be limited to such proportion of the total liability thereunder as his or her Unit bears to the total number of Units of the Association.

Section 15.15: Determination of Board to Be Binding

All matters of dispute or disagreement between Owners or with respect to interpretation or application of the provisions of this Declaration or the By-Laws shall be determined by the Board, which determination shall be final and binding on the Association and on all Owners.

Section 15.16: Conflicts

In the event of any conflict between the provisions of the articles of incorporation of the Association, this Declaration, the By-Laws and the rules and regulations of the Board, the articles of incorporation shall control over this Declaration, the By-Laws and the rules and regulations, this Declaration shall control over the By-Laws and the rules and regulations, and the By-Laws shall control over the rules and regulations.

Section 15.17: Covenant in the Event of Dissolution of the Association

In the event the Association is dissolved, all Owners and titleholders of any portion of the Property agree that all provisions contained herein regarding maintenance, repair and replacement in, on or to the Property shall still apply and that this Declaration shall be in full force and effect.

Section 15.18: Mortgage Holder Information

Within fifteen (15) days of the Recording of a mortgage or trust deed against a Unit given by the Owner of that Unit to secure a debt, the Owner shall inform the Association of the identity of the lender together with a mailing address at which the lender can receive notices from the Association.

END OF TEXT OF DECLARATION

This instrument was prepared by, and upon recording return to:

Costello Sury & Rooney, P.C.
18W140 Butterfield Road, Suite 1670
Oakbrook Terrace, Illinois 60181

STATE OF ILLINOIS)
)
 COUNTY OF COOK) SS

IN WITNESS WHEREOF, Declarant has caused its name to be signed hereto by its duly authorized officer on the day and year set forth below.

EXECUTED this _____ day of _____, 20____.

By: ROMAR, LLC, an Illinois Limited Liability Company

By: _____

Its: _____

I, _____, a Notary Public, hereby certify that on the above date, _____ of ROMAR, LLC, an Illinois Limited Liability Company, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such _____ of the Declarant, appeared before me and acknowledged that he/she signed this instrument as his/her free and voluntary act, and as the free and voluntary act of said Declarant, for the uses and purposes therein set forth.

BY: _____

LIST OF EXHIBITS

- EXHIBIT “A”** - Legal Description of Parcel and Property
- EXHIBIT “B”** - List of Units and Percentage Interest in the Common Elements
- EXHIBIT “C”** - By-Laws
- EXHIBIT “D”** - Plat

EXHIBIT "A"**LEGAL DESCRIPTION OF PROPERTY****PARCEL 1:**

UNIT 2 OF CORNELL LAKES APARTMENTS UNIT 1, A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS;

PARCEL 2:

EASEMENT FOR THE BENEFIT OF PARCEL 1 AFORESAID; AS SET FORTH IN THE DECLARATION OF EASEMENTS RECORDED AS DOCUMENT 87292350, AND AS CREATED BY DEED FROM AMERICAN NATIONAL BANK AS TRUSTEE UNDER TRUST AGREEMENT DATED DECEMBER 19, 1977 AND KNOWN AS TRUST NUMBER 41512 TO FRANK MAZZEI RECORDED JULY 29, 1987 AS DOCUMENT 87417111, FOR WALKS, DRIVEWAYS, INGRESS AND EGRESS, PARKING AND RECREATIONAL FACILITIES, OVER SUCH PORTIONS OF THE FOLLOWING PROPERTY AS FALL IN COMMON AREAS, AS COMMON AREAS ARE DEFINED IN SAID DECLARATION OF EASEMENT:

LOTS 1 AND 2, THE SOUTH 60 FEET OF LOT 3 (EXCEPT THE EAST 17 FEET THEREOF, TAKEN FOR HIGHWAY PURPOSE), AND ALL OF LOT 4 (EXCEPT THE EAST 17 FEET THEREOF, TAKEN FOR HIGHWAY PURPOSES), IN ARTHUR T. MCINTOSH AND COMPANY'S PALATINE FARMS; A SUBDIVISION OF THAT PART OF THE WEST 1/2 OF THE NORTHWEST 1/4, AND OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, AND OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 15, LYING SOUTHERLY OF THE SOUTHWESTERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD, AND ALSO OF THAT PART OF LOT 8 IN THE SCHOOL TRUSTEES SUBDIVISION OF SECTION 15 LYING SOUTHERLY OF THE SOUTHWESTERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD, ALL IN TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

EXHIBIT "B"
PERCENTAGE OF COMMON OWNERSHIP INTEREST

<u>UNIT</u>	<u>PERCENTAGE OF OWNERSHIP</u>
425	25%
427	25%
429	25%
431	25%
	100%

EXHIBIT “C”
BY-LAWS

Attachment: EXHIBIT - Revised Declarations (425-431 N. Cambridge Drive - 4-unit Condominium Conversion - Cornell Lakes Unit #2)

EXHIBIT “D”

PLAT

Attachment: EXHIBIT - Revised Declarations (425-431 N. Cambridge Drive - 4-unit Condominium Conversion - Cornell Lakes Unit #2)

EXHIBIT "E"**425-431 CAMBRIDGE CONDOMINIUM ASSOCIATION****ARTICLE I****PURPOSE AND POWERS**

The name of the Association shall be 425-431 Cambridge Homes Condominium Association, or a similar name. The Association shall be responsible for the general management and supervision of the Property and shall have all of the powers to perform, and shall be responsible to perform, all of the obligations provided in the Declaration, these By-Laws and the articles of incorporation. Further, the Association shall have all powers now or hereafter granted by the General-Not-For-Profit Corporation Act of the State of Illinois (805 ILCS 105/101.01 et. seq.) and Illinois Condominium Property Act (765 ILCS 605/1 et. seq.) that shall be consistent with the purposes specified herein and in the Declaration. All present and future Owners, Occupants, tenants, future tenants, and their agents and employees, and any other Person that might use the Property in any manner, shall be subject to the provisions of the Declaration and these By-Laws. The acquisition or rental of a Unit or the act of occupancy of a Unit will signify that the Declaration and these By-Laws are accepted, ratified and will be complied with.

ARTICLE II**OFFICES****Section 2.01: Registered Office**

Upon incorporation, the Association shall have and continuously maintain in the State of Illinois a registered office and registered agent whose office shall be identical with such registered office. The Association may have other offices within or without the State of Illinois as the Board may from time to time determine.

Section 2.02: Principal Office

The principal office of the Association shall be maintained in Cook County, Illinois or any other location as deemed appropriate by the Board.

ARTICLE III

MEMBERSHIP

Section 3.01: **Members**

Every Owner of a Unit that is subject to any assessment by the Association shall be a member of the Association. Ownership of such Unit shall be the sole qualification of membership in the Association. The foregoing is not intended to include persons or entities that hold an interest merely as security for the performance of an obligation. No Owner shall have more than one (1) vote per Unit. Membership shall be appurtenant to, and may not be separated from, ownership of any Unit that is subject to any assessment by the Association, and such membership shall automatically terminate upon the sale, transfer or other disposition of such Owner's Unit Ownership.

Section 3.02: **Classes of Membership**

The Association shall have only one (1) class of voting membership, which shall be all those Owners as defined in Section 3.01 of these By-Laws.

Section 3.03: **Voting Members and Voting Rights**

- (a) Until the date of the first annual meeting of Members, as provided in Article IV, Section 4.02 hereof, no Member of the Association shall have the right to elect the members of the Board and all such members of the Board shall be appointed and hold office as provided in Article V, Section 5.02 hereof.
- (b) Commencing with the date of the first annual meeting of the Members, the total number of votes of all Voting Members for the Association shall be four (4) and each Owner or group of Owners of a Unit shall be entitled to the number of votes equal to the total of the percentage of ownership in the Common Elements applicable to his, her or their Unit Ownership as set forth in Exhibit "D" to the Declaration, except as otherwise provided in this Section. When thirty percent (30%) or fewer of the Units, by number, possess over fifty percent (50%) in the aggregate of the votes in the Association, any percentage vote of Owners specified in the Act or in the Declaration or these By-Laws shall require the specified percentage by number of Units rather than by percentage of interest in the Common Elements allocated to Units that would otherwise be applicable.
- (c) When more than one (1) person is the record Owner of any Unit, all such persons shall be members in the Association and may be present at any meeting of the Voting Members. However, there shall be only one (1)

person with respect to each Unit Ownership who shall be entitled to vote at any meeting of the Owners, and such person shall be known (and hereinafter referred to) as the "Voting Member" for said Unit. Such Voting Member may be the Owner or one of the group composed of all the Owners of a Unit, or may be some person designated to act as proxy for such Owner(s) and who need not be an Owner. Such designation shall be made in writing to the Board and shall be revocable at any time by actual notice to the Board of the death or judicially declared incompetence of any designator, or by written notice to the Board by the Owner(s). If, in the case of multiple individual Owners of a Unit, no designation is given to the Board, then the Board, at its election, may recognize any individual Owner of the Unit as the Voting Member of such Unit.

ARTICLE IV

OWNER MEETINGS

Section 4.01: **Quorum and Procedure**

- (a) Meetings of the Voting Members shall be held at the Property or at such other place in Cook County, Illinois, as may be designated in any notice of a meeting. The presence at any meeting, in person or by proxy, of Voting Members holding twenty percent (20%) of the total votes in the Association shall constitute a quorum. Unless otherwise expressly provided herein or required by the Act, any action may be taken at any meeting of the Voting Members at which a quorum is present upon the affirmative vote of the Voting Members having a majority of the total votes present or represented by proxy at such meeting. Cumulative voting is not permitted.
- (b) Matters subject to affirmative vote of Voting Members having two-thirds (2/3) or more of the total votes in the Association shall include: 1) merger or consolidation of the Association, 2) sale, lease, exchange, or other disposition (excluding the mortgage or pledge) of all, or substantially all of the property and assets of the Association; and 3) the purchase or sale of land or of Units on behalf of all Owners.

Section 4.02: **Annual Meeting**

- (a) The first annual meeting of the Voting Members shall be held on such date as is fixed by the Declarant, which date shall in no event be later than the earlier of (a) three (3) years from the date the Declaration is Recorded, (b) sixty (60) days from the date when seventy-five percent (75%) of the Units (after inclusion of the Additional Property pursuant to Article XIV of the Declaration), by percentage interest, have been conveyed by Declarant, or (c) such earlier time as selected by the Declarant.

- (b) Thereafter, an annual meeting of the Voting Members for the purpose of electing Board members and for the transaction of such other business as may come before the meeting shall be held each year on the same day of the year as the first annual meeting of the Voting Members was held, or at such other date as selected by the Board which date is not more than sixty (60) days before or after the day of the year that the first annual meeting of the Voting Members was held. Following the first annual meeting of Voting Members, an annual meeting of the Voting Members shall be held each year at a date, time and location as determined by the Board.

Section 4.03: Special Meetings

Special meetings of the Voting Members may be called at any time for the purpose of considering matters which, by the terms of the Declaration or these By-Laws, require the approval of all or some of the Owners, or for any other reasonable purpose. Said meetings shall be called by written notice, authorized by the President of the Association, a majority of the Board, or by Voting Members representing Units having twenty percent (20%) or more of the total votes in the Association. The written notice shall specify the date, time and place of the meeting and the matters to be considered. No matters other than those identified on the notice may be considered at the special meeting.

Section 4.04: Notices of All Meetings

Notices of meetings required to be given herein shall be given pursuant to the provisions of Article XIII, Section 13.02 of the Declaration. Unless otherwise stated in the Declaration or these By-Laws, written notice of meetings of the Voting Members (both annual and special meetings) stating the date, place and time of such meeting shall be delivered as provided in Article XIII, Section 13.02 of the Declaration not less than ten (10) nor more than thirty (30) days before the date of the meeting.

Section 4.05: Proxies

At any meeting of Voting Members, a Voting Member entitled to vote may either vote in person or by proxy executed in writing by the Voting Member or by his or her duly authorized attorney-in-fact. Proxies shall, unless otherwise provided in the proxy, be valid from the date of execution and for the duration of the proxy-giver's Ownership of a Unit, or until such proxy is revoked via a written instrument to that effect. Additionally, where there is an act requiring the vote of the Voting Members, the vote on such proposed action may be conducted by any electronic or acceptable technological means as further provided in the Act.

ARTICLE V

BOARD OF DIRECTORS

Section 5.01: **Board of Directors**

- (a) The affairs of the Association and the direction and administration of the Property shall be vested in the Board, which, beginning with the first annual meeting of the Voting Members as provided in Article IV, Section 4.02 hereof, shall consist of three (3) individuals who shall be selected in the manner hereinafter set forth. Beginning with the first annual meeting of the Voting Members as provided in Article IV, Section 4.02 hereof, each member of the Board shall be one of the Owners; provided however, that in the event an Owner is a corporation, partnership, trust or other legal entity other than a natural person or persons, then any director or officer of such corporation, partner of such partnership, individual trustee or beneficiary of such trust, or agent or employee of a beneficiary of such trust, or manager of such legal entity, shall be eligible to serve as a member of the Board. If there are multiple Owners of a single Unit, only one shall be eligible to serve as a Board member at any one time.

- (b) Provided, however, that for a period commencing on the date the Declaration is Recorded and ending upon the election of the Board at the first annual meeting of the Voting Members, the Declarant, at its sole option, shall have the right to designate and select any number of persons who shall serve as members of the Board or to exercise the powers of the Board as provided in the Declaration, these By-Laws and the Act, and who need not be Owners. Until the date of the first annual meeting of the Voting Members as provided for in Article IV, Section 4.02 hereof, members of the Board shall be as appointed by the Declarant, from time to time, and shall hold office until the first annual meeting of the Voting Members.

Section 5.02: **Election of Board Members**

- (a) Commencing with the date of the first annual meeting of the Voting Members as provided in Article IV, Section 4.02 hereof, election of members of the Board shall take place at the annual meetings of Voting Members. At the first annual meeting of the Voting Members, all three (3) Board member positions will be up for election. The two (2) candidates receiving the highest number of votes will be elected for a term of two (2) years and the one (1) candidates receiving the next highest number of votes shall be elected for a term of one (1) year. At each annual meeting of Voting Members thereafter, members of the Board shall be elected for two (2) year terms with the candidates receiving the highest number of

votes with respect to the number of Board member positions to be filled being deemed to be elected. Board members shall serve for their terms as herein provided and until their successors are duly elected or appointed and qualified, but Board members may succeed themselves in office. There shall be no cumulative voting allowed.

- (b) The Association may, upon adoption of the appropriate rules by the Board, conduct elections by secret written ballot whereby the voting ballot is marked only with the percentage of interest for the Unit and the vote itself, provided that the Board further adopt rules to verify the status of the Owner issuing a proxy or casting a ballot, and further that a candidate for election to the Board, or such candidate's representative, has the right to be present at the counting of the ballots for such election. Additionally, upon the adoption of a rule by the Board at least one hundred and twenty (120) days prior to an election of Board members, the Association may prohibit the use of proxies for Board elections and instead conduct elections by a ballot cast in person at the election meeting and either via Association issued mail-in ballot or via any acceptable technological means, as further provided in Section 18(b)(9)(B) and (B-5) of the Act.
- (c) Nomination for election to the Board shall be made from the floor at any applicable annual meeting and as otherwise provided by the Board in rules and regulations adopted prior to any election meeting. The Board may disseminate to Owners biographical and background information about candidates for election to the Board if (i) reasonable efforts to identify all candidates are made and all candidates are given an opportunity to include biographical and background information in the information to be disseminated; and (ii) the Board does not express a preference in favor of any candidate.

Section 5.03: **Annual Meeting of the Board**

The Board shall hold an annual meeting immediately after the annual meeting of the Voting Members at the same place as such annual meeting of the Voting Members, or within ten (10) days after the annual meeting of the Voting Members at such place and time as shall be fixed by the Board in the annual meeting notice.

Section 5.04: **Regular Meetings of Board**

Regular meetings of the Board, of which there shall be at least four (4) each year, shall be called, held and conducted in accordance with such regulations as the Board may adopt. Meetings of the Board shall be open to any Owner, except that the Board may close any portion of a noticed meeting or may meet separately from a noticed meeting to:

- (a) Discuss litigation when an action against or on behalf of the Association has been filed and is pending in a court or administrative tribunal, or when the Board finds that such an action is probable or imminent;
- (b) Discuss the appointment, employment, engagement or dismissal of an employee, independent contractor, agent, or other provider of goods and services;
- (c) Interview a potential employee, independent contractor, agent or other provider of goods and services;
- (d) Discuss violations of rules and regulations of the Association;
- (e) Discuss an Owner's unpaid share of the Common Expenses; or
- (f) Consult with the Association's legal counsel.

However, any vote on the above matters shall take place at a meeting of the Board or portion thereof open to any Owner. Any Owner may record the proceedings at Board meetings or portions thereof required to be open to the Owners by these By-Laws or the Act by tape, film or other means; provided, however, that the Board may prescribe reasonable rules and regulations to govern the right to make such recordings.

Section 5.05: Special Meetings of Board

Special meetings of the Board shall be held upon call by the President or by twenty-five percent (25%) of the members of the Board.

Section 5.06: Meetings Notice

- (a) Notice of meetings of the Board shall be provided at least forty-eight (48) hours prior thereto to each Board member by one of the delivery methods provided for in Article XIII, Section 13.02 of the Declaration. Any Board member may, in writing, waive notice of a meeting, or consent to the holding of a meeting without notice, or consent to any action of the Board without a meeting.
- (b) Copies of notices of meetings of the Board shall be posted in entranceways, elevators, or other conspicuous places on the Property at least forty-eight (48) hours prior to the meeting of the Board. However, if there is no common entranceway for seven (7) or more Units, then the Board may designate one or more locations in the proximity of these Units where the notices of meetings shall be posted.

- (c) Notice of every meeting of the Board shall also be given at least forty-eight (48) hours prior to the meeting, or such longer notice as the Act may require, to each Owner who has provided the Association with written authorization to conduct business by acceptable technological means.
- (d) Provided, however, that each Owner shall receive written notice, in the same manner as is provided in Article IV, Section 4.04 of these By-Laws for meetings of Voting Members, of any meeting of the Board concerning the adoption of the proposed annual budget and regular assessments pursuant thereto or to adopt a separate (special) assessment.

Section 5.07: Quorum

A majority of the number of Board members shall constitute a quorum for the transaction of business. Unless otherwise expressly provided herein, any action may be taken by the Board upon the affirmative vote of a majority of those Board members present at its meetings when a quorum is present.

Section 5.08: Compensation

Neither Board members nor officers shall receive any compensation for their services. However, upon the presentation of receipts or other appropriate documentation, any Board member or officer may be reimbursed for reasonable expenses actually incurred in the performance of his or her duties.

Section 5.09: Vacancies in Board

From and after the date of the first annual meeting of the Voting Members, vacancies in the Board, other than as a result of removal pursuant to Section 5.10 of this Article V, including vacancies due to any increase in the number of persons on the Board, shall be filled by the affirmative vote of at least two-thirds (2/3) of the remaining members of the Board until the next annual meeting of the Voting Members. If there is still time left on the vacant term at the next annual meeting, the Voting Members present at such meeting shall elect an Owner to fill the term for its remaining length. Provided, however, that if Voting Members holding at least twenty percent (20%) of the total votes in the Association, by written petition to the Board, request that a special meeting of the Voting Members be called to elect an Owner to fill the vacated position on the Board, then a special meeting shall be held within thirty (30) days of receipt of such written petition for the purpose of electing an Owner to serve out the remainder of the vacated term on the Board, and any Owner appointed to fill the vacancy on the Board by the Board shall serve only until the Voting Members at the special meeting elect an Owner to serve out the remainder of the vacated term, but in no circumstances shall serve more than thirty (30) days following the delivery of the petition to the Board requesting the special meeting, unless elected by the Owners at the special meeting.

Section 5.10: Removal of Board Members

From and after the date of the first annual meeting of the Voting Members, any Board member may be removed from the Board by the affirmative vote of the Voting Members having at least two-thirds (2/3) of the total votes in the Association, at any special meeting called for that purpose in the manner aforesaid. A successor to fill the un-expired term of a Board member removed may be elected by the Voting Members at the same meeting or at any subsequent meeting called for that purpose.

Section 5.11: Action Taken Without a Meeting

The members of the Board shall have the right to take action in the absence of a meeting which they could take at a meeting by obtaining the written approval of all of the members of the Board. Action so approved shall have the same effect as though taken at a meeting of the Board.

Section 5.12: Board Emergency Action

The Board may ratify and confirm actions of the members of the Board taken in response to an emergency, as that term is defined in Section 7.10(b) of the Declaration. In such a case, the Board shall give notice to the Owners of: (i) the occurrence of the emergency event within seven (7) business days after the emergency event, and (ii) the general description of the actions taken to address the event within seven (7) days after the emergency event.

Section 5.13: Participation in Board Meetings

Members of the Board may participate in and act at any meeting of the Board in person, by telephonic means, or by use of any acceptable technological means whereby all persons participating in the meeting can communicate with each other. Participation via any of these methods constitutes attendance and presence in person at the meeting.

ARTICLE VI**POWERS AND DUTIES OF THE BOARD**

Without limiting the general powers which may be provided by law, the Declaration, these By-Laws or the Act, the powers and duties of the Board or its duly appointed agents shall include the following matters:

- (a) operation, care, upkeep, maintenance, replacement and improvement of the Common Elements;

- (b) preparation, adoption and distribution of the annual budget for the Association, and the manner of levying and collecting the assessments from the Owners;
- (c) employment and dismissal of employees or professional personnel, including, but not limited to, attorneys and accountants, necessary or advisable for the maintenance and operation of the Association;
- (d) to procure and maintain insurance in accordance with the terms and provisions of the Declaration and any additional insurance deemed necessary or advisable in the sole discretion of the Board;
- (e) owning, conveying, encumbering, leasing and otherwise dealing with Units conveyed to or purchased by it;
- (f) to adopt rules and regulations in accordance with Article VIII, Section 8.16 of the Declaration;
- (g) keeping of detailed, accurate records of the receipts and expenditures affecting the use and operation of the Property;
- (h) to have access to each Unit from time to time as may be necessary for the maintenance, repair or replacement of any Common Elements therein or accessible therefrom, or for making emergency repairs therein necessary to prevent damage to the Common Elements or to another Unit or Units;
- (i) to pay real property taxes, special assessments, and any other special taxes or charges of the State of Illinois or of any political subdivision thereof, or other lawful taxing or assessing body, which are authorized by law to be assessed and levied upon the Property;
- (j) to impose charges for late payment of an Owner's proportionate share of the Common Expenses, or any other expenses lawfully agreed upon, and after notice and an opportunity to be heard, to levy reasonable fines for violation of the Declaration, these By-Laws or the rules and regulations of the Board;
- (k) by the vote of a majority of the total number of directors on the Board, to assign the right of the Association to future income from Common Expenses or other sources, and mortgage or pledge substantially all of the remaining assets of the Association;
- (l) to record the dedication of a portion of the Common Elements to a public body for use as, or in connection with, a street or utility where authorized by the Owners under the Act;
- (m) to record the granting of an easement for the laying of cable television cable where authorized by the Owners under the Act; to obtain, if available and determined by the Board to be in the best interests of the Association, cable television service for all of the Units on a bulk identical service and equal cost per Unit basis; and to assess and recover the expense as a Common Expense and, if so determined by the Board, to assess each and every Unit on the same equal cost per Unit basis;
- (n) to seek relief on behalf of all Owners when authorized pursuant to the Act from or in connection with the assessment or levying of real property taxes, special assessments, and any other special taxes or charges of the

- State of Illinois or of any political subdivision thereof or of any lawful taxing or assessing body;
- (o) to reasonably accommodate the needs of a handicapped Owner as required by the federal Civil Rights Act of 1968, the Human Rights Act and any applicable local ordinances in the exercise of its powers with respect to the use of Common Elements or approval of modifications in an individual Unit;
 - (p) to adopt and amend rules and regulations (1) authorizing electronic delivery of notices and other communications required or contemplated by the Act to each Owner who provides the Association with written authorization for electronic delivery and an electronic address to which such communications are to be electronically transmitted; and (2) authorizing each Owner to designate an electronic address or a U.S. Postal Service address, or both, as the Owner's address on any list of Owners which the Association may be required to provide upon request pursuant to any provision of the Act or the Declaration or these By-Laws;
 - (q) to engage the services of a manager or managing agent to manage the Property to the extent deemed advisable by the Board, upon such terms and for such compensation and with such authority as the Board may approve;
 - (r) to lease or to grant licenses, concessions and contracts with respect to any part of the Common Elements; provided, however, that the Board may not enter into a contract with a current Board member or with a corporation or partnership in which a Board member or the spouse, parents or children of a Board member has a twenty-five percent (25%) or more interest, unless notice of intent to enter into the contract is given to Owners within twenty (20) days after a decision is made to enter into the contract and the Owners are afforded an opportunity, by filing a petition (which shall be filed within twenty (20) days after such notice), signed by twenty percent (20%) of the Owners, for a vote (which shall be held within thirty (30) days after the filing of the petition) to approve or disapprove the contract; provided further, that all income derived from leases, licenses, concessions or contracts shall be held and used for the benefit of the Owners and shall be deposited into the Association's maintenance fund;
 - (s) to have standing to act in a representative capacity and the Board shall have full power and authority to do and perform all and every act, including compromise of any claim, which might or could be done, performed or compromised by Owners in relation to matters involving the Common Elements or more than one (1) Unit;
 - (t) to administer the affairs of the Association and the Property;
 - (u) to pay for any materials, supplies, furniture, labor, services, maintenance, repairs, structural alterations or assessments which the Board is required to secure or pay for pursuant to the terms of the Declaration or these By-Laws or which, in its opinion, shall be necessary or proper for the maintenance and operation of the Property as a first-

- class condominium apartment building or for the enforcement of these restrictions;
- (v) to elect the officers of the Association as herein provided; and
 - (w) to exercise all other powers and duties vested in or delegated to the Association and not specifically reserved to the Owners by the Articles of Incorporation, the Declaration, or these By-Laws; provided, however, that nothing contained herein shall be construed to give the Board authority to conduct an active business for profit on behalf of all the Owners or any of them.

ARTICLE VII

OFFICERS

Section 7.01: **Officers**

The Officers of the Association shall be a President, a Secretary, a Treasurer, and such other officers as may be elected by the Board. Officers whose authority and duties are not prescribed in these By-Laws shall have the authority and perform the duties prescribed, from time to time, by the Board.

Section 7.02: **Election, Qualification and Term of Officers**

The Board shall elect officers annually from among its members at the annual meeting of the Board, provided that officers may succeed themselves in office. If the election of officers shall not be held at such meeting, such election shall be held as soon thereafter as conveniently may be. Vacancies may be filled or new offices created and filled at any meeting of the Board. Each officer shall hold office until his or her successor shall have been duly elected and shall have qualified or until his or her death or until he or she shall resign or shall have been removed in the manner hereinafter provided. Election of an officer shall not in and of itself create contract rights.

Section 7.03: **Removal**

Any officer elected or appointed by the Board may be removed by majority vote of the Board whenever in its judgment the best interests of the Association would be served thereby.

Section 7.04: **Powers of Officers**

The respective officers of the Association shall have such powers and duties as are from time to time prescribed by the Board and as are usually vested in such officers of an Illinois Not-For-Profit Corporation including, without limitation, the following:

- (a) The President shall be the chief executive officer of the Association and shall preside at all meetings of the Voting Members and at all meetings of the Board, and shall, in general, perform all duties incident to the office of President.
- (b) The Secretary shall keep minutes of all meetings of the Voting Members and of the Board, shall have charge of such other books, papers and documents as the Board may prescribe, shall be responsible for giving and receiving all notices to be given to or by the Association under the Act, the Declaration or these By-Laws and shall, in general, perform all the duties incident to the office of the Secretary.
- (c) The Treasurer shall be responsible for keeping the financial records and books of account of the Association, and shall, in general, perform all duties incident to the office of Treasurer.

ARTICLE VIII

COMMITTEES

Section 8.01: **Committees**

The Board, by resolution, adopted by a majority of the members on the Board, may designate one (1) or more committees, each of which shall consist of at least two (2) Board members and a majority of whose members shall also be members of the Board. Said committees, to the extent consistent with law and as provided in said resolution, shall have and exercise the authority of the Board in the management of the Association; but the designation of such committees and the delegation thereof of authority shall not operate to relieve the Board or any individual Board member of any responsibility imposed upon it or him or her by law. The members of each committee shall be appointed by the Board and serve solely at the direction of the Board. Any member thereof may be removed by a vote of the majority of the members of the Board whenever in their judgment the best interests of the Association shall be served by such removal.

Section 8.02: **Special Commissions**

Other commissions not having and exercising the authority of the Board in the management of the Association may be designated by a resolution adopted by a majority of the Board members present at a Board meeting at which a quorum is present. Except as otherwise provided in such resolution, members of each such commission shall be Owners in the Association and the Board shall appoint the members thereof. Any member thereof may be removed by a vote of the majority of the members of the Board whenever in their judgment the best interests of the Association shall be served by such removal.

Section 8.03: Term

Members of committees and commissions shall serve one (1) year terms, although members may be appointed to the same committee or commission for unlimited consecutive terms if the Board so desires. Each member of a committee or commission shall continue as such until the next annual meeting of the Board and until his successor is appointed, unless the committee or commission shall be sooner terminated, or such member shall cease to be an Owner in the Association, or such member shall have been removed by the Board.

Section 8.04: Chairperson

The Board shall appoint one (1) member of each committee and commission as chairperson.

Section 8.05: Vacancies

Vacancies in the membership of any committee or commission may be filled by appointment made in the same manner as provided in the case of the original appointments.

Section 8.06: Quorum

Unless otherwise provided in the resolution of the Board designating a committee or commission, a majority of the whole committee or commission shall constitute a quorum and the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee or commission.

Section 8.07: Rules

Each committee or commission may adopt rules for its own government not inconsistent with the Declaration, By-Laws, Act, applicable federal, state or municipal laws or with the rules and regulations adopted by the Board.

ARTICLE IX**CONTRACTS, CHECKS, DEPOSITS AND FUNDS****Section 9.01: Contracts**

The Board may authorize any officer or officers, agent or agents of the Association, in addition to the officers so authorized by these By-Laws, to enter into any contract or execute and deliver any instrument (including amendments to the Declaration or these By-Laws which must be executed by the Association) in the name of and on behalf of the Association and such authority may be

general or confined to specific instances. In the absence of any such authorization by the Board, any such contract or instrument shall be executed by the President and attested to by the Secretary of the Association.

Section 9.02: Checks, Drafts, etc.

All checks, drafts, vouchers or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Association, shall be signed by such officer or officers, agent or agents of the Association and in such manner as shall from time to time be determined by resolution of the Board. In the absence of such determination by the Board, such instruments shall be signed by the Treasurer and counter-signed by the President of the Association.

Section 9.03: Deposits

All funds of the Association not otherwise employed shall be deposited from time to time to the credit of the Association in such banks, trust companies, or other depositories as the Board may select.

Section 9.04: Gifts

The Board may accept on behalf of the Association any contribution, gift, bequest or devise for the general purposes or for any special purpose of the Association.

Section 9.05: Not-For-Profit Status

Neither the Board, the Association nor the members shall be deemed to be conducting a business of any kind. All funds collected by the Board or Association shall be held and expended for the purposes designated in these By-Laws and in the Declaration and shall be deemed to be held for the benefit, use and account of all the members of the Association.

ARTICLE X

FISCAL YEAR

The fiscal year of the Association shall be fixed by resolution of the Board. Absent such a resolution, the fiscal year of the Association shall be the calendar year (January 1st through December 31st).

ARTICLE XI

BOOKS AND RECORDS

The Association shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its Owners, Board, and any

committees having any of the authority of the Board, and shall keep at the registered or principal office a record giving the names and addresses of the Owners. The Board shall maintain the following records of the Association and make them available, within thirty (30) days of a specific written request for same received by the Board, for examination and copying at convenient hours of weekdays by any Owner or such Owner's mortgagees and their duly authorized agents or attorneys:

- (a) The recorded Declaration, By-Laws, and Plat, and all amendments of these;
- (b) Any rules and regulations adopted by the Association;
- (c) The Articles of Incorporation for the Association and all amendments of these;
- (d) The minutes of all meetings of the Association and the Board for the immediately preceding seven (7) years; and
- (e) All current policies of insurance of the Association.

And, except as otherwise provided in the Act, the following records of the Association shall be available for examination and copying at convenient hours of weekdays by any Owner or such Owner's duly authorized agents or attorneys, within thirty (30) days of a specific written request for same received by the Board, but only for a proper purpose. Any Owner desiring to examine or copy the following must submit a written request to the Board which states with particularity the records sought to be examined and the proper purpose for the request. For each such request, the Board shall determine whether such a request states a proper purpose:

- (f) All contracts, leases and other agreements then in effect to which the Association is a party or under which the Association or the Owners have obligations or liabilities;
- (g) A current listing of the names, addresses and weighted vote of all Owners entitled to vote;
- (h) Ballots and proxies related to ballots for all matters voted on by the Owners during the immediately preceding twelve (12) months, including, but not limited to, the election of members of the Board; and
- (i) The books and records of account for the Association's current and ten (10) immediately preceding fiscal years, including, but not limited to, itemized and detailed records of all receipts and expenditures.

The Association may charge back to any requesting party the actual costs incurred by the Association in retrieving and copying any such documents referred to in this Article.

ARTICLE XII

AMENDMENTS

These By-Laws may be changed, amended, modified or rescinded at any time, or from time to time, in the same manner and pursuant to the same requirements as provided in Article XIII, Section 13.06 of the Declaration for changes, amendments, modifications or rescissions of the Declaration. Any change, amendment, modification or rescission of these By-Laws shall be effective upon Recording of such instrument in the Office of the Recorder of Deeds, Cook County, Illinois.

ARTICLE XIII

INTERPRETATION

In the event of any conflict between the provisions of the articles of incorporation, the Declaration, these By-Laws and the rules and regulations of the Board, the articles of incorporation shall control of the Declaration, these By-Laws and the rules and regulations, the Declaration shall control over these By-Laws and the rules and regulations, and these By-Laws shall control over the rules and regulations.

ARTICLE XIV

DEFINITION OF TERM

The terms used in these By-Laws shall have the same definition as set forth in the Declaration, unless otherwise defined herein.

END OF TEXT OF BY-LAWS

This instrument was prepared by:

COSTELLO SURY & ROONEY, P.C.
18W140 Butterfield Road, Suite 1670
Oakbrook Terrace, Illinois 60181

ILLINOIS SURVEY SERVICE, INC.

REGISTERED LAND SURVEYORS

5532 N. MILWAUKEE AVE.

CHICAGO, IL 60630

TEL: (312) 594-1700

FAX: (312) 594-1735

PLAT

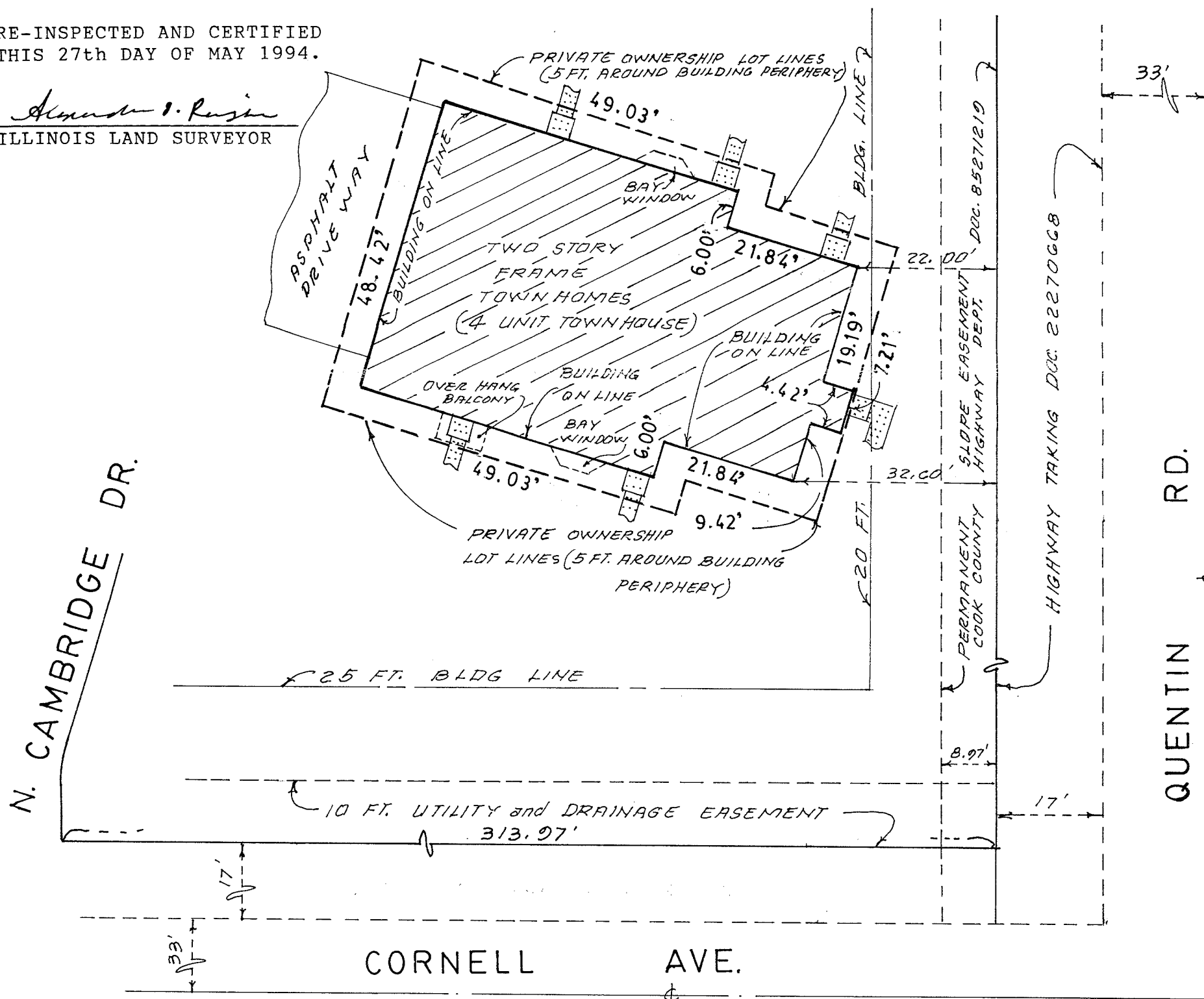
OF
Mortgagee's Inspection
FOR

PARCEL 1:
UNITS 2 OF CORNELL LAKES APARTMENTS UNIT 1, A SUBDIVISION OF PART OF THE NORTH EAST 1/4 OF SECTION 16, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS;

PARCEL 2:
EASEMENT FOR THE BENEFIT OF PARCEL 1 AFORESAID; AS SET FORTH IN THE DECLARATION OF EASEMENTS RECORDED AS DOCUMENT 87292350, AND AS CREATED BY DEED FROM AMERICAN NATIONAL BANK AND KNOWN AS TRUST NUMBER 41512 TO JOSEPH J. FERA AND JOANN FERA RECORDED AUGUST 27, 1987 AS DOCUMENT 87473953, FOR WALKS, DRIVEWAYS, INGRESS AND EGRESS, PARKING AND RECREATIONAL FACILITIES, OVER SUCH PORTIONS OF THE FOLLOWING PROPERTY AS FALL IN COMMON AREAS, AS COMMON AREAS ARE DEFINED IN SAID DECLARATION OF EASEMENT: LOTS 1 AND 2, THE SOUTH 60 FEET OF LOT 3 (EXCEPT THE EAST 17 FEET THEREOF, TAKEN FOR HIGHWAY PURPOSES) AND ALL OF LOT 4 (EXCEPT THE EAST 17 FEET THEREOF, TAKEN FOR HIGHWAY PURPOSES) IN ARTHUR T. MCINTOSH AND COMPANY'S PALATINE FARMS; A SUBDIVISION OF THAT PART OF THE WEST 1/2 OF THE NORTH WEST 1/4, AND OF THE NORTH WEST 1/4 OF THE SOUTH WEST 1/4, AND OF THE EAST 1/2 OF THE SOUTH WEST 1/4 OF SECTION 15, LYING SOUTHERLY OF THE SOUTHWESTERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD, AND ALSO OF THAT PART OF LOT 8 IN THE SCHOOL TRUSTEE'S SUBDIVISION OF SECTION 15 LYING SOUTHERLY OF THE SOUTHWESTERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD, ALL IN TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

RE-INSPECTED AND CERTIFIED
THIS 27th DAY OF MAY 1994.

Alexander I. Rusin
ILLINOIS LAND SURVEYOR



TO: _____

State of Illinois } ss.
County of COOK }

WE, ILLINOIS SURVEY SERVICE, INC., AN ILLINOIS PROFESSIONAL LAND SURVEYOR CORPORATION, DO HEREBY CERTIFY THAT MORTGAGE LOAN INSPECTION WAS MADE ON THE GROUND AND THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID INSPECTION.

DATED AT CHICAGO, ILLINOIS THIS 15TH DAY OF JULY 1993.

ILLINOIS SURVEY SERVICE, INC.

BY: *Heckerich & Rapp*
ILLINOIS PROFESSIONAL LAND SURVEYOR CORP. NO. 97

COMMON ADDRESS: 425-431 N. CAMBRIDGE DR., PALATINE

JOB NO: 14-703-2857

SCALE: 1" = 20'

CATEGORY:

DRAWN BY: R. R. Q.

IMPORTANT

REFER TO DEED OR ABSTRACT FOR ANY BUILDING LINES OR
EASEMENTS NOT SHOWN.

ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF,
CORRECT AT 68° FAHRENHEIT.

REVIEW LEGAL DESCRIPTION AND RECORD MEASUREMENT ON THIS
PLAT AND AT ONCE REPORT ANY APPARENT DIFFERENCES TO THE
SURVEYOR.

PLAT IS NOT VALID WITHOUT EMBOSSED SEAL

THIS SURVEY HAS BEEN MADE FOR USE IN CONNECTION WITH MORTGAGE LOAN TRANSACTION AND IS NOT TO BE USED FOR ANY OTHER PURPOSE, SUCH AS CONSTRUCTION OF ANY KIND AND INSTALLATION OF FENCES ETC.

(SEAL)



OFFICE OF THE SECRETARY OF STATE

ALEXI GIANNOULIAS-Secretary of State

7412-177-2

MARCH 22, 2023

COSTELLO SURY & ROONEY, P.C.
18W140 BUTTERFIELD ROAD, SUITE 1670
OAKBROOK TERRACE, IL 60181

MAR 30 2022

RE 425-431 CAMBRIDGE CONDOMINIUM ASSOCIATION

DEAR SIR OR MADAM: ---

ENCLOSED YOU WILL FIND THE ARTICLES OF INCORPORATION OF THE ABOVE NAMED CORPORATION. THE CORPORATION IS REQUIRED TO FILE AN ANNUAL REPORT EACH YEAR. BLANK FORMS WILL BE MAILED BY THIS OFFICE TO THE REGISTERED AGENT AS SHOWN BY OUR FILES APPROXIMATELY 60 DAYS PRIOR TO ITS ANNIVERSARY MONTH. (ORIGINAL DATE OF INCORPORATION).

THE REQUIRED FEE OF \$50.00 IN THIS CONNECTION HAS BEEN RECEIVED AND PLACED TO YOUR CREDIT.

CERTAIN NOT FOR PROFIT CORPORATIONS ORGANIZED AS A CHARITABLE CORPORATION ARE REQUIRED TO REGISTER WITH THE OFFICE OF THE ATTORNEY GENERAL. UPON RECEIPT OF THE ENCLOSED ARTICLES OF INCORPORATION, YOU MUST CONTACT THE CHARITABLE TRUST DIVISION, OFFICE OF THE ATTORNEY GENERAL, 100 W. RANDOLPH, 11TH FLOOR, CHICAGO, ILLINOIS 60601 TELEPHONE (312) 814-2595.

THE ISSUANCE OF THE ARTICLES OF INCORPORATION DOES NOT ENTITLE THE CORPORATION TO A PROPERTY TAX EXEMPTION. YOU MUST APPLY FOR THAT EXEMPTION THROUGH THE BOARD OF REVIEW IN THE COUNTY WHERE THE REAL ESTATE IS LOCATED.

SINCERELY,

ALEXI GIANNOULIAS
SECRETARY OF STATE
DEPARTMENT OF BUSINESS SERVICES
CORPORATION DIVISION
TELEPHONE (217) 782-6961

FORM **NFP 102.10** (rev. Dec. 2003)
ARTICLES OF INCORPORATION
 General Not For Profit Corporation Act

Secretary of State
 Department of Business Services
 501 S. Second St., Rm. 350
 Springfield, IL 62756
 217-782-9522
 ilsos.gov

FILED

MAR 22 2023

ALEXI GIANNOULIAS
 SECRETARY OF STATE

Remit payment in the form of a
 cashier's check, certified check,
 money order, or Illinois attorney's
 or C.P.A.'s check payable
 to Secretary of State.

File #

7412-1772

Filing Fee: \$50

Approved: BLA

----- Submit in duplicate ----- Type or print clearly in black ink ----- Do not write above this line -----

Article 1.

Corporate Name: 425-431 CAMBRIDGE CONDOMINIUM ASSOCIATION

Article 2.

Name and Address of Registered Agent and Registered Office in Illinois:

Registered Agent: COSTELLO SURY & ROONEY, P.C.

First Name

Middle Name

Last Name

Registered Office: 18W140 BUTTERFIELD ROAD, SUITE 1670

Number

Street

Suite # (P.O. Box alone is unacceptable)

OAKBROOK TERRACE

IL

60181

DUPAGE

City

ZIP Code

County

Article 3.

The first Board of Directors shall be 3 in number, their Names and Addresses being as follows.
 Not less than three

Director Name	Street Address	City	State	ZIP Code
ROMAN RAJCHEL	324 CLUBHOUSE DRIVE,	BLOOMINGDALE,	IL	60108
JOANNE RAJCHEL,	324 CLUBHOUSE DRIVE,	BLOOMINGDALE,	IL	60108
JENNIFER BARTON,	432 SCHILLER,	ELMHURST,	IL	60126

Article 4.

Purpose(s) for which the Corporation is organized:

Condominium Association

(continued on back)

Article 5.

Other provisions (For more space, attach additional sheets of this size.):

Article 6.

Is this Corporation a Condominium Association as established under the Condominium Property Act? (check one)

☒ Yes ☐ No

Is this Corporation a Cooperative Housing Corporation as defined in Section 216 of the Internal Revenue Code of 1954? (check one)

☐ Yes ☒ No

Is this Corporation a Homeowner's Association, which administers a common-interest community as defined in subsection (c) of Section 9-102 of the code of Civil Procedure? (check one)

☐ Yes ☒ No

Article 7.**Names & Addresses of Incorporators**

The undersigned incorporator(s) hereby declare(s), under penalties of perjury, that the statements made in the foregoing Articles of Incorporation are true.

Dated February _____, 2023
Month Day Year

Signatures and Names	Post Office Address
1. <u></u> Signature ROMAN RAJCHEL, INCORPORATOR Name (print)	1. 324 CLUBHOUSE DRIVE Street BLOOMINGDALE, IL 60108 City, State, ZIP
2. _____ Signature _____ Name (print)	2. _____ Street _____ City, State, ZIP
3. _____ Signature _____ Name (print)	3. _____ Street _____ City, State, ZIP

Signatures must be in BLACK INK on the original document.

Carbon copies, photocopies or rubber stamped signatures may only be used on the duplicate copy.

- If a corporation acts as incorporator, the name of the corporation and the state of incorporation shall be shown and the execution shall be by a duly authorized corporate officer. Please print name and title beneath the officer's signature.
- The registered agent cannot be the corporation itself.
- The registered agent may be an individual, resident in Illinois, or a domestic or foreign corporation, authorized to act as a registered agent.
- The registered office may be, but need not be, the same as its principal office.
- A corporation that is to function as a club, as defined in Section 1-3.24 of the "Liquor Control Act" of 1934, must insert in its purpose clause a statement that it will comply with the state and local laws and ordinances relating to alcoholic liquors.

Return to:

_____ Firm Name	_____ Attention
_____ Mailing address	_____ City, State, ZIP

Consider an Ordinance Granting a Final Planned Development to Allow a Mixed-Use Building, with 2 Commercial Tenant Spaces and 1 Residential Apartment, at 101 & 103 S. Northwest Highway and 411 E. Glencoe Street

BACKGROUND:

On June 7, 2010, the Village Council approved a Planned Development Ordinance (#O-62-10) allowing the building's remodeling for one new residential unit, in conjunction with two commercial tenant spaces. As the improvements were not completed, within Planned Development time limitations, the approval lapsed. On August 15, 2016 the Planned Development was reinstated (#O-107-16), which also lapsed. Subsequently, the property was sold and a new owner is requesting another Planned Development for two commercial tenant spaces and one residential unit (reducing the previously approved bedrooms number from a 2 to 1). Therefore, the Petitioner is requesting approval of the following:

Final Planned Development to allow a mixed-use building, with commercial tenant spaces and one residential unit

KEY ISSUES:

- The current plans maintain the residential unit on the eastern side of the building. Both of the two commercial tenant spaces are currently occupied by a cabinet store (Cabinet Expo), who is also the property owner. The business owner would reside in the residential unit. Directly to the east of the property and proposed residential unit is a single-family residential neighborhood. Therefore, the residential unit is closer to the residential uses and separated from the commercial uses.
- The proposed remodeling of the interior of the unit would not result in any exterior modifications to the building. The existing structure is built to the property lines on almost all sides. The proposed plans also accommodate the required fire separations.
- The residential unit requires 2 parking spaces, which are provided within the 2-car garage for the property. Parking for the commercial uses is located within the Glencoe Street right-of-way and along the Northwest Highway frontage of the property. This parking is for the commercial use and would not serve the residential unit, as a license agreement is not a component of the proposal.

ALTERNATIVES:

1. Approve the Final Planned Development to allow a mixed-use building, with two commercial tenant spaces and one residential unit.
2. Do not approve the Final Planned Development to allow a mixed-use building, with two commercial tenant spaces and one residential unit.

RECOMMENDATION:

Public Hearing: PZC meeting on November 14, 2023.

Residents testifying: None.

Vote: The PZC voted unanimously to approve Final Planned Development (reinstatement) to allow a mixed-use building, with commercial tenant spaces and one residential unit, and

Staff concurs with this recommendation.

ACTION REQUIRED:

A motion to approve the ordinance granting Final Planned Development to allow a mixed-use building, with two commercial tenant spaces and one residential unit, at 101 & 103 S. Northwest Highway and 411 E. Glencoe Street.

ATTACHMENTS:

- Aerial Map
- ORD 101 & 103 N Northwest and 411 E Glencoe
- EXHIBIT - Floor Plan
- PZC Materials 11-14-23
- Draft PZC Minutes 11-14-23



ORDINANCE NO. _____

**AN ORDINANCE GRANTING FINAL PLANNED DEVELOPMENT APPROVAL
FOR THE PROPERTY AT
101 & 103 S. NORTHWEST HIGHWAY AND 411 E. GLENCOE STREET**

WHEREAS, upon petition of owners of said property, hearings were held by the Planning and Zoning Commission of the Village of Palatine on November 14, 2023 and in accordance with the Zoning Ordinance of the Village of Palatine, in such case made and provided, and said Plan and Zoning Commission, having made its findings in a report to the Mayor and Village Council of the Village of Palatine regarding a request for a Final Planned Development to permit a mixed-use building, with two commercial tenant spaces and one residential unit, on the following legally described property:

Lot 20 in block 7 in Merrill's Home Addition to Palatine being a subdivision in the East ½ of Section 23, township 42 North, Range 10 East of the Third Principal Meridian, in Cook County, Illinois.

Commonly known as 101 & 103 S. Northwest Highway and 411 E. Glencoe Street (#02-23-206-001).

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Village Council of the Village of Palatine, Cook County, Illinois, acting in the exercise of their home rule power that:

SECTION 1: That Final Planned Development to permit a mixed-use building, with two commercial tenant spaces and one residential unit, is hereby granted, subject to the following conditions:

1. The Planned Development shall substantially conform to the floor plan provided by Sang Inc. Architects except as such plans may be changed to conform to Village Codes and Ordinances.
2. The residential unit may only be occupied by the building owner or operator of a

ORDINANCE NO.

Page 2 of 2

commercial tenant space within the building. Any other proposed tenant of the residential unit shall require additional Staff review and the issuance of a rental dwelling license.

3. All future commercial uses of the property shall conform to the B-2 General Business District standards.

SECTION 2: That a copy of the public notice be attached hereto and form a part of this ordinance.

SECTION 3: That this ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PASSED: This _____ day of _____, 2023

AYES:_____ NAYS:_____ ABSENT:_____ PASS:_____

APPROVED by me this _____ day of _____, 2023

Mayor of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk this

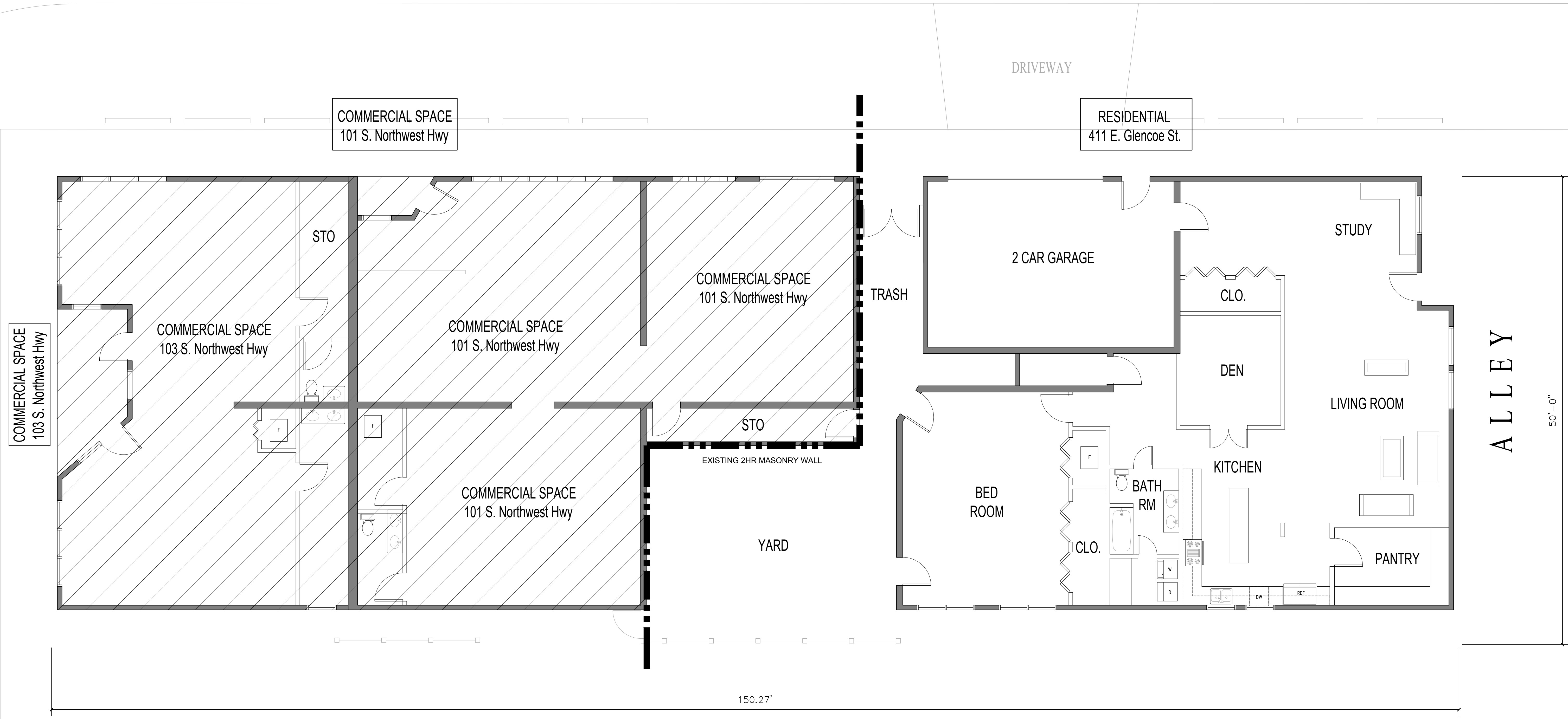
_____ day of _____, 2023

Village Clerk

Attachment: ORD 101 & 103 N Northwest and 411 E Glencoe (101 & 103 S. Northwest Highway and 411 E. Glencoe Street)

EAST GLENCOE STREET

S. NORTHWEST HIGHWAY



1 SITE PLAN
001 SCALE : 3/16" = 1'-0"

PROJECT DATA

NAME : INTERIOR REMODELING
AND ADDRESS : SINGLE FAMILY DWELLING UNIT
411 EAST GLENCOE STREET PALATINE, ILLINOIS

ZONING DATA

ZONING DISTRICT : COMMERCIAL / RESIDENTIAL DWELLING UNIT
DWELLING UNIT : SINGLE FAMILY UNIT / COMMERCIAL
LOT SQUARE FOOTAGE : 7500 SQ FT

BUILDING DATA

CONSTRUCTION TYPE : II-C
ADJACENT SPACE USE : RESIDENTIAL / COMMERCIAL
BUILD OUT SQUARE FOOTAGE : 2,877 SF
OCCUPANT LOAD : NA
FIRE SUPPRESSED : NO

FIRE RESISTANT RATING OF STRUCTURAL ELEMENTS:

1. EXTERIOR WALLS : 3
2. INTERIOR PARTITION : 1
3. ROOF FRAMING : 1/2
4. ROOF COVERING/CLASS A OR CLASS B

PROJECT SHALL COMPLY WITH THE FOLLOWING CODES:

1. INTERNATIONAL RESIDENTIAL CODE, 2009 EDITION
2. INTERNATIONAL BUILDING CODE, 2009 EDITION
3. INTERNATIONAL MECHANICAL CODE, 2009 EDITION
4. INTERNATIONAL FUEL GAS CODE, 2009 EDITION
5. INTERNATIONAL ENERGY CONSERVATION CODE, 2015 EDITION
6. NATIONAL ELECTRICAL CODE, 2011 EDITION
7. ILLINOIS STATE PLUMBING CODE, 2014 EDITION
8. ILLINOIS STATE ACCESSIBILITY CODE, LATEST EDITION
9. PALATINE CODE OF ORDINANCES
10. LIFE SAFETY CODE, NFPA 101, 2010 EDITION
11. INTERNATIONAL FIRE CODE, 2009 EDITION
12. IRC SOLUTION 315-CARBON MONOXIDE ALARM 2009

20 10 5 0 10

THE ATTACHED PLANS AND SPECIFICATIONS AND STATE THAT, TO THE BEST OF I HAVE PREPARED, OR CAUSED TO BE PREPARED UNDER MY DIRECT SUPERVISION, THEY ARE IN COMPLIANCE WITH THE REQUIREMENTS OF THE INTERNATIONAL MY KNOWLEDGE AND BELIEF AND THE EXTENT OF MY CONTRACTUAL OBLIGATION, BUILDING CODE.

EXPIRES: 11/30/2023

SITE OF ILLINOIS
HUNSANG LEE
001-020959
LICENSED ARCHITECT

09/20/2023
SIGNATURE DATE

VILLAGE OF PALATINE
Planning and Zoning Commission

SCHEDULED 11/14/23 07:00 PM

STAFF REPORT (ID # 8688)

101 & 103 S. Northwest Highway and 411 E. Glencoe Street

TO: Palatine Planning and Zoning Commission
Jan Wood, Chair

FROM: Lyn Bremanis, Planner

PETITIONER: Sung Choi, YY Enterprises Inc.

PLAN NUMBER: FPD-000073-2023

ADDRESS: 101 & 103 S. Northwest Highway and 411 E. Glencoe Street

PROPOSAL:
Final Planned Development (reinstatement) to allow a mixed-use building, with commercial and residential uses.

<u>LOCATION:</u> 101 & 103 S. Northwest Hwy and 411 E. Glencoe St District 6 (Helms)	<u>CURRENT ZONING:</u> Planned Development
--	---

SURROUNDING CONDITIONS:

<u>North:</u>	B-2 Shopping Center District
<u>South:</u>	B-2 Shopping Center District
<u>East:</u>	R-2 Single Family Residential
<u>West:</u>	B-2 Shopping Center District

BACKGROUND:

On June 7, 2010, the Village Council approved a Planned Development Ordinance #O-62-10 granting the property owner the ability to construct a new residential unit, within an existing commercial building. The Petitioner did not complete the requested improvements, within the Code allotted 3-year time limit. On August 15, 2016 the Planned Development was reinstated (#O-107-16) and once again the improvements were not completed. Presently, a new owner requesting to reinstate the Planned Development following the same 2016 footprint, with the exception of changing from a 2-bedroom unit to a 1-bedroom. Therefore, the Petitioner is requesting:

Final Planned Development (reinstatement) to allow a mixed-use building, with commercial and residential uses.

Attachment: PZC Materials 11-14-23 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street)

SITE ANALYSIS:

- The most recent approved plans showed the proposed residential unit located at the east end of the building maintaining 2 commercial spaces which would follow the B-2 use list. The Petitioner proposes to maintain the residential unit on the easternmost tenant space, however is proposing to have a 1-bedroom unit vs the previously approved 2 units. Directly to the east of the property and proposed tenant space is a single-family residential neighborhood. Therefore, the residential unit is closer to the residential uses and separated from the commercial uses.
- The proposed remodeling of the interior of the unit would not result in any exterior modifications to the building. The existing structure is built to the property lines on almost all sides.
- A residential unit would require a minimum of 2 parking spaces. As the parking for the commercial uses is located within the Glencoe Street right-of-way, this cannot serve the residential unit. No on street overnight parking is permitted within the Village. The plans provide the required two parking spaces in an existing on-site garage.

DEPARTMENTAL REVIEWS:

Community Services	No issues identified
Engineering	No issues identified
Environmental Health	N/A
Fire Prevention	Fire separation will be required for new residential unit.
Public Works	N/A
Police	N/A

STAFF RECOMMENDATION:

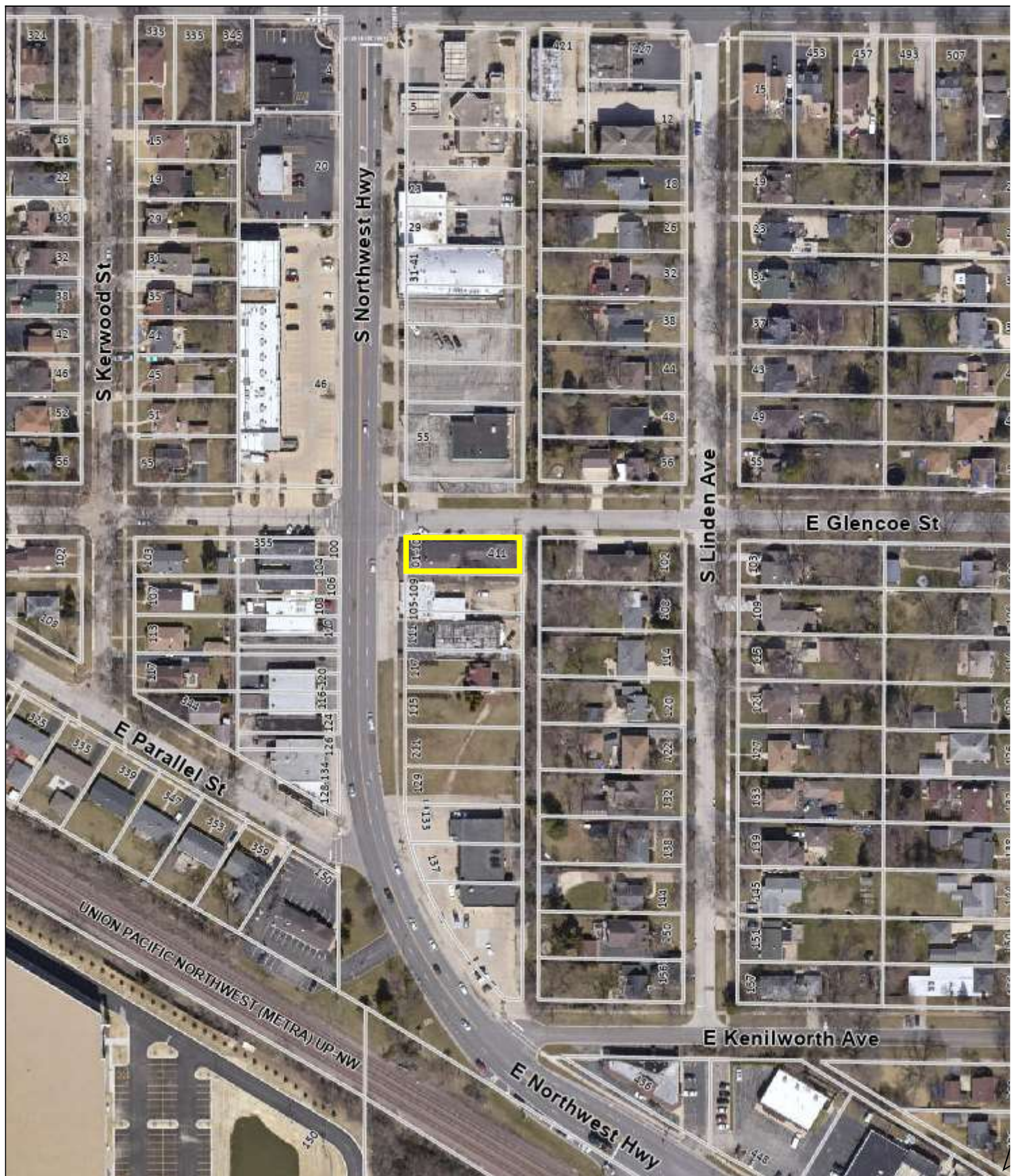
The Petitioner is requesting to reinstate a previously approved Planned Development, which has expired. The proposed plans include a mixed use building (2 commercial spaces) and one residential. The residential unit is proposed at the east end of the property directly adjacent to residential properties and provides two garage parking spaces. The residential proposal does not conflict with the existing businesses. Therefore, Staff recommends approval with the following conditions:

1. The Planned Development shall substantially conform to the floor plan provided by Sang Inc. Architects except as such plans may be changed to conform to Village Codes and Ordinances.

2. The residential unit may be occupied by the building owner or operator of a commercial tenant space within the building. Any other proposed tenant of the residential unit requires Village Council Review.
3. All future commercial uses of the property shall conform to the B-2 General Business District Standards.

ATTACHMENTS:

- Aerial Map
- Application
- Plat of Survey
- Plans
- #O-107-16
- #O-62-10
- Public Notice



Attachment: PZC Materials 11-14-23 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street)

0 200 400
ft

Print Date: 10/26/2023

Notes

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.



Preliminary & Final Planned Development

Department of Planning & Zoning

200 E. Wood Street • Palatine, IL • 60067-5339

Telephone: (847) 359-9047 • Fax (847) 963-6247

www.palatine.il.us

1. Name of Petitioner(s): Sung Choi
2. Authorized Agent of Petitioner (if different):
 Name: Jonghyun An
 Address: 115 S. WILKE RD. Ste# 101 Arlington Heights, IL
 Telephone No. (847) 630-7077
 Business No. *Click or tap here to enter text.*
 Relationship to Petitioner: Attorney
3. Property Interest of Petitioner(s): Owner
4. Address of the property for which this application is being filed:
 101 & 103 N. Northwest Highway and 411 E. Glencoe Ave.
5. All existing land use(s) on the property are: Commercial
6. The Current zoning of property: Planned Development
 Size of the property: ..17 Acres
7. Briefly describe the proposed Planned Development with regards to types of uses proposed, number and types of units, development mix, amenities to be provided, etc.:
 2 commercial spaces and 1 residential
8. Describe any Variations from the Village Ordinances which would be required if the proposed Planned Development were to be developed as a traditionally zoned project (if any):
 N/A

Attachment: PZC Materials 11-14-23 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street)

PROJECT DESCRIPTION

Sep 15h, 2023
Village of Palatine
Planing & Zoning Department
200 E. Wood St.
Palatine IL 60067

**RE: 411 E. Glencoe Street
Palatine IL 60067**

Listed property in the subject is currently zoned for Planned Development ONLY for commercial uses.

Application is being submitted for the variance in zoning use to Mixed Use for 2 existing commercial units & 1 new 1 bed room, 1 bathroom, and 3 car garage for residential unit.

The same property had been approved in past for Mixed Use for commercial and residential and was never permitted as the application had been canceled.

Hunsang Lee
President of SAANG Inc. Sep. 15th 2023
Name & Title date

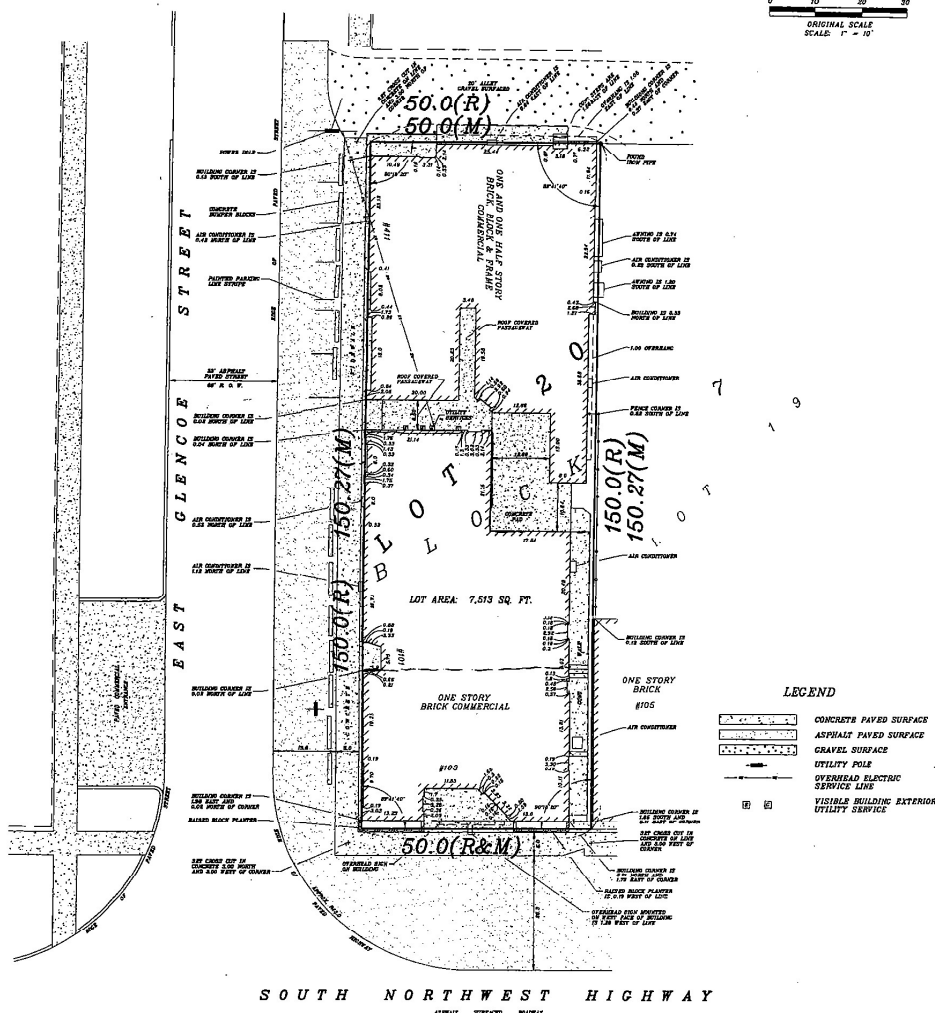
Attachment: Application (101 & 103 S. Northwest Highway and 411 E. Glencoe Street.)
Attachment: PZC Materials 11-14-23 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street)

ALTA/ACSM LAND TITLE SURVEY OF PROPERTY DESCRIBED AS

LOT 20 IN BLOCK 7 IN WERNER'S HOME ADDITION TO PALATINE, BEING A SUBDIVISION IN THE EAST 1/2 OF SECTION 23, TOWNSHIP 42 NORTH,
RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.
COMMONLY KNOWN AS: 101 AND 103 SOUTH NORTHWEST HIGHWAY, PALATINE, ILLINOIS
411 EAST GLENCOE STREET, PALATINE, ILLINOIS



0 10 20 30
ORIGINAL SCALE
SCALE: 1" = 30'



SOUTH NORTHWEST HIGHWAY

NOTES

1. JOHN C. AVAMPATO, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-001857
DATE: ON OCTOBER 12, 2006, FORWARDED THIS SURVEY AND TO MY BEST KNOWLEDGE
AND BELIEF THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS
MINIMUM STANDARDS OF PRACTICE FOR A BOUNDARY SURVEY.

John C. Avampato
JOHN C. AVAMPATO LICENSE EXPIRES 11-30-08



STATE OF ILLINOIS) SS
COUNTY OF KANE)

To: Foster Bank
Foster Title Insurance Co.
Yong Lee and M. Young SU Lee

This is to certify that this map or plat and the survey on which it is based were made in
accordance with the "Minimum Standards of Practice for ALTA/ACSM Land Title Surveys"
privately established and adopted by ALTA and NSPS in 2004, and include items 1, 4, 5, 6, 7, 8, 9, 10,
11, 12 and 13 of Table A thereof. Pursuant to the accuracy standards as adopted by ALTA and NSPS
and in effect on the date of this certification, undersigned further certifies that in my professional
opinion as a land surveyor registered in the State of Illinois, the Relative Positional Accuracy
survey does not exceed that which is specified therein.

Advanced Engineering and Surveying
Professional Design Firm License 184-002807

John C. Avampato
JOHN C. AVAMPATO PE, 035-001857
OWNER
License Expires: 11-30-08

Date: October 12, 2006



PREPARED FOR
COWLIN, CURRAN & COPPEDGE
20 GRANT STREET
CRYSTAL LAKE, ILLINOIS 80014

ADVANCED
ENGINEERING AND SURVEYING
JOHN C. AVAMPATO PE, PLS

366 E. CHICAGO STREET
ELGIN, IL 60120
PH: 1-847-888-2900
FAX: 1-847-888-1945

JOB NO.: 33207
FILE: C-89

PETITIONER'S EXHIBIT

5

Attachment: Plat of Survey (101 & 103 S. Northwest Highway and 411 E. Glencoe Street.)

Attachment: PZC Materials 11-14-23 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street)

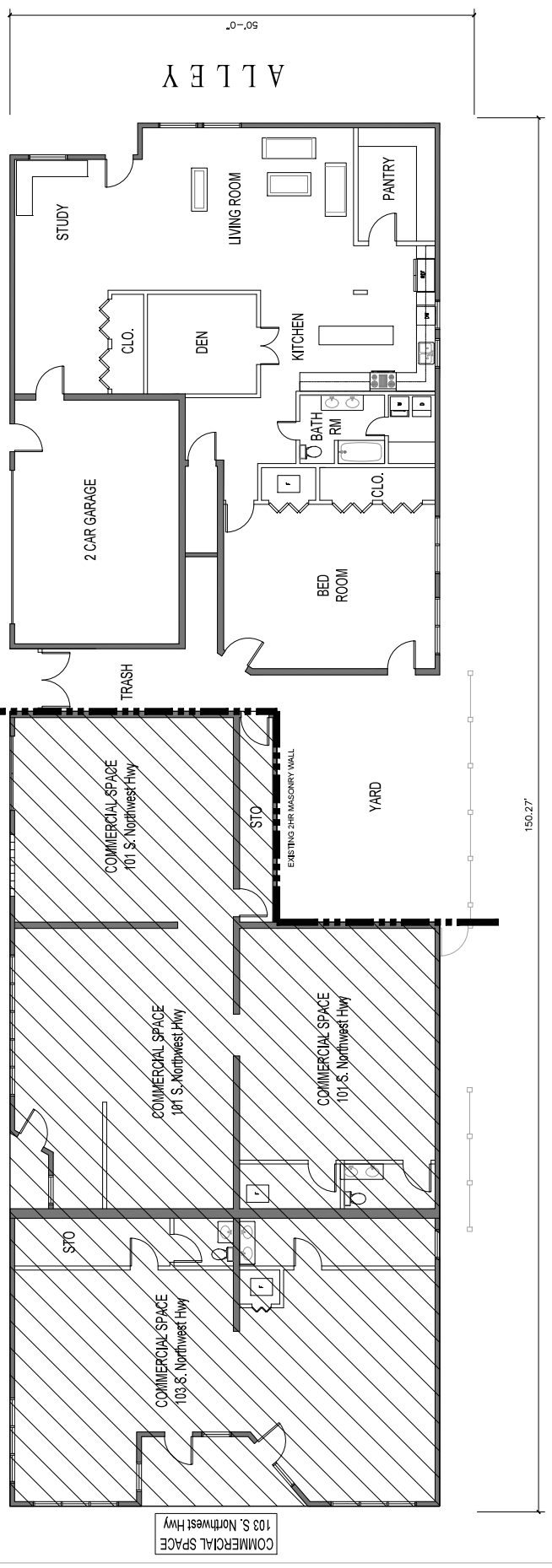
EAST GLENCOE STREET

S. NORTHWEST HIGHWAY

DRIVEWAY

COMMERCIAL SPACE
101 S. Northwest Hwy

RESIDENTIAL
411 E. Glencoe St.



PROJECT DATA
NAME: ZONE: 2000
ADDRESS: 411 E. GLENCOE ST., GLENCOE, ILLINOIS 60025
OWNER: PZC MATERIALS
DESIGNER: SPARKLINE ARCHITECTS
DATE: 09/20/2023
SHEET: 3.3.d

THE ATTACHED PLANS AND SPECIFICATIONS ARE PREPARED OR CAUSED TO BE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION. I AM A LICENSED ARCHITECT IN THE STATE OF ILLINOIS AND I AM A MEMBER OF THE ILLINOIS ARCHITECTS ASSOCIATION. I AM AWARE OF THE REQUIREMENTS OF THE ILLINOIS ARCHITECTS ACT AND I AM AWARE OF THE REQUIREMENTS OF THE ILLINOIS BUILDING CODE. I AM AWARE OF THE REQUIREMENTS OF THE ILLINOIS PLANNING AND ZONING ACT AND I AM AWARE OF THE REQUIREMENTS OF THE ILLINOIS PLANNING AND ZONING ACT.

SPARKLINE
Architects Designers Planners
SEP 27TH 2023
K-001
6.A.2.d

INTERIOR REMODELING SINGLE FAMILY DWELLING UNIT
411 EAST GLENCOE ST. PALATINE ILLINOIS

ORDINANCE NO. 0-107-16

**AN ORDINANCE REINSTATING PLANNED DEVELOPMENT
ORDINANCE #0-62-10 FOR THE PROPERTY AT
101 & 103 S. NORTHWEST HIGHWAY AND 411 E. GLENCOE STREET**

Attachment: #O-107-16 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street.)

Attachment: PZC Materials 11-14-23 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street)

Published in pamphlet form by authority of the
Mayor and Village Council of the Village of Palatine
on August 15, 2016

ORDINANCE NO. 0-107-16

AN ORDINANCE REINSTATING PLANNED DEVELOPMENT ORDINANCE #O-62-10
FOR THE PROPERTY AT 101 & 103 S. NORTHWEST HIGHWAY AND
411 E. GLENCOE STREET

WHEREAS, Ordinance #O-62-10 granted Final Planned Development approval to allow a residential unit in this commercial building; and

WHEREAS, the Petitioner has requested to reinstate the Planned Development approval pursuant to Village Council review on August 15, 2016, in accordance with the applicable provision of the Village Code, and they have reported their findings on the following legally described property:

Lot 20 in block 7 in Merrill's Home Addition to Palatine being a subdivision in the East ½ of Section 23, township 42 North, Range 10 East of the Third Principal Meridian, in Cook County, Illinois.

Commonly known as 101 & 103 S. Northwest Highway and 411 E. Glencoe Street (#02-23-206-001).

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Village Council of the Village of Palatine, Cook County, Illinois, acting in the exercise of its home rule power:

SECTION 1: That Planned Development Ordinance #O-62-10 is reinstated; subject to the following conditions:

1. The proposed residential unit may be relocated to the eastern unit, as indicated on the attached floorplan.
2. All conditions of Ordinance #O-62-10, as amended, shall remain in effect.

8/15/2016 11:06 AM

Attachment: #O-107-16 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street.)

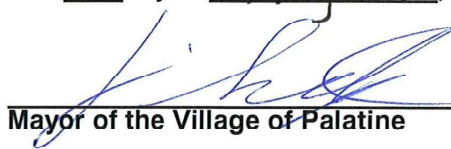
Attachment: PZC Materials 11-14-23 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street)

SECTION 2: This Ordinance shall be in full force and effect upon passage and approval as provided by law.

PASSED: This 15 day of August, 2016

AYES: 5 NAYS: 1 ABSENT: 0 PASS: 0

APPROVED by me this 15 day of August, 2016



Mayor of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk this

15 day of August, 2016

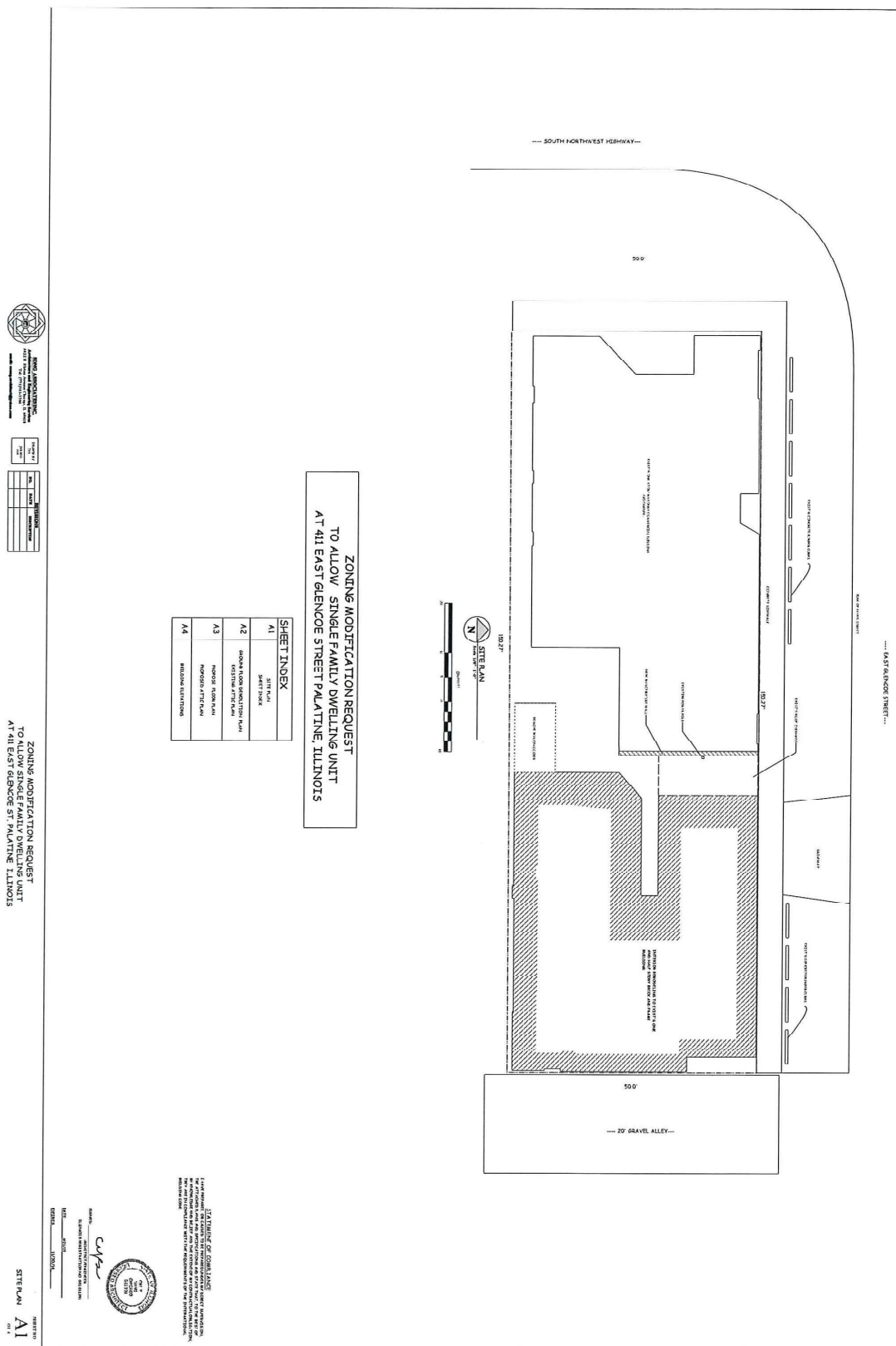


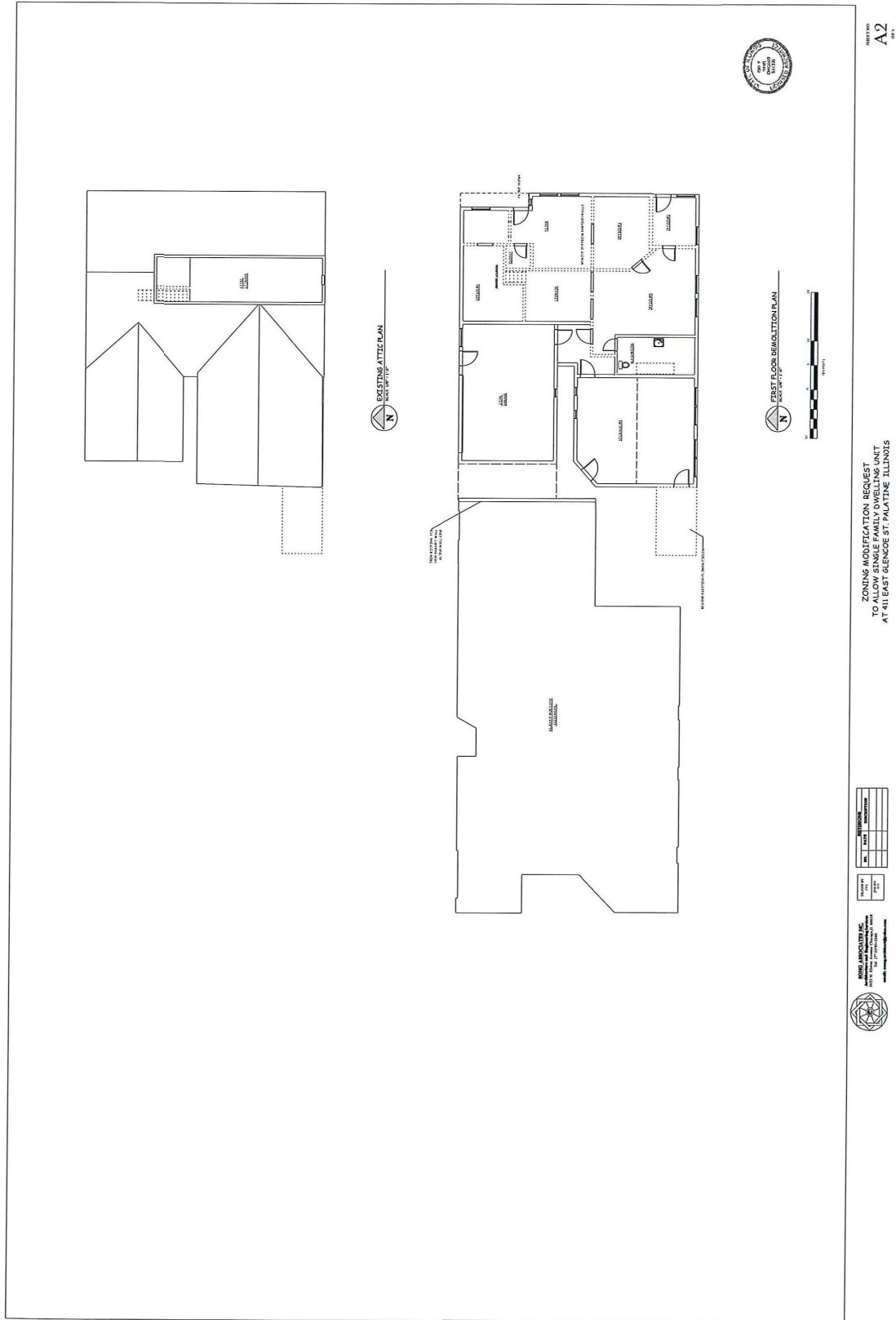
Village Clerk

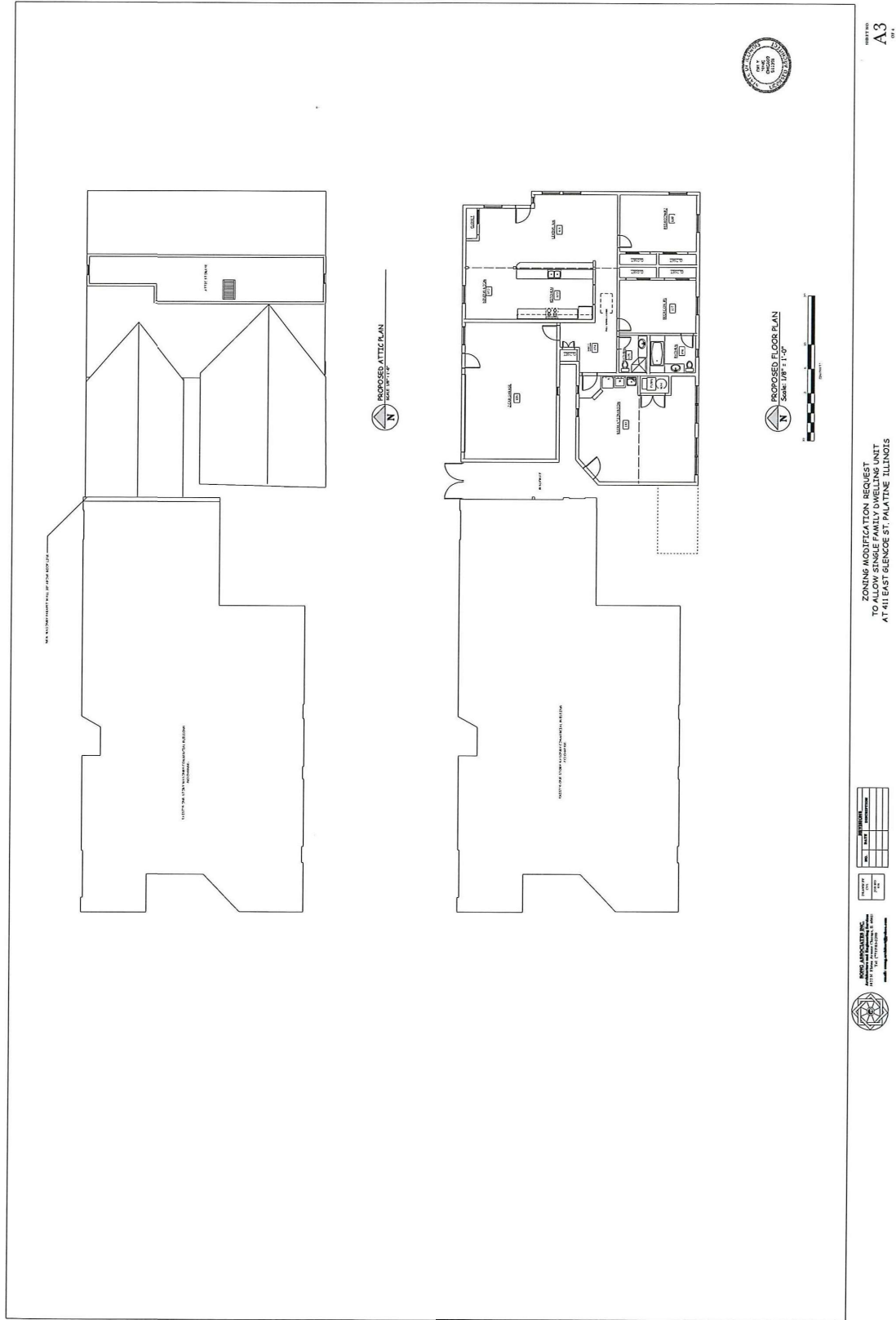
Attachment: #O-107-16 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street.)

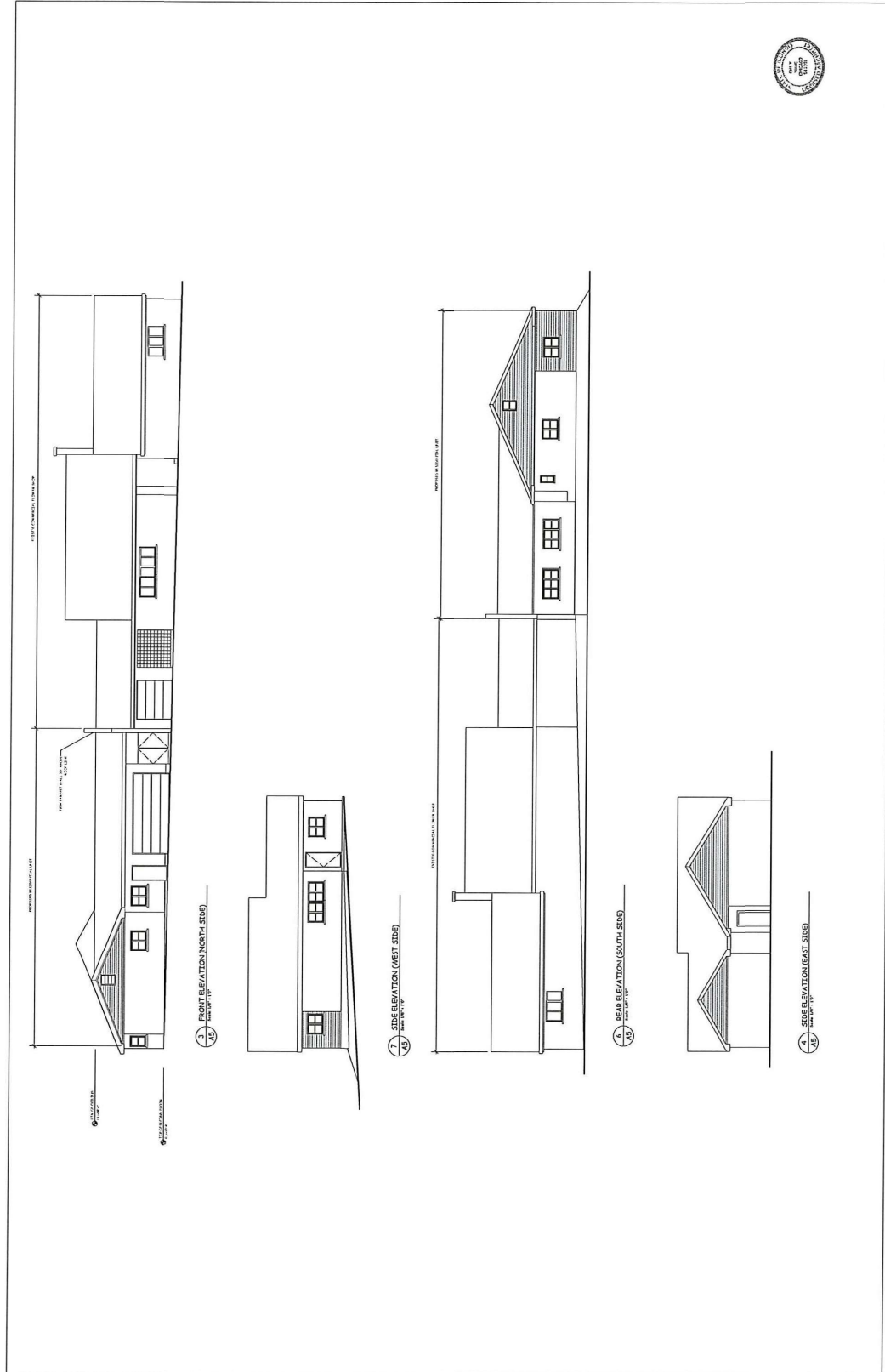
Attachment: PZC Materials 11-14-23 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street)

8/15/2016 11:06 AM









ORDINANCE NO. 0-62-10

**AN ORDINANCE GRANTING FINAL PLANNED DEVELOPMENT APPROVAL
FOR THE PROPERTY AT 101 & 103 S. NORTHWEST HIGHWAY
AND 411 E. GLENCOE STREET (CASE NO. 10-17)**

Attachment: #O-62-10 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street.)

Attachment: PZC Materials 11-14-23 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street)

**Published in pamphlet form by authority of the
Mayor and Village Council of the Village of Palatine
on June 7, 2010**

ORDINANCE NO. 0-62-10

AN ORDINANCE GRANTING
FINAL PLANNED DEVELOPMENT APPROVAL FOR THE PROPERTY AT
101 & 103 S. NORTHWEST HIGHWAY AND 411 E. GLENCOE STREET
(CASE NO. 10-17)

WHEREAS, upon petition of owners of said property, hearings were held by the Plan Commission of the Village of Palatine on April 20, 2010 in accordance with the Zoning Ordinance of the Village of Palatine, in such case made and provided, and said Plan Commission, having made its findings in a report to the Mayor and Village Council of the Village of Palatine regarding a request for Final Planned Development approval.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Village Council of the Village of Palatine, Cook County, Illinois, acting in the exercise of their home rule power:

SECTION 1: That final approval of a Planned Development is hereby granted pursuant to Section 13.05 of the Palatine Zoning Ordinance for the real estate described as follows, to wit:

Lot 20 in Block 7 in Merrill's Home Addition to Palatine, being a subdivision in the East ½ of Section 23, Township 42 North, Range 10 East of the Third Principal Meridian, in Cook County, Illinois

commonly known as 101 & 103 S. Northwest Hwy. and 411 E. Glencoe Street (PIN 02-23-206-001).

SECTION 2: That final approval of a Planned Development is hereby granted to the above described property pursuant to Section 13.05 of the Palatine Zoning Ordinance, subject to the following conditions:

Attachment: #O-62-10 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street.)

Attachment: PZC Materials 11-14-23 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street)

06/03/2010 9:32 AM

1. The interior build out shall substantially conform to the floor plans prepared by CML Architects and Builders, Inc. dated and last revised 3/9/10 except as such plans may be changed to conform to Village Codes and Ordinances.
2. Prior to the issuance of a building permit the Petitioner shall submit an executed lease agreement for two off street parking spaces or, the Petitioner shall submit proof of written notice to the tenant of 411 E. Glencoe Street requiring vacation of the garage space.
3. The residential unit may be occupied by the building owner or operator of a commercial tenant space within the building. Any other proposed tenant of the residential unit requires Village Council review.
4. All future commercial uses of the property shall conform to the B-2 General Business District standards.
5. Wheel stops shall be properly located in front of all parking stalls.

SECTION 3: That the petition for preliminary and final planned development, a copy of the public notice, be attached hereto and form a part of this ordinance.

SECTION 4: This ordinance shall be in full force and effect upon passage and approval as provided by law.

PASSED: This 7 day of June, 2010

AYES: 6 NAYS: 0 ABSENT: 0 PASS: 0

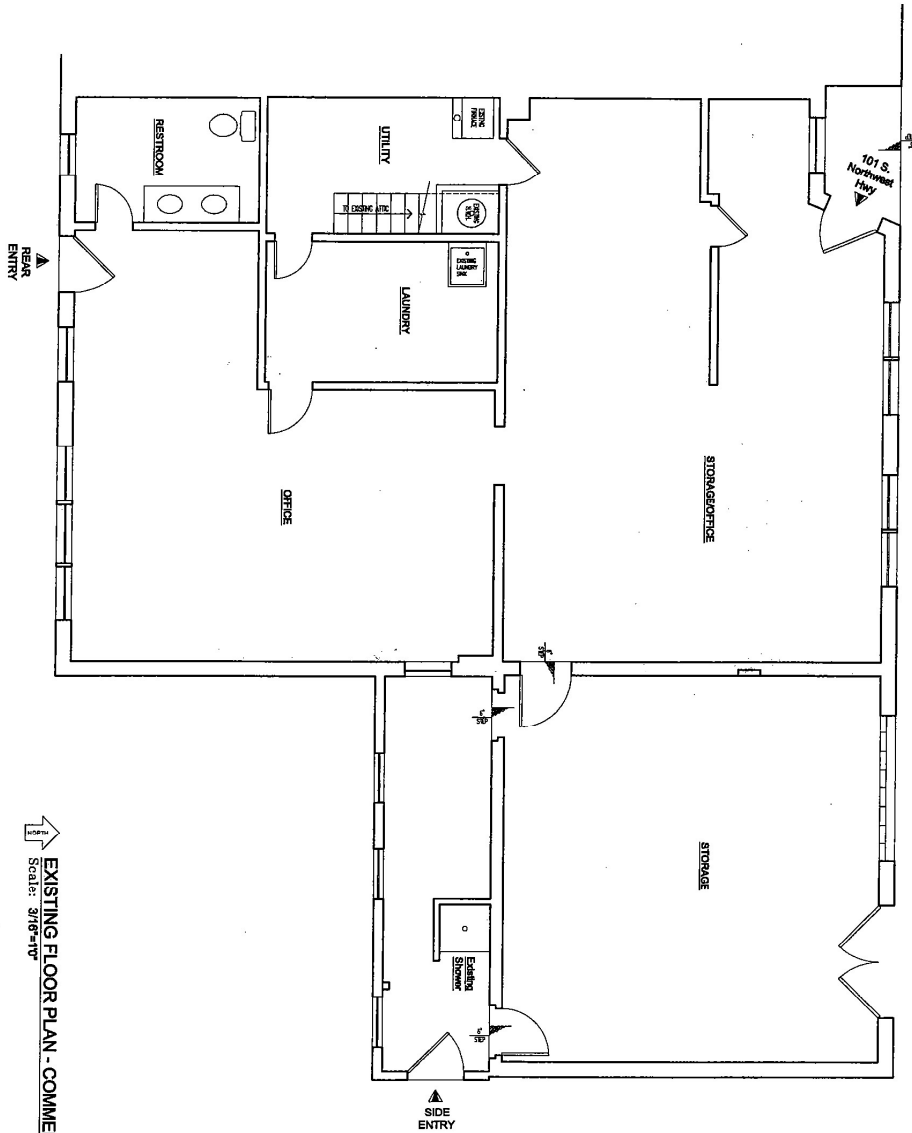
APPROVED by me this 7 day of June, 2010


Mayor of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk this 7 day of
June, 2010


Village Clerk

06/03/2010 9:32 AM



Project Address: 101 S. Northwest Highway,
Palatine, Illinois 60074

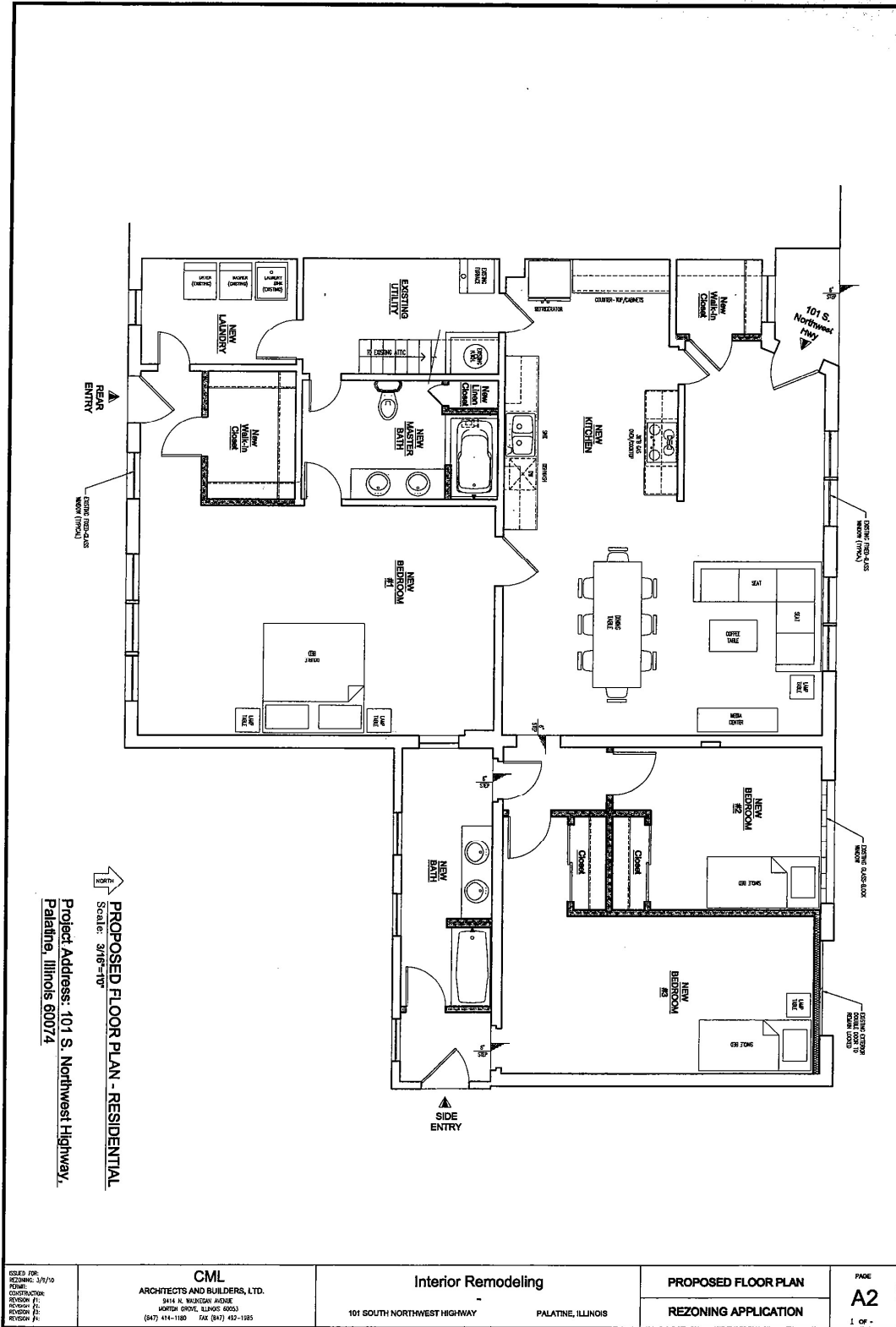
EXISTING FLOOR PLAN - COMMERCIAL
Scale: 3/8"=1'-0"

PETITIONERS EXHIBIT

CML ARCHITECTS AND BUILDERS, LTD. 5111 S. WOODROW AVENUE WORTH GROVE, ILLINOIS 60053 (847) 414-1180 FAX (847) 492-1985	Interior Remodeling 101 SOUTH NORTHWEST HIGHWAY PALATINE, ILLINOIS	EXISTING FLOOR PLAN	PAGE
		REZONING APPLICATION	A1 1 OF 1

Attachment: #O-62-10 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street.)

Attachment: PZC Materials 11-14-23 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street)



Attachment: #O-62-10 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street.)

Attachment: PZC Materials 11-14-23 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street)

Kevin Anderson - Re: 1st Review - 101 & 103 S. Northwest Hwy.

From: Peter Lee <bestflorist@earthlink.net>
To: Kevin Anderson <kanderson@palatine.il.us>
Date: 03/24/2010 3:15 PM
Subject: Re: 1st Review - 101 & 103 S. Northwest Hwy.
CC: <cml.arch.build@sbcglobal.net>

Dear Kevin:

I just met the owners of the String Project, the occupant of the 55 S. Northwest Highway building.

They are willing to give us a sublease up to the duration of their lease for the two car parking space for over night parking since it would not interrupt their business at all.

It is my understanding that their lease is about 4 1/2 years.

Therefore, it is our proposal to the Village of Palatine that we will use the two parking space of 55 S. Northwest Highway, Palatine, IL for about 4 1/2 years until the String Project's lease expires with the building owner.

If we cannot renew our parking lease and we cannot get another suitable parking lease, we will ask our tenant, Mohawk Stamp, to move some of their operation to the back , so that we can make a room for two parking inside of our own building where it used to be garage.

I know Mohawk Stamp would not mind since they were thinking about giving up that space and move some of the operation back into the now empty room and cut their rent a little bit.

Our lease with Mohwak Stamp will expire after two years and before our lease with the String Project is over, we can insert those provisions in our lease agreement.

I understand that the Village of Palatine has a concern whether our parking space lease would be permanent. In this way, we can secure two permanent parking spaces for our residential unit since we can make our own space for two cars even if we cannot obtain two suitable parking spaces in the future after our sublease with the String Project expires.

Please comment on this parking plan so that we can move on our project.

Sincerely yours,

Yong Il Lee
 Store: 847-705-5555
 Cell: 847-962-5676

-----Original Message-----
 From: Kevin Anderson

PETITIONER'S EXHIBIT

7

file://L:\TEMP\XPgrpwise\4BAA2C8AVOPDOMECC-PO10016B736D1E9541\GW_00... 03/24/2010

Attachment: #O-62-10 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street.)

Attachment: PZC Materials 11-14-23 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street)

Sent: Mar 22, 2010 11:39 AM
To: bestflorist@earthlink.net
Cc: cml.arch.build@sbcglobal.net
Subject: Re: 1st Review - 101 & 103 S. Northwest Hwy.

Peter,

Typically residential parking spaces would be located on the property being served. However, given the lack of available space on site I suggested you seek an agreement for nearby spaces which could be reserved for the residence. With that in mind, you need to make the argument that the supplemental spaces are sufficient for the duration that this residence would be occupied.

I understand the complications with off site parking (ownership changes, leases expire) but the Village needs to be assured that there will not be a parking deficiency in the future.

I am not in the office today as I'm not feeling well, but I will be checking my email periodically.

Kevin

>>> Peter Lee 03/22/10 10:10 AM >>>

Would you let me know how long the agreement should be for 2 parking space.

Your prompt response to this matter will be highly appreciated.

Sincerely yours,

Yong Il Lee

|

Attachment: #O-62-10 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street.)

Attachment: PZC Materials 11-14-23 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street)

file://L:\TEMP\XPgrpwise\4BAA2C8AVOPDOMECC-PO10016B736D1E9541\GW_00... 03/24/2010

PLAN COMMISSION
Tuesday, April 20, 2010

Present: Dennis Dwyer, Conrad Hansen, Teri Williams, Matthew Lewandowski,
Patrick Noonan, Dave Seiffert, Katherine Sawyer, Russ Smith, Gavin Muldowney,
Planner Kevin Anderson.

Absent: Ben Applegate

Minutes of the April 6 meeting were approved as distributed.

Report of Public Hearing - Case 10-17 – 101 & 103 S. Northwest hwy and 411 E. Glencoe rd.

The notice of public hearing was read by the chairman. The petitioner in Case 10-17, Yong Il Lee, seeks preliminary and final approval of a Planned Development to permit a mixed use building with commercial and residential uses and approval of rezoning from B2 to P Planned Development for 7,500 square feet located at 101 and 103 S. Northwest hwy. and 411 E. Glencoe st.

The following petitioner's exhibits were introduced:

1. Petition for Preliminary and Final Planned Development
2. Palatine Real Estate Disclosure Form
3. Trustees Deed
4. Lease Addendum with Mohawk Stamp Co.
5. Plat of Survey
6. Architectural Plans
7. E-mail from Peter Lee dated March 24, 2010

Yong Lee, the building owner, was sworn in. He said he is also the owner of the flower shop located in the building. He has been unable to rent empty spaces in the building for the past three years. In order to use the empty space, he would like to make it his home. Therefore, he seeks approval for a mixed use building in a commercial zone. He said that in doing his research he discovered that the property was originally residential.

Kevin Anderson was sworn in. He explained the rationale for the request, noting however, that a drawback for the residential use is there currently is no parking available. Existing parking for present commercial use is in the right-of-way, but overnight parking for the residential use would be prohibited. The residential use would require two parking spaces.

Lee said he is negotiating a lease for two spaces at 55 S. Northwest hwy. (across Glencoe street from this parcel) occupied by the String Project, that is willing to lease him two spaces for 4½ years. If that should not work, he also can utilize two spaces in an interior garage currently used by Mohawk Stamp. He said he would have two vehicles, a car and his delivery truck.

Anderson noted that a mixed use building was approved at the northwest corner of Northwest hwy. and Glencoe st. in 2006. Other residential does exist in some commercial locations along Northwest hwy. He noted that remodeling the interior unit would result in no exterior building modifications.

Attachment: #O-62-10 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street.)

Attachment: PZC Materials 11-14-23 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street)

plan commission
tuesday, april 20, 2010

page 2

Staff Recommendation

While the Village commercial districts do not allow residential uses, this is generally intended to shield residents from possible high intensity uses which might not be compatible. However, Glencoe st. is uniformly residential to the east of this property, and the commercial unit in question is marginal for commercial purposes. This particular tenant space has no frontage on Northwest hwy., little pedestrian appeal, and a parking shortage. The residential proposal would not conflict with the existing businesses and is not uncommon in this corridor. Therefore, staff recommends approval of the proposal subject to the following conditions:

1. The interior build out shall substantially conform to the floor plans prepared by CML Architects and Builders, Inc. dated and last revised 3/9/10 except as such plans may be changed to conform to Village Codes and Ordinances.
2. Prior to the issuance of a building permit the petitioner shall submit an executed lease agreement for two off street parking spaces, or the petitioner shall submit proof of written notice to the tenant of 411 E. Glencoe st. requiring vacation of the garage space.
3. All future commercial uses of the property shall conform to B-2 General Business District standards.
4. Wheel stops shall be properly located in front of all parking stalls.

Lee said he is able to comply with all conditions.

The public hearing was closed at 8:15 p.m.

RECOMMENDATION

Smith moved, Noonan seconded that the plan commission recommend to the village council that it approve the request of the petitioner in Case 10-17, Yong Il Lee, who seeks preliminary and final approval of a Planned Development to permit a mixed use building with commercial and residential uses and rezoning from B2 to P Planned Development for 7,500 square feet located at 101 and 103 S. Northwest hwy. and 411 E. Glencoe st. Such approval shall be contingent on petitioner's complying with four staff conditions listed above.

Unanimously carried.
(9-0)

Report of Public Hearing – Case 04-147 – 812-868 (even) N. Franklin ave. and 841-879 (odd) N. Maple ave. aka Dagan Park Estates

The notice of public hearing was read by the chairman. The petitioner in Case 04-147 Dagan Builders, Inc. seeks approval of an amendment to Planned Development Ordinance.#O-94-05 to permit a change in the final approved plans and approval of a final plat of resubdivision to permit the relocation of some property lines for 2.9 acres at 812-868 (even) N. Franklin ave. and 841-879 (odd) N. Maple ave. commonly known as Dagan Park Estates.

Attachment: #O-62-10 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street.)

Attachment: PZC Materials 11-14-23 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street)

DEPT. OF PLANNING AND ZONING
VILLAGE OF PALATINE

PETITION FOR HEARING

Zoning Docket #

Property recorded in Torrens

Filing Fee \$ _____ Date Filed

**PRELIMINARY AND FINAL PLANNED
DEVELOPMENT**

PLEASE TYPE OR PRINT IN INK:

1. Name of Petitioner(s): Yong K Lee
 Address: 577 Cobblestone Lane, Buffalo Grove, IL 60089
 Telephone No. 847/962-5626 Business No. 847-705-5555
 Email bestbioret@earthlink.net
2. Authorized Agent of Petitioner (if different):
 Name: _____
 Address: _____
 Telephone No. _____ Business No. _____
 Email _____
 Relationship to Petitioner: _____
3. Property Interest of Petitioner(s): Owner
 Owner, Lessee, Contract Purchaser, etc.
4. Address of the property for which this application is being filed:
 _____ Palatine, Illinois
5. All existing land use(s) on the property are:
6. Current zoning of property: B2 Size of the property: 0.2 acres
7. Briefly describe the proposed Planned Development with regards to types of uses proposed, number and types of units, development mix, amenities to be provided, etc:
8. Describe any Variations from the Village Ordinances which would be required if the proposed Planned Development were to be developed as a traditionally zoned project (if any):

PETITIONER'S EXHIBIT

1

Attachment: #O-62-10 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street.)

Attachment: PZC Materials 11-14-23 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street)

9. The attached Checklist of Documents outlines all required submittals before a project may be scheduled for the required public hearing before the Plan Commission. All required documents must be submitted with this Petition.

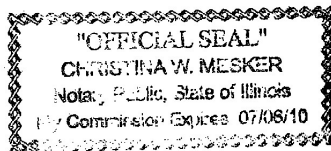
10. The petitioner's signature below indicates that the information contained in this application and on any accompanying documents is true and correct to the best of his/her knowledge.

Date: 3/9/10

[Signature]

State of Illinois
County of Cook

This instrument was acknowledged before me on March 9, 2010 by
Yong IL Lee



(Seal)

Christina W. Mesker
Notary Public

Attachment: #O-62-10 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street.)

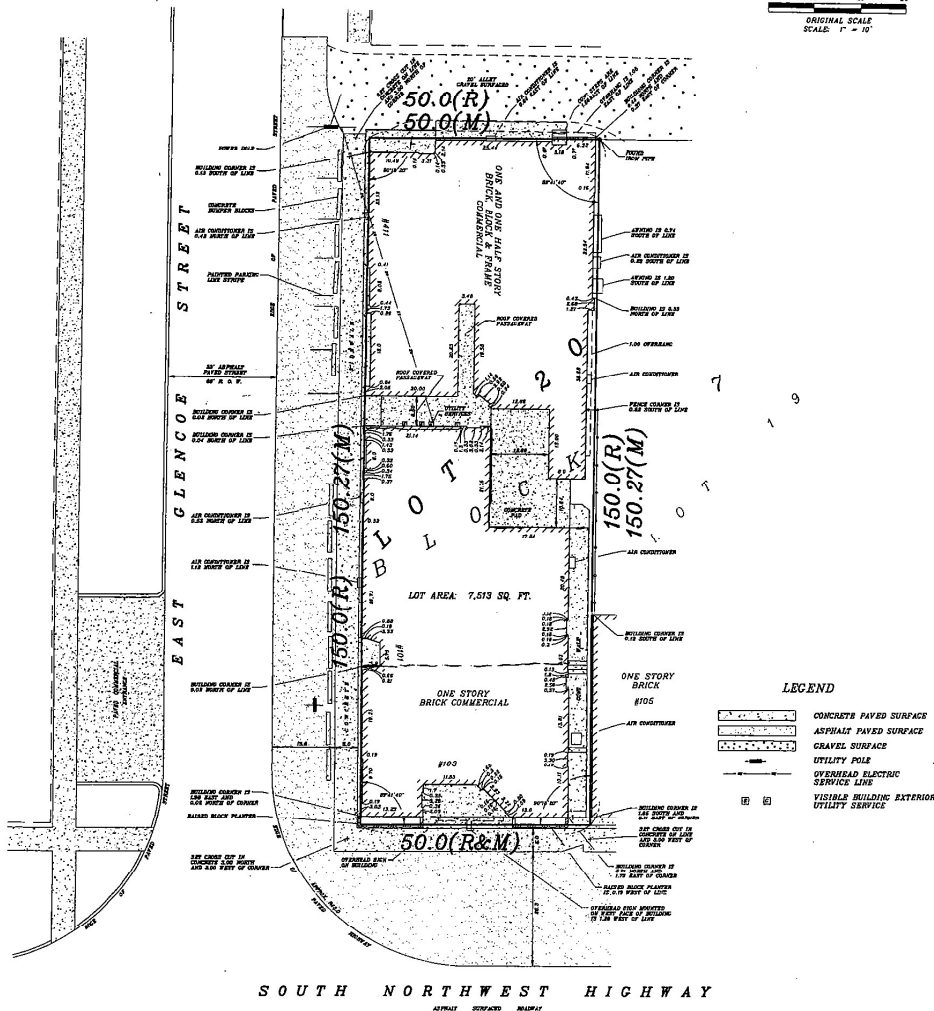
Attachment: PZC Materials 11-14-23 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street)

ALTA/ACSM LAND TITLE SURVEY OF PROPERTY DESCRIBED AS

LOT 20 IN BLOCK 7 IN WERNER'S HOME ADDITION TO PALATINE, BEING A SUBDIVISION IN THE EAST 1/2 OF SECTION 23, TOWNSHIP 42 NORTH,
RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.
COMMONLY KNOWN AS: 101 AND 103 SOUTH NORTHWEST HIGHWAY, PALATINE, ILLINOIS
411 EAST GLENCOE STREET, PALATINE, ILLINOIS



0 10 20 30
ORIGINAL SCALE
SCALE: 1" = 30'



SOUTH NORTHWEST HIGHWAY

NOTES

1. JOHN C. AVAMPATO, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-001857
DATE: ON OCTOBER 12, 2006, FORWARDED THIS SURVEY AND TO MY BEST KNOWLEDGE
AND BELIEF THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS
MINIMUM STANDARDS OF PRACTICE FOR A BOUNDARY SURVEY.

John C. Avampato
JOHN C. AVAMPATO LICENSE EXPIRES 11-30-08



STATE OF ILLINOIS) SS
COUNTY OF KANE)

To: Foster Bank
Foster Title Insurance Co.
Yong Lee and M. Young SU Lee

This is to certify that this map or plat and the survey on which it is based were made in
accordance with the "Minimum Standards of Practice for ALTA/ACSM Land Title Surveys"
privately established and adopted by ALTA and NSPS in 2004, and includes items 1, 4, 5, 6, 7, 8, 9, 10,
11, 12, 13, 14, 15, 16, 17 and 18 of Table A thereof. Pursuant to the accuracy standards as adopted by ALTA and NSPS
and in effect on the date of this certification, undersigned further certifies that in my professional
opinion as a land surveyor registered in the State of Illinois, the Relative Positional Accuracy
survey does not exceed that which is specified therein.

Advanced Engineering and Surveying
Professional Design Firm License 184-002807

John C. Avampato
JOHN C. AVAMPATO PLS 035-001857
OWNER
License Expires: 11-30-08

Date: October 12, 2006



PREPARED FOR
COWLIN, CURRAN & COPPEDGE
20 GRANT STREET
CRYSTAL LAKE, ILLINOIS 80014

ADVANCED
ENGINEERING AND SURVEYING
JOHN C. AVAMPATO PE, PLS

366 E. CHICAGO STREET
ELGIN, IL 60120
PH: 1-847-888-2900
FAX: 1-847-888-1945

JOB NO.: 33207
FILE: C-89

PETITIONER'S EXHIBIT

5

Attachment: #O-62-10 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street.)

Attachment: PZC Materials 11-14-23 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street)

PUBLIC NOTICE

A public hearing will be held before the Palatine Plan Commission on Tuesday, April 20, 2010, at 8:00 AM, in the Village Council Chamber in the Palatine Community Center, 200 E. Wood Street, relative to a request for the following: Preliminary and Final Planned Development to permit a mixed use building with commercial and residential uses; and Rezoning from B-2 General Business District to P Planned Development. The property is commonly known as 101 & 103 S. Northwest Hwy. and 411 E. Glencoe Street (PIN 02-23-206-1).

The proposal would allow the Petitioner to convert an existing commercial space to a residential dwelling unit while maintaining two additional commercial uses on the property.

The above petition has been filed by Yong Il Lee, and is available for examination in the office of the Village Clerk, 200 E. Wood Street.

LE #1017
VILLAGE OF PALATINE
JENNIS DWYER, Chair
Palatine Plan Commission
Published in Daily Herald
April 3, 2010 (4206281)N

3.3.f

6.A.2.d

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DAILY HERALD**. That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of Algonquin, Antioch, Arlington Heights, Aurora, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Deer Park, Des Plaines, South Elgin, East Dundee, Elburn, Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Geneva, Gilberts, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Villa, Lake in the Hills, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Mt. Prospect, Mundelein, Palatine, Prospect Heights, Rolling Meadows, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake park, Schaumburg, Sleepy Hollow, St. Charles, Streamwood, Tower Lakes, Vernon Hills, Volo, Wauconda, Wheeling, West Dundee, Wildwood

County(ies) of Cook, Kane, Lake, McHenry

and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 7150, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published April 3, 2010 in said DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY Holly Bratanick
Authorized Agent

Control # 4206281

Attachment: #O-62-10 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street.)

Attachment: PZC Materials 11-14-23 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street)

DESCRIPTION: Consideration of 1) Preliminary and Final Planned Development to permit a mixed use building - residential and commercial uses; and 2) Rezoning from B-2 Gen. Business to P Planned Development for the property at 101 & 103 S. Northwest Highway & 411 E. Glencoe Street.

(Lee - Case No. 10-17)

(District 6)

COMMITTEE ACTION:**DATE:**

This item was initially discussed by the Village Council on May 10th and was subsequently deferred to allow the Petitioner and staff to further discuss the proposed modifications to determine if additional conditions could be added to the request to ensure the integrity of the commercial corridor and potentially contemplate the residential component to this building. Since the initial Village Council discussion, staff met with the Petitioner and had several follow-up conversations. While staff may question the elimination of commercial tenant space, this request is more feasible if the residential unit is tied directly to either the building owner or a commercial tenant within the building. Therefore, staff proposed a condition reflecting this requirement and requiring Village Council review to amend.

BACKGROUND:

The Subject Property, approximately 7,500 square feet, is an existing commercial building with three tenant spaces. The Petitioner, owner of the property, is proposing to modify the interior tenant space to accommodate a residential unit rather than commercial. The B-2 zoning district does not contemplate mixed use buildings or residential uses. Therefore, the Petitioner is seeking approval of the following:

1. **Preliminary and Final Planned Development to permit a mixed use building with commercial and residential uses; and**
2. **Rezoning from B-2 General Business District to P Planned Development.**

ANALYSIS:

- The Petitioner is proposing to convert an existing vacant commercial tenant space into a residential apartment. The two other tenant spaces are currently used by a florist's shop and Mohawk Rubber Stamp Company. The B-2 General Business District does not allow residential uses and only the downtown business district (B-3) allows mixed use buildings with commercial and residential. On the west side of Northwest Highway, there are residential units above ground floor commercial uses. Directly to the east of this property is a single-family residential neighborhood. The proposed remodeling of the interior unit would not result in any exterior modifications to the building. The existing structure is built almost to the property lines on all sides. Staff is concerned about the proposed residential use in the ground floor and street level space of a commercial structure. While there are residential uses in this corridor, all of them are located above the ground floor and not directly adjacent to the surrounding commercial uses. The B-3 (Central Business District) is the only commercial district where residential uses are contemplated. As such, they are not permitted to be part of the storefront and almost all of the residential uses are above ground.
- A residential unit would require a minimum of 2 parking spaces. As the parking for the commercial uses is located within the Glencoe Street right-of-way, this cannot serve the residential unit. No on street overnight parking is permitted within the Village. The Petitioner has indicated that he is in discussions for a lease agreement with the owner of the property at 55 S. Northwest Highway (The String Project) for the use of two parking spaces. The building at 55 S. Northwest Highway is ~3,600 square feet requiring a total of 12 parking spaces. There are 16 parking spaces on site.
- The Petitioner has also indicated that if for any reason the lease for the parking spaces at 55 S. Northwest Hwy. were to become invalid, he would have the ability to secure two parking spaces in an interior garage on site. This space is currently utilized by Mohawk Stamps but the Petitioner submitted a lease addendum signed by the lessee which would require them to vacate the garage space upon notification from the Petitioner.

ALTERNATIVES:

1. Recommend approval of the Planned Development.
2. Do not recommend approval of the Planned Development.

RECOMMENDATION:

Public Hearing: April 20, 2010 Plan Commission

Residents Testifying: None

Concerns: None

Vote: The Plan Commission voted to unanimously to approve the request. Staff recommends denial of the request.

ACTION REQUIRED:

Consider approval of an Ordinance granting 1) Preliminary and Final Planned Development to permit a mixed use building with residential and commercial uses; and 2) Rezoning from B-2 General Business to P Planned Development for the property at 101 & 103 S. Northwest Highway and 411 E. Glencoe Street.

Attachment: #O-62-10 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street.)

Attachment: PZC Materials 11-14-23 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street)



Attachment: PZC Materials 11-14-23 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street)

CERTIFICATE OF PUBLICATION

DES PLAINES JOURNAL, INC., a corporation organized and existing under and by virtue of the laws of the State of Illinois, does hereby CERTIFY that it is the publisher of the:

Journal & Topics Newspapers
AKA Des Plaines Journal, Inc.
622 Graceland Ave.
Des Plaines, IL 60016-4556

and that said newspaper(s) is a secular newspaper of general circulation and has been published weekly in the

(Village) (Town) (City) (Township) of PALATINE 101 & 103 S. NORTHWEST HWY., 411 GLENCOE ST.

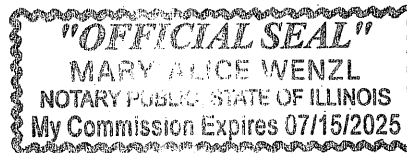
 County of COOK

and State of Illinois, continuously for more than one year prior to date of the first publication of the notice attached hereto, and that said newspaper(s) complies with the requirements of Paragraphs 5 and 10, Chapter 100, of the Illinois Revised Statutes.

Further, that the notice, of which the attached is a true copy, was published ONE times in the said newspaper(s), namely once each week for ONE successive week(s) and that the first publication of said notice was made on the 26TH day of OCTOBER, A.D. 2023, and the last publication thereof was made on the 26TH day of OCTOBER, A.D. 2023.

Your Legal appeared in
 the following Journal & Topics
 Newspapers
 (Des Plaines Journal, Inc.)

- ☐ Des Plaines Journal
- ☐ Elk Grove Village Journal
- ☐ Mt. Prospect Journal
- ☐ Niles Journal
- ☐ Park Ridge-Golf Mill Journal
- ☐ Prospect Heights Journal
- ☐ Rosemont Journal
- ☐ Arlington Heights Topics
- ☐ Buffalo Grove Topics
- ☒ Palatine Topics
- ☐ Rolling Meadows Topics
- ☐ Wheeling Topics
- ☐ Suburban Journal
- ☐ Northwest Journal
- ☐ Glenview Journal



Mary Alice Wenzl
 IN WITNESS WHEREOF, THE **DES PLAINES JOURNAL, INC.**, has caused this certificate to be signed and its corporate seal affixed hereto at Des Plaines, Illinois this 26TH day of OCTOBER, A.D., 2023.

By Todd Wessell

President

Title of Corporate Officer

County of Cook
 State of Illinois

Subscribed and sworn to before me this 26TH day of OCTOBER, A.D., 2023.

My commission expires the 15TH day of JULY, A.D., 2025.

Attachment: PZC Materials 11-14-23 (101 & 103 S. Northwest Highway and 411 E. Glencoe Street)

3. 101 & 103 S. Northwest Highway and 411 E. Glencoe Street

FPD-000073-2023 - 101 & 103 S. Northwest Highway and 411 E Glencoe Street

Notice was published in the Journal & Topics on October 26th, 2023 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. **Application**
2. **Proof of Ownership**
3. **Plat of Survey**
4. **Plans**
5. **#O-107-16**
6. **#O-62-10**
7. **Public Notice**

Ms. Bremanis provides background on the request and states that the project has been before the commission twice previously and approved but the improvements were not completed within the allotted time frame. The property has since been sold and the new owner is requesting to reinstate the Planned Development following the previous footprint with the exception of changing from a 2-bedroom unit to a 1- bedroom. The petitioner is requesting to allow a mixed-use building with commercial and residential uses.

Sworn in petitioners:

Yi Young Sook - 6701 N Milwaukee Ave - Niles, IL - Owner

Sung Choy - 6701 N Milwaukee Ave - Niles, IL - Owner

Jong Hyun An - 105 S Wick --Arlington Hts, IL - Attorney for Petitioners

Mr. An states that previous owner was approved for the mixed use but did not complete. He provides a site plan to show the current building and explains where the business and living area are located.

Mr. Choy states he would like to have his residence at the location. He expresses that it would be convenient to live and work within the same location.

Chairman Wood comments that the current residential area is not in good condition.

Ms. Bremanis explains that to address this, the property would need to go through a building permit process. She further clarifies that a fire wall would be required between the business and the residence as part of this process.

Chairman Wood asks if the cabinet business is the sole occupant of the building. Ms. Choy confirms that the cabinet business is the only business in the building.

Commissioner Friedman seeks clarification on whether the cabinet business occupies the entire space.

Mr. Choy states that the 101 building consists of both a warehouse and showroom, and their cabinet business occupies the entire space. There are no other businesses at this location.

Commissioner Kolososki seeks clarification on whether the garage drawing includes dimensions and, if so, what those dimensions are.

Mr. Choy responds that he doesn't have the actual dimensions but suggests that the garage may be able to accommodate three cars.

Commissioner Kolososki concludes that garage dimensions would be determined during the permit process.

Commissioner Kolososki asks if there would be a tenant in the residential space. Mr. Choy states that they, as owners, would be residing at the location. The property would not be rented.

Commissioner Fedota asks if there is a Certificate of Occupancy currently for the property.

Ms. Bremanis responds that there is currently no Certificate of Occupancy for the residential section of the property.

Commissioner Bettenhausen inquires about the adequacy of the existing parking for the business.

Ms. Bremanis explains that all parking is currently within the right of way and clarifies that this is an existing condition that will remain unchanged.

Commissioner Fedota raises questions about the parking requirements for the mixed-use property.

Ms. Bremanis responds, indicating that the residential component would necessitate two parking spots, which would be accommodated within the garage.

Commissioner Fedota further queries whether approval today is contingent upon obtaining a building permit for the residential aspect.

Ms. Bremanis clarifies that approval today would enable them to proceed with obtaining a permit to convert 411 into a residential unit. She emphasizes that the code mandates two interior parking spaces for the residential unit.

Commissioner Friedman asks if the Village Code mandates allocated parking spaces for the commercial portion.

Ms. Bremanis reiterates that all parking for the business is currently situated in the right of way, emphasizing that this is an existing condition.

Commissioner Fedota points out that this location lacks allocated parking per square footage for the business property.

Ms. Bremanis acknowledges this, explaining that it is indeed the case due to the

existing condition.

STAFF RECOMMENDATION:

The Petitioner is requesting to reinstate a previously approved Planned Development, which has expired. The proposed plans include a mixed-use building (2 commercial spaces) and one residential. The residential unit is proposed at the east end of the property directly adjacent to residential properties and provides two garage parking spaces. The residential proposal does not conflict with the existing businesses. Therefore, Staff recommends approval with the following conditions:

1. The Planned Development shall substantially conform to the floor plan provided by Sang Inc. Architects except as such plans may be changed to conform to Village Codes and Ordinances.
2. The residential unit may be occupied by the building owner or operator of a commercial tenant space within the building. Any other proposed tenant of the residential unit requires Village Council Review.
3. All future commercial uses of the property shall conform to the B-2 General Business District Standards.

Commissioner Fedota inquires about the Village's ability to ascertain if the residential unit were to be rented and expresses concern about monitoring potential breaches of this condition.

Commissioner Friedman responds, suggesting that it would rely on an honor system, highlighting that the village lacks a mechanism for monitoring such situations.

Ms. Bremanis adds that if the unit were to be rented, it would necessitate returning to the council for approval as a rental property, implying a formal process for seeking approval in such cases.

There were no further questions. The public hearing was closed.

Commissioner Noonan made a motion to approve subject staff's conditions; seconded by Commissioner Kolososki.

DELIBERATIONS:

Commissioner Friedman states making improvements to that end of the property would benefit the surrounding community, considering its current condition. He sees it as an opportunity for the property to integrate better into the neighborhood.

Commissioner Kolososki agrees, stating that it would be a positive use of the property.

Commissioner Roth-Wurster notes that the business/residential situation has previously met standards twice and sees the proposed changes as an improvement.

Chairman Wood adds that the property is currently in a state of disrepair, and making improvements through the building permit process would enhance the overall condition of the property.

Chairman Wood summarized that this request has met the standards and was unanimously approved by a vote of 7-0. This item will tentatively go to Village Council on Monday December 4th, 2023.

RESULT:	RECOMMEND TO APPROVE [UNANIMOUS]
MOVER:	Patrick Noonan, Commissioner
SECONDER:	Robert Kolososki, Commissioner
AYES:	Noonan, Roth-Wurster, Friedman, Wood, Bettenhausen, Kolososki, Fedota
ABSENT:	Cavanaugh, Schubert

Consider Granting an Ordinance for a Variation to Permit a Deck to Encroach into the Required Rear Yard at 28 W. Michigan Avenue

BACKGROUND:

The Petitioner is proposing to construct a new deck off the rear of the existing single-family residence. The proposed deck would be set back approximately 15 feet from the rear property line. The deck height varies with the rear yard grading, ranging from 3.5 feet to 7 feet above grade. Therefore, the Petitioner is requesting approval of the following:

Variation to permit a deck to be 15 feet from the rear lot line, instead of the minimum required 25 feet.

KEY ISSUES:

- The existing residence is set back approximately 33 feet from the rear lot line, instead of the minimum required 40 feet. Therefore, the Subject Property is existing non-conforming based on the required rear yard setback in the R-2 zoning district.
- The deck would be located on the north side of the home and within 15 feet of the rear (north) property line. Decks 16" or more above grade are required to be setback a minimum of 25 feet.
- The subdivision directly to the east (across Plum Grove Road), New Haven Grove (#O-36-03), is a planned development that was amended in 2005 to reduce the required setback for decks to be 10 feet from the rear lot line, instead of the minimum required 25 feet. This is only in effect for 16 & 22 E. Michigan. Additionally, the two aforementioned interior lots have similar lot depths when compared to the Subject Property. All of these lots are shallower than the Subdivision Ordinance's minimum lot depth of 110 feet.

ALTERNATIVES:

1. Approve the Variation to permit a deck to encroach in the required rear yard setback.
2. Do not approve the Variation to permit a deck to encroach in the required rear yard setback.

RECOMMENDATION:

Public Hearing:	PZC meeting on November 14, 2023.
Residents testifying:	None.
Vote:	The PZC voted unanimously to approve the Variation to permit a deck to encroach in the required rear yard setback and Staff concurs with this recommendation.

ACTION REQUIRED:

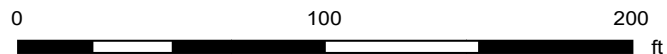
A motion to approve the Variation to permit a deck to encroach in the required rear yard setback.

ATTACHMENTS:

- Aerial Map
- ORD VAR 28 W Michigan Ave
- EXHIBIT - Site Plan
- EXHIBIT - Deck Plans
- PZC Draft Minutes 11-14-23
- PZC Materials 11-14-23



Attachment: Aerial Map (28 W. Michigan Ave - VAR Deck)



Print Date: 10/20/2023

Notes

Cook County Aerial 2022

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A VARIATION
28 W. MICHIGAN AVENUE**

WHEREAS, pursuant to a petition and public November 14, 2023, of which public notice was given as required by law, the Planning and Zoning Commission of the Village of Palatine, in accordance with the Zoning Ordinance of the Village of Palatine, in such case made and provided, has held such public hearing and reported their findings relative to a request for a Variation to permit a deck to be 15 feet from the rear lot line, instead of the minimum required 25 feet pursuant to Section 10.01 (d) (2) (u) of the Village of Palatine Zoning Ordinance, on the following legally described property:

LOT 2 IN HAYFORD'S SUBDIVISION OF LOT 6 IN BLOCK 3 IN ARTHUR T. MCINTOSH'S PALATINE ESTATES UNIT NUMBER 1 IN SOUTHEAST 1/4 OF SOUTHEAST 1/4 OF SECTION 22 AND OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as 28 W. Michigan Avenue (02-22-408-016-0000).

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Village Council of the Village of Palatine, Cook County, Illinois, acting in the exercise of their home rule power that:

SECTION 1: Variation to permit a deck to be 15 feet from the rear lot line, instead of the minimum required 25 feet pursuant to Section 10.01 (d) (2) (u) of the Village of Palatine Zoning Ordinance, is hereby granted, subject to the following condition:

Attachment: ORD VAR 28 W Michigan Ave (28 W. Michigan Ave - VAR Deck)

ORDINANCE NO.

Page 2 of 2

1. The Variation shall substantially conform to the Deck Elevation and Site Plan submitted by Petitioner, John Slezak, except as such plans may be changed to conform to Village Codes and Ordinances.

SECTION 2: That a copy of the public notice is attached hereto and form a part of this ordinance.

SECTION 3: That this ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PASSED: This _____ day of _____, 2023

AYES:_____ NAYS:_____ ABSENT:_____ PASS:_____

APPROVED by me this _____ day of _____, 2023

Mayor of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk this

_____ day of _____, 2023

Village Clerk

Attachment: ORD VAR 28 W Michigan Ave (28 W. Michigan Ave - VAR Deck)

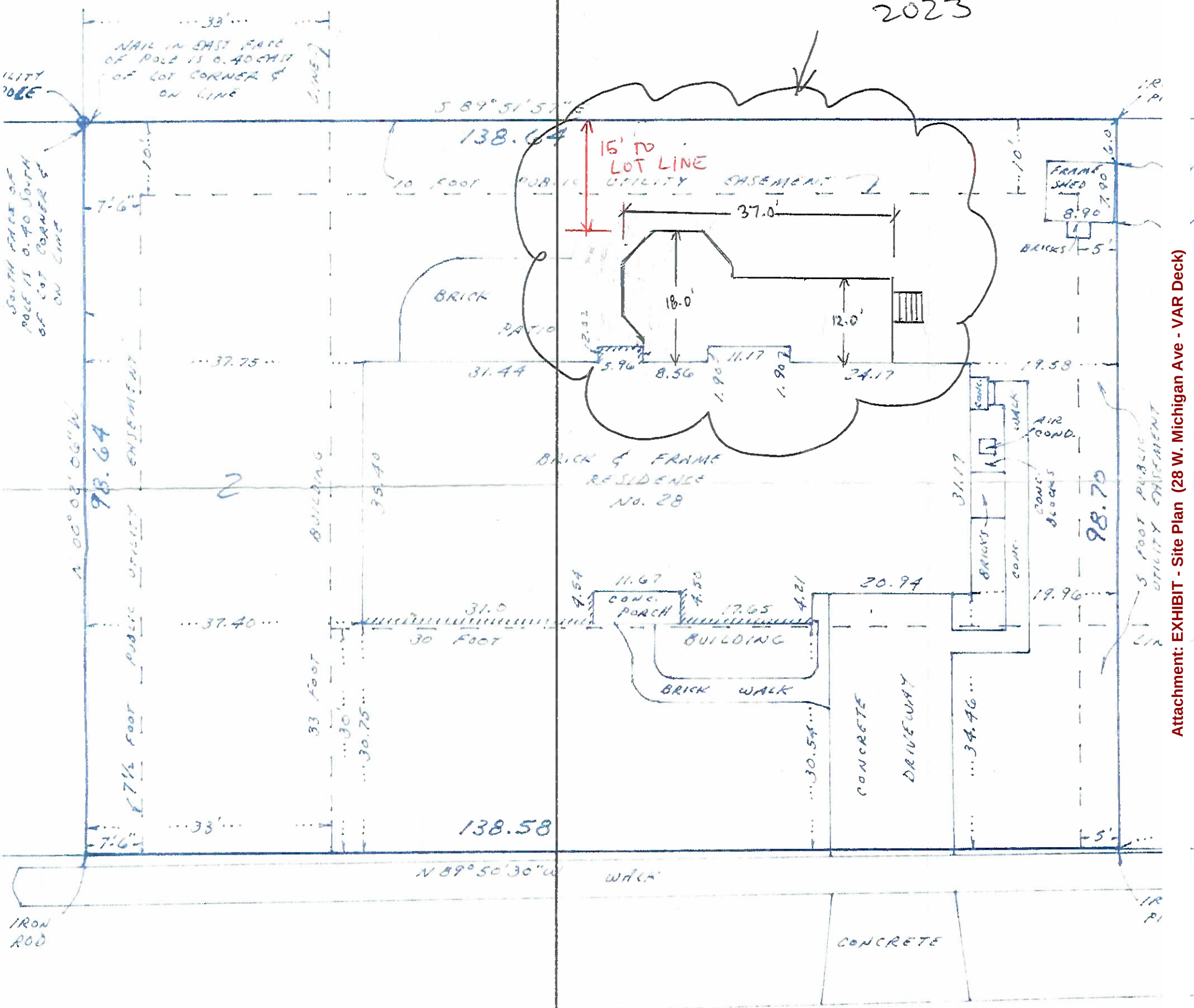


PLAT OF SURVEY

SCALE: 1 inch = 15 feet

LOT 2 IN HAYFORD'S SUBDIVISION OF LOT 6 IN BLOCK 3 IN ARTHUR T. MCINTOSH'S PALATINE ESTATES UNIT NUMBER 1 IN SOUTHEAST 1/4 OF SOUTHEAST 1/4 OF SECTION 22 AND OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILL

NEW DECK
2023



Attachment: EXHIBIT - Site Plan (28 W. Michigan Ave - VAR Deck)

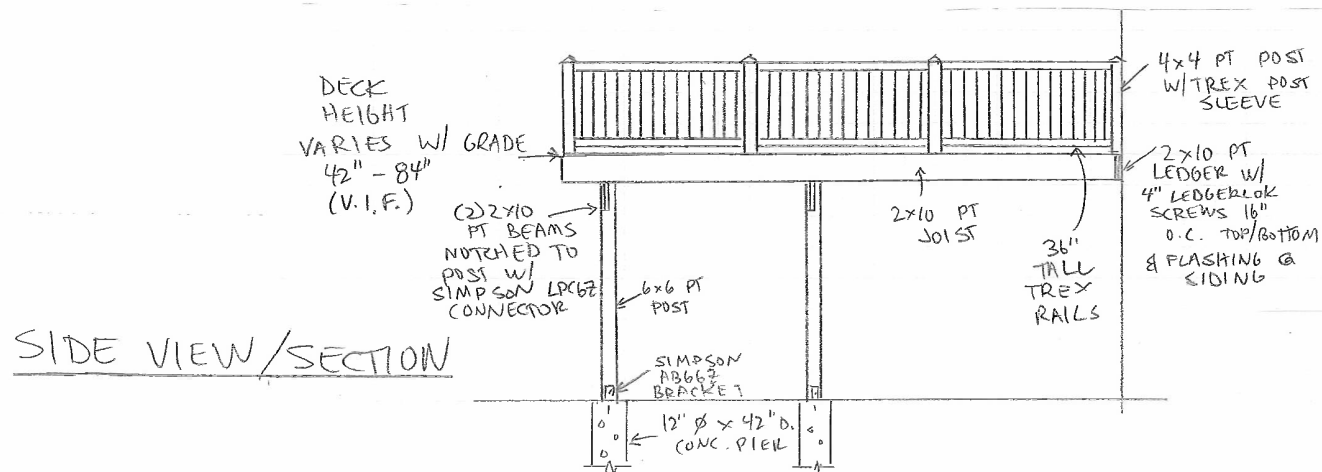
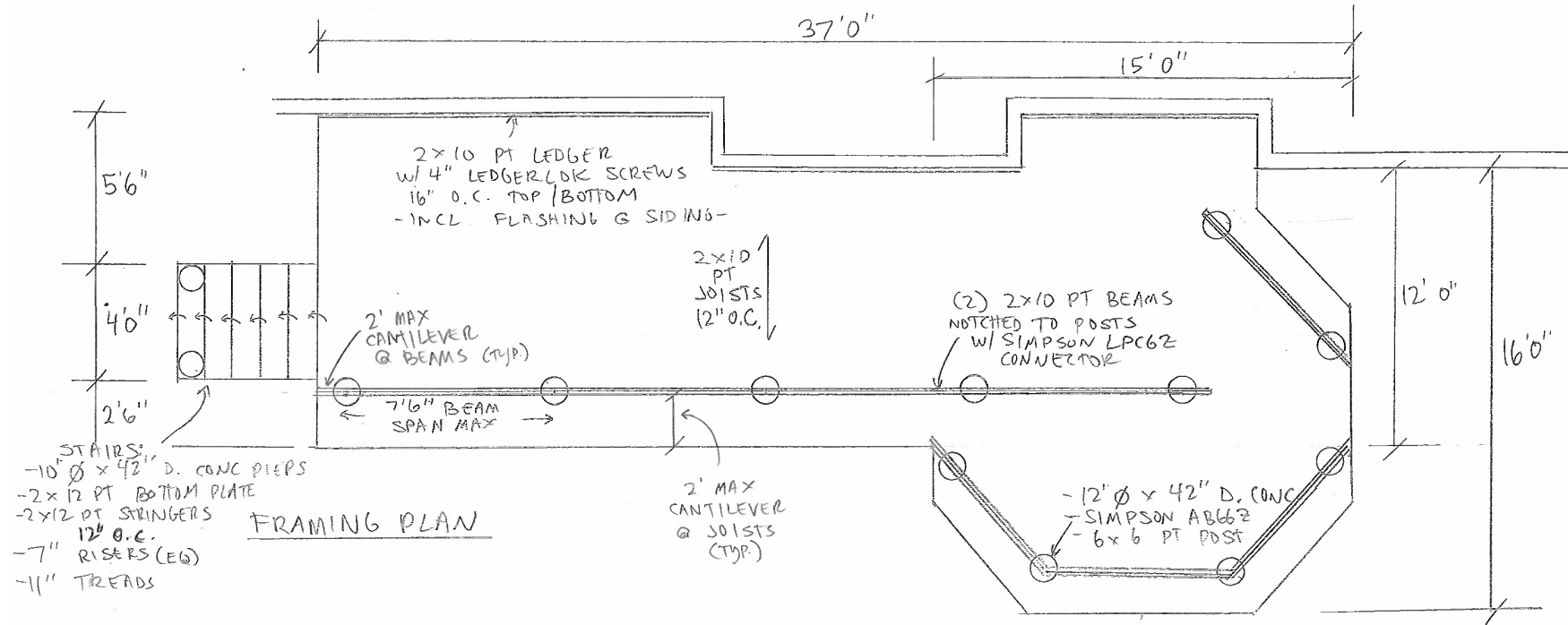
ORDER NUMBER 50058
FIELD BOOK 42-10-28 PAGE 153
ORDERED BY Kathleen E. Rodriguez, Esq.

Compare legal description on this plat with deed or title policy. Compare all points before building by same and report any differences at once. Building lines and easements, if any are shown as they appear on the recorded plat of subdivision, otherwise refer to deed, title policy or Zoning ordinances. Distances

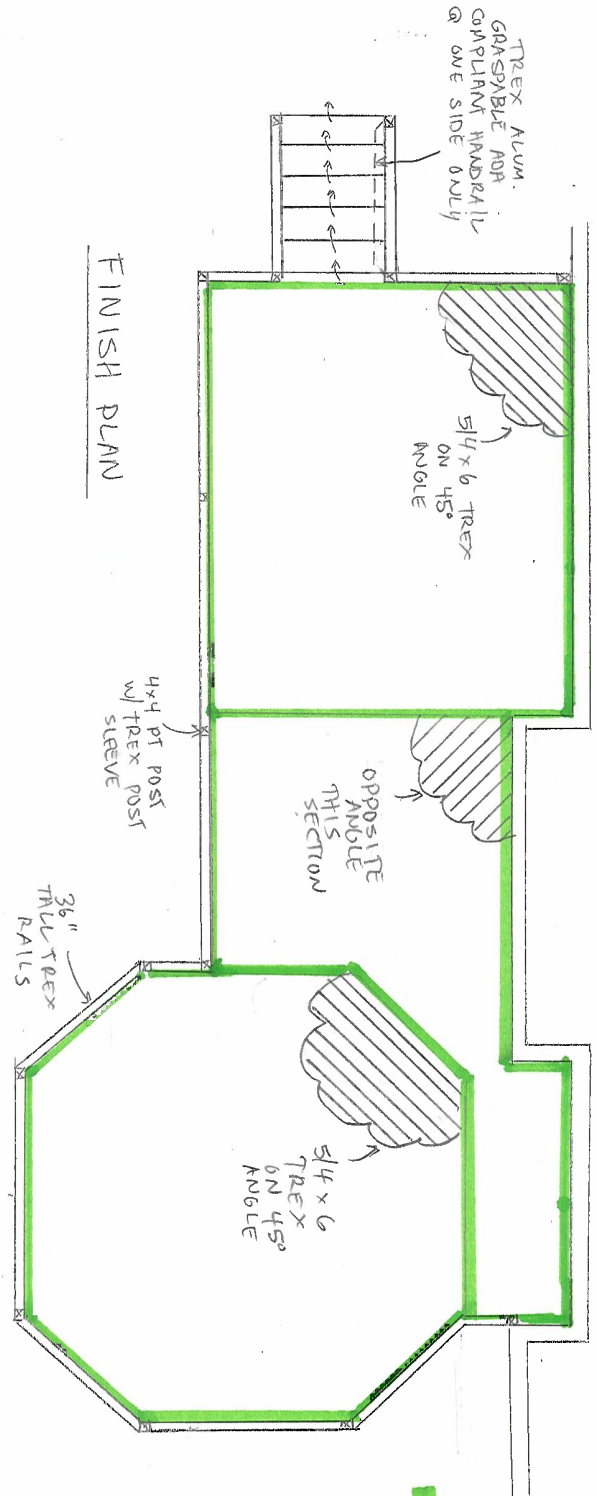


STATE OF ILLINOIS
COUNTY OF COOK

I, ANTON ADAMS, Illinois Professional Surveyor, certify that I have surveyed the property described above and that this is a correct representation thereof. This plat complies with the current Illinois minimum standards for a boundary survey.

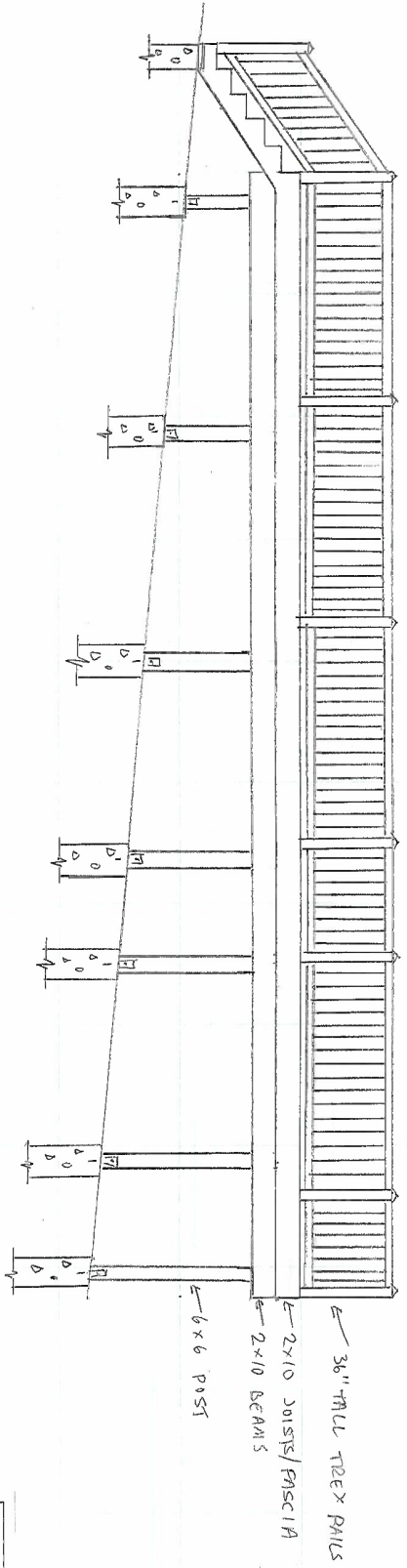


Slezak Residence		
28 W Michigan Ave, Palatine IL		
DATE: 8/7/23	APPROVED BY:	DRAWN BY: EH
REVISED:		SCALE: 1/4" = 1'
CRAIGER CUSTOM DESIGN		DRAWING #:
2510 Route 176, Unit D, Crystal Lake IL 60014		1 of 2
815-479-9660		



[Green line] = BORDER PCS

FRONT VIEW



Slezak Residence		28 W Michigan Ave, Palatine, IL	
DATE: 8/7/23	APPROVED BY:	DRAWN BY: EH	
REVISED:		SCALE: 1/4" = 1'	
CRAIGER CUSTOM DESIGN		DRAWING #:	2 of 2
2510 Route 176, Unit D, Crystal Lake, IL 60014			
815-479-9660			

III. PUBLIC HEARING

1. 28 W. Michigan Avenue

SU-000077 - 28 W. Michigan Ave.

Notice was published in the Journal & Topics on October 26th, 2023 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Variation Application
2. Proof of Ownership
3. Plat of Survey
4. Site Plan
5. Deck Plans & Elevations
6. Public Notice

Ms. Bremanis provides background and states the petitioner is proposing to construct a new deck off the rear of the existing home. The proposed deck would be set back approximately 15 feet from rear lot line. The deck height would vary with the grading of the rear yard, ranging from 3.5 to 7 feet above grade. The petitioner is requesting a variation to permit a deck to be 15 feet from the rear lot line instead of the minimum required 25 feet.

Sworn in petitioner: John Slezak - 28 W. Michigan Ave.

Mr. Slezak explains that when he purchased the property, the original building plans included a deck at the back of the home, but it was never constructed. He expresses the intention to add the deck for entertainment and to enhance enjoyment of the backyard, particularly since the home has a second-floor walkout.

Commissioner Kolososki seeks clarification, asking if the deck is intended to be 15 feet to the post.

Mr. Slezak states it would be attached to the house.

Commissioner Kolososki asks if the 15 feet is to the end of the overhang.

Mr. Slezak confirms that is correct.

Chairman Wood seeks information about the adjoining lots in the backyard.

Mr. Slezak states the lots are maintained and believes they would not be built on as there is no access to that area.

Commissioner Bettenhausen asks about access to the deck.

Mr. Slezak states there is only an 8' window and plans on applying for a building permit in the future for a sliding glass door for access to the deck.

Commissioner Kolososki asks about the materials that would be used for the

deck.

Mr. Slezak responds that the deck would be constructed using wolmanized wood.

Ms. Bremanis provides additional info and states the deck is located 15 feet from the side property line instead of the required 25 feet. She states there is heavy sloping in the rear yard and the deck height will vary with the grading of the rear yard. She further states that lot coverage with deck does not exceed the maximum permitted lot coverage or the maximum 10% of the rear yard coverage. Community Services and Engineering departments reviewed and there were no issues identified.

Commissioner Kolososki inquires about the brick patio, asking if it will remain in place.

Mr. Slezak confirms that the brick patio will stay in place.

Commissioner Friedman asks if there are any plans for future development of the rear lots.

Ms. Bremanis responds that currently, there are no plans for future development, but acknowledges that it could be subject to development. She emphasizes that if any development were to proceed, the deck setback would be an existing condition of which they would be aware.

STAFF RECOMMENDATION:

The Petitioner is proposing to construct a new deck off the rear of the existing single-family residence. The proposed deck would be set back approximately 15 feet from the rear lot line, which is comparable to zoning relief granted to a couple other properties in the immediate surrounding area. Staff also notes that the existing residence is non-conforming to the rear, which creates a unique circumstance and limits the size of any addition to the rear of the home. Ultimately, the proposal should not alter the character of the locality. Therefore, Staff recommends approval of the requested Variation, subject to the following condition:

1. The Variation shall substantially conform to the Site Plan and Deck Elevation Plan submitted by the Petitioner, John Slezak, except such plans may be changed to conform to the Village Codes and Ordinances.

There were no further questions. The public hearing was closed.

Commissioner Noonan made a motion to approve subject staff's conditions; seconded by Commissioner Fedota.

DELIBERATIONS:

Commissioner Fedota expresses support for the request, noting that it appears to be a good design.

Commissioner Roth-Wurster acknowledges the unique circumstance of the property backing up to a vista, meeting the standards, and expresses favor for the request.

Chairman Wood also recognizes the unique circumstance that aligns with the standards and expresses support for the request.

Chairman Wood summarized that this request has met the standards and was unanimously approved by a vote of 7-0. This item will tentatively go to Village Council on Monday, December 4th, 2023.

RESULT:	RECOMMEND TO APPROVE [UNANIMOUS]
MOVER:	Patrick Noonan, Commissioner
SECONDER:	Stephen Fedota, Commissioner
AYES:	Noonan, Roth-Wurster, Friedman, Wood, Bettenhausen, Kolososki, Fedota
ABSENT:	Cavanaugh, Schubert

VILLAGE OF PALATINE
Planning and Zoning Commission

SCHEDULED 11/14/23 07:00 PM

STAFF REPORT (ID # 8710)

28 W. Michigan Avenue

TO: Palatine Planning and Zoning Commission
Jan Wood, Chair

FROM: Alex Bradshaw

PETITIONER: John Slezak

PLAN NUMBER: SU-000077-2023

ADDRESS: 28 W. Michigan Avenue

PROPOSAL:

Variation to permit a deck to be set back 15 feet from the rear property line, instead of the minimum required 25 feet.

<u>LOCATION:</u> 28 W. Michigan Avenue District 2 (Lameland)	<u>CURRENT ZONING:</u> R-2 Single-Family Residential
--	---

SURROUNDING CONDITIONS:

<u>North:</u>	R-2 Single-Family Residential
<u>South:</u>	Planned Development (Single-Family Residential)
<u>East:</u>	R-2 Single-Family Residential
<u>West:</u>	R-2 Single-Family Residential

BACKGROUND:

The Petitioner is proposing to construct a new deck off the rear of their existing single-family residence. The proposed deck would be set back approximately 15 feet from the rear property line. The deck height will vary with the grading of the rear yard, ranging from 3.5 feet to 7 feet above grade. Therefore, the Petitioner is requesting the following:

Variation to permit a deck to be 15 feet from the rear lot line, instead of the minimum required 25 feet.

SITE ANALYSIS:

- The Subject Property is zoned R-2 Single-Family Residential and is within the Hayford's Re-subdivision. The deck is located 15 feet from the side property line, instead of the required 25 feet.
- The existing residence is setback approximately 33 feet from the rear lot line, instead of the minimum required 40 feet. Therefore, the subject property is

Attachment: PZC Materials 11-14-23 (28 W. Michigan Ave - VAR Deck)

existing non-conforming to the required rear yard setback in the R-2 zoning district.

- The Petitioners are proposing to build a new deck off the rear of the existing residence.
- The deck is located on the north side of the home and is located within 15 feet of the rear (north) property line. Decks 16" or more above grade are required to be setback a minimum of 25 feet.
- The subdivision directly to the east, New Haven Grove (#O-36-03), is a planned development that was amended in 2005 to reduce the required setback for decks to be 10 feet from the rear lot line, instead of the minimum required 25 feet. This is only in effect for 16 & 22 E. Michigan. Additionally, the two aforementioned interior lots have similar lot depths when compared to the subject property. All of these lots are shallower than the Subdivision Ordinance minimum lot depth of 110 feet.
- The Subject Property, including the constructed deck does not exceed the maximum permitted lot coverage, nor the maximum 10% of the rear yard coverage.

DEPARTMENTAL REVIEWS:

Community Services	No Issues Identified.
Engineering	No Issues Identified.
Environmental Health	N/A
Fire Prevention	N/A
Public Works	N/A
Police	N/A

STANDARDS FOR A VARIATION: Standards for a Variation are found in Section 14.03 D (1) and (2) of the Zoning Code. Specifically, the Petitioners must show that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality. The Petition for Variation is attached, and the Petitioners have attempted to address the required standards.

STAFF RECOMMENDATION:

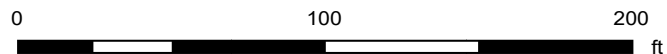
The Petitioner is proposing to construct a new deck off the rear of the existing single-family residence. The proposed deck would be set back approximately 15 feet from the rear lot line, which is comparable to zoning relief granted to a couple other properties in the immediate surrounding area. Staff also notes that the existing residence is non-

conforming to the rear, which creates a unique circumstance and limits the size of any addition to the rear of the home. Ultimately, the proposal should not alter the character of the locality. Therefore, Staff recommends approval of the requested Variation, subject to the following condition:

1. The Variation shall substantially conform to the Site Plan and Deck Elevation Plan submitted by the Petitioner, John Slezak, except such plans may be changed to conform to the Village Codes and Ordinances.

ATTACHMENTS:

- Aerial Map
- Variation Application
- Plat of Survey
- Site Plan
- Deck Plans & Elevations
- Public Notice



Print Date: 10/20/2023

Notes

Cook County Aerial 2022

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

Attachment: PZC Materials 11-14-23 (28 W. Michigan Ave - VAR Deck)



VARIATION APPLICATION

Department of Planning & Zoning

200 E. Wood Street • Palatine, IL • 60067-5339
 Telephone: (847) 359-9047 • Fax (847) 963-6247

Petitioner Name

John Slezak

Business Name (if applicable)

Subject Property Address

28 W. Michigan Avenue

Please provide a description of your proposed request:

To build a sun deck on the rear of a house that goes from 12ft out to 16ft on a narrow lot and looking to get a variance because the deck is not 25ft from the lot line

Petitioner Justification

Variations shall not be granted except on findings based upon the evidence in each specific case. Please address the following standards as these will be used in considering the specific relief you are seeking.

That the property cannot yield a reasonable return if used only under the conditions allowed by the regulations governing the zoning district in which it is located:

Home is only 33ft from rear lot line. Any reasonably sized deck would not meet the 25ft requirement.

That the plight of the owner is due to unique circumstances:

Rear yard not large enough to construct proposed deck.

That the Variation, if granted, will not alter the essential character of the locality:

It may enhance property values and there are other homes with similar decks in the area.

In order to supplement the above standards, the Planning and Zoning Commission may also consider the following:

- The particular surroundings, shape, or topographical conditions of the property.
- A unique hardship for the property not generally applicable to other properties in the same zoning district.
- The request is not based on a desire to make more money out of the property.

Attachment: PZC Materials 11-14-23 (28 W. Michigan Ave - VAR Deck)

- d. The petitioner has not created the alleged hardship for the property.
- e. The request will not be detrimental the public welfare or other properties in the neighborhood.
- f. The request will not impair supply of light and air to adjacent properties, substantially increase the danger of fire, endanger the public safety, or substantially diminish or impair neighboring property values.

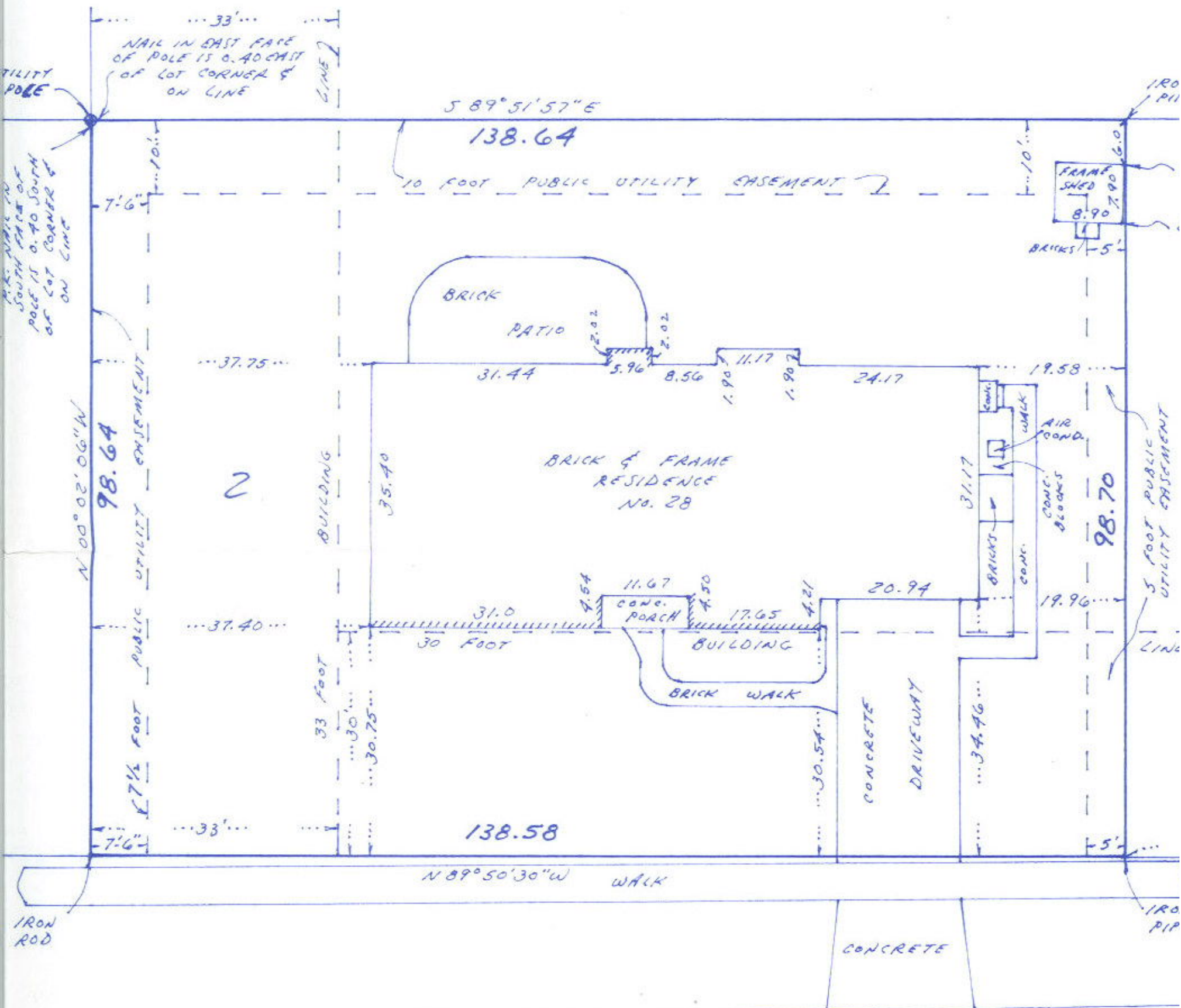
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PLAT OF SURVEY

SCALE: 1 inch = 15 feet

LOT 2 IN HAYFORD'S SUBDIVISION OF LOT 6 IN BLOCK 3 IN ARTHUR T. MCINTOSH'S PALATINE ESTATES UNIT NUMBER 1 IN SOUTHEAST 1/4 OF SOUTHEAST 1/4 OF SECTION 22 AND OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS



W. MICHIGAN (BLACKTOP) AVENUE

ORDER NUMBER: 50058
FIELD BOOK: 42-10-28 PAGE: 153
ORDERED BY: Kathleen E. Rodriguez, Esq.

Compare legal description on this plat with deed or title policy. Compare all points before building by same and report any differences at once. Building lines and easements, if any, are shown as they appear on the recorded plat of subdivision, otherwise refer to deed, title policy or Zoning ordinances. Distances or angles shown may not be assumed by scaling.



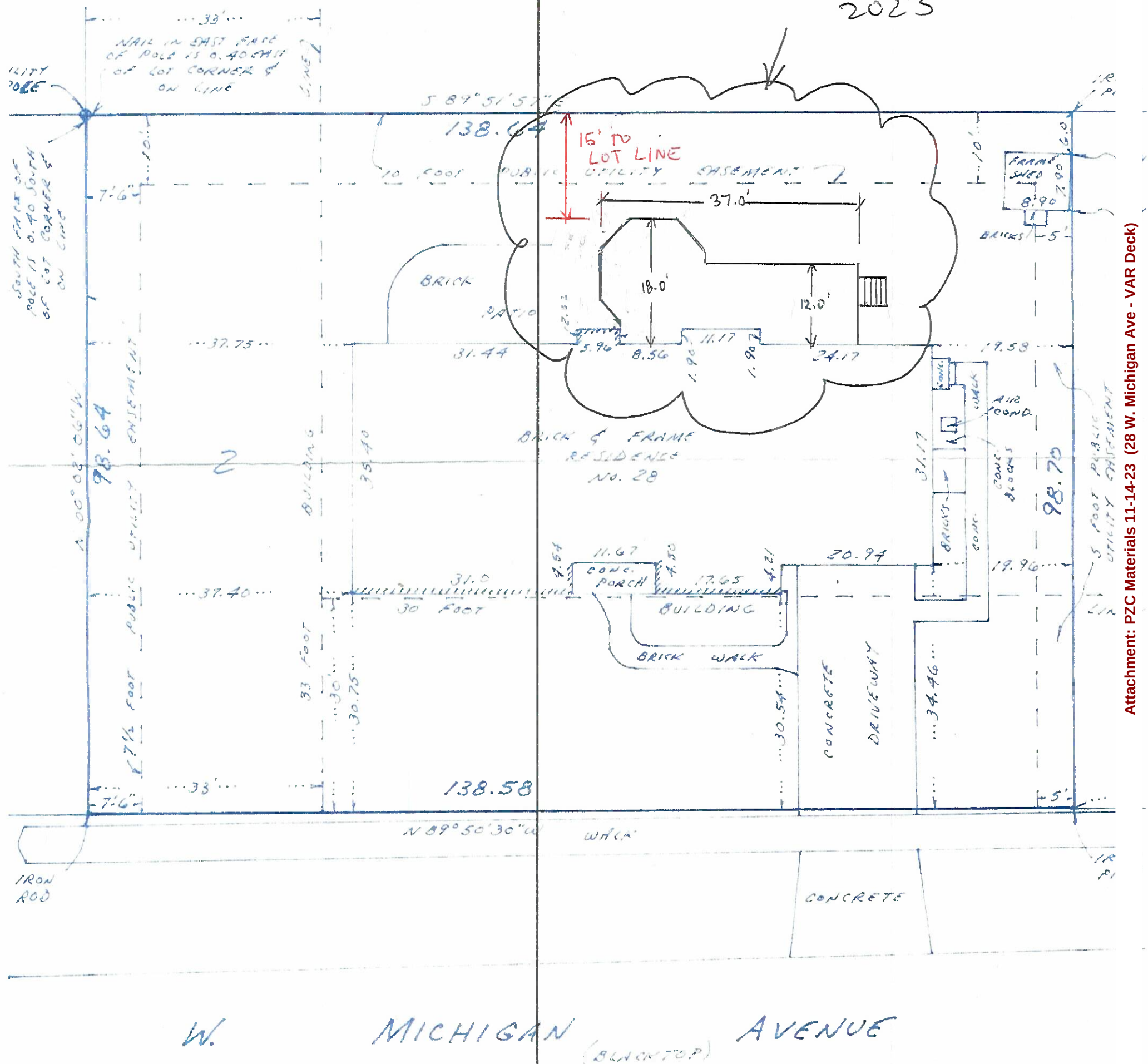
STATE OF ILLINOIS)
COUNTY OF COOK) ss.
I, ANTON ADAMS, Illinois Professional Land Surveyor, do hereby certify that I have surveyed the property described above and that the same is a correct representation thereof. This professional seal is a correct representation of the current Illinois minimum standards for a boundary survey.

MOUNT PROSPECT, ILLINOIS. August 2, 2012
[Signature]
Illinois Professional Land Surveyor
License # [Blank] Packet Pg. 152

SCHE Lunch 15 feet

LOT 2 IN HAYFORD'S SUBDIVISION OF LOT 6 IN BLOCK 3 IN ARTHUR T.
MCINTOSH'S PALATINE ESTATES UNIT NUMBER 1 IN SOUTHEAST $\frac{1}{4}$ OF SOUTHEAST $\frac{1}{4}$ OF
SECTION 22 AND OF THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 23, TOWNSHIP
42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILL

NEW DECK
2023



Attachment: PZC Materials 11-14-23 (28 W. Michigan Ave - VAR Deck)

(ORDERED BY) Kathleen E. Rodriguez, Esq.

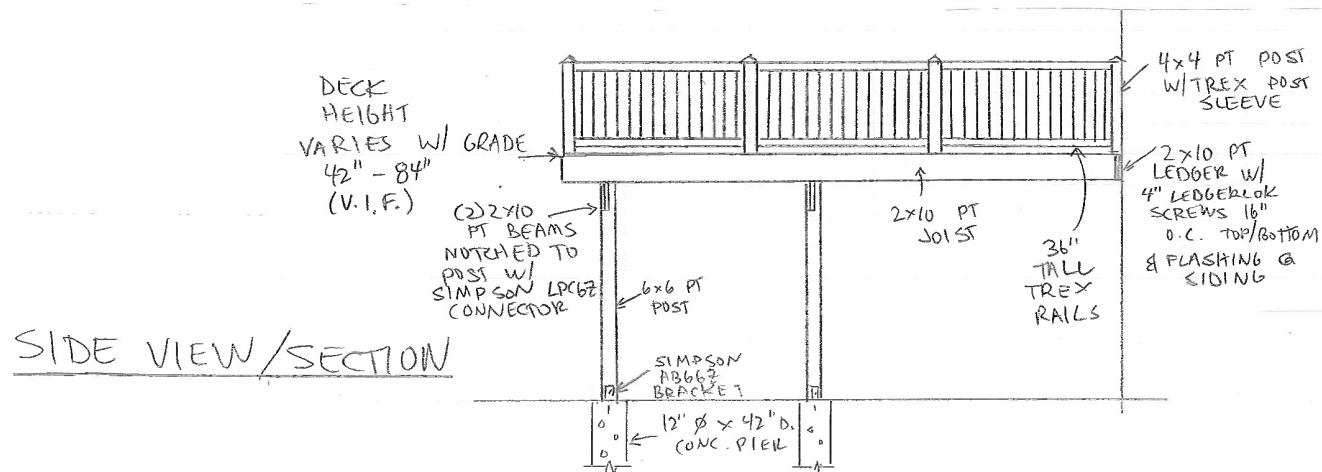
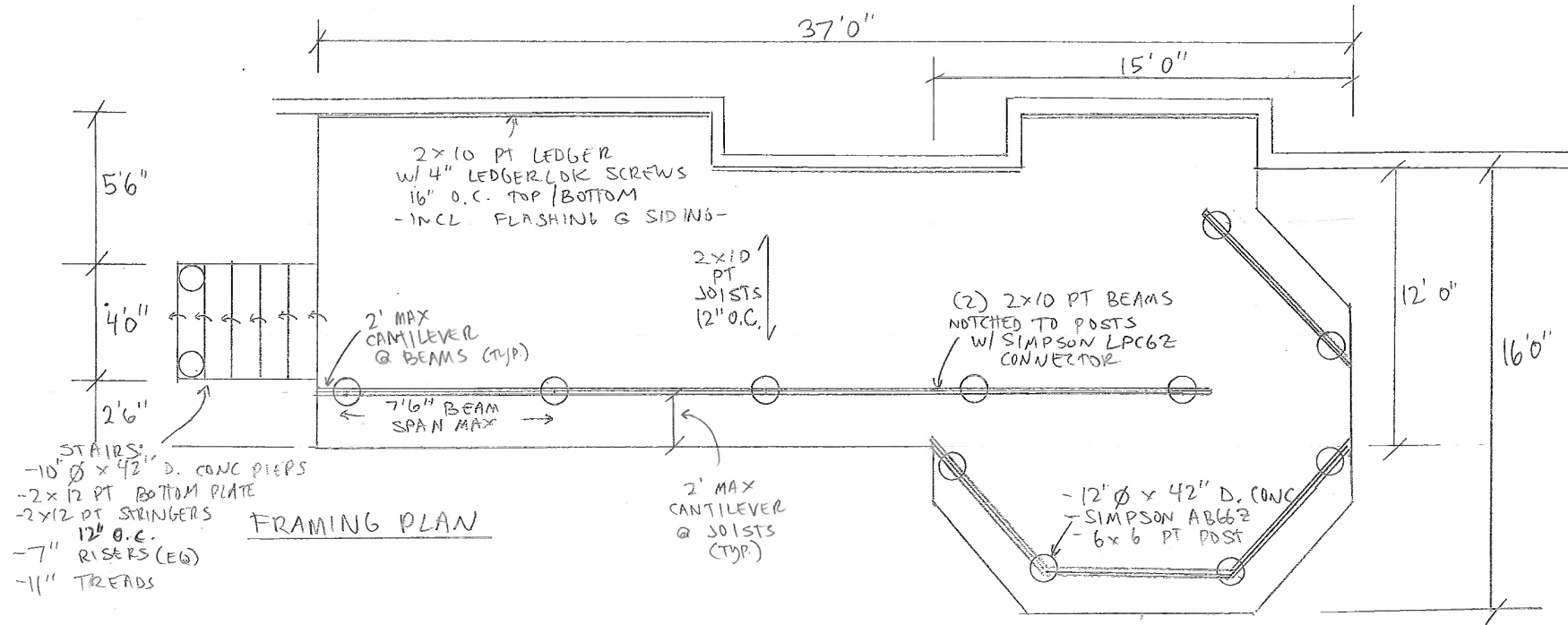
Compare legal description on this plat with deed or title policy. Compare all points before building by same and report any differences at once. Building lines and easements, if any, are shown as they appear on the recorded plat of subdivision, otherwise refer to deed, title policy or Zoning ordinances. Distances



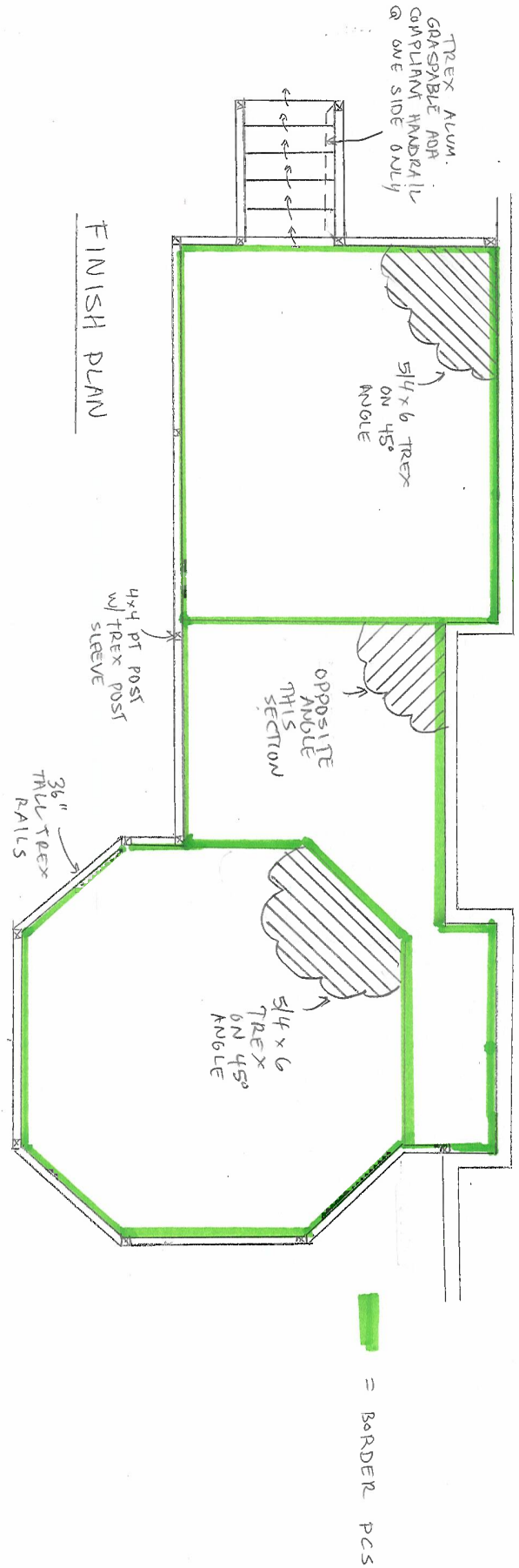
STATE OF ILLINOIS)
COUNTY OF COOK) ss.

I, ANTON ADAMS, Illinois Professional Land Surveyor, certify that I have surveyed the property described above and that it is a correct representation thereof. This project complies with current Illinois minimum standards for a boundary survey.

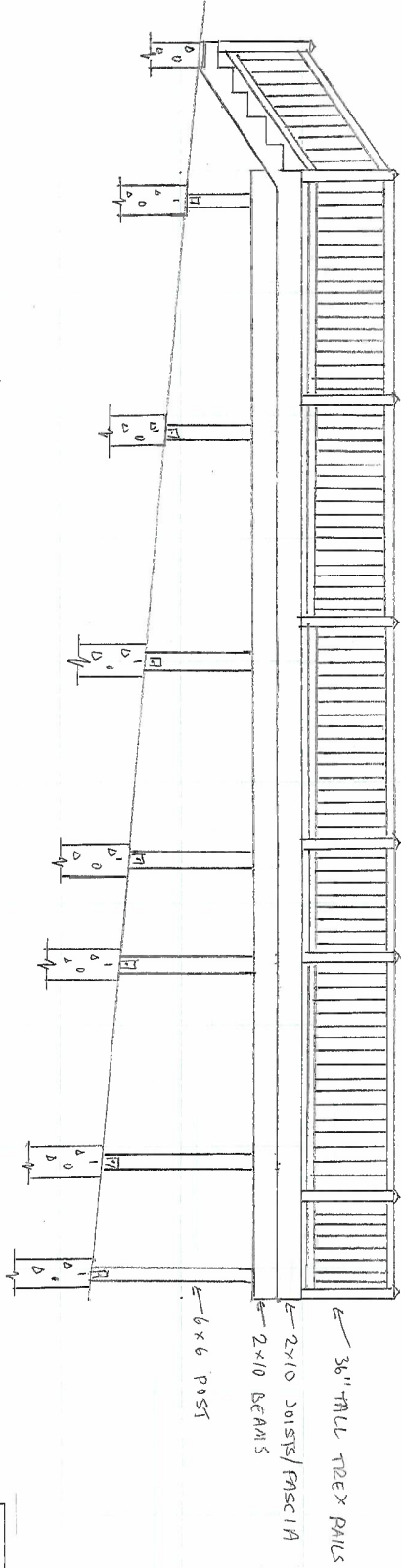
MOUNT PROSPECT, ILLINOIS



Slezak Residence		
28 W Michigan Ave, Palatine IL		
DATE: 8/7/23	APPROVED BY:	DRAWN BY: EH
REVISED:		SCALE: 1/4" = 1'
CRAIGER CUSTOM DESIGN		DRAWING #:
2510 Route 176, Unit D, Crystal Lake IL 60014		1 of 2
815-479-9660		



FINISH PLAN



FRONT VIEW

Slezak Residence		28 W Michigan Ave, Palatine, IL	
DATE: 8/7/23	APPROVED BY:	DRAWN BY: EH	
REVISED:		SCALE: 1/4" = 1'	
CRAIGER CUSTOM DESIGN		DRAWING #:	2 of 2
2510 Route 176, Unit D, Crystal Lake, IL 60014			
815-479-9660			

CERTIFICATE OF PUBLICATION

DES PLAINES JOURNAL, INC., a corporation organized and existing under and by virtue of the laws of the State of Illinois, does hereby CERTIFY that it is the publisher of the:

Journal & Topics Newspapers
AKA Des Plaines Journal, Inc.
622 Graceland Ave.
Des Plaines, IL 60016-4556

and that said newspaper(s) is a secular newspaper of general circulation and has been published weekly in the

(Village) (Town) (City) (Township) of PALATINE 28 W. MICHIGAN AVE.



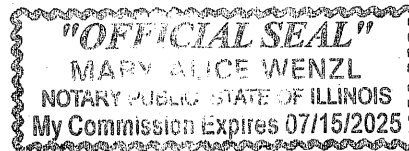
County of COOK

and State of Illinois, continuously for more than one year prior to date of the first publication of the notice attached hereto, and that said newspaper(s) complies with the requirements of Paragraphs 5 and 10, Chapter 100, of the Illinois Revised Statutes.

Further, that the notice, of which the attached is a true copy, was published ONE times in the said newspaper(s), namely once each week for ONE successive week(s) and that the first publication of said notice was made on the 26TH day of OCTOBER, A.D. 2023, and the last publication thereof was made on the 26TH day of OCTOBER, A.D. 2023.

Your Legal appeared in
the following Journal & Topics
Newspapers
(Des Plaines Journal, Inc.)

- ☐ Des Plaines Journal
- ☐ Elk Grove Village Journal
- ☐ Mt. Prospect Journal
- ☐ Niles Journal
- ☐ Park Ridge-Golf Mill Journal
- ☐ Prospect Heights Journal
- ☐ Rosemont Journal
- ☐ Arlington Heights Topics
- ☐ Buffalo Grove Topics
- ☒ Palatine Topics
- ☐ Rolling Meadows Topics
- ☐ Wheeling Topics
- ☐ Suburban Journal
- ☐ Northwest Journal
- ☐ Glenview Journal



Mary Alice Wenzl
IN WITNESS WHEREOF, THE DES PLAINES JOURNAL,
INC., has caused this certificate to be signed and its corporate
seal affixed hereto at Des Plaines, Illinois this 26TH
day of OCTOBER, A.D., 2023.

By Todd Wessell

President

Title of Corporate Officer

County of Cook
State of Illinois

Subscribed and sworn to before me this 26TH day of
OCTOBER, A.D., 2023.

My commission expires the 15TH day of
JULY, A.D., 2025.

Attachment: PZC Materials 11-14-23 (28 W. Michigan Ave - VAR Deck)

Consider an Ordinance Granting a Special Use, Minor Planned Development Amendment, and Parking Variations to Permit a Montessori School at 600 N. First Bank Drive

This item was initially reviewed at the November 20th Village Council meeting, but was continued to allow the Petitioner an opportunity to further amend the site plan (including a 6-foot wooden fence on the west side of the playground and removal of the basketball structure) and business plan information and to allow Staff to draft ordinance conditions, as follows: 1) limit the class enrollment to 50 (to be submitted to the Village in September and February each school year for inclusion in the Business License file), with a requirement for a Special Use Amendment and Planning & Zoning Commission Public Hearing a Village Council approval, to request an enrollment expansion, 2) include authorization, at the sole discretion of the Village Manager, to impose Montessori School start/dismissal time adjustments to address Village identified traffic management issues within the office park.

BACKGROUND:

The Petitioner is proposing to open a new Montessori School, Grow Montessori Academy, within the ground floor tenant space of the Subject Property. The Montessori would include an approximately 3,500 square foot outdoor play area north of the building. The existing parking stalls would be reconfigured to make space for the proposed outdoor play area. Therefore, the Petitioner is requesting approval of the following:

Special Use to permit a Montessori School at the Subject Property;

Minor Planned Development Amendment to allow for the addition of the outdoor play area within the Renaissance (Sellergren) Planned Development;

Variation to permit 90-degree angled parking spaces to be 18 feet deep, instead of the minimum required 19 feet deep;

Variation to permit two-way cross aisle widths to be 21.6 feet, instead of the minimum required 24 feet; and

Variation to permit 51 parking spaces, instead of the minimum required 67 parking spaces.

KEY ISSUES:

- The Subject Property, zoned Planned Development, is part of the Renaissance Subdivision and follows the B-1 zoning district regulations for permitted and special uses (#O-67-74 Renaissance Sub. PD & #O-8-77 Renaissance Sub. Amended Uses).
- The Montessori Academy will start with two different programs (see below). Once the academy becomes more established, the submitted business plan indicates that additional classes will be offered for toddlers and adolescents (12-14 yrs. old). The initial student enrollment estimate includes 5 - 7 students (ages 3 to 6) and 6 - 10

students (ages 6 to 12). The expected maximum capacity, if /when all proposed programs are established, would be 95 students.

- The Petitioner has indicated that there will be 3 total staff members to start, and will eventually have a maximum of 10 staff members once fully established.
- The Montessori School would operate Monday through Fridays from 8:00 AM - 3:15 PM. As the Academy continues to grow, and once all programs are fully implemented, there would be an option for 'After School Enrichment' until 5:30 PM.
- In response to comments and questions from the Planning and Zoning Commission and the adjacent property owners regarding traffic impacts at the Public Hearing, a business plan addendum was submitted outlining drop-off/pick-up procedures. Drop-off times would be staggered from 7:50-8:00 AM for Elementary and 8:05-8:15 AM for Primary. The addendum indicates that all parents will be advised on said procedures to avoid congestion issues. As a condition of approval, final directional signage for the parking lot is to be submitted in manner acceptable to the Village Engineer.
- The submitted site plan includes outdoor spaces along the north side of the existing building. Per the submitted renderings of the outdoor spaces, the main play area would be in the northwest corner of the Subject Property and would be set back approximately 23 feet from the northern property line abutting North Court.
- The Petitioner has submitted a revised elevation for a 5-foot tall open-style wrought iron fence, instead of the originally proposed 4-foot-tall fence, with adjacent boulder bollards to provide protection from vehicles navigating through and around the parking lot.
- Staff notes the existence of another outdoor play area within the subject planned development at the Learning Loft at 655 N. First Bank Drive. It was granted a minor planned development amendment in 2008 to permit the fenced-in playground area within the Renaissance Planned Development.
- The business plan identifies a maximum student capacity of 95 students between 5 classrooms. In order to fully assess any traffic and parking impacts as well as the noise concerns, the Village Council may want to include a condition limiting the maximum number of students to 50. To exceed that number would require an additional review before the Village with input from surrounding properties and a chance for staff to provide an assessment of operational impacts to date. An additional Village Council review would then be required to increase the number of students beyond 50, with the ability to include additional Special Use conditions and limitations. Any expansion would be solely based upon Council approval.

ALTERNATIVES:

1. Approve the Special Use, minor Planned Development Amendment, and Parking Variations to permit a Montessori School at the subject property.
2. Do not approve the Special Use, minor Planned Development Amendment, and Parking Variations to permit a Montessori School at the subject property.

RECOMMENDATION:

Public Hearing:

PZC meeting on October 10, 2023.

Residents testifying:

1: Adjacent office property owner with noise and traffic questions and comments. 4 spoke in favor of the Montessori school.

Vote: The PZC voted 4-3 to approve the Special Use, minor Planned Development Amendment, and Parking Variations to permit a Montessori School at the subject property. Staff recommends action at the discretion of the Village Council.

ACTION REQUIRED:

A motion to approve the ordinance granting a Special Use, minor Planned Development Amendment, and Parking Variations to permit a Montessori School at the Subject Property.

ATTACHMENTS:

- Aerial Map
- ORD SU VAR 600 N. First Bank Drive
- EXHIBIT - REVISED SITE PLAN & FENCE DETAILS Grow Montessori - Special Use 11-28-23 Rev. 4
- EXHIBIT - Floor Plan and Exterior Renderings
- EXHIBIT - Business Plan - Revised 11-1-23
- EXHIBIT - Business Plan Addendum - Drop off and Pick up Procedures 11-8-23
- PZC Materials - October 10, 2023
- Previously review site Plan - Revised 11-2-23
- Objection letter - JR ltr to Vyverberg 11092300037020231109120119
- PZC Minutes - October 10, 2023



0 300 600
ft

Print Date: 6/29/2023

Notes

Cook County Aerial 2020

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

Attachment: Aerial Map (2023-112 : 600 N. First Bank Drive - SU Montessori School)

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A SPECIAL USE, MINOR PLANNED DEVELOPMENT
AMENDMENT, AND VARIATIONS
AT 600 N. FIRST BANK DRIVE UNIT C**

WHEREAS, pursuant to a petition and public hearing on October 10, 2023, of which public notice was given as required by law, the Planning and Zoning Commission of the Village of Palatine, in accordance with the Zoning Ordinance of the Village of Palatine, in such case made and provided, has held such public hearing and reported their findings relative to a request for Special Use to permit a Montessori School, Grow Montessori Academy, at the subject property pursuant to Section 11.02 (d) (13) of the Palatine Zoning Ordinance; and a minor Amendment to the Renaissance (Sellergren) Planned Development (#O-67-74) to permit the addition of an outdoor play area at the subject property; and Variation to permit 90-degree angles parking spaces to be 18 feet deep, instead of the minimum required 19 feet deep pursuant to Section 7.04 (d) (3) (a) of the Palatine Zoning Ordinance; and Variation to permit two-way cross aisle widths to be 21.6 feet, instead of the minimum required 24 feet pursuant to Section 7.04 (d) (3) (c) (ii) of the Palatine Zoning Ordinance; and Variation to permit 51 parking spaces, instead of the minimum required 67 parking spaces pursuant to Section 7.03 (b) (1) of the Palatine Zoning Ordinance on the following legally described property:

**PARCEL 1: LOT 19-D IN RENAISSANCE RESUBDIVISION, BEING A
RESUBDIVISION OF PART OF RENAISSANCE SUBDIVISION OF PART OF
THE NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 42 NORTH, RANGE 10,**

Attachment: ORD SU VAR 600 N. First Bank Drive (2023-112 : 600 N. First Bank Drive - SU Montessori School)

EAST OF THE THIRD PRINCIPAL MERIDIAN,

PARCEL 2: EASEMENT FOR THE BENEFIT OF PARCEL 1 AS SET FORTH ON PLAT OF RENAISSANCE RESUBDIVISION RECORDED SEPTEMBER 28, 1977 AS DOCUMENT NUMBER 24125743 AND AS CREATED BY DEED FROM CHICAGO TITLE AND TRUST COMPANY, A CORPORATION OF ILLINOIS, AS TRUSTEE UNDER TRUST AGREEMENT DATED APRIL 6, 1978 AND KNOWN AS TRUST NUMBER 1071974, TO EVELYN HASZ DATED JANUARY 9, 1987 AND RECORDED FEBRUARY 25, 1981 AS DOCUMENT NUMBER 52785929 FOR INGRESS AND EGRESS.

Commonly known as 600 N. First Bank Drive (PIN# 02-14-100-068-0000).

SECTION 1: Special Use to permit a Montessori School, Grow Montessori Academy (Mallory Miller), at the subject property pursuant to Section 11.02 (d) (13) of the Palatine Zoning Ordinance; and a minor Amendment to the Renaissance (Sellergren) Planned Development (#O-67-74) to permit the addition of an outdoor play area at the subject property; and Variation to permit 90-degree angles parking spaces to be 18 feet deep, instead of the minimum required 19 feet deep pursuant to Section 7.04 (d) (3) (a) of the Palatine Zoning Ordinance; and Variation to permit two-way cross aisle widths to be 21.6 feet, instead of the minimum required 24 feet pursuant to Section 7.04 (d) (3) (c) (ii) of the Palatine Zoning Ordinance; and Variation to permit 51 parking spaces, instead of the minimum required 67 parking spaces pursuant to Section 7.03 (b) (1) of the Palatine Zoning Ordinance, is hereby granted, subject to the following condition(s):

- 1. The Special Use and Variation shall substantially conform to the Site Plan, Business Plan, and Floor Plan submitted by the Petitioner, Mallory Miller, Grow Montessori Academy, except as such plans may be changed to conform to Village Codes and Ordinances.**
- 2. Any final traffic directional signage or pavement markings for a one-way**

drive aisle, or pick-up and drop-off locations, shall be submitted in a manner acceptable to the Village Engineer and Director of Planning and Zoning.

3. The fencing and bollard plan, enclosing the proposed outdoor play area, shall be submitted in a manner acceptable to the Director of Planning and Zoning.
4. At 30-day and 90-day intervals, Staff will conduct a traffic management review of the proposed Montessori School. If determined necessary by the Staff review, an additional Village Council review may be required. If an additional Village Council review is required, the Village Council reserves the right to impose any additional conditions on the Special Use, at such time of review.
5. The maximum enrollment allowed shall be 50 students. This will be verified each year by the Petitioner submitting a sworn statement containing semi-annual enrollment numbers in the fall (submitted by 9/15) and spring (submitted by 2/15) to the Village and will be maintained in the Grow Montessori Academy business license file.
6. The Village Manager is authorized to impose start/dismissal time adjustments, as an additional condition to the Special Use, to address Village identified traffic management impacts within the office park. Any required changes to the start/dismissal times would be coordinated with the Grow Montessori Academy, but will be imposed at the sole discretion of the Village Manager.
7. Any request to increase the enrollment beyond 50 students shall require a Special Use amendment, including a public hearing before the Planning and Zoning Commission and Village Council approval. Such approval shall be solely at the discretion of the Village Council.

SECTION 2: That a copy of the public notice is attached hereto and form a part of this ordinance.

SECTION 3: That this ordinance shall be in full force and effect from and after

ORDINANCE NO.
Page 2 of 4

its passage and approval as provided by law.

PASSED: This _____ day of _____, 2023

AYES:_____ NAYS:_____ ABSENT:_____ PASS:_____

APPROVED by me this _____ day of _____, 2023

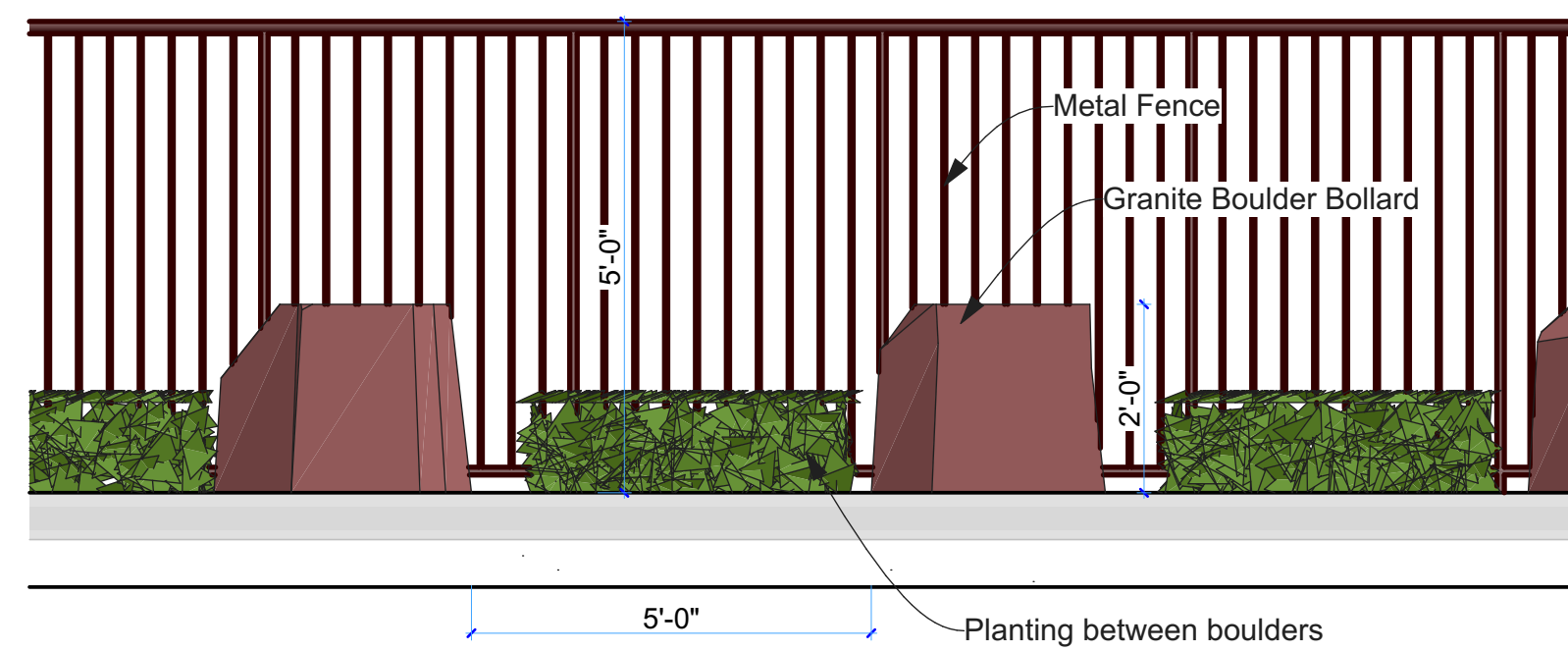
Mayor of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk this

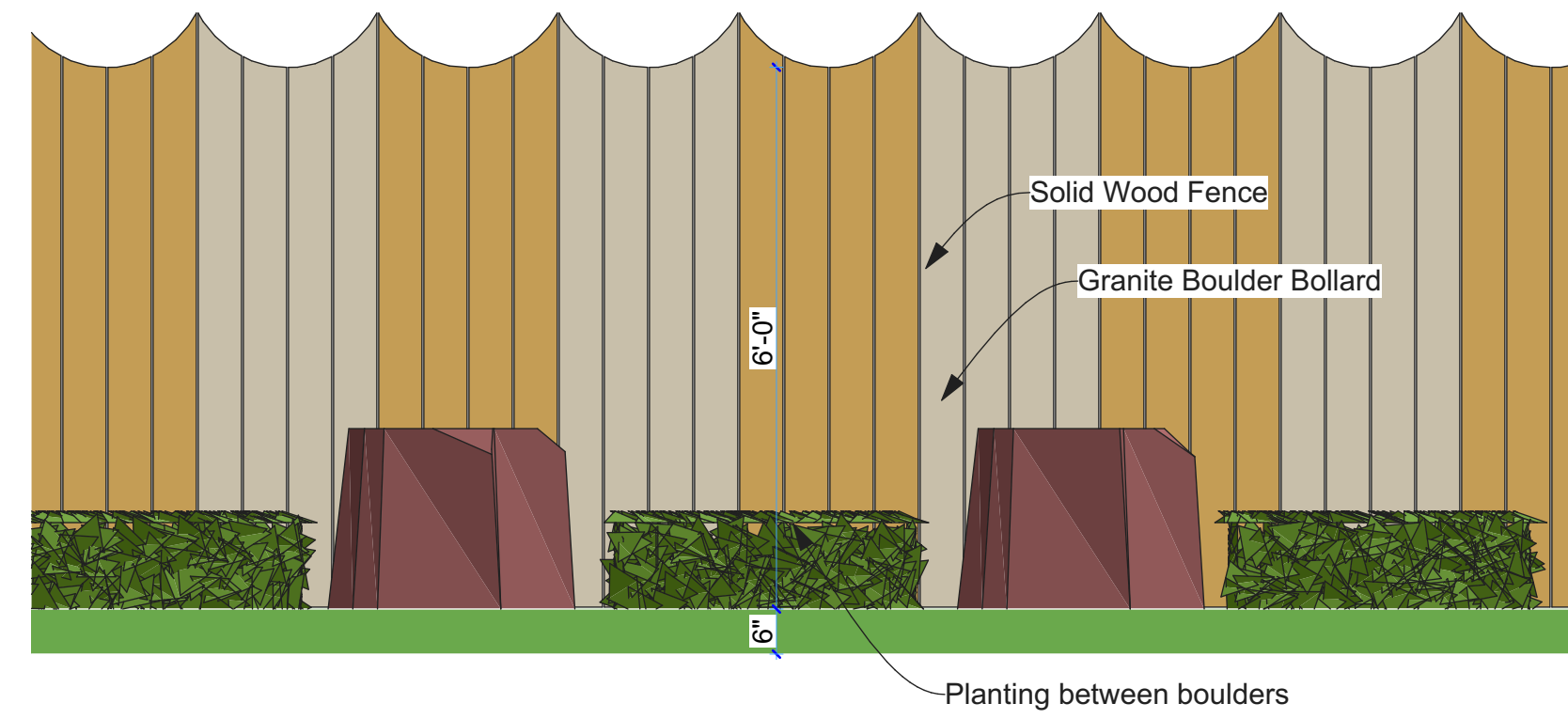
_____ day of _____, 2023

Village Clerk

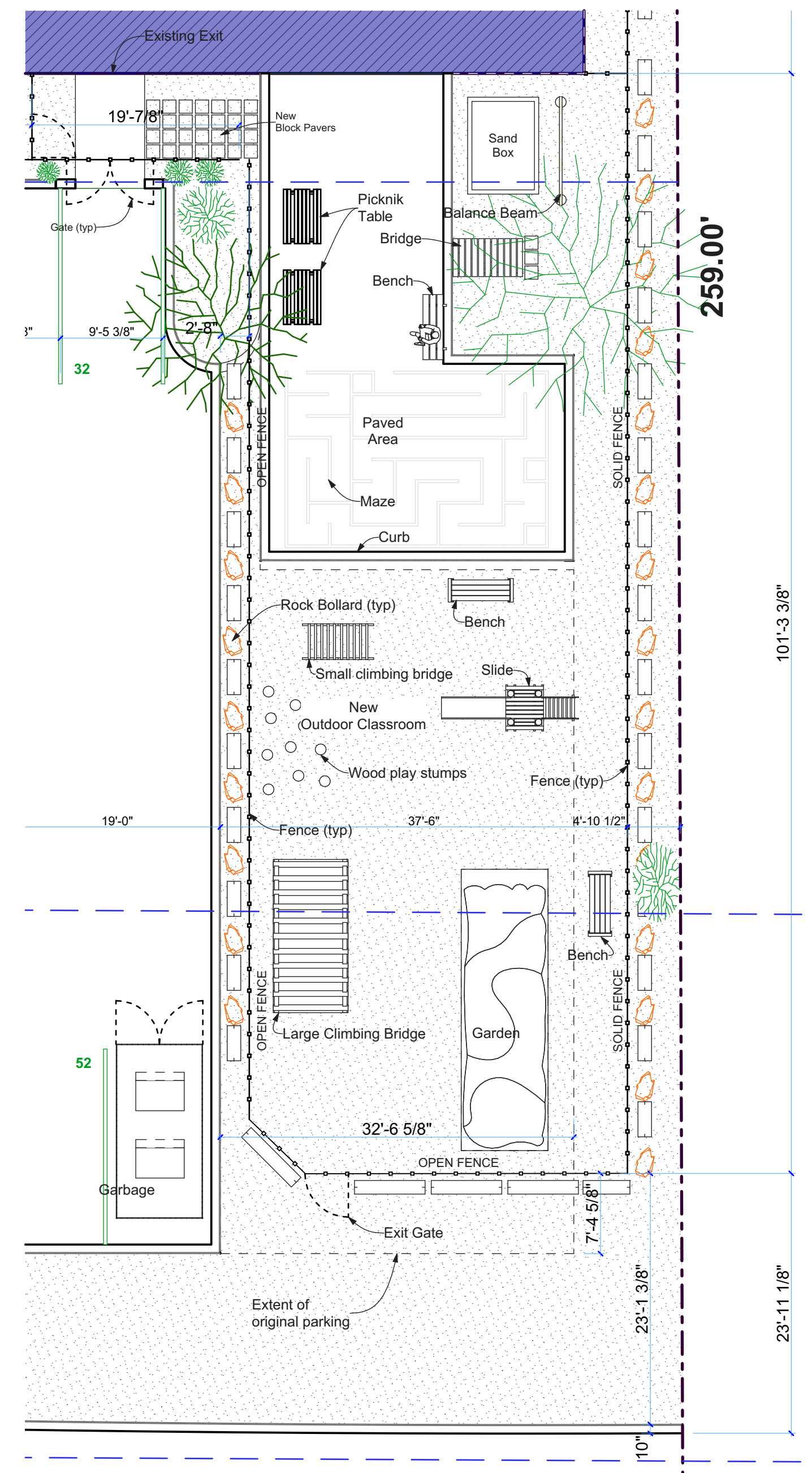
Attachment: ORD SU VAR 600 N. First Bank Drive (2023-112 : 600 N. First Bank Drive - SU Montessori School)



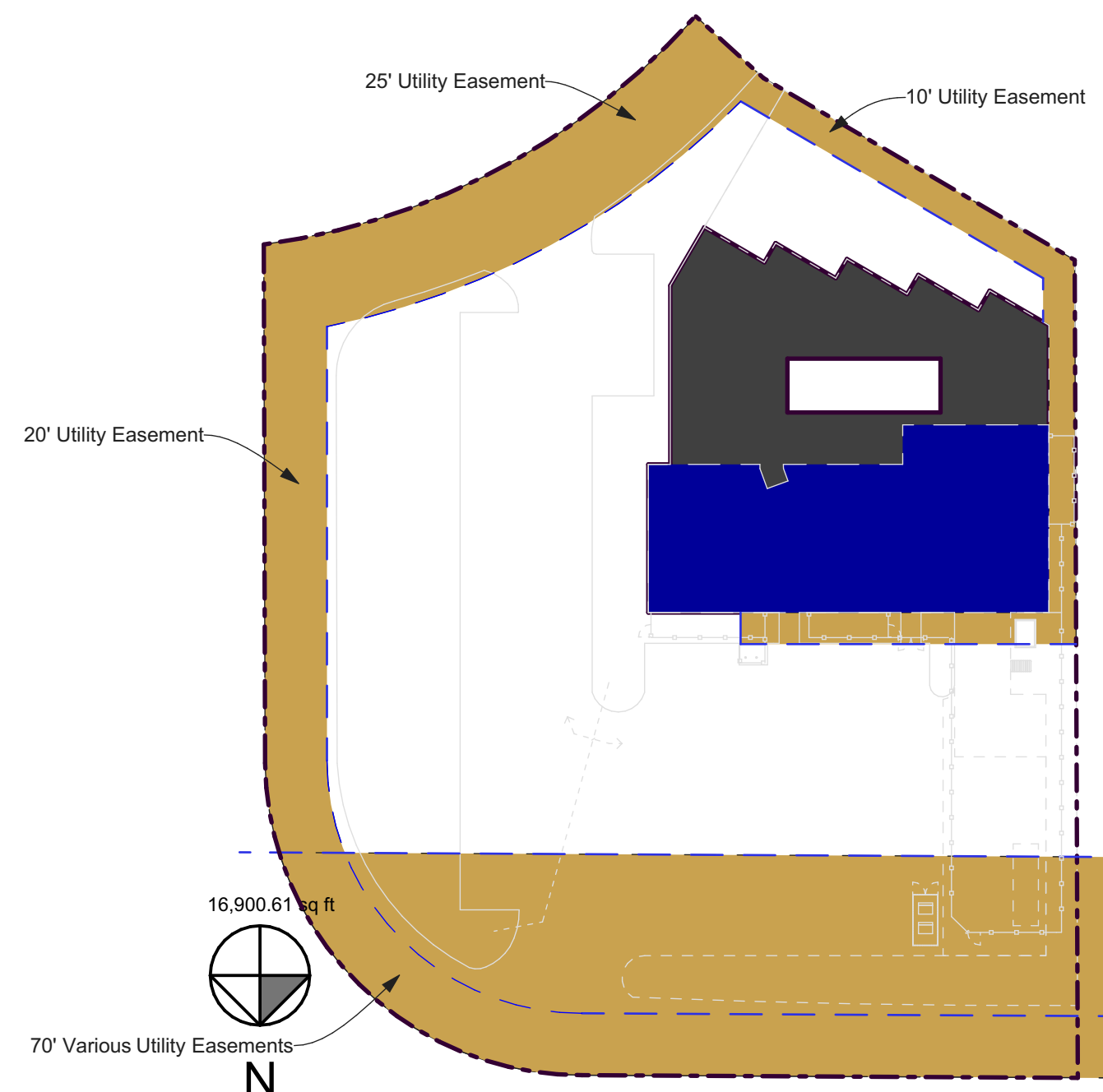
1 Open Fence/Bollard Elevation
SCALE: 1/2" = 1'-0"



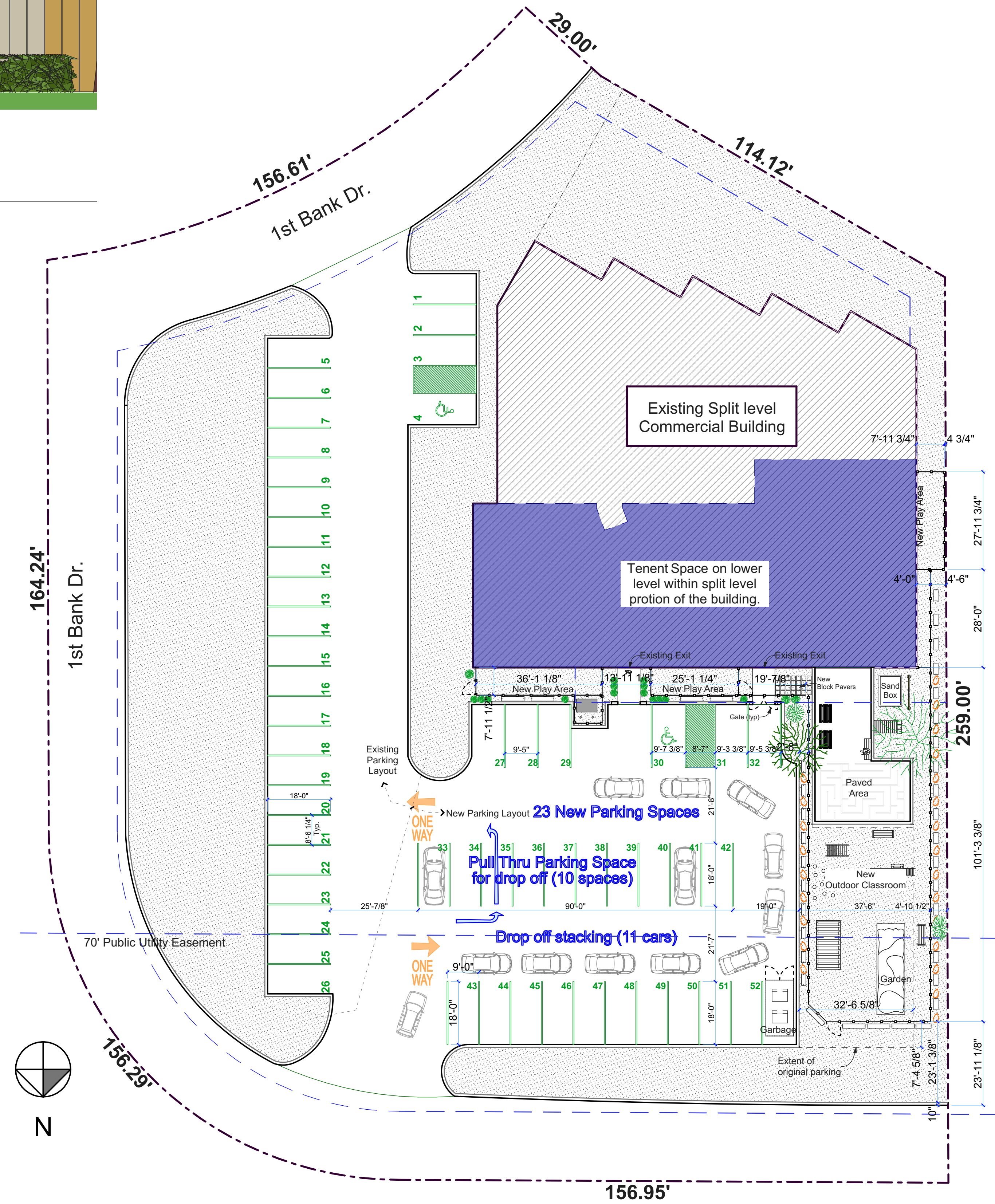
2 Solid Fence / Bollard Elevation
SCALE: 1/2" = 1'-0"



4 Site Furniture/Planting Detail
SCALE: 1" = 10'



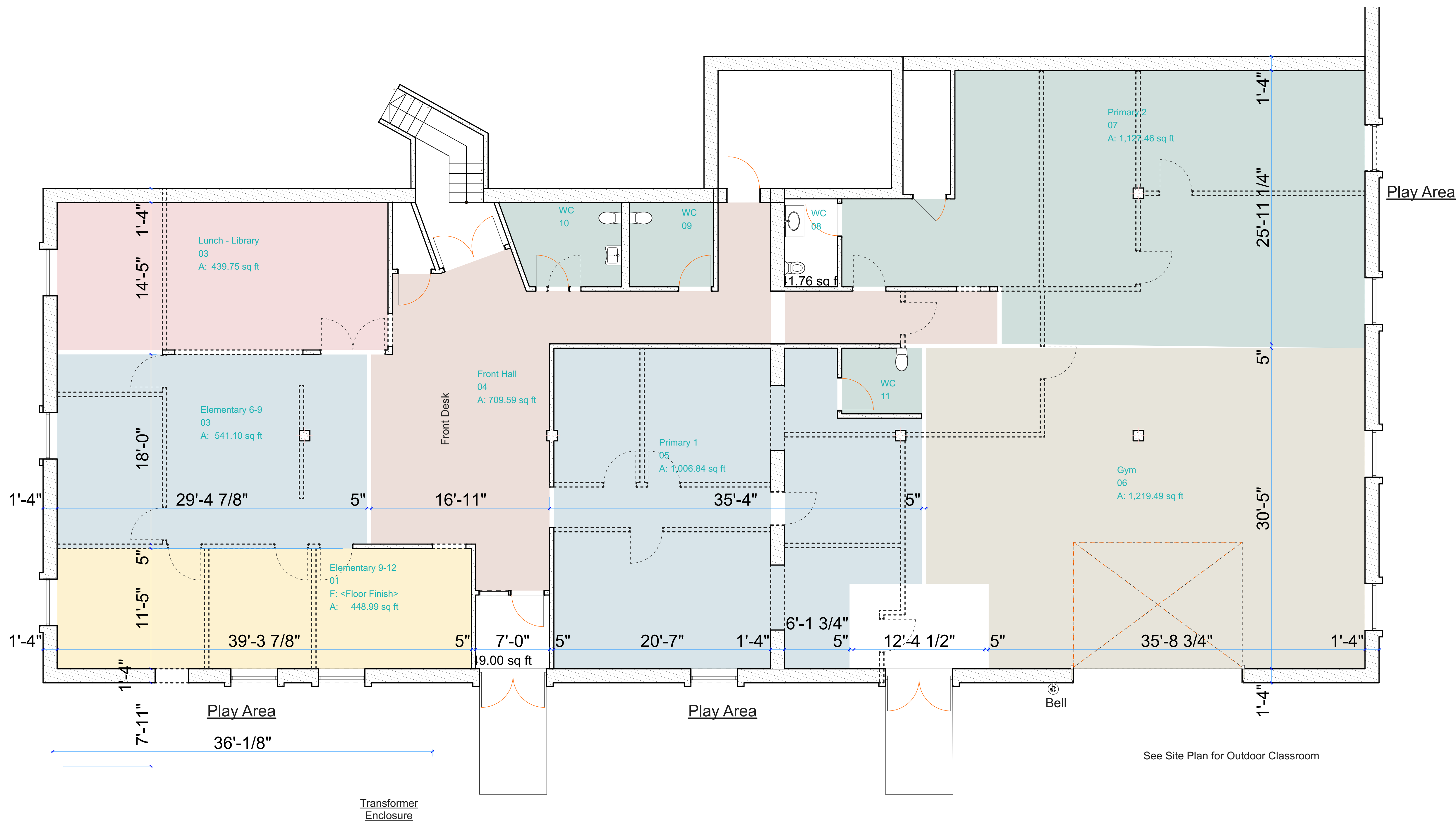
5 Easement Plan
SCALE: 1" = 50'



3 Site Furniture/Planting
SCALE: 1" = 20'

Parking Calculations
26 Existing Parking Places
26 New Parking Places

52 Total Parking Spaces



1 Demolition Plan
SCALE: 3/16" = 1'-0"

6.B.2.d

PUBLISHED

Special Use Review
9-1-23

405 AZALEA - STUDIO
HOFFMAN EST, IL 60169
847-498-0024 - info@studiohfe.com
www.studiohfe.com

I hereby state that these drawings were prepared by me or under my direct supervision and to the best of my knowledge comply with the applicable building and zoning ordinances.

900 N. 1st Bank Dr.
Palatine, IL 60067

MONTESSORI ACADEMY

Demolition Plan

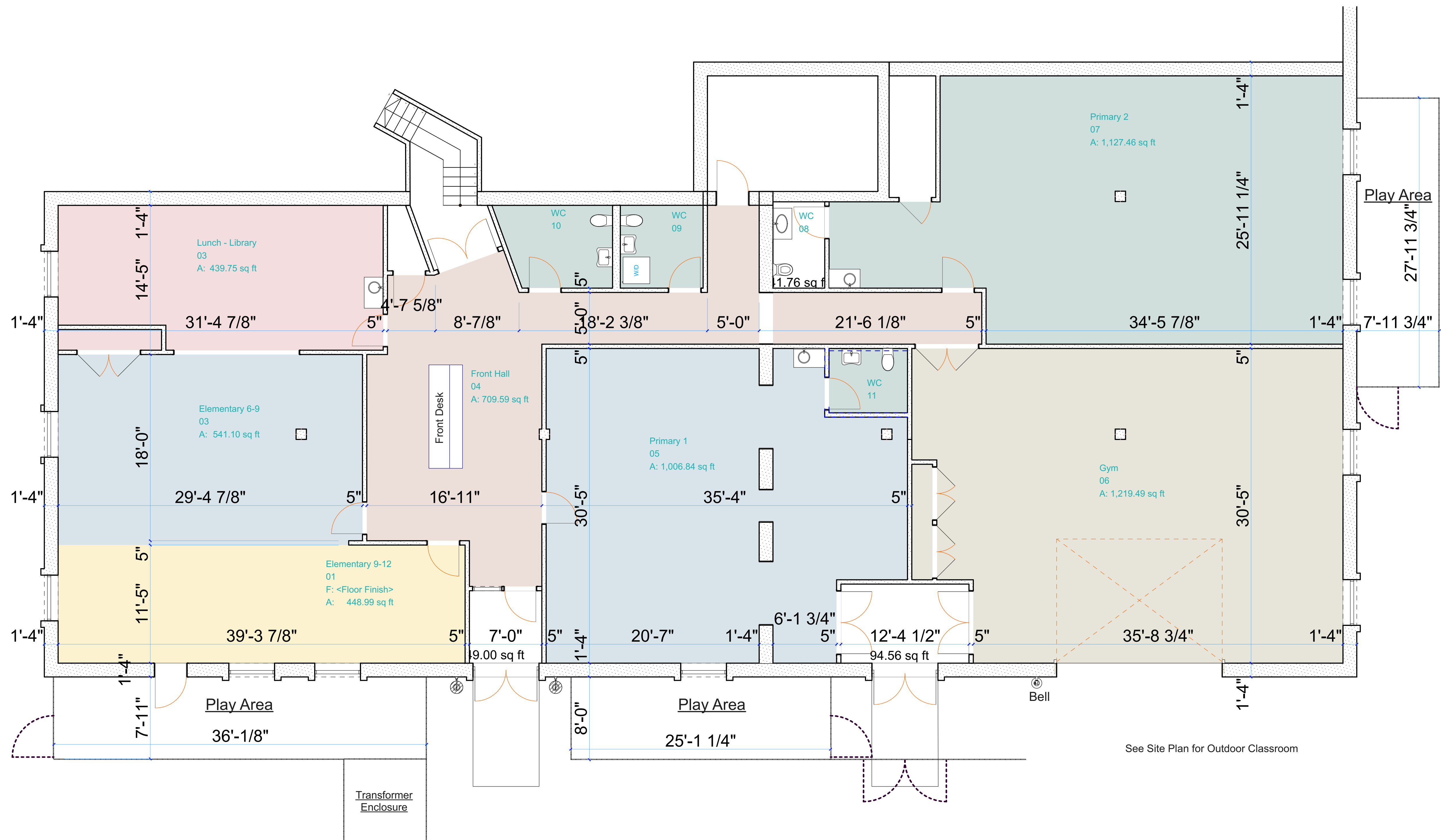
Job: 2023

Sheet Number:

A.03

Total sheet count: 6

Packet Pg. 166



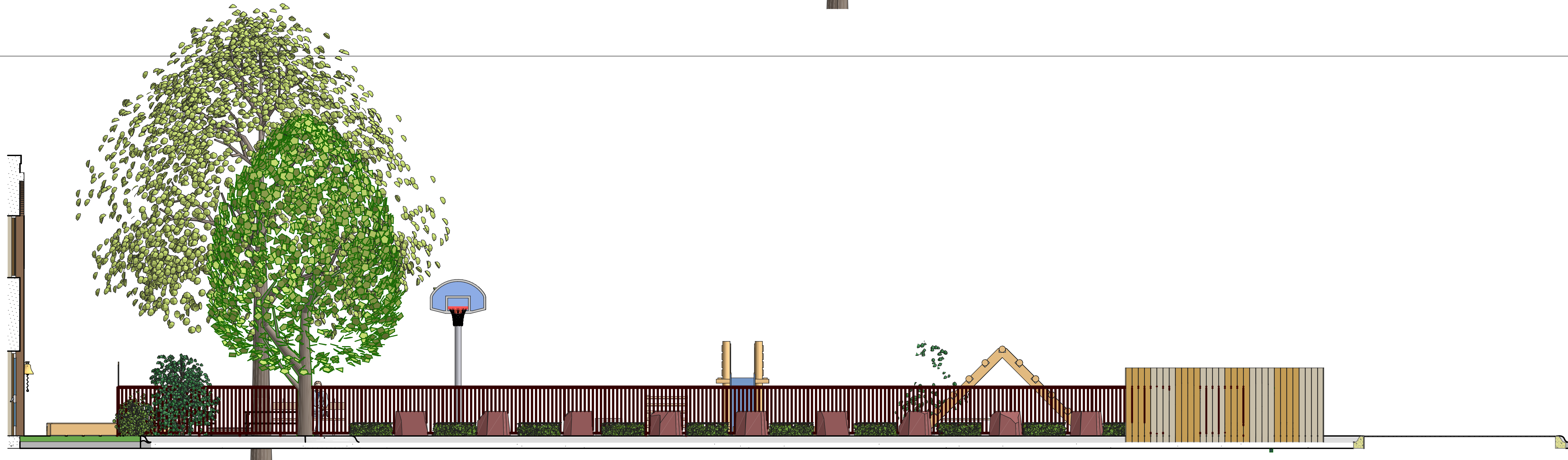
1.) Ground Floor
SCALE: 3/16" = 1'-0"



1 North Elevation
SCALE: 3/16" = 1'-0"



2 West Outdoor Classroom Elevation
SCALE: 3/16" = 1'-0"



3 East Outdoor Classroom Elevation
SCALE: 3/16" = 1'-0"

PUBLISHED
Special Use Review 9-1-23
405 AZALEA - STUDIO HOFFMAN EST, IL 60169 847-498-0094 - info@hoffmanfe.com For General Inquiries: 847-233-8272

I hereby state that these drawings were prepared by me or under my direct supervision and to the best of my knowledge comply with the applicable building and zoning ordinances.

Date	Signature	Expires
------	-----------	---------

900 N. 1st Bank Dr.
Palatine, IL 60067

grow
MONTESSORI ACADEMY

Elevations



3 Outdoor Classroom 1
SCALE: 1:200



4 Outdoor Classroom 2
SCALE: 1:200



5 Library View
SCALE: 1:200



1 Plan 3D Existing
SCALE: 1:111.11



2 Plan 3D New
SCALE: 1:111.11



BUSINESS PLAN

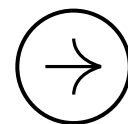


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Executive Summary



Mission: We believe that every child is capable. We believe that every child is inherently good. We believe that all children deserve a quality education that provides holistic support on their journey to adulthood. Grow Montessori Academy is an inclusive community of highly skilled teachers and conscientious parents and their children who are working together to master foundational skills, cultivate independent thought, and to care for others and their environment.

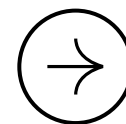
Vision: We support each child as they grow through careful preparation of the classroom environment, with the implementation of lessons by an expertly trained teacher, and by the curation of a classroom culture where children find joy in learning itself. We are committed to holding true the standards of quality set by the Association Montessori Internationale in order to provide intellectual, academic, social, and emotional preparation for life by allowing for freedom with responsibility within an atmosphere of respect and beauty.

Our Values

- We understand and support the individuality and unique interests and potential of each child.
- We value each child's innate abilities and desire to learn.
- We uphold the standards set by the Association Montessori Internationale(AMI) with a deep understanding of child development.
- We value personal growth and continued professional development for all staff.
- We cultivate a culture of respect, collaboration, and freedom with responsibility, and support each other non-coercively.
- We value connection to the natural world and foster stewardship of both our indoor and outdoor environments.
- We believe in collaboration amongst parents, students, and professionals to most effectively support a child's health, academic potential, and overall wellbeing.
- We believe in equitable Montessori access, no matter socio-economic status.
- We believe in education for a more just and peaceful world.
- We value a safe, inclusive, diverse, anti-racist, anti-bias community for all students, staff, and families while honoring our common humanity, and embracing the power of our differences.



About Grow Music Academy



Opened in January of 2019: We grew from 40 students to 325 in under 4 years. We've been looking to expand, but the location is vitally important to us. We serve children from birth to adulthood and many of our families that bring their children to our Early Childhood Music Together classes utilize the library and local parks to socialize with other families after class. The library was the main reason we chose the location at 600 N First Bank.

Future: As a member of the Montessori community for the past 11 years with my own 3 children, there is a clear need for a high-quality Montessori within Palatine.





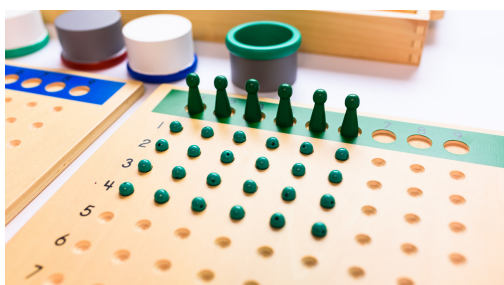
Business Description

What is the Montessori Approach to Education?



Montessori is a method of education that is based on self-directed activity, hands-on learning and collaborative play.

In Montessori classrooms children make creative choices in their learning, while the classroom and the highly trained teacher offer age-appropriate activities to guide the process. Children work in groups and individually to discover and explore knowledge of the world and to develop their maximum potential.



Why Montessori?

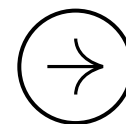
Montessori classrooms are beautifully crafted environments designed to meet the needs of children in a specific age range. Dr. Maria Montessori discovered that experiential learning in this type of classroom led to a deeper understanding of language, mathematics, science, music, allowed for greater social development, and much more.

Every material in a Montessori classroom supports an aspect of child development, creating a match between the child's natural interests and the available activities.

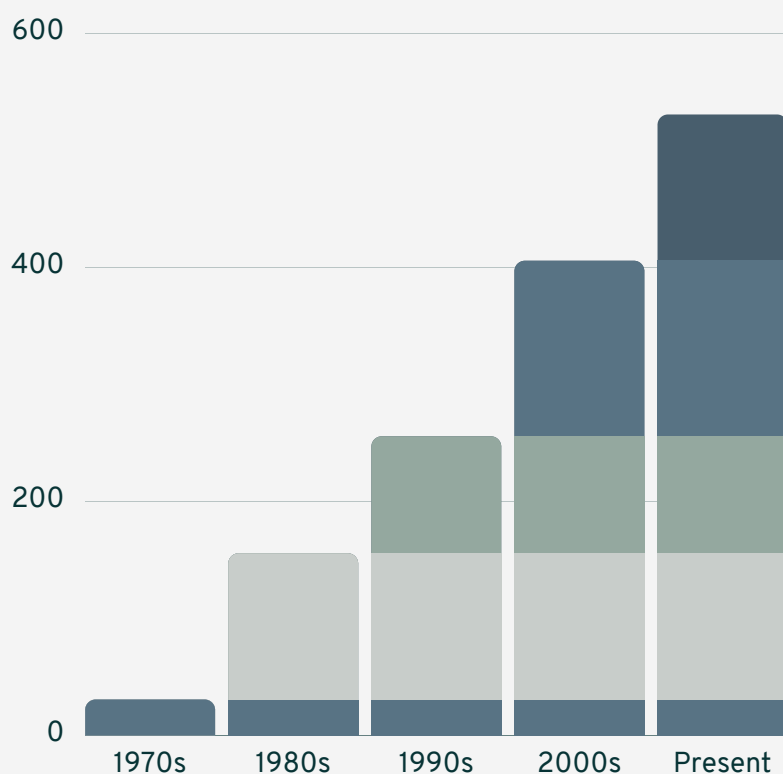
Children can learn through their own experience and at their own pace. They can respond at any moment to the natural curiosities that exist in all humans and build a solid foundation for life-long learning.



Montessori is Growing



Montessori Growth in the Public and Private Sector



Public Montessori Schools

There are now over 500 Public Montessori Schools and over 4,500 that are Privately operated.

Current Educational Studies Highlight the Strengths

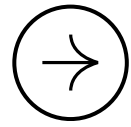
The longitudinal study by Dr. Angeline S. Lillard and colleagues (Lillard et al., 2017) states that an educational method that focuses on the overall development of the child rather than grades produces responsible, creative, and mature adults.

Across a range of abilities, children at Montessori schools outperformed the children in traditional education. Some of the differences that the team noticed through their research included:

- The children of Montessori schooling were significantly more creative and sophisticated.
- There was a significant difference with regard to the social and emotional behavior of the children of the same age groups.
- Children who attended Montessori schools demonstrated a sense of being reasonable, honest, and justified during interactions. They had a more emotionally positive approach.
- Montessori-educated children performed better in reading, spelling, grammar, and punctuation when compared to those who participated in conventional education.

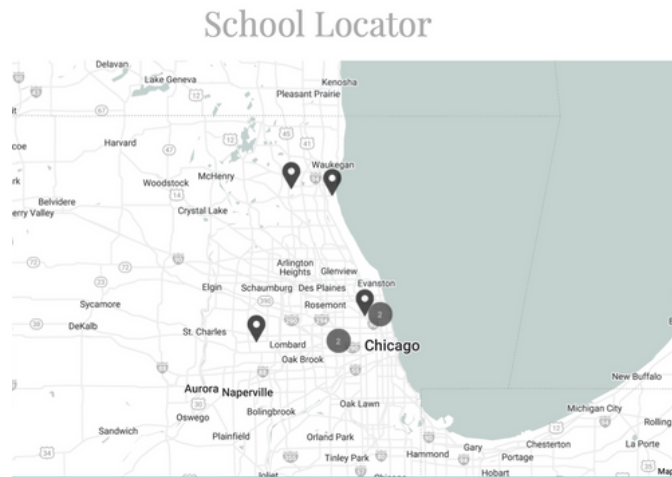


Fulfilling a Need

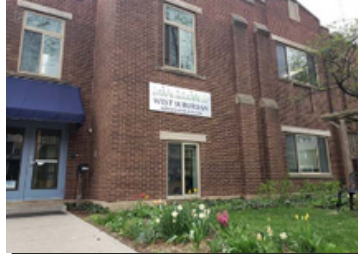


Association Montessori Internationale(AMI)

The student outcomes are greatly dependent on the quality of the program. In the suburbs of Chicago, there are currently only 3 AMI Elementary programs available. AMI-associated schools represent the most authentic and highest-quality Montessori programs available. The teacher training is thorough and is the most versatile diploma a teacher can hold.



Other AMI Elementary Programs

	Forest Bluff School, Lake Bluff, IL	 Recognition Status: Recognized for ages 0-12  Recognition Year: 2022-23  School Administrator: Laura Earls  8 West Scranton Ave, Lake Bluff, IL 60044, USA
	Wheaton Montessori School, Wheaton, IL	 Recognition Status: Recognized for ages 3-12  Recognition Year: 2022-23  School Administrator: Rebecca Lingo  1980 North Gary Avenue, Wheaton, IL 60187, USA
	West Suburban Montessori School, Oak Park, IL	 Recognition Status: Recognized for ages 3-12  Recognition Year: 2022-23  School Administrator: Patricia Eggerding  1039 South East Avenue, Oak Park, IL 60304, USA



Our Class Environments

Toddler Community

18 months - 3 years old
"Help Me to Do it Myself"
1 Classroom

Primary Classroom

3-6 years old
"Help Me to Do it Myself"
2 Classrooms

Elementary Environment

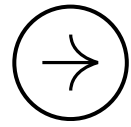
6-12 Years Old
"Help Me to Think"
1 Classroom

Adolescent Program

"Help Me to Help You"
1 Classroom



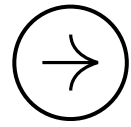
Growth Projections



Operation Year	Classroom Environments	Expected Capacity
Year 1 2023-2024	• One Elementary 6-12 Class • Proposed Primary 3-6 Class	• 6-10 • 5-7
Year 2 2024-2025	• Proposed Toddler Class 18m-3 Class • New or Continued Primary 3-6 Class • Continued Elementary 6-12 Class	• 5-10 • 10-20 • 8-15
Year 3 2025-2026	• New or Continued Toddler Class • Continued Primary 3-6 Class • Continued Elementary 6-12 Class	• 5-10 (MAX) • 15-25(MAX) • 15-28(MAX)
Year 4 2026-2027	• Continued Toddler Class • Continued Primary 3-6 Class • New Primary 3-6 Class • Continued Elementary 6-12 Class	• 10 (MAX) • 20-25(MAX) • 5-10 • 20-28(MAX)
Year 5 2027-2028	• Continued Toddler Class • Continued Primary 3-6 Class • Continued Primary 3-6 Class • Continued Elementary 6-12 Class	• 10 (MAX) • 20-25(MAX) • 10-25(MAX) • 20-28(MAX)
Year 6 2028-2029	• Continued Toddler Class • Continued Primary 3-6 Class • Continued Primary 3-6 Class • Continued Elementary 6-12 Class • New Adolescent Program 12-14 Class	• 10 (MAX) • 20-25(MAX) • 20-25(MAX) • 20-28(MAX) • 5-15(MAX)
Year 7+	5 Classrooms in Total	95(MAX) Students



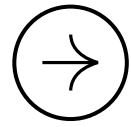
Staff Projections



Operation Year	Classroom Environments	Expected Capacity
Year 1 2023-2024	• One Elementary 6-12 Class • Proposed Primary 3-6 Class	• 2 • 1
Year 2 2024-2025	• Proposed Toddler Class 18m-3 Class • New or Continued Primary 3-6 Class • Continued Elementary 6-12 Class	• 1-2 • 2 • 2
Year 3 2025-2026	• New or Continued Toddler Class • Continued Primary 3-6 Class • Continued Elementary 6-12 Class	• 1-2 • 2 • 2
Year 4 2026-2027	• Continued Toddler Class • Continued Primary 3-6 Class • New Primary 3-6 Class • Continued Elementary 6-12 Class	• 2 • 2 • 2 • 2
Year 5 2027-2028	• Continued Toddler Class • Continued Primary 3-6 Class • Continued Primary 3-6 Class • Continued Elementary 6-12 Class	• 2 • 2 • 2 • 2
Year 6 2028-2029	• Continued Toddler Class • Continued Primary 3-6 Class • Continued Primary 3-6 Class • Continued Elementary 6-12 Class • New Adolescent Program 12-14 Class	• 2 • 2 • 2 • 2 • 1-2
Year 7+	5 Classrooms in Total	10 Max Staff Members



Growth Plan - Start Times

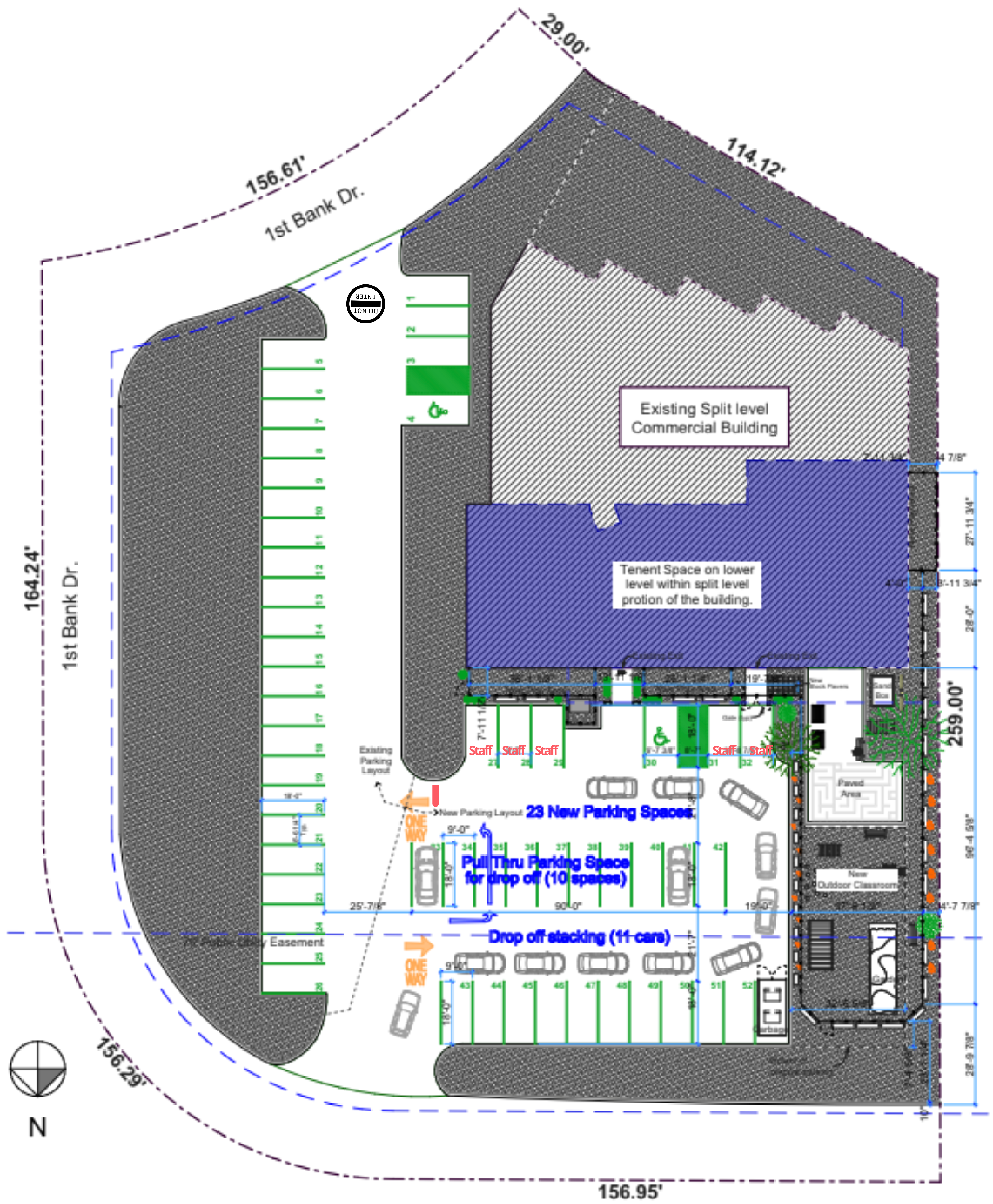


Operation Year	Classroom Environments	Expected Capacity
Year 1 2023-2024	• One Elementary 6-12 Class 8:00a.m.-3:15p.m. • Proposed Primary 3-6 Class 8:15-a.m.-3:00p.m.	• 2 • 1
Year 2 2024-2025	• Proposed Toddler Class 18m-3yo Class 8:30a.m.-2:45p.m. • New or Continued Primary 3-6 Class • Continued Elementary 6-12 Class	• 1-2 • 2 • 2
Year 3 2025-2026	• New or Continued Toddler Class • Continued Primary 3-6 Class • Continued Elementary 6-12 Class	• 1-2 • 2 • 2
Year 4 2026-2027	• Continued Toddler Class • Continued Primary 3-6 Class • New Primary 3-6 Class 8:15 - 3:00p.m. • Continued Elementary 6-12 Class	• 2 • 2 • 2 • 2
Year 5 2027-2028	• Continued Toddler Class • Continued Primary 3-6 Class • Continued Primary 3-6 Class • Continued Elementary 6-12 Class	• 2 • 2 • 2 • 2
Year 6 2028-2029	• Continued Toddler Class • Continued Primary 3-6 Class • Continued Primary 3-6 Class • Continued Elementary 6-12 Class • New Adolescent Program 12-14 Class 7:45a.m.-2:45p.m.	• 2 • 2 • 2 • 2 • 1-2
Year 7+	5 Classrooms in Total	10 Max Staff Members



"We know what all children are capable of. Within our classrooms, they will be set free to discover them." - Mallory Miller





1 Site Furniture/Planting Parking 1
SCALE: 1" = 20'

Parking Calculations
26 Existing Parking Places
26 New Parking Places

52 Total Parking Spaces

2024-2025 Proposed Car Line Procedure

ELEMENTARY DROP-OFF 7:50-8:00 A.M.

All cars must enter the parking lot from the library side and proceed through designated **one-way** the circle drive. Elementary students may be dropped off between 7:50 and 8:00 a.m. and enter through the designated elementary entrance. If you arrive before 7:50, please pull all the way up to the tree to wait. If you are last in line and the line extends into the street, do not block the road and loop back around Northwest Highway before you re-enter. If your child arrives after 8:00, they must check in with the front desk before walking to their classroom.

ELEMENTARY DISMISSAL 3:00-3:10P.M.

For pick up, the parents/guardians will drive to the door corresponding to their youngest child. For example, if a parent has a 6th grader and a 4yo primary student, the parent will pick up both children at the primary entrance at the primary pickup time.

Parents/guardians must refrain from parking on the street or parking in the designated staff parking spots. All cars must enter from the library side and follow the designated path.

PRIMARY DROP-OFF 8:05-8:15 A.M.

All cars must enter the parking lot from the library side and proceed through designated **one-way** the circle drive. Primary students may be dropped off between 8:05-8:15 a.m. and enter through the designated primary entrance. If you arrive before 8:05, please pull all the way up to the tree(**red line**) to wait. Do not park and wait in line during the designated Elementary drop off time of 7:50-8:00. You will be asked to move. If you are last in line and the line extends into the street, do not block the road and loop back around Northwest Highway before you re-enter. If your child arrives after 8:15, you must park and walk your child through the primary entrance.

PRIMARY DISMISSAL 3:05-3:15P.M.

For pick up, parents/guardians will drive to the door corresponding to their youngest child. For example, if a parent has a 6th grader and a 4yo primary student, the parent will pick up both children at the primary pickup time. Pull all the way to the tree(**red line**) and your child's teacher will escort your child to your car.

Parents/guardians must refrain from parking on the street or in the designated staff parking spots. All cars must enter from the library side entrance and follow the designated path.

Cell Phone Use in the Parking Lot is Prohibited

*Note that these procedures may be modified as needed in our ongoing efforts to ensure student safety.



optional signage at library side entrance



On Playground Fence at first left hand turn



Signage at drop-off spot near tree

Opposite side of drop-off spot sign



Painted on asphalt at south entrance



Sign at South entrance facing N 1st Bank Dr.

VILLAGE OF PALATINE
Planning and Zoning Commission

REVIEWED 10/10/23 07:00 PM

STAFF REPORT (ID # 8653)

600 N. First Bank Drive Unit C

TO: Palatine Planning and Zoning Commission
Jan Wood, Chair

FROM: Alex Bradshaw

PETITIONER: Mallory Miller, Grow Montessori Academy

PLAN NUMBER: SU-000053-2023

ADDRESS: 600 N. First Bank Drive Unit C

PROPOSAL:

Special Use to permit a Montessori School at the subject property;

Minor Planned Development Amendment to allow for the addition of the outdoor play area with in the Renaissance (Sellergren) Planned Development;

Variation to permit 90-degree angled parking spaces to be 18 feet deep, instead of the minimum required 19 feet deep;

Variation to permit two-way cross aisle widths to be 21.6 feet, instead of the minimum required 24 feet;

Variation to permit 51 parking spaces, instead of the minimum required 67 parking spaces.

<u>LOCATION:</u> 600 N. First Bank Drive Unit C District 6 (Helms)	<u>CURRENT ZONING:</u> P - Planned Development (Renaissance)
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SURROUNDING CONDITIONS:

<u>North:</u>	P - Planned Development (Palatine Public Library)
<u>South:</u>	P - Planned Development (School District 15 Educational Service Center)
<u>East:</u>	P - Planned Development (Dental Office)
<u>West:</u>	P - Planned Development (Office Building)

BACKGROUND:

The Petitioner is proposing to open a new Montessori School within the lower level tenant space on the subject property. The Montessori would include an approximately 3,500 square foot outdoor play area south of the building. The existing parking stalls would be reconfigured to make space for said outdoor play area. Therefore, the

Attachment: PZC Materials - October 10, 2023 (2023-112 : 600 N. First Bank Drive - SU Montessori School)

Petitioner is requesting:

Special Use to permit a Montessori School at the subject property;

Minor Planned Development Amendment to allow for the addition of the outdoor play area with in the Renaissance (Sellergren) Planned Development;

Variation to permit 90-degree angled parking spaces to be 18 feet deep, instead of the minimum required 19 feet deep;

Variation to permit two-way cross aisle widths to be 21.6 feet, instead of the minimum required 24 feet;

Variation to permit 51 parking spaces, instead of the minimum required 67 parking spaces.

SITE ANALYSIS:

- The Subject Property is zoned P - Planned Development and is part of the Renaissance Subdivision. It follows the B-1 zoning district regulations for permitted and special uses (O-67-74 Renaissance Sub. PD & O-8-77 Renaissance Sub. Amended Uses).
- The Petitioner is proposing to expand upon the existing Grow Music Academy to open a partnering Grow Montessori Academy in the ground floor tenant space within the same building.
- The Montessori Academy will start with two different programs (see below). Once academy becomes more established the Petitioner has indicated in their business plan that additional classes will be offered for toddlers and adolescents (12-14 yrs old).
 - 3-6 yrs old - expected capacity of 5-7 students
 - 6-12 yrs old - expected capacity of 6-10 students
- The maximum student capacity, once the Academy is fully established with all proposed programs, would be 95 students.
- When the Academy first opens, the Petitioner has indicated that there will be 3 total staff members to start. The business plan further explains that there would eventually be a maximum of 10 staff members.
- The Montessori School would operate Monday through Fridays from 8:30 AM - 3 PM. As the Academy continues to grow, and once all programs are fully implemented, there will be an option for "After School Enrichment" until 5:30 PM.

- The submitted site plan includes outdoor spaces along the north side of the existing building. Per the submitted renderings of the outdoor spaces, the main play area would be in the northwest corner of the subject property and would be set back approximately 23 feet from the northern property line abutting N. North Court.
- The Petitioner has submitted elevations of a 4-foot tall open-style wrought iron fence and boulder bollards to provide protection from vehicles navigating through and around the parking lot.
- Staff identified another outdoor play area within the subject planned development, Learning Loft. The Learning Loft, 655 N. First Bank Dr, was granted a minor planned development amendment in 2008 to permit the fenced in playground area within the Renaissance Planned Development.
- Required parking is 1 space per 300 square feet. At 6,753 square feet, 23 spaces will be required. The parking lot reconfiguration results with 51 total parking spaces. The building, as a whole is 19,979 square feet, therefore requiring 66 spaces at 1 space per 300 square feet.

DEPARTMENTAL REVIEWS:

Community Services	There is potential for the outdoor area to impact the surrounding office environment, as it is unlike other uses within Renaissance subdivision.
Engineering	No Issues Identified.
Environmental Health	N/A
Fire Prevention	No Issues Identified.
Public Works	N/A
Police	N/A

STANDARDS FOR SPECIAL USE: Since this Petition is not for a use publicly operated or traditionally affected with the public interest, those standards under Section 14.05 D (2) and (3) are applicable. Specifically, the Petitioners must show that the Special Use, if granted, is so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected and will not cause substantial injury to the value of other property in the neighborhood in which it is located. The Petitioners have attempted to address the required standards.

STANDARDS FOR A VARIATION: Standards for a Variation are found in Section 14.03 D (1) and (2) of the Zoning Code. Specifically, the Petitioners must show that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted,

will not alter the essential character of the locality. The Petition for Variation is attached, and the Petitioners have attempted to address the required standards.

STAFF RECOMMENDATION:

The Petitioner is proposing to open a Montessori school in the ground unit of the existing building on the subject property. The subject Planned Development was initially implemented to primarily be an office park. A Montessori school with an outdoor play area would be out of character with the surrounding business office setting as said play area would be located between two surface parking lots. The Petitioner has worked with Staff to increase the play area's setback from N. North Court to be approximately 23 feet, which helps alleviate Staff's line-of-sight concerns. Nonetheless, there was a minor amendment to the existing Planned Development in 2008 that permitted an outdoor play area for the Learning Loft daycare. With that said, the proposed use should not cause substantial injury to the value of other properties in the surrounding neighborhood.

The reconfiguration of the parking lot, north of the existing building, would further reduce the total number of spaces for an already under-parked property. However, Staff is not aware of any complaints or issues with the current parking situation, and the reconfiguration should still provide adequate parking to all tenants within the building.

Therefore, Staff recommends action at the discretion of the Planning and Zoning Commission. If the Planning and Zoning Commission recommends approval, Staff recommends the following conditions:

1. The Special Use and Variation shall substantially conform to the Site Plan, Business Plan, and Floor Plan submitted by the Petitioner, Mallory Miller, except as such plans may be change to conform to Village Codes and Ordinances.
2. Any final traffic directional signage or pavement markings for a one-way drive aisle, or pick-up and drop-off locations, shall be submitted in a manner acceptable to the Village Engineer.
3. The fencing and bollard plan, enclosing the proposed outdoor play area, shall be submitted in a manner acceptable to the Director of Planning and Zoning.

ATTACHMENTS:

- Aerial Map
- Special Use Application
- Plat of Survey
- Site Plan & Floor Plan
- Business Plan

- Public Notice



0 300 600
ft

Print Date: 6/29/2023

Notes

Cook County Aerial 2020

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.



SPECIAL USE APPLICATION

Department of Planning & Zoning

200 E. Wood Street • Palatine, IL • 60067-5339
Telephone: (847) 359-9047 • Fax (847) 963-6247

Petitioner Name

Mallory Miller

Business Name (if applicable)

Grow Music Academy

Subject Property Address

600 N. First Bank Drive

Please provide a description of your proposed request:

Expansion of Grow Music Academy to open a partnering Montessori Academy for children from birth-14 years old.

Petitioner Justification

Special Uses shall not be granted except on findings based upon the evidence in each specific case. Please address the following standards as these will be used in considering the specific relief you are seeking.

That use deemed necessary for the public convenience at that location. Explain:

Our current business is located within the 600 N 1st bank building and this would allow me to continue to monitor and run both entities. Additionally, this particular location provides important educational opportunities for the students within walking distance that other locations would not provide: Library, Mariano's, Ace Hardware, Dollar Tree, Cutting Hall Performing Arts, Palatine Fire Dept, Greencastle of Palatine, etc.

The use is designed, located, and proposed to be operated that the public health, safety, welfare will be protected. Explain:

Yes. This use improves the public health, safety, and welfare of all as we are adding services that benefit the residents of Palatine and the surrounding villages and adding additional green space.

The use will not cause substantial injury to nearby property values. Explain:

No. Same as above. Within this zoning application, day cares are already permitted uses and this will only enhance the business park that already exists with Renaissance.

In order to supplement the above standards, the Planning and Zoning Commission may also consider the following:

With respect to front yard fencing and fencing in a rear yard/side yard abutting a street, the following additional standards must be met:

a. Will meet the following aesthetic criteria:

- i. Will not destroy existing vistas in the area;
- ii. Will enhance the appearance of the homes and the streets in the area; and
- iii. Will not detract from the overall appearance of the community; or

b. The fencing is found to be necessary to protect private property or the safety of the inhabitants of the property.

Yes, utilizing an aluminum fence that will maintain sight lines and vistas. The newly planted trees, shrubs, and greenery will enhance the appearance of 1st Bank Dr.

PLAT OF SURVEY

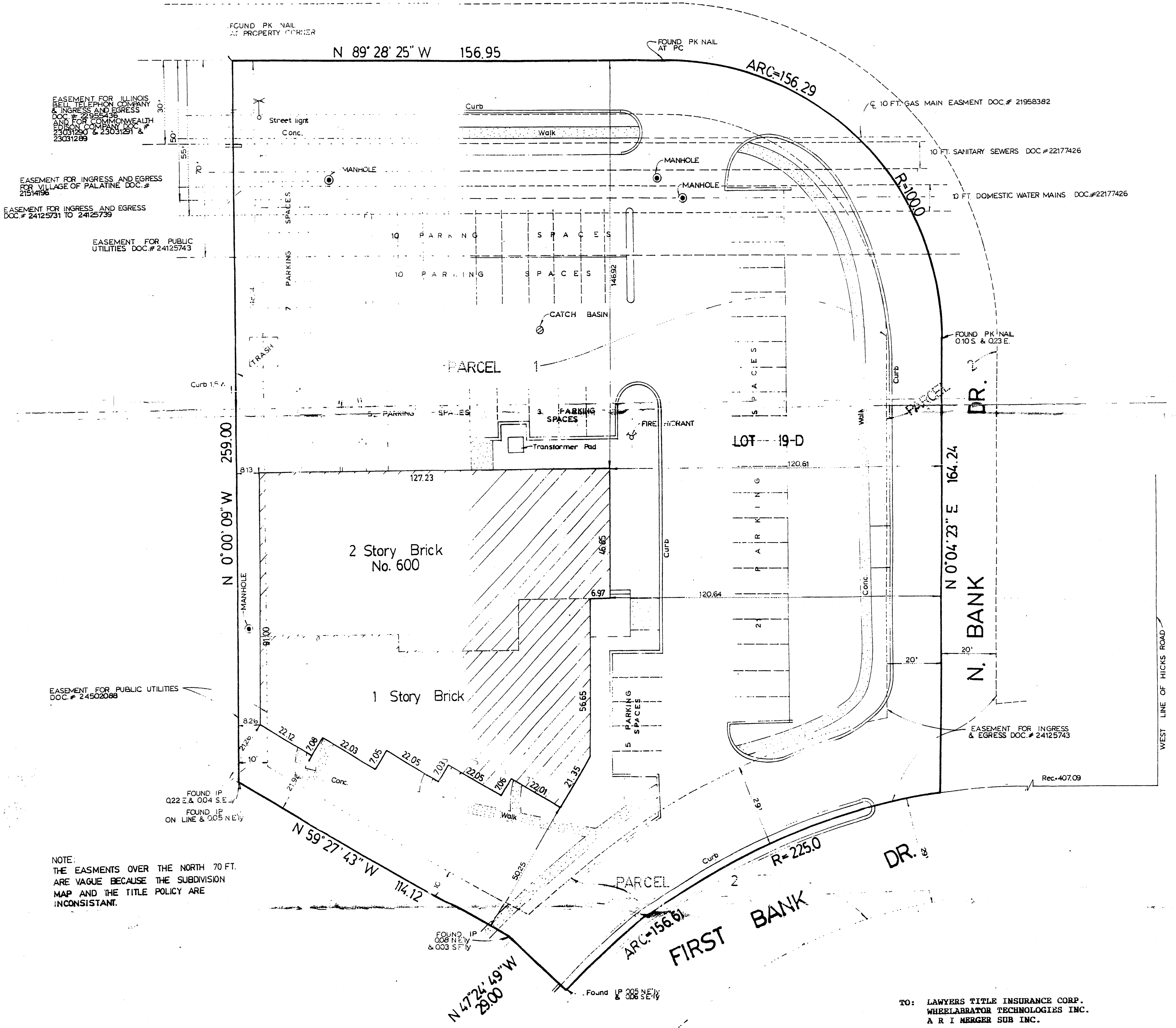
John D. McTigue
REGISTERED LAND SURVEYOR
3458 N. CICERO AVE. CHICAGO, IL 60641
PHONE: (312) 736-1344



PARCEL 1:
LOT 19-D IN RENAISSANCE RESUBDIVISION, BEING A RESUBDIVISION OF PART OF RENAISSANCE SUBDIVISION OF PART OF THE NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

PARCEL 2:
EASEMENT FOR THE BENEFIT OF PARCEL 1 AS SET FORTH ON PLAT OF RENAISSANCE RESUBDIVISION RECORDED SEPTEMBER 28, 1977 AS DOCUMENT NUMBER 24125743 AND AS CREATED BY DEED FROM CHICAGO TITLE AND TRUST COMPANY, A CORPORATION OF ILLINOIS, AS TRUSTEE UNDER TRUST AGREEMENT DATED APRIL 6, 1978 AND KNOWN AS TRUST NUMBER 1071974, TO EVELYN HASZ DATED JANUARY 9, 1981 AND RECORDED FEBRUARY 25, 1981 AS DOCUMENT NUMBER 25785929 FOR INGRESS AND EGRESS.

AREA 72547 Sq. Ft.
1.66 Acres



NOTE:
THE EASEMENTS OVER THE NORTH 70 FT.
ARE VAGUE BECAUSE THE SUBDIVISION
MAP AND THE TITLE POLICY ARE
INCONSISTANT.

TO: LAWYERS TITLE INSURANCE CORP.
WHEELABRATOR TECHNOLOGIES INC.
A R I MERRER SUB INC.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS", JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND ACSM IN 1986; MEETS THE ACCURACY REQUIREMENTS OF A CLASS "A" SURVEY, AS DEFINED THEREIN, AND INCLUDES ITEMS OF TABLE 3 THEREOF.

CHICAGO, IL DATED THIS 11TH DAY OF April, A.D. 19 92

John D. McTigue
JOHN D. MCTIGUE
ILLINOIS PROFESSIONAL
LAND SURVEYOR NO. 2230

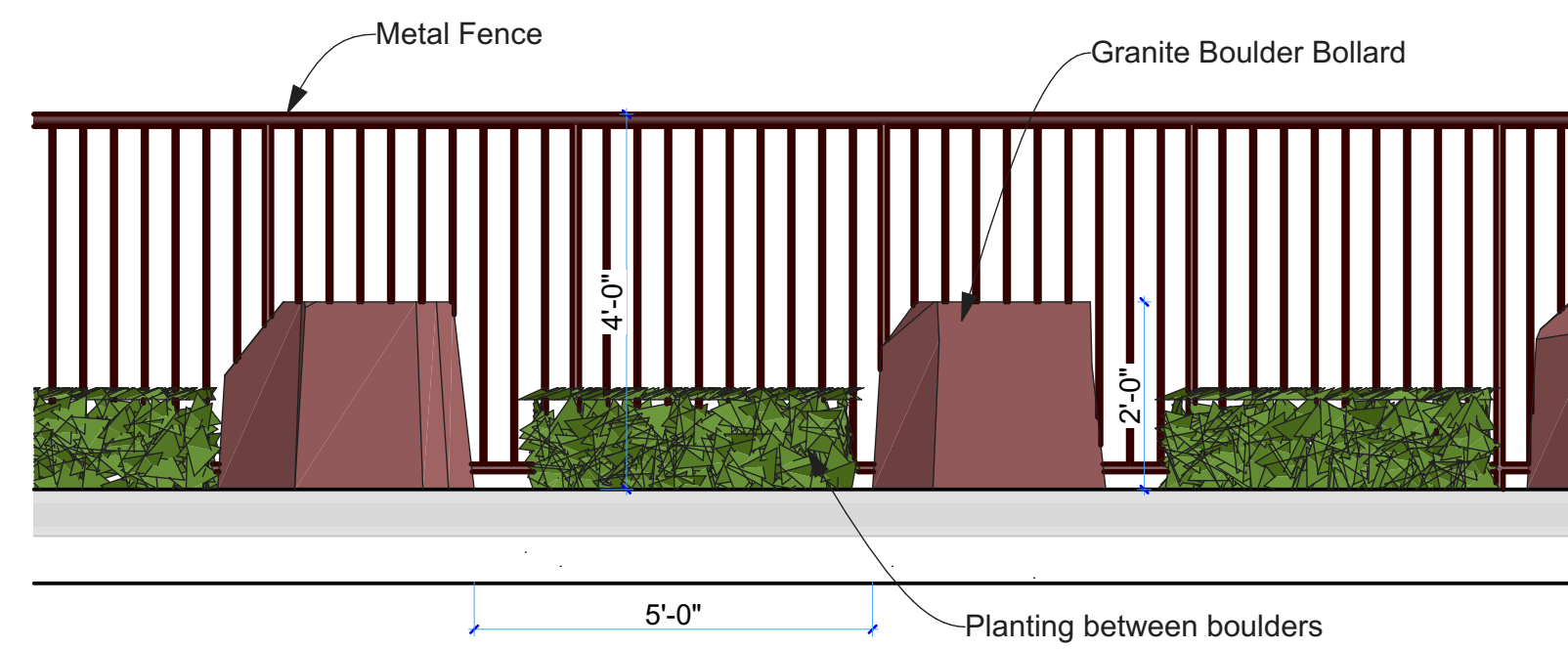
JUN 11 2007

STATE OF ILLINOIS } s.s.
COUNTY OF COOK }
I, JOHN D. MCTIGUE, AN ILLINOIS REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.
CHICAGO, ILLINOIS, DATED THIS 11TH DAY OF April, A.D. 19 92
BY: ILLINOIS REGISTERED LAND SURVEYOR NO. 2230

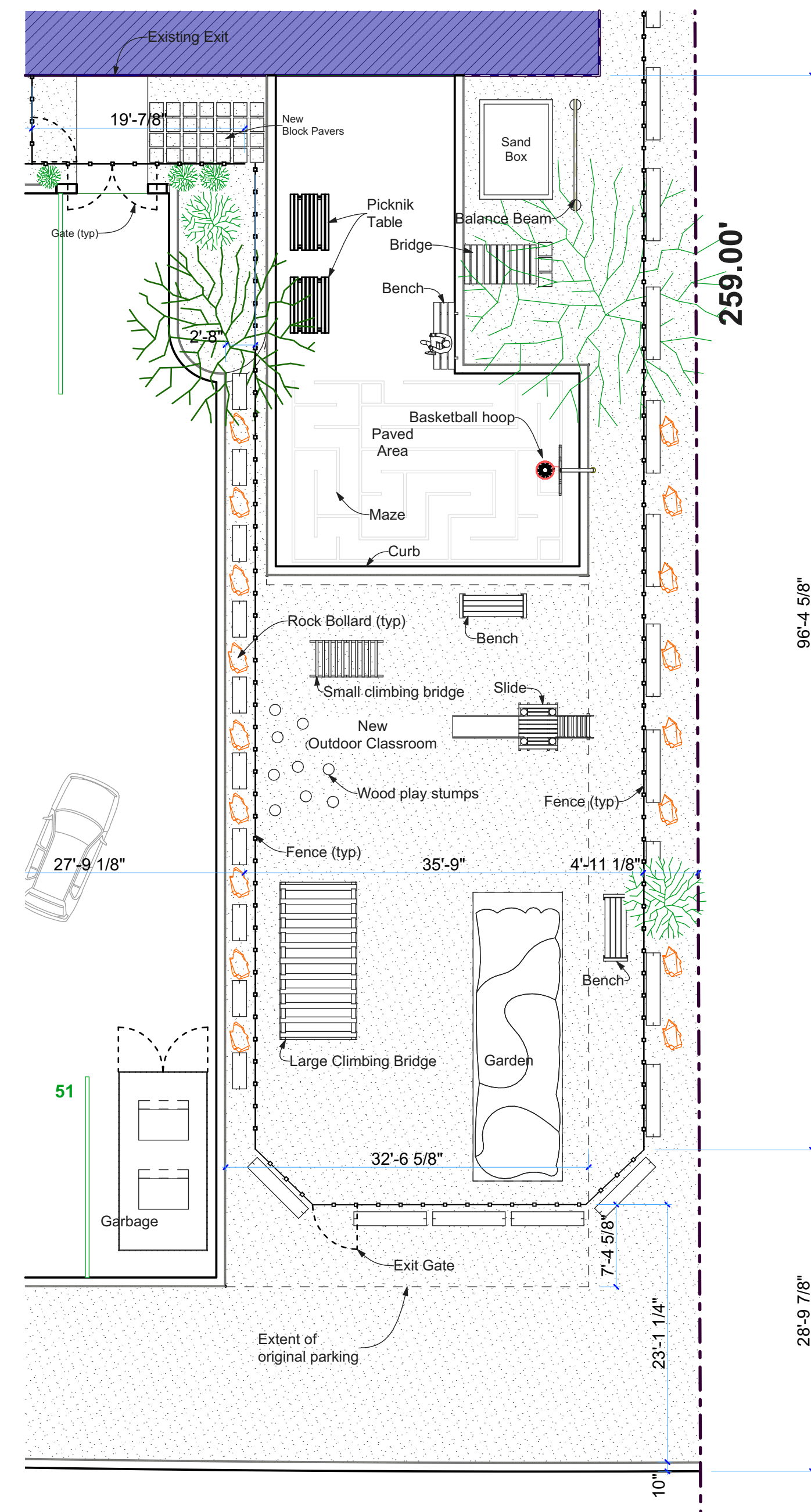
- | | |
|-------------------------|-------------------------------|
| —=FENCE | —=LIMITS OF CONCRETE |
| WD=WOOD | C.L=CHAIN LINK |
| N.F.=NORTH FACE | S.F.=SOUTH FACE |
| I.P.=IRON PIPE | IR=IRON ROD |
| ⊙=SEWER MANHOLE | ⊙=CATCH BASIN |
| ⊠=STORM INLET | ⊠=ILLINOIS BELL MANHOLE |
| ⊙=CITY ELECTRIC MANHOLE | ⊠=COMMONWEALTH EDISON MANHOLE |
| ⊙=TREE WITH DIAMETER | ⊙=FIRE HYDRANT |
| ⊠=LIGHT POLE | ⊙=UTILITY POLE |
| ⊠=SIGN | ⊙=WATER VALVE |
| ⊙=GAS BUFFALO BOX | ⊙=WATER BUFFALO BOX |

SCALE: 1 INCH EQUALS 20 FEET
Distances are marked in feet and decimal parts thereof.

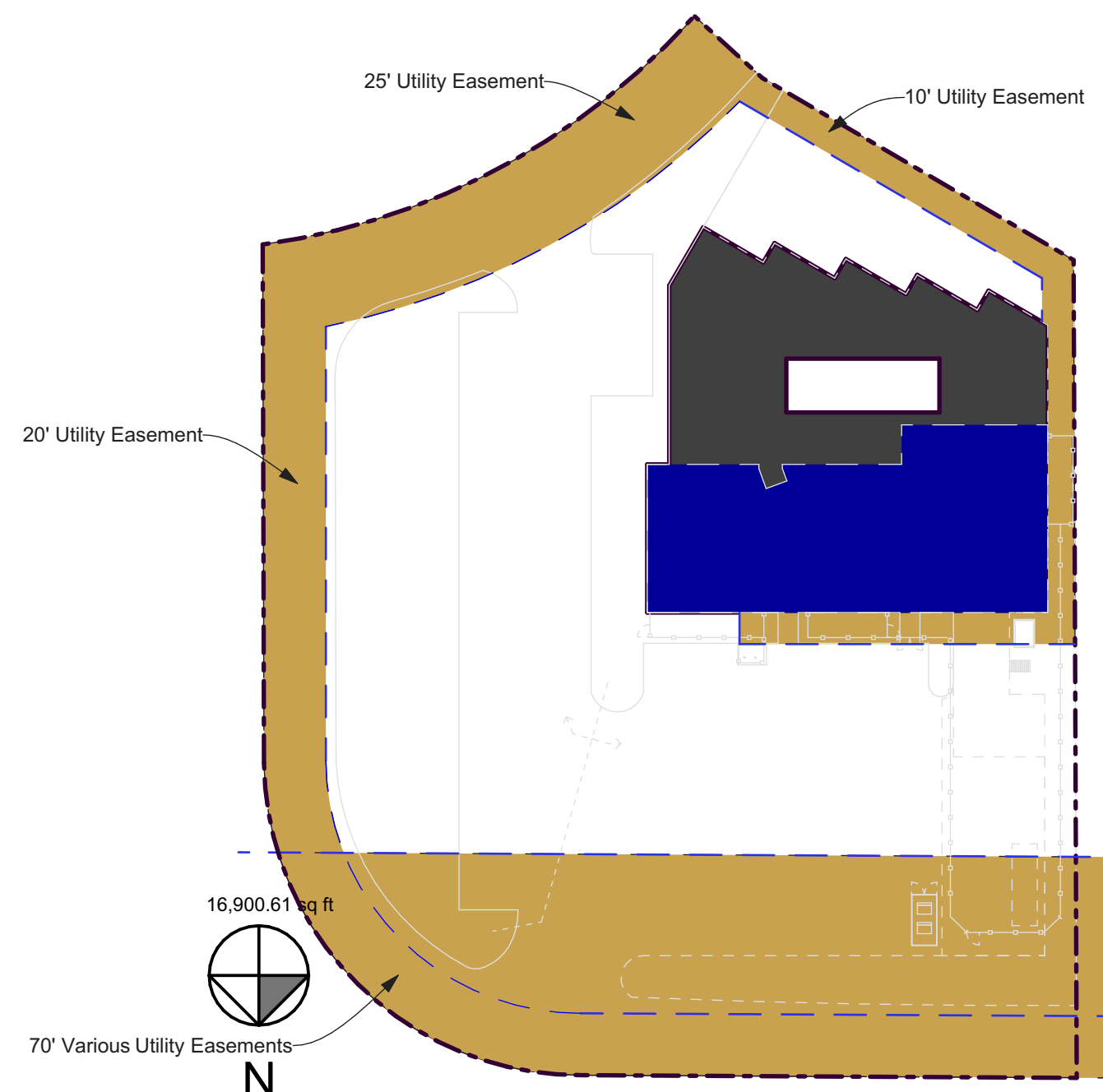
ORDERED BY: Roots, Potts & Poust
DRAWN BY: K.B.
SURVEYED BY: A.S.
ORDER NO: 92-227



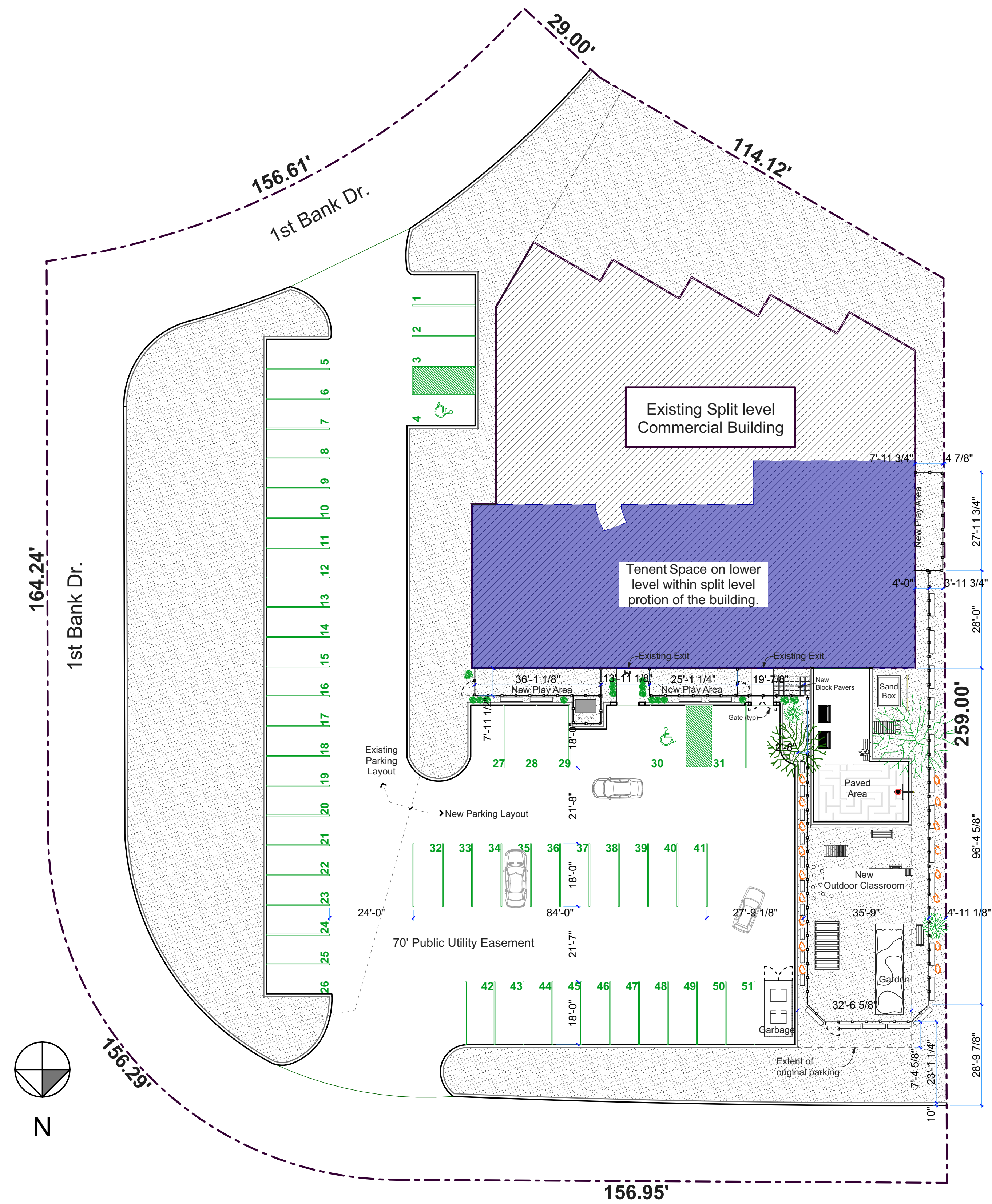
2) Fence/Bollard Elevation
SCALE: 1/2" = 1'-0"



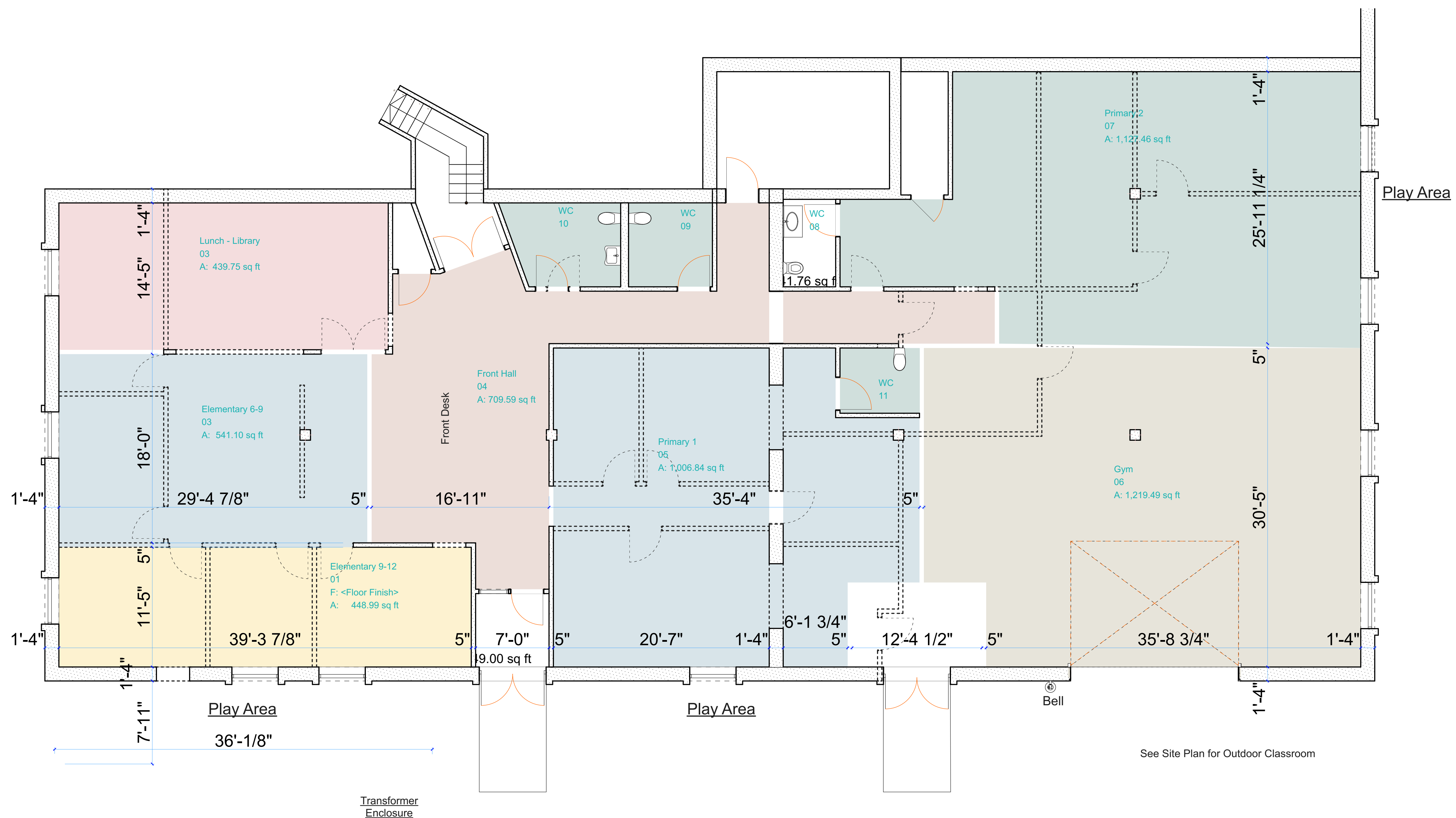
3 Site Furniture/Planting Detail
SCALE: 1" = 10'



4 Easement Plan
SCALE: 1" = 50'

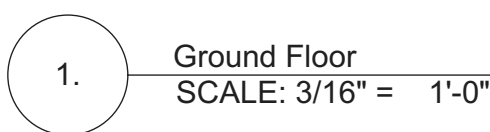


Site Furniture/Planting
SCALE: 1" = 20'



1

Demolition Plan
SCALE: 3/16" = 1'-0"

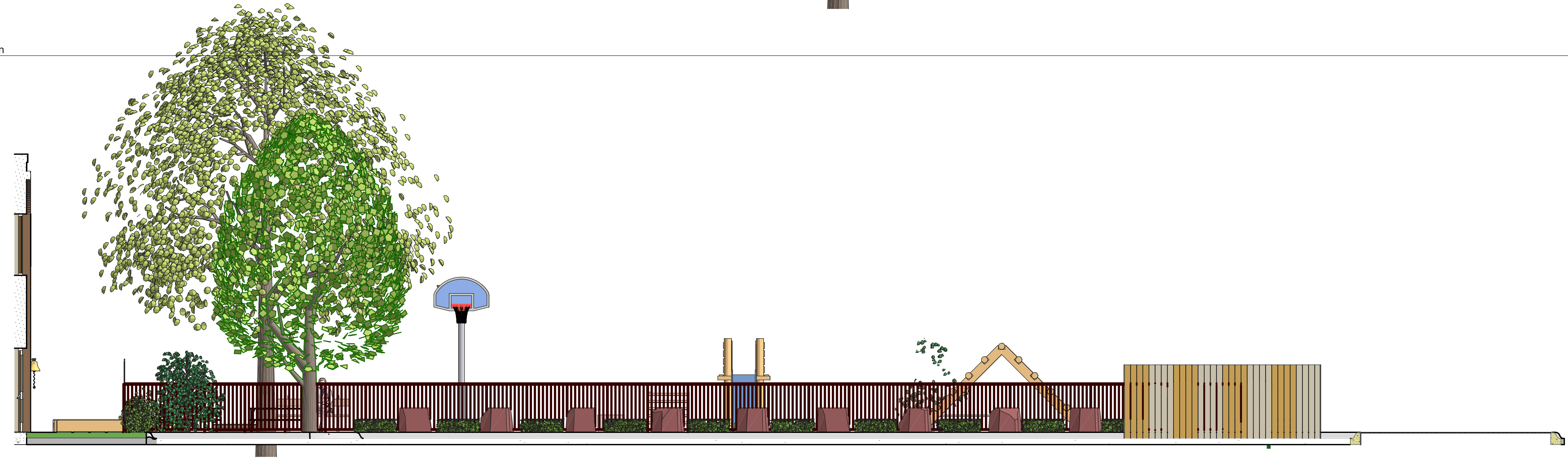




1 North Elevation
SCALE: 3/16" = 1'-0"



2 West Outdoor Classroom Elevation
SCALE: 3/16" = 1'-0"



3 East Outdoor Classroom Elevation
SCALE: 3/16" = 1'-0"



3 Outdoor Classroom 1
SCALE: 1:200



4 Outdoor Classroom 2
SCALE: 1:200



5 Library View
SCALE: 1:200



1 Plan 3D Existing
SCALE: 1:111.11



2 Plan 3D New
SCALE: 1:111.11



BUSINESS PLAN

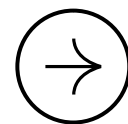


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Executive Summary



Mission: We believe that every child is capable. We believe that every child is inherently good. We believe that all children deserve a quality education that provides holistic support on their journey to adulthood. Grow Montessori Academy is an inclusive community of highly skilled teachers and conscientious parents and their children who are working together to master foundational skills, cultivate independent thought, and to care for others and their environment.

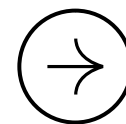
Vision: We support each child as they grow through careful preparation of the classroom environment, with the implementation of lessons by an expertly trained teacher, and by the curation of a classroom culture where children find joy in learning itself. We are committed to holding true the standards of quality set by the Association Montessori Internationale in order to provide intellectual, academic, social, and emotional preparation for life by allowing for freedom with responsibility within an atmosphere of respect and beauty.

Our Values

- We understand and support the individuality and unique interests and potential of each child.
- We value each child's innate abilities and desire to learn.
- We uphold the standards set by the Association Montessori Internationale(AMI) with a deep understanding of child development.
- We value personal growth and continued professional development for all staff.
- We cultivate a culture of respect, collaboration, and freedom with responsibility, and support each other non-coercively.
- We value connection to the natural world and foster stewardship of both our indoor and outdoor environments.
- We believe in collaboration amongst parents, students, and professionals to most effectively support a child's health, academic potential, and overall wellbeing.
- We believe in equitable Montessori access, no matter socio-economic status.
- We believe in education for a more just and peaceful world.
- We value a safe, inclusive, diverse, anti-racist, anti-bias community for all students, staff, and families while honoring our common humanity, and embracing the power of our differences.



About Grow Music Academy



Opened in January of 2019: We grew from 40 students to 325 in under 4 years. We've been looking to expand, but the location is vitally important to us. We serve children from birth to adulthood and many of our families that bring their children to our Early Childhood Music Together classes utilize the library and local parks to socialize with other families after class. The library was the main reason we chose the location at 600 N First Bank.

Future: As a member of the Montessori community for the past 11 years with my own 3 children, there is a clear need for a high-quality Montessori within Palatine.



Attachment: PZC Materials - October 10, 2023 (2023-112 : 600 N. First Bank Drive - SU Montessori School)



Page 4



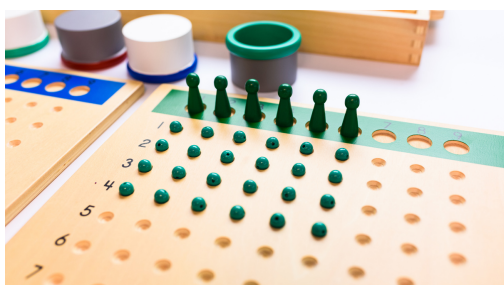
Business Description

What is the Montessori Approach to Education?



Montessori is a method of education that is based on self-directed activity, hands-on learning and collaborative play.

In Montessori classrooms children make creative choices in their learning, while the classroom and the highly trained teacher offer age-appropriate activities to guide the process. Children work in groups and individually to discover and explore knowledge of the world and to develop their maximum potential.



Why Montessori?

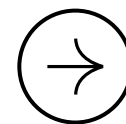
Montessori classrooms are beautifully crafted environments designed to meet the needs of children in a specific age range. Dr. Maria Montessori discovered that experiential learning in this type of classroom led to a deeper understanding of language, mathematics, science, music, allowed for greater social development, and much more.

Every material in a Montessori classroom supports an aspect of child development, creating a match between the child's natural interests and the available activities.

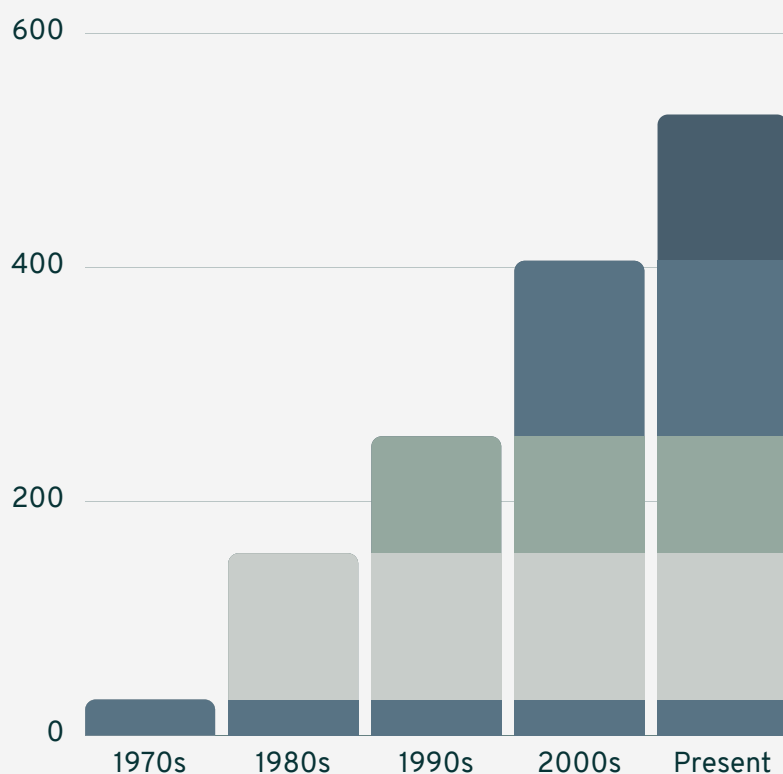
Children can learn through their own experience and at their own pace. They can respond at any moment to the natural curiosities that exist in all humans and build a solid foundation for life-long learning.



Montessori is Growing



Montessori Growth in the Public and Private Sector



Public Montessori Schools

There are now over 500 Public Montessori Schools and over 4,500 that are Privately operated.

Current Educational Studies Highlight the Strengths

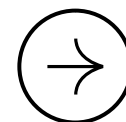
The longitudinal study by Dr. Angeline S. Lillard and colleagues (Lillard et al., 2017) states that an educational method that focuses on the overall development of the child rather than grades produces responsible, creative, and mature adults.

Across a range of abilities, children at Montessori schools outperformed the children in traditional education. Some of the differences that the team noticed through their research included:

- The children of Montessori schooling were significantly more creative and sophisticated.
- There was a significant difference with regard to the social and emotional behavior of the children of the same age groups.
- Children who attended Montessori schools demonstrated a sense of being reasonable, honest, and justified during interactions. They had a more emotionally positive approach.
- Montessori-educated children performed better in reading, spelling, grammar, and punctuation when compared to those who participated in conventional education.



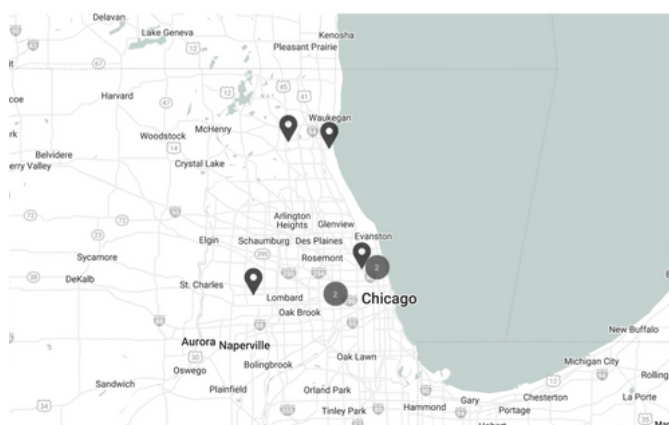
Fulfilling a Need



Association Montessori Internationale(AMI)

The student outcomes are greatly dependent on the quality of the program. In the suburbs of Chicago, there are currently only 3 AMI Elementary programs available. AMI-associated schools represent the most authentic and highest-quality Montessori programs available. The teacher training is thorough and is the most versatile diploma a teacher can hold.

School Locator



Other AMI Elementary Programs

	Forest Bluff School, Lake Bluff, IL	 Recognition Status: Recognized for ages 0-12  Recognition Year: 2022-23  School Administrator: Laura Earls  8 West Scranton Ave, Lake Bluff, IL 60044, USA
	Wheaton Montessori School, Wheaton, IL	 Recognition Status: Recognized for ages 3-12  Recognition Year: 2022-23  School Administrator: Rebecca Lingo  1980 North Gary Avenue, Wheaton, IL 60187, USA
	West Suburban Montessori School, Oak Park, IL	 Recognition Status: Recognized for ages 3-12  Recognition Year: 2022-23  School Administrator: Patricia Eggerding  1039 South East Avenue, Oak Park, IL 60304, USA



Our Class Environments

Toddler Community

18 months - 3 years old
"Help Me to Do it Myself"
1 Classroom

Primary Classroom

3-6 years old
"Help Me to Do it Myself"
2 Classrooms

Elementary Environment

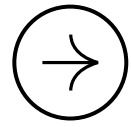
6-12 Years Old
"Help Me to Think"
1 Classroom

Adolescent Program

"Help Me to Help You"
1 Classroom



Growth Projections

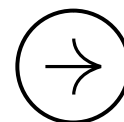


Operation Year	Classroom Environments	Expected Capacity
Year 1 2023-2024	• One Elementary 6-12 Class • Proposed Primary 3-6 Class	• 6-10 • 5-7
Year 2 2024-2025	• Proposed Toddler Class 18m-3 Class • New or Continued Primary 3-6 Class • Continued Elementary 6-12 Class	• 5-10 • 10-20 • 8-15
Year 3 2025-2026	• New or Continued Toddler Class • Continued Primary 3-6 Class • Continued Elementary 6-12 Class	• 5-10 (MAX) • 15-25(MAX) • 15-28(MAX)
Year 4 2026-2027	• Continued Toddler Class • Continued Primary 3-6 Class • New Primary 3-6 Class • Continued Elementary 6-12 Class	• 10 (MAX) • 20-25(MAX) • 5-10 • 20-28(MAX)
Year 5 2027-2028	• Continued Toddler Class • Continued Primary 3-6 Class • Continued Primary 3-6 Class • Continued Elementary 6-12 Class	• 10 (MAX) • 20-25(MAX) • 10-25(MAX) • 20-28(MAX)
Year 6 2028-2029	• Continued Toddler Class • Continued Primary 3-6 Class • Continued Primary 3-6 Class • Continued Elementary 6-12 Class • New Adolescent Program 12-14 Class	• 10 (MAX) • 20-25(MAX) • 20-25(MAX) • 20-28(MAX) • 5-15(MAX)
Year 7+	5 Classrooms in Total	95(MAX) Students

Attachment: PZC Materials - October 10, 2023 (2023-112 : 600 N. First Bank Drive - SU Montessori School)



Staff Projections



Operation Year	Classroom Environments	Expected Capacity
Year 1 2023-2024	• One Elementary 6-12 Class • Proposed Primary 3-6 Class	• 2 • 1
Year 2 2024-2025	• Proposed Toddler Class 18m-3 Class • New or Continued Primary 3-6 Class • Continued Elementary 6-12 Class	• 1-2 • 2 • 2
Year 3 2025-2026	• New or Continued Toddler Class • Continued Primary 3-6 Class • Continued Elementary 6-12 Class	• 1-2 • 2 • 2
Year 4 2026-2027	• Continued Toddler Class • Continued Primary 3-6 Class • New Primary 3-6 Class • Continued Elementary 6-12 Class	• 2 • 2 • 2 • 2
Year 5 2027-2028	• Continued Toddler Class • Continued Primary 3-6 Class • Continued Primary 3-6 Class • Continued Elementary 6-12 Class	• 2 • 2 • 2 • 2
Year 6 2028-2029	• Continued Toddler Class • Continued Primary 3-6 Class • Continued Primary 3-6 Class • Continued Elementary 6-12 Class • New Adolescent Program 12-14 Class	• 2 • 2 • 2 • 2 • 1-2
Year 7+	5 Classrooms in Total	10 Max Staff Members



"We know what all children are capable of. Within our classrooms, they will be set free to discover them." - Mallory Miller



CERTIFICATE OF PUBLICATION

DES PLAINES JOURNAL, INC., a corporation organized and existing under and by virtue of the laws of the State of Illinois, does hereby CERTIFY that it is the publisher of the:

**Journal & Topics Newspapers
AKA Des Plaines Journal, Inc.
622 Graceland Ave.
Des Plaines, IL 60016-4556**

and that said newspaper(s) is a secular newspaper of general circulation and has been published weekly in the

(Village) (Town) (City) (Township) of PALATINE 600 N. FIRST BANK DR., UNIT C

 County of COOK

and State of Illinois, continuously for more than one year prior to date of the first publication of the notice attached hereto, and that said newspaper(s) complies with the requirements of Paragraphs 5 and 10, Chapter 100, of the Illinois Revised Statutes.

Further, that the notice, of which the attached is a true copy, was published ONE times in the said newspaper(s), namely once each week for ONE successive week(s) and that the first publication of said notice was made on the 21ST day of SEPTEMBER, A.D. 2023, and the last publication thereof was made on the 21ST day of SEPTEMBER, A.D. 2023.

Your Legal appeared in
the following Journal & Topics
Newspapers
(Des Plaines Journal, Inc.)

- ☐ Des Plaines Journal
- ☐ Elk Grove Village Journal
- ☐ Mt. Prospect Journal
- ☐ Niles Journal
- ☐ Park Ridge-Golf Mill Journal
- ☐ Prospect Heights Journal
- ☐ Rosemont Journal
- ☐ Arlington Heights Topics
- ☐ Buffalo Grove Topics
- ☒ Palatine Topics
- ☐ Rolling Meadows Topics
- ☐ Wheeling Topics
- ☐ Suburban Journal
- ☐ Northwest Journal
- ☐ Glenview Journal



Mary Alice Wenzl
 IN WITNESS WHEREOF, THE **DES PLAINES JOURNAL, INC.**, has caused this certificate to be signed and its corporate seal affixed hereto at Des Plaines, Illinois this 21ST day of SEPTEMBER, A.D., 2023.

By Todd Wessell

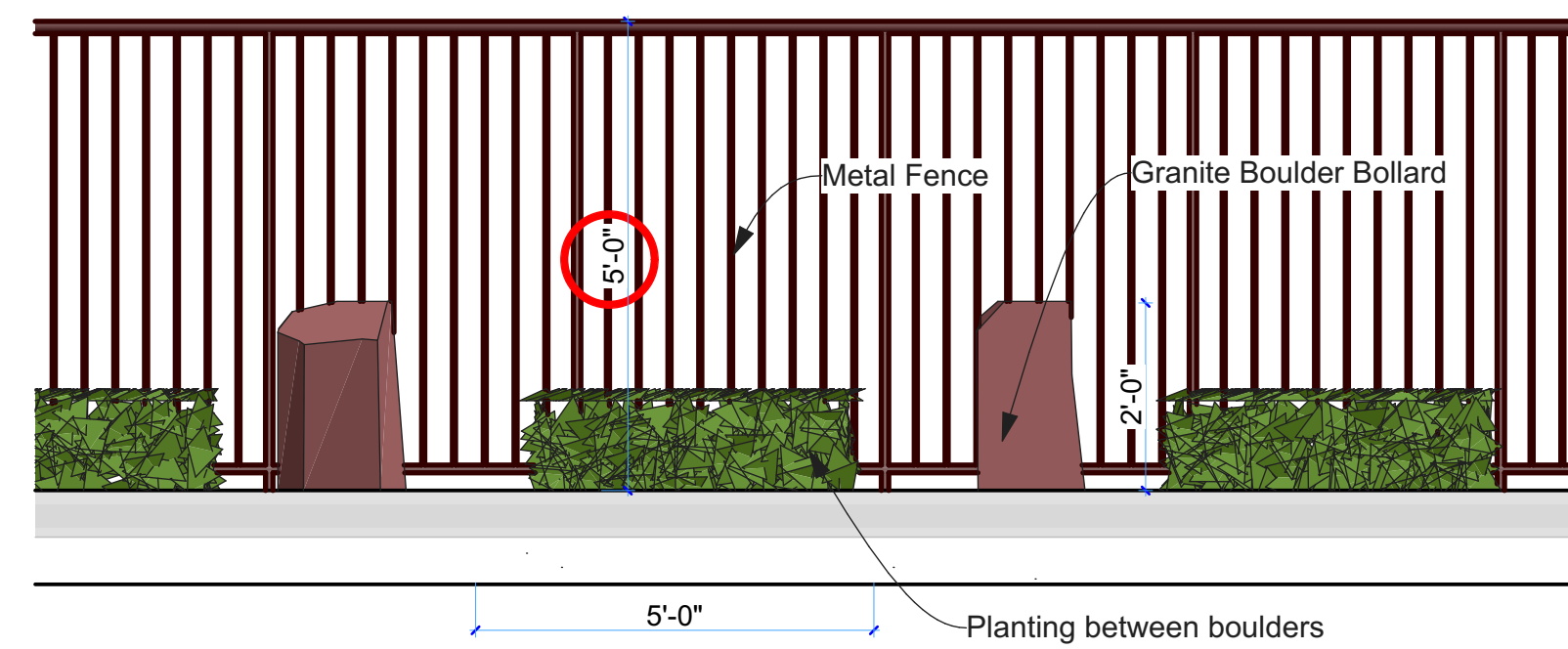
President

Title of Corporate Officer

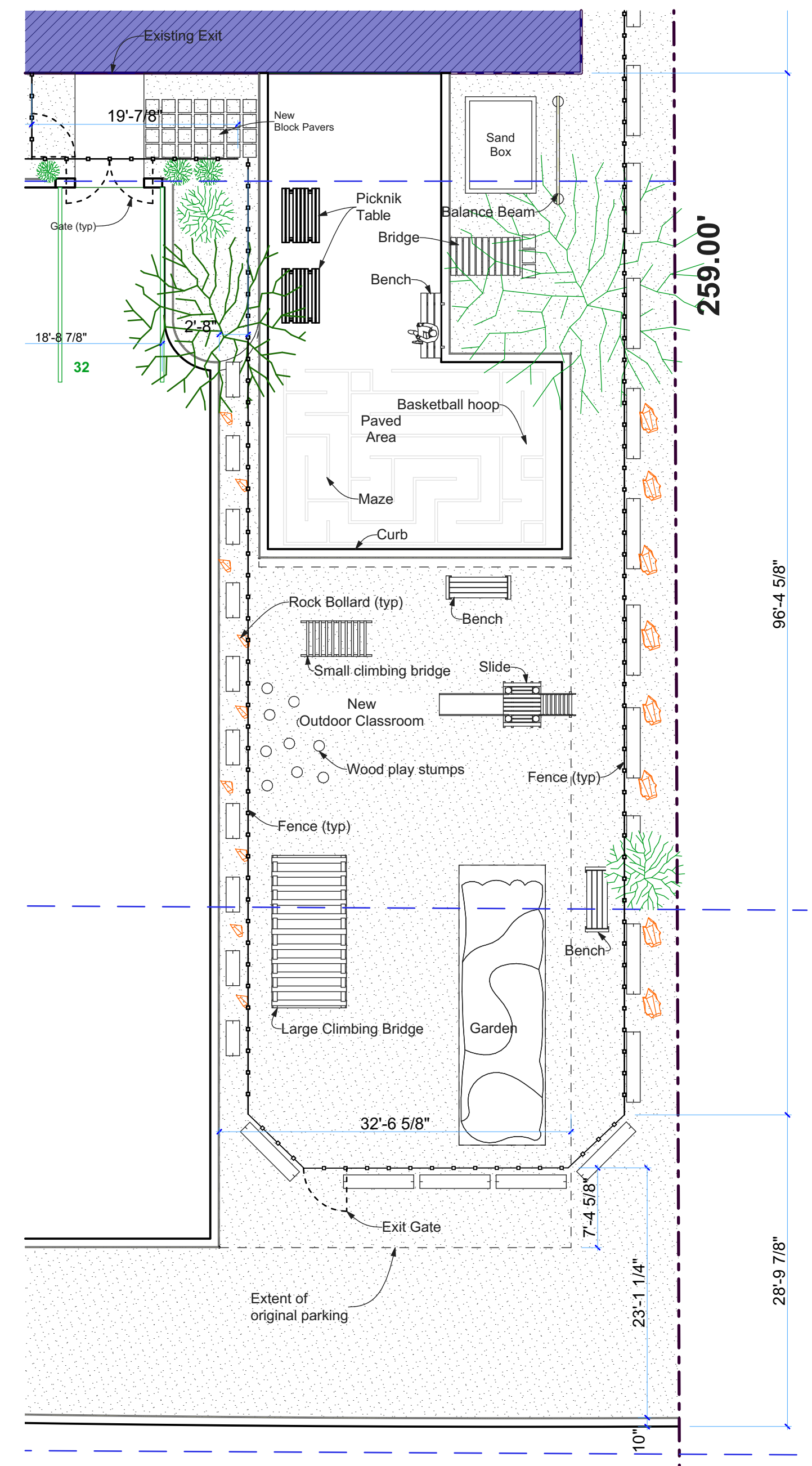
County of Cook
 State of Illinois

Subscribed and sworn to before me this 21ST day of SEPTEMBER, A.D., 2023.

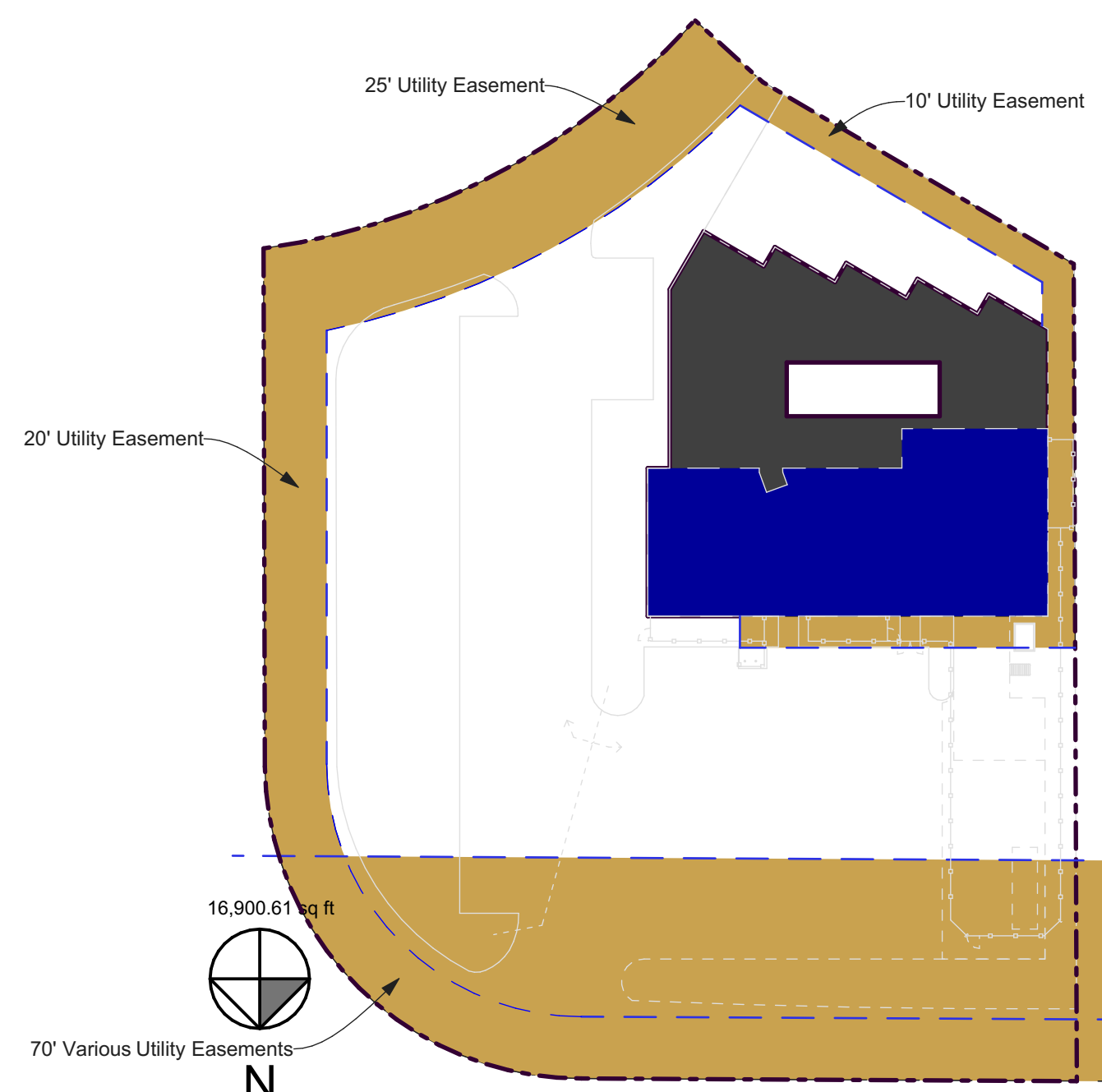
My commission expires the 15TH day of JULY, A.D., 2025.



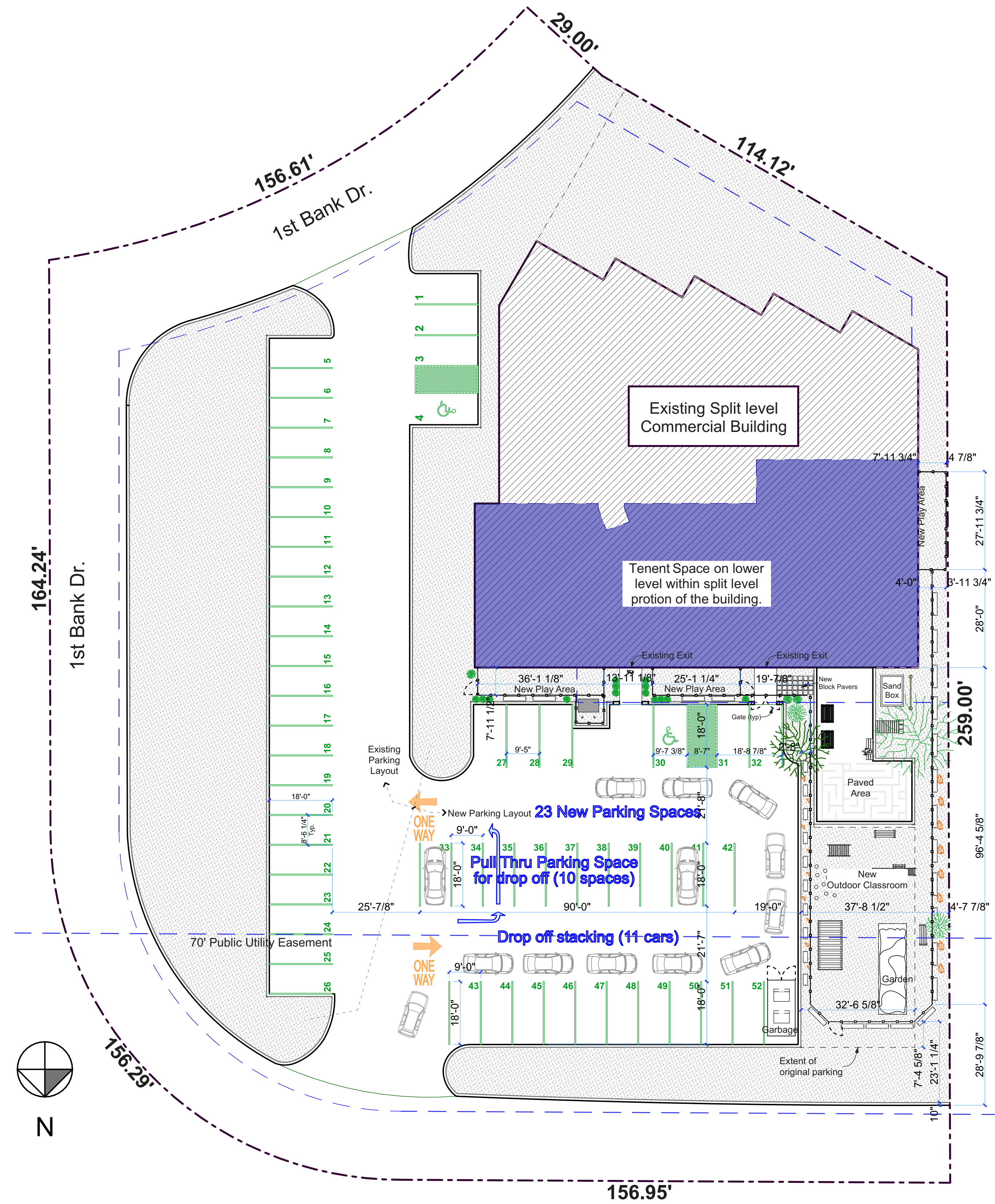
2 Fence/Bollard Elevation
SCALE: 1/2" = 1'-0"



3 Site Furniture/Planting Detail
SCALE: 1" = 10'



4 Easement Plan
SCALE: 1" = 50'



1 Site Furniture/Planting Parking 1
SCALE: 1" = 20'

Parking Calculations
26 Existing Parking Places
26 New Parking Places

52 Total Parking Spaces

LAW OFFICES
PINDERSKI & PINDERSKI, LTD.

Jerome W. Pinderski, Jr.
 Paul C. Pinderski
 Polly J. Pinderski

Jerome W. Pinderski
 1925-1993

Louis Pinderski
 1883-1943

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 Palatine, Illinois 60067-5086 USA

847-358-5220
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 PinderLaw@aol.com

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November 9, 2023

Ben Vyverberg
 Director, Planning and Zoning
 Village of Palatine
 200 East Wood Street
 Palatine, IL 60067

RE: Grow Montessori Academy 600 N. First Bank Drive/special use petition

Dear Ben:

I am writing you today in conjunction with the above project. I understand that Petitioner Mallory Miller is interested in establishing a Montessori school within the subject property which is located in the Office Park of Palatine. I represent the interests of Moats Office Properties, Inc., and its affiliates. Our client, and its principal, Larry Moats, is the owner of most of the office buildings that comprise Office Park of Palatine. Over the last three decades, Office Park of Palatine has become one of the Village's most important office centers for small and medium-size businesses. It is also home to a fair amount of well established medical practices and related healthcare providers.

Though the Office Park is home to a few small educational studios (music lessons, etc) and a day care center, none of them occupy much space, nor otherwise generate the expected volume of students that is proposed for Montessori school project.

Moats Office Properties, Inc. and its affiliates own 675 N. North Court, a four-story office building immediately adjacent to the west of 600 N. First Bank Drive. Our client is also the owner of several office buildings immediately east of 600 N. First Bank Dr. (650-652 North First Bank Drive) that share a common driveway that meets N. North Court directly across the street from the eastern perimeter of 600 N. First Bank Drive.

Though a Montessori school may be an appropriate land use within the Office Park, and even within the proposed building, Moats Office Properties, Inc. respectfully objects to this specific school project. Though Moats is a great supporter of education, and has donated generously to all of the school systems serving Palatine, it cannot support this particular school project at this location.

Thursday, November 9, 2023

LAW OFFICES
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Our client's specific objections are as follows:

1. The size and scope of the proposed Montessori school is not in keeping with the business character of the subject property, and the office park in which it is located. Office Park of Palatine is a collection of single and multistory office buildings that have been very well maintained over the last three decades. The office park has become a magnet for successful businesses and service providers, including the medical and healthcare groups noted above. Though the office park is home to a day care center, and a few very small educational studios, it is principally a place of business. The establishment of a Montessori school, especially of the size and scope being proposed by the Petitioner would materially alter the character of the office park to the detriment of its property owners and tenants.

A smaller school, with far less than the projected 95 students may constitute an acceptable land use.

2. The Petitioner proposes to operate the school with a starting bell of 8:30 AM. Our client is concerned that the proposed start time will create extraordinary traffic congestion within the office park, and in particular along the roadway adjacent to the properties owned by Moats to the west and east of 600 N. First Bank Drive. Based on surveys of its own business traffic, most of the adjacent business properties fill up with business staff around 8:30 AM. Though a fair amount of morning traffic is present, it moves well through the office park to allow tenants and their staff to get to work unimpeded.

If the Montessori school is to operate as planned, at full capacity, it would have 70 or more vehicles arriving every morning to drop off children. Moats is concerned that adding an additional 70 vehicles to the traffic along First Bank Drive and N. North Court between 8:15 AM and 8:25AM would cause insurmountable traffic jams and congestion. The size and scope of the proposed parking facilities at 600 N. First Bank Dr. cannot accommodate the expected volume of cars. As such, significant stacking of vehicles along N. North Court, and possibly onto First Bank Drive will occur. Our client is concerned that the stacking along the public roadways will impede the ability of its tenants and their staff to get into their buildings in a reasonable fashion. Such traffic congestion, and especially over time, will likely diminish the value of our office buildings, and the desire of our tenants to remain.

To help illustrate our client's concerns, we have attached two photo images that depict 70 cars attempting to access the proposed Montessori school.

The traffic concerns likely could be mitigated if the Montessori school started its day at 8 AM. This would likely cause the school traffic congestion on N. North Court and First Bank Drive to take place between 7:45 AM and 7:55 AM. The school traffic likely will have dissipated by the time tenants begin to arrive at our client's office buildings.

3. Our client is concerned about the proposed placement of an outdoor playground and activity area which will be built along the western edge of 600 N. First Bank Drive, immediately

PINDERSKI & PINDERSKI, LTD.

adjacent to our client's building at 675 N. North Court. In fact, the proposed plans place the playground and activity areas almost on top of eastern edge of our parking lot.

Though children attending any school should have great opportunities for recreational breaks, and play hard and loud outside, these attributes are likely to damage the business/office ambience of the office park, and in particular the environment affecting the Moats building at 675 N. North Court. Children playing during the day in the playground areas will create ongoing visual distractions for many of its tenants. A number of the office windows overlook the proposed playground area. In addition, the noise associated with the use of the outdoor playground areas will cause further distractions and disruptions to its tenants. The 675 N. North Court building has a high tenant concentration of medical and healthcare professionals. Their practices require a quiet and calming atmosphere in which to care for their patients. Moats is concerned that the proposed playground area will materially disrupt the peace and quiet that otherwise exists today.

There may be a solution to the concerns associated with the outdoor playground and activity area. We believe that the location of the outdoor playground activity area should be redesigned and moved to: (i) the eastern portion of the existing parking lot; or (ii) east to parallel the northern face of the building. Such alternative locations would aid in addressing our client's visual objections to the playground area adjacent to its property. The relocation of the playground/activity area would also dramatically alter the noise concerns noted above. In addition to redesigning and relocating the playground/activity area, Moats Office Properties believes that it would be appropriate for the petitioner to build a 6 foot wooden fence along the western border of its property adjacent to the Moats office building at 675 N. North Court. A tastefully designed and constructed six foot wood fence would provide an additional visual barrier to the playground and outdoor activity areas. It would also further help diminish some of the noise that is likely to be generated by the children's use of the playground area.

4. In addition to the foregoing objections, our client is also concerned regarding the proposed reduction of the property's on-site parking. As noted in the staff report, the property may already be under parked today. The school proposal will exacerbate that concern. As the property owner of the adjacent building at 675 N. North Court, Moats is concerned that during school special events, whether concerts, plays or other programming, its office parking lot is likely to become the "overflow parking space" for parents and other guests. Our client's parking facilities are private property, and are reserved solely for the use by its tenants and their patrons. It is not meant to be a public parking lot, nor an auxiliary parking facility for 600 N. First Bank Drive.

Though we applaud Petitioner's efforts to establish a new Montessori Academy, and wish her well, the proposed location at 600 N. First Bank Drive is not an ideal location for any major school facility. The ideal location for the school would be a property with far more green space and less traffic.

Moats Office Properties, Inc. respectfully asks that the Village of Palatine deny the current petition to establish Grove Montessori Academy at 600 N. First Bank Drive, Palatine, Illinois.

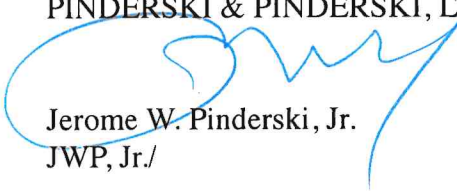
LAW OFFICES
PINDERSKI & PINDERSKI, LTD.

If the Village Council does see merit in the petition, our client would hope that its suggested project changes would be incorporated into any final decision plan. The project modification suggestions set forth herein will minimize some of the legitimate concerns raised above as to traffic congestion, and noise and visual pollution that will otherwise degrade the value of our client's properties as high-quality places in which to do business.

Thank you for giving consideration to our concerns and objections.

Sincerely,

PINDERSKI & PINDERSKI, LTD.



Jerome W. Pinderski, Jr.
JWP, Jr./

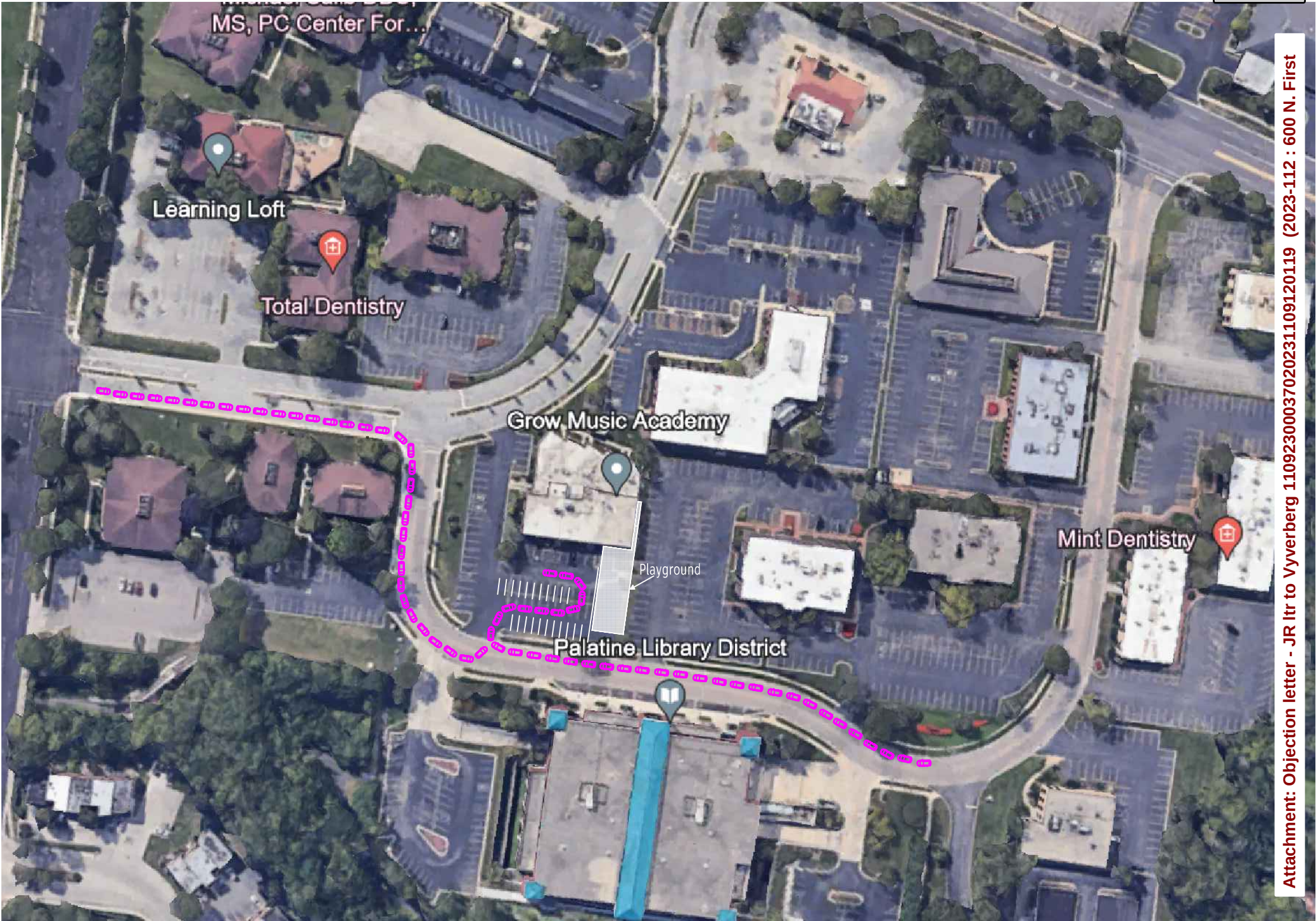
via email

Thursday, November 9, 2023

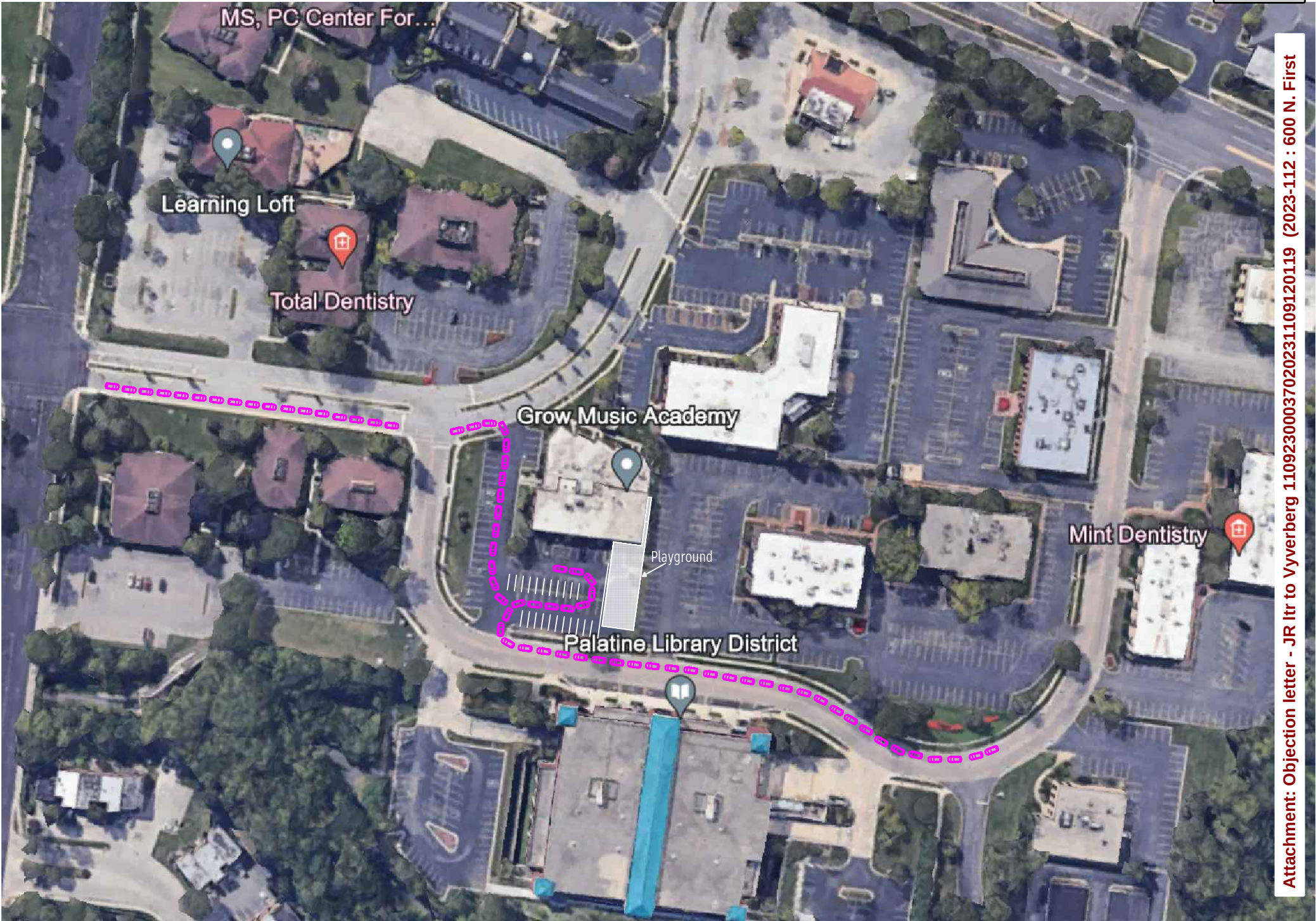
4

Packet Pg. 216

Attachment: Objection letter - JR ltr to Vyverberg 11092300037020231109120119 (2023-112 : 600 N. First Bank Drive - SU Montessori School)



Attachment: Objection letter - JR ltr to Vyverberg 11092300037020231109120119 (2023-112 : 600 N. First



Attachment: Objection letter - JR ltr to Vyverberg 11092300037020231109120119 (2023-112 : 600 N. First

2. 600 N. First Bank Drive Unit C - **Recommend To Approve**
SU-000053-2023 600 N. First Bank Drive

Notice was published in the Journal & Topics on September 21st, 2023 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. **Special Use Application**
2. **Proof of Ownership**
3. **Plat of Survey**
4. **Site Plan & Floor Plan**
5. **Business Plan**
6. **Public Notice**

Mr. Vyverberg states the petitioner is proposing to open a new Montessori School within the lower-level tenant space on the subject property. The school would include an approximately 3,500 square foot outdoor play area south of the building. The existing parking stalls would be reconfigured to make space for said outdoor play area.

The request is also to allow for the addition of an outdoor play are, a variation to permit 90-degree angle parking spaces at 18 feet deep instead of the minimum required of 19', a variation to permit two-way cross aisle widths at 21.6 feet instead of the minimum 24 feet and a variation to permit 51 parking spaces instead of the minimum required 67 spaces.

Sworn in petitioner: Mallory Miller - 600 N. 1st Bank Drive

Ms. Miller states that she is a resident of palatine and owner of Grow Music Academy which is located within this building. They've occupied the space for the past 5 years and are continuing to expand. They would like to open a partnering Montessori school at the ground floor of the building that they are currently in. Their mission is to improve educational opportunities for children. She explains that AMI Montessori schools are a unique set of schools that hold true to the standards of the accrediting body. They would be the 4th AMI Montessori school located in the suburbs of Chicago. She states they would bring value to the village and residents of Palatine. The location of the school is important. AMI programs need to be at a walkable location for children for "going outs". Children write proposals for the trips and prepare shopping lists for supplies and explore the locality. The school finds that in order for children to reach their full potential they need to experience the world. The location is essential since she already runs the Music School and it would be a hardship financially and logistically to move both operations. She refers to the site plan and states that although not shown, there would be a one-way circular drive for drop off and pick up. She states that she has spoken to tenants within the building and they support the proposed plan.

Chairman Wood asks what age the children would the school serve.

Ms. Miller states that initially the school would be enrolling children ages 3-12 years, but future plans are to serve children up to age 14 and toddlers.

Chairman Wood questions the outdoor learning area and play area.

Ms. Miller states that Montessori schools' connection to nature is really important. There would be a small outdoor classroom attached to each of the classrooms which would allow for freedom of movement for the children and the outdoor play area would be for recess time during the day.

Chairman Wood refers to daycare facilities in the area and notes that the play areas are normally off to the side and site's various locations with these conditions. Has concerns that the outdoor area is between a parking lot and building.

Ms. Miller states they have protection around the fencing and plan to use granite boulders as barriers for protection. She sites daycare locations that have a similar situation and refers to a recently opened daycare on Dundee Road which has a fenced in play area with bollards to protect the area.

Chairman Wood states the situation is unique as the location is near office buildings and parking lots.

Ms. Miller states that utilizing the space and adapting to the new need would be a benefit to the landlord.

Chairman Wood inquires what the traffic for the Music School currently is and what is anticipated for the Montessori School.

Ms. Miller states the music school starts lessons after 3:30 and traffic is not an issue. The Montessori school would be a drop off, pick up situation and does not anticipate traffic issues.

Chairman Wood asks if there would be special events such as musical programs or open house that would affect the parking.

Ms. Miller states the special events are currently off site and on Sundays. The new space would provide a gym space to allow for special events but they would normally be held on Sundays.

Commissioner Kolososki inquires whether there will be a one-way driving situation for pickups and drop offs.

Ms. Miller states that there would be a one way.

Commission Kolososki asks if the play area will be an all-grass area.

Ms. Miller states that some of it will be paved and refers to the drawing. The rest of the area will be grass.

Commissioner Bettenhausen asks if the stones will be manufactured or natural stone.

Ms. Miller states they will be a natural stone.

Commissioner Bettenhausen asks if they will be secured by their own weight.

Ms. Miller confirms that they would be.

Chairman Wood asks for the student count initially and the future plan.

Ms. Miller states that they would start with approximately 18 children but are hoping to eventually serve 95 children. She states that most families have multiple children and notes that they do not expect 95 cars for drop off and pick-ups.

Chairman Wood asks how many staff would be employed.

Ms. Miller states there would be a maximum of 10.

Commissioner Friedman notes that there are many letters of support. There are 2 letters from tenants within the building. Are there any other tenants?

Ms. Miller states there is one more Chiropractic firm that has also provided a letter of support those are the only tenants in the building aside from her Music Academy.

Chairman Wood asks if she is aware of the parking requirements for the other tenants in the building.

Ms. Miller notes that parking is not utilized too much by the other tenants.

Chairman Wood asks if there is a plan if parking is an issue.

Ms. Miller states they may contact surrounding property owners if need be but anticipates that this would not be an issue.

Mr. Vyverberg provides further information and states that the subject property is zoned B-1 zoning district which is the shopping center district for the village. The existing building is under 20000 sq ft and the tenant space the petitioner is requesting to occupy is 6700 sq feet. Total required parking is calculated at 1 per 300. The space would require 67 spaces and requires the variation for the 51 spaces. He states that it is not unusual for a daycare to request a parking variation. He further states that fire prevention will review a life safety calculation and determine the maximum capacity and that determines the parking requirements. He also states that the outdoor area is approx. 3600 square feet and is directly across from the library property. It's set back 23' from North Court and is a 4' wrought iron fence and has discussed the granite blocking. Has discussed safety requirements with the petitioner. He also states that the façade is not changing except for the outdoor area. He provides outdoor elevations for the proposed project and floor plan elevations.

Chairman Wood asks if the outdoor play area is completely fenced in.

Mr. Vyverberg states that it is a 4' tall outdoor fence and is enclosed.

Commissioner Friedman asks if the proposed basketball goal placement within the playground area would be safe or better placed in a controlled environment.

Mr. Vyverberg agrees that the low height of the fence and the parking to the side is that the best location - Staff did not focus on that but and does not disagree

with the concern.

Commissioner Friedman refers to the parking layout and states there are variance requests for the depth of the stalls and the drive aisles serving the substandard stalls. He states that shorter stalls are not troublesome if there is adequate drive aisles width or a narrow drive aisle width works if you have full depth stalls. The request is compressing both. Has there been a discussion with engineering to encourage one-way traffic?

Mr. Vyverberg states that his analysis is correct. It ultimately would reduce the variation request and reduce the number of stalls. The petitioner wanted to keep the parking there available and seek the variance.

Commissioner Friedman states that he doesn't see a variation for the stall width. Stalls are shown at a width of 8.4 and asks if they aren't normally 9'. He notes that it seems to be a tight fit. The width raises concern because at that width the surrounding cars are at risk for door dings.

Chairman Wood asks if there could be a change to the 4' fence.

Mr. Vyverberg states that the fence could be requested up to a 6' fence. He states the petitioner can speak to as why they chose 4'.

Commissioner Bettenhausen questions the one-way traffic in the parking lot area.

Mr. Vyverberg states that it is proposed as one way at the circle drop off area.

Commissioner Friedman asks for clarification on the one-way parking area.

Ms. Miller states that the plan was to have one-way traffic to be marked with arrows or signage. She further states the 4' fence was a design choice. They are DCFS exempt and does not need to meet DCFS licensing standards. The 4' fence would be enough to contain children 3-12 years old. She also states that the basketball hoop is not a necessity and can be removed from the plan if needed.

Commissioner Friedman asks if one-way traffic would be permanent. Have you looked at angled parking?

Ms. Miller states that it would be discussed with the landlord and doesn't see an issue if it were to be a permanent one way.

Commissioner Friedman asks if she has a projection of the number of students that would be using the playground at any given time.

Ms. Miller states that it may be 40-50 children at one time.

Commissioner Roth-Wurster inquires what licenses would the facility required.

Ms. Miller states that since they are exempt, they have no requirements. They all have 1st aid training and as an accredited-premier school most staff would have full Montessori diplomas which is usually equivalent to a Master's degree.

Commissioner Cavanaugh asks to clarify the DCFS Exemption.
Ms. Miller states that schools with children above 3 years old and are accredited schools apply for DCFS license exemptions.

Resident - Roy Watier -675 N, North Ct
Owns multiple building within this park. Concern regarding 4' fence. States that they have tenants in surrounding building that are professional and noise may be an issue. He also states the basketball hoop is a concern. Has an issue with traffic and wonders if it will impact their locations.

Chairman Wood asks where his building is located in regards to the school.
He refers to the site plan and provides his location.
Chairman Wood asks if he is aware of any concerns from his tenants.
Mr. Watier states he has not had any tenant concerns regarding the school.

Resident -Gerald Cote - 644 N. Newkirk
Has lived in Palatine since 1985. Has grandkids in the area that are excited to enroll in this school.

Resident - Megan Rothenberg - 237 N. Benton
Has 4 children and also looking forward to the opening of the Montessori School.

Resident - Laura Cohen 555 N. Clark Dr.
Also has 4 children and supports the mission of her school.

Resident - Danielle Canonigo - 2374 N. Mosley
Has a 4-year-old daughter and supports the Montessori School.

Chairman Wood notes additional letters of support.

STAFF RECOMMENDATION:

The Petitioner is proposing to open a Montessori school in the ground unit of the existing building on the subject property. The subject Planned Development was initially implemented to primarily be an office park. A Montessori school with an outdoor play area would be out of character with the surrounding business office setting as said play area would be located between two surface parking lots. The Petitioner has worked with Staff to increase the play area's setback from N. North Court to be approximately 23 feet, which helps alleviate Staff's line-of-sight concerns. Nonetheless, there was a minor amendment to the existing Planned Development in 2008 that permitted an outdoor play area for the Learning Loft daycare. With that said, the proposed use should not cause substantial injury to the value of other properties in the surrounding neighborhood.

The reconfiguration of the parking lot, north of the existing building, would further reduce the total number of spaces for an already under-parked property.

However, Staff is not aware of any complaints or issues with the current parking situation, and the reconfiguration should still provide adequate parking to all tenants within the building.

Therefore, Staff recommends action at the discretion of the Planning and Zoning Commission. If the Planning and Zoning Commission recommends approval, Staff recommends the following conditions:

1. The Special Use and Variation shall substantially conform to the Site Plan, Business Plan, and Floor Plan submitted by the Petitioner, Mallory Miller, except as such plans may be change to conform to Village Codes and Ordinances.
2. Any final traffic directional signage or pavement markings for a one-way drive aisle, or pick-up and drop-off locations, shall be submitted in a manner acceptable to the Village Engineer.
3. The fencing and bollard plan, enclosing the proposed outdoor play area, shall be submitted in a manner acceptable to the Director of Planning and Zoning.

There were no further questions. The public hearing was closed.

Commissioner Cavanaugh Made a motion to approve subject staff's conditions; seconded by Commissioner Kolososki.

DELIBERATIONS:

Commissioner Kolososki states that he supports the plan and believes it will be well received. He states it is a good use of the space.

Commissioner Cavanaugh states it would be an acceptable use of the space but has issues with the play area. If done properly and the petitioner is open to changes, it would be doable.

Commissioner Friedman states it is a nice use of the space. He notes that there are challenges faced with the open office building spaces in general in our society. There are fewer uses that require conventional office space. This use will be well received by the community and is also a need within the community. He supports the use and outdoor play area. He further states that he is not in favor of the parking lot design. He'd like to take the special use and planned development amendment vote separate before they vote on the parking use.

Commissioner Wood states the parking area and outdoor area needs to be worked on. She is in favor of the use but states it needs work.

Chairman Wood summarized that this request has met the standards and was approved by a vote of 4-3. This item will tentatively go to Village

Council on Monday, November 6th, 2023.

RESULT:	RECOMMEND TO APPROVE [4 TO 3]
MOVER:	Kevin Cavanaugh, Commissioner
SECONDER:	Robert Kolososki, Commissioner
AYES:	Roth-Wurster, Bettenhausen, Kolososki, Cavanaugh
NAYS:	Noonan, Friedman, Wood
ABSENT:	Fedota

Consider an Ordinance Adopting the Calendar Year 2024 Annual Budget

6.C.1.A

BACKGROUND:

The annual budget must be passed before the start of the fiscal year by municipalities that have adopted the Optional Budget Officer System. The annual budget must be filed with the County Clerk within 30 days of its adoption. The Village Manager, as Budget Officer, is required to submit an annual budget to the Mayor and Village Council. After public discussion, review, and modification, the budget is formally adopted by the Village Council to be the operating plan and financial guide for the Village over the next year (January 1 to December 31, 2024).

KEY ISSUES:

The Village Manager introduced and presented the Proposed CY 2024 Budget to the Mayor and Council at a Special Business, Finance, and Budget Committee Meeting held on Saturday, October 28. Follow-up discussion occurred at the regular Council meeting on November 6, with the required Public Hearing on the Proposed CY 2023 Budget held on November 20.

RECOMMENDATION:

Staff recommends approval of the Proposed CY 2024 Budget.

BUDGET IMPACT:

The Proposed CY 2024 Budget will provide for the continued and uninterrupted provision of services to the stakeholders of the Village of Palatine.

ACTION REQUIRED:

Motion to approve an ordinance adopting the Calendar Year 2024 Annual Budget.

ATTACHMENTS:

- CY 2024 Budget Ord
- EXHIBIT A - CY 2024 Budget Worksheet

ORDINANCE NO. O - _____ - 23

AN ORDINANCE PROVIDING FOR
THE CY 2024 ANNUAL BUDGET

WHEREAS, pursuant to 65 ILCS 5/8-2-9.3, the Budget Officer has compiled a budget containing estimates of revenues available to the municipality for the calendar year beginning January 1 and ending December 31, 2024, and

WHEREAS, pursuant to 65 ILCS 5/8-2-9.9, the Corporate Authorities of the Village of Palatine, Cook County, Illinois, have on November 20, 2023, conducted a public hearing on said proposed annual budget as submitted by the Budget Officer,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Village Council of the Village of Palatine, Cook County, Illinois, that pursuant to 65 ILCS 5/8-2-9.4:

SECTION 1: The calendar year 2024 Budget for the Village of Palatine, Illinois attached hereto and hereby made a part hereof as Exhibit A be and the same is hereby adopted and approved.

SECTION 2: The Village Manager is hereby authorized to make line adjustments within each Fund's budget total; provided, however, that the Fund total remains the same.

SECTION 3: That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4: This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

PASSED: This 4th day of December 2023

AYES: _____ NAYS: _____ ABSENT: _____ PASS: _____

APPROVED by me this 4th day of December 2023

Mayor of the Village of Palatine

ATTESTED and FILED in the
Office of the Village Clerk this
4th day of December 2023

Village Clerk

Attachment: CY 2024 Budget Ord (CY 2024 Budget Ordinance)

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, REID T. OTTESEN, do hereby certify that I am the duly appointed, qualified and acting Budget Officer of the Village of Palatine, Cook County, Illinois.

In accordance with 65 ILCS 5/8-2-9.3, I do further certify that the foregoing is a true and correct copy of the Village of Palatine's estimate of revenues by source, anticipated to be received by the Village of Palatine in the calendar year 2024.

I do further certify that the original, of which the foregoing is a true copy, is entrusted to my care for safekeeping and that I am the keeper of the same.

BY WITNESS WHEREOF, I have hereunto set my hand and caused the corporate seal of the Village of Palatine to be affixed, this 4th day of December 2023.

Reid T. Ottesen, Village Manager and
Budget Officer of the Village of Palatine

ATTEST:

Doris Sadik
Deputy Village Clerk

Attachment: CY 2024 Budget Ord (CY 2024 Budget Ordinance)

Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
REVENUE		
Taxes		
410.05	Property Tax Police Protection	2,231,939.00
410.10	Property Tax Fire Protection	2,231,939.00
410.15	Property Tax FICA	2,885,000.00
410.20	Property Tax IMRF	735,000.00
410.30	Property Tax Police Pension	5,871,000.00
410.35	Property Tax Fire Pension	6,109,000.00
411	Sales Tax Home Rule	7,000,000.00
412	Food & Beverage Tax	1,600,000.00
413	Hotel/Motel Tax	90,000.00
Taxes Totals		\$28,753,878.00
Licenses and Permits		
420.05	Business Licenses & Permits Professional & Occupational	225,000.00
420.10	Business Licenses & Permits Liquor Licenses	500,000.00
420.15	Business Licenses & Permits Rental Dwelling License	500,000.00
420.95	Business Licenses & Permits Other Licenses & Permits	225,000.00
425.05	Non-Business Licenses & Permits Building Permits & Fees	1,200,000.00
425.95	Non-Business Licenses & Permits Other Non-Business Lic & Permits	35,000.00
Licenses and Permits Totals		\$2,685,000.00
Intergovernmental Revenues		
430.05	Shared Revenues Road & Bridge Tax	650,000.00
430.10	Shared Revenues Replacement Tax	285,000.00
430.15	Shared Revenues Sales Tax - State	12,500,000.00
430.20	Shared Revenues Local Use Tax	2,800,000.00
430.25	Shared Revenues State Income Tax	10,350,800.00
430.30	Shared Revenues Auto Rental Tax	52,500.00
430.50	Shared Revenues Charitable Games Tax	1,250.00
432.05	Reimbursements Public Safety	30,000.00
432.10	Reimbursements Dist 211 Officer	420,500.00
432.15	Reimbursements Dist 211 Academy Officer	255,060.00
432.20	Reimbursements Dist 15 Officer	420,500.00
432.21	Reimbursements Dist 15 Crossing Guards	38,050.00
432.25	Reimbursements Rural Fire District	725,000.00
432.30	Reimbursements State Hwy Maintenance	201,405.00
432.35	Reimbursements Park District - CC & CSF	128,790.00
432.45	Reimbursements Rural/Meadows Agreement	18,000.00

Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
REVENUE		
	<i>Intergovernmental Revenues</i>	
434	Grants	30,000.00
	<i>Intergovernmental Revenues Totals</i>	\$28,906,855.00
	<i>Charges for Services</i>	
440.05	Intragovernmental Service Charge Water	1,044,000.00
440.10	Intragovernmental Service Charge Sewer	785,000.00
440.15	Intragovernmental Service Charge Refuse	75,000.00
440.20	Intragovernmental Service Charge Parking	150,000.00
440.25	Intragovernmental Service Charge CDBG	99,493.00
	<i>Charges for Services Totals</i>	\$2,153,493.00
	<i>Fines and Fees</i>	
450.05	Gen Govt Fees CATV Franchise Fees	964,800.00
450.10	Gen Govt Fees Photocopy Fees	12,000.00
450.15	Gen Govt Fees Mulch Delivery	35,000.00
450.95	Gen Govt Fees Other Fees	20,000.00
451.05	Comm Dev Fees Plan Review Fees	450,000.00
451.10	Comm Dev Fees Inspection Fees	255,000.00
452.05	Other PS Fees Special Police Service	192,600.00
452.10	Other PS Fees Special Fire Service	18,800.00
452.15	Other PS Fees Ambulance Fees	6,000,000.00
452.25	Other PS Fees False Alarm Fees	2,600.00
452.30	Other PS Fees Spiller Pays Fees	5,000.00
452.95	Other PS Fees FD Accident Fee	50,000.00
454.05	Fines Circuit Court Fines	200,000.00
454.15	Fines Compliance Violations	875,000.00
454.20	Fines Red Light Violations	700,000.00
454.30	Fines DUI Fines	10,000.00
454.95	Fines Other Fines and Fees	2,000.00
	<i>Fines and Fees Totals</i>	\$9,792,800.00
	<i>Interest Income</i>	
460.05	Interest Income Investments	100,000.00
	<i>Interest Income Totals</i>	\$100,000.00
	<i>Miscellaneous Revenues</i>	
470.05	Rental Income Buildings	130,600.00
471.05	Insurance & Property Damage Property Damage Recovery	25,000.00
471.10	Insurance & Property Damage Workers Comp Recovery	25,000.00
474.05	Other Misc Reimbursements/Refunds	395,000.00



Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
REVENUE		
Miscellaneous Revenues		
474.15	Other Miscellaneous Forfeitures	5,000.00
474.20	Other Streetfest Revenue	185,000.00
474.90	Other Miscellaneous Income	5,000.00
	Miscellaneous Revenues Totals	\$770,600.00
(Source)/Use of Reserves		
499	(Source)/Use of Reserves	(102,521.00)
	(Source)/Use of Reserves Totals	(\$102,521.00)
	REVENUE TOTALS	\$73,060,105.00
EXPENSE		
Department 10 - Mayor & Council		
Division 01 - Administration		
Program 0000 - General		
Salaries		
500.05	Salaries Full Time	98,500.00
	Salaries Totals	\$98,500.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	1,660.00
510.15	Taxes & Benefits Social Security	7,060.00
510.35	Taxes & Benefits Medical/Dental Insurance	158,895.00
510.40	Taxes & Benefits Life Insurance	280.00
510.60	Taxes & Benefits Allowances	15,000.00
	Taxes & Benefits Totals	\$182,895.00
Supplies		
520.05	Office Supplies General	350.00
520.10	Office Supplies Paper	200.00
520.15	Office Supplies Printed Forms	350.00
525.35	Operating Supplies Clothing	700.00
525.95	Operating Supplies Other	950.00
	Supplies Totals	\$2,550.00
Services & Charges		
540.05	Services Management Consulting	5,500.00
575.10	Other Memberships & Publications	33,360.00
575.15	Other Training & Travel	2,500.00
	Services & Charges Totals	\$41,360.00
	Program 0000 - General Totals	\$325,305.00
	Division 01 - Administration Totals	\$325,305.00
	Department 10 - Mayor & Council Totals	\$325,305.00



Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 12 - Boards & Commissions		
Division 04 - Police & Fire Commission		
Program 0000 - General		
Supplies		
520.15	Office Supplies Printed Forms	13,260.00
	Supplies Totals	\$13,260.00
Services & Charges		
540.95	Services Other	26,650.00
575.10	Other Memberships & Publications	375.00
	Services & Charges Totals	\$27,025.00
	Program 0000 - General Totals	\$40,285.00
	Division 04 - Police & Fire Commission Totals	\$40,285.00
Division 05 - Board of Health		
Program 0000 - General		
Supplies		
520.05	Office Supplies General	100.00
520.10	Office Supplies Paper	200.00
525.95	Operating Supplies Other	300.00
	Supplies Totals	\$600.00
Services & Charges		
540.35	Services Medical	3,915.00
550.15	Printing/Advertising Outside Printing Services	200.00
	Services & Charges Totals	\$4,115.00
	Program 0000 - General Totals	\$4,715.00
	Division 05 - Board of Health Totals	\$4,715.00
Division 06 - Beautification Commission		
Program 0000 - General		
Supplies		
525.95	Operating Supplies Other	30,630.00
	Supplies Totals	\$30,630.00
	Program 0000 - General Totals	\$30,630.00
	Division 06 - Beautification Commission Totals	\$30,630.00
	Department 12 - Boards & Commissions Totals	\$75,630.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 14 - Village Clerk		
Division 01 - Administration		
Program 0000 - General		
Salaries		
500.05	Salaries Full Time	104,205.00
	Salaries Totals	\$104,205.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	1,530.00
510.15	Taxes & Benefits Social Security	6,505.00
510.20	Taxes & Benefits IMRF Er Contribution	5,825.00
510.35	Taxes & Benefits Medical/Dental Insurance	18,695.00
510.40	Taxes & Benefits Life Insurance	150.00
510.60	Taxes & Benefits Allowances	580.00
	Taxes & Benefits Totals	\$33,285.00
Supplies		
520.05	Office Supplies General	1,150.00
520.10	Office Supplies Paper	600.00
	Supplies Totals	\$1,750.00
Services & Charges		
540.95	Services Other	51,370.00
545.20	Communications Postage	100.00
550.05	Printing/Advertising Legal Notices	7,000.00
575.05	Other Small Tools & Equipment	500.00
575.10	Other Memberships & Publications	500.00
575.15	Other Training & Travel	600.00
	Services & Charges Totals	\$60,070.00
	Program 0000 - General Totals	\$199,310.00
	Division 01 - Administration Totals	\$199,310.00
	Department 14 - Village Clerk Totals	\$199,310.00
Department 20 - Village Manager's Office		
Division 01 - Administration		
Program 0000 - General		
Salaries		
500.05	Salaries Full Time	554,845.00
500.25	Salaries Special Compensation	16,190.00
	Salaries Totals	\$571,035.00
Taxes & Benefits		
510.05	Taxes & Benefits Deferred Compensation	33,065.00



Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 20 - Village Manager's Office		
Division 01 - Administration		
Program 0000 - General		
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	9,130.00
510.15	Taxes & Benefits Social Security	39,020.00
510.20	Taxes & Benefits IMRF Er Contribution	38,810.00
510.35	Taxes & Benefits Medical/Dental Insurance	63,485.00
510.40	Taxes & Benefits Life Insurance	2,350.00
510.45	Taxes & Benefits RHS Er Contribution	7,005.00
510.60	Taxes & Benefits Allowances	18,100.00
	Taxes & Benefits Totals	\$210,965.00
Supplies		
520.05	Office Supplies General	1,900.00
520.10	Office Supplies Paper	250.00
	Supplies Totals	\$2,150.00
Services & Charges		
540.95	Services Other	2,500.00
545.20	Communications Postage	45,150.00
570.05	Rental Office Equipment	4,500.00
575.05	Other Small Tools & Equipment	500.00
575.10	Other Memberships & Publications	4,375.00
575.15	Other Training & Travel	8,000.00
	Services & Charges Totals	\$65,025.00
	Program 0000 - General Totals	\$849,175.00
	Division 01 - Administration Totals	\$849,175.00
Division 09 - Public Information/Events		
Program 0000 - General		
Salaries		
500.10	Salaries Part Time	42,100.00
	Salaries Totals	\$42,100.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	615.00
510.15	Taxes & Benefits Social Security	2,615.00
	Taxes & Benefits Totals	\$3,230.00



Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 20 - Village Manager's Office		
Division 09 - Public Information/Events		
Program 0000 - General		
Supplies		
520.05	Office Supplies General	640.00
520.10	Office Supplies Paper	225.00
525.10	Operating Supplies Medical	300.00
525.95	Operating Supplies Other	6,750.00
	Supplies Totals	\$7,915.00
Services & Charges		
540.45	Services Data Processing/Technology	1,100.00
540.95	Services Other	1,000.00
570.10	Rental Machinery	750.00
575.15	Other Training & Travel	1,500.00
	Services & Charges Totals	\$4,350.00
	Program 0000 - General Totals	\$57,595.00
Program 2002 - Cable TV/Channel 6		
Salaries		
500.10	Salaries Part Time	4,000.00
	Salaries Totals	\$4,000.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	60.00
510.15	Taxes & Benefits Social Security	255.00
	Taxes & Benefits Totals	\$315.00
Supplies		
525.95	Operating Supplies Other	500.00
	Supplies Totals	\$500.00
Services & Charges		
575.05	Other Small Tools & Equipment	750.00
	Services & Charges Totals	\$750.00
	Program 2002 - Cable TV/Channel 6 Totals	\$5,565.00
Program 2004 - Street Fest		
Services & Charges		
540.95	Services Other	185,000.00
	Services & Charges Totals	\$185,000.00
	Program 2004 - Street Fest Totals	\$185,000.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 20 - Village Manager's Office		
Division 09 - Public Information/Events Totals		\$248,160.00
Department 20 - Village Manager's Office Totals		\$1,097,335.00
Department 30 - Finance & Operations		
Division 01 - Administration		
Program 0000 - General		
Salaries		
500.05 Salaries Full Time		197,050.00
500.10 Salaries Part Time		3,000.00
500.25 Salaries Special Compensation		4,790.00
Salaries Totals		\$204,840.00
Taxes & Benefits		
510.05 Taxes & Benefits Deferred Compensation		11,825.00
510.10 Taxes & Benefits Medicare		3,245.00
510.15 Taxes & Benefits Social Security		13,875.00
510.20 Taxes & Benefits IMRF Er Contribution		13,765.00
510.35 Taxes & Benefits Medical/Dental Insurance		18,695.00
510.40 Taxes & Benefits Life Insurance		260.00
510.60 Taxes & Benefits Allowances		7,020.00
Taxes & Benefits Totals		\$68,685.00
Supplies		
520.05 Office Supplies General		1,000.00
520.10 Office Supplies Paper		500.00
Supplies Totals		\$1,500.00
Services & Charges		
545.20 Communications Postage		250.00
575.05 Other Small Tools & Equipment		500.00
575.10 Other Memberships & Publications		2,550.00
575.15 Other Training & Travel		4,500.00
Services & Charges Totals		\$7,800.00
Program 0000 - General Totals		\$282,825.00
Division 01 - Administration Totals		\$282,825.00
Division 11 - Accounting Services		
Program 0000 - General		
Salaries		
500.05 Salaries Full Time		295,600.00
500.20 Salaries Overtime		500.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 30 - Finance & Operations		
Division 11 - Accounting Services		
Program 0000 - General		
Salaries		
500.25	Salaries Special Compensation	1,000.00
	Salaries Totals	\$297,100.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	4,330.00
510.15	Taxes & Benefits Social Security	18,480.00
510.20	Taxes & Benefits IMRF Er Contribution	18,875.00
510.35	Taxes & Benefits Medical/Dental Insurance	65,430.00
510.40	Taxes & Benefits Life Insurance	395.00
510.60	Taxes & Benefits Allowances	720.00
	Taxes & Benefits Totals	\$108,230.00
Supplies		
520.05	Office Supplies General	500.00
520.10	Office Supplies Paper	250.00
520.15	Office Supplies Printed Forms	1,250.00
	Supplies Totals	\$2,000.00
Services & Charges		
540.10	Services Financial	54,000.00
540.15	Services Banking	90,000.00
565.35	Repair and Maintenance Software	44,850.00
575.05	Other Small Tools & Equipment	500.00
575.10	Other Memberships & Publications	650.00
575.15	Other Training & Travel	2,250.00
	Services & Charges Totals	\$192,250.00
	Program 0000 - General Totals	\$599,580.00
	Division 11 - Accounting Services Totals	\$599,580.00
Division 12 - Billing & Collections		
Program 3021 - Cashiering		
Salaries		
500.10	Salaries Part Time	35,260.00
500.20	Salaries Overtime	2,500.00
	Salaries Totals	\$37,760.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 30 - Finance & Operations		
Division 12 - Billing & Collections		
Program 3021 - Cashiering		
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	555.00
510.15	Taxes & Benefits Social Security	2,345.00
510.20	Taxes & Benefits IMRF Er Contribution	2,400.00
	Taxes & Benefits Totals	\$5,300.00
Supplies		
520.05	Office Supplies General	750.00
520.10	Office Supplies Paper	250.00
	Supplies Totals	\$1,000.00
Services & Charges		
540.95	Services Other	5,000.00
565.05	Repair and Maintenance Machinery & Equipment	1,000.00
575.05	Other Small Tools & Equipment	750.00
575.15	Other Training & Travel	500.00
	Services & Charges Totals	\$7,250.00
	Program 3021 - Cashiering Totals	\$51,310.00
	Division 12 - Billing & Collections Totals	\$51,310.00
Division 17 - Village Wide Benefit Programs		
Program 0000 - General		
Services & Charges		
555.10	Insurance Liability Premiums	1,577,900.00
	Services & Charges Totals	\$1,577,900.00
	Program 0000 - General Totals	\$1,577,900.00
	Division 17 - Village Wide Benefit Programs Totals	\$1,577,900.00
Division 80 - Interfund Transfers		
Program 0000 - General		
Other Financing Uses		
905	Interfund Transfers Out	1,642,000.00
	Other Financing Uses Totals	\$1,642,000.00
	Program 0000 - General Totals	\$1,642,000.00
	Division 80 - Interfund Transfers Totals	\$1,642,000.00
	Department 30 - Finance & Operations Totals	\$4,153,615.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 32 - Legal		
Division 13 - Village Attorney		
Program 0000 - General		
Services & Charges		
540.30	Services Legal	303,800.00
545.20	Communications Postage	150.00
	Services & Charges Totals	\$303,950.00
	Program 0000 - General Totals	\$303,950.00
	Division 13 - Village Attorney Totals	\$303,950.00
Division 14 - Village Prosecutor		
Program 0000 - General		
Services & Charges		
540.30	Services Legal	42,745.00
	Services & Charges Totals	\$42,745.00
	Program 0000 - General Totals	\$42,745.00
	Division 14 - Village Prosecutor Totals	\$42,745.00
Division 15 - Labor/Collective Bargaining		
Program 0000 - General		
Services & Charges		
540.30	Services Legal	35,000.00
	Services & Charges Totals	\$35,000.00
	Program 0000 - General Totals	\$35,000.00
	Division 15 - Labor/Collective Bargaining Totals	\$35,000.00
Division 16 - Administrative Adjudication		
Program 0000 - General		
Salaries		
500.05	Salaries Full Time	78,430.00
	Salaries Totals	\$78,430.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	1,140.00
510.15	Taxes & Benefits Social Security	4,870.00
510.20	Taxes & Benefits IMRF Er Contribution	4,985.00
510.35	Taxes & Benefits Medical/Dental Insurance	9,350.00
510.40	Taxes & Benefits Life Insurance	90.00
	Taxes & Benefits Totals	\$20,435.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 32 - Legal		
Division 16 - Administrative Adjudication		
Program 0000 - General		
Supplies		
520.05	Office Supplies General	1,450.00
520.10	Office Supplies Paper	600.00
520.15	Office Supplies Printed Forms	300.00
	Supplies Totals	\$2,350.00
Services & Charges		
540.30	Services Legal	37,500.00
575.10	Other Memberships & Publications	100.00
	Services & Charges Totals	\$37,600.00
	Program 0000 - General Totals	\$138,815.00
	Division 16 - Administrative Adjudication Totals	\$138,815.00
	Department 32 - Legal Totals	\$520,510.00
Department 34 - Human Resources		
Division 01 - Administration		
Program 0000 - General		
Salaries		
500.05	Salaries Full Time	272,465.00
500.10	Salaries Part Time	127,370.00
500.20	Salaries Overtime	250.00
500.25	Salaries Special Compensation	4,210.00
	Salaries Totals	\$404,295.00
Taxes & Benefits		
510.05	Taxes & Benefits Deferred Compensation	10,015.00
510.10	Taxes & Benefits Medicare	6,120.00
510.15	Taxes & Benefits Social Security	26,135.00
510.20	Taxes & Benefits IMRF Er Contribution	25,055.00
510.35	Taxes & Benefits Medical/Dental Insurance	46,735.00
510.40	Taxes & Benefits Life Insurance	360.00
510.60	Taxes & Benefits Allowances	7,020.00
	Taxes & Benefits Totals	\$121,440.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 34 - Human Resources		
Division 01 - Administration		
Program 0000 - General		
Supplies		
520.05	Office Supplies General	1,350.00
520.10	Office Supplies Paper	500.00
	Supplies Totals	\$1,850.00
Services & Charges		
545.20	Communications Postage	300.00
565.35	Repair and Maintenance Software	42,675.00
575.05	Other Small Tools & Equipment	250.00
575.10	Other Memberships & Publications	2,300.00
575.15	Other Training & Travel	5,300.00
	Services & Charges Totals	\$50,825.00
	Program 0000 - General Totals	\$578,410.00
	Division 01 - Administration Totals	\$578,410.00
Division 17 - Village Wide Benefit Programs		
Program 0000 - General		
Salaries		
500.25	Salaries Special Compensation	553,000.00
	Salaries Totals	\$553,000.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	8,025.00
510.15	Taxes & Benefits Social Security	34,290.00
510.20	Taxes & Benefits IMRF Er Contribution	35,120.00
	Taxes & Benefits Totals	\$77,435.00
Services & Charges		
540.05	Services Management Consulting	675.00
540.40	Services Management Fees	9,235.00
540.95	Services Other	50,500.00
575.15	Other Training & Travel	5,570.00
575.20	Other Tuition Assistance	20,000.00
	Services & Charges Totals	\$85,980.00
	Program 0000 - General Totals	\$716,415.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)

Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 34 - Human Resources		
Division 17 - Village Wide Benefit Programs		
Program 2010 - Wellness Program		
Supplies		
525.95	Operating Supplies Other	7,500.00
	<i>Supplies Totals</i>	<i>\$7,500.00</i>
	<i>Services & Charges</i>	
540.95	Services Other	27,500.00
	<i>Services & Charges Totals</i>	<i>\$27,500.00</i>
	Program 2010 - Wellness Program Totals	\$35,000.00
	Division 17 - Village Wide Benefit Programs Totals	\$751,415.00
	Department 34 - Human Resources Totals	\$1,329,825.00
Department 38 - Information Technology		
Division 01 - Administration		
Program 0000 - General		
Salaries		
500.05	Salaries Full Time	607,855.00
500.10	Salaries Part Time	32,825.00
500.25	Salaries Special Compensation	9,795.00
	<i>Salaries Totals</i>	<i>\$650,475.00</i>
	<i>Taxes & Benefits</i>	
510.05	Taxes & Benefits Deferred Compensation	9,970.00
510.10	Taxes & Benefits Medicare	9,710.00
510.15	Taxes & Benefits Social Security	41,480.00
510.20	Taxes & Benefits IMRF Er Contribution	41,450.00
510.35	Taxes & Benefits Medical/Dental Insurance	64,580.00
510.40	Taxes & Benefits Life Insurance	810.00
510.60	Taxes & Benefits Allowances	8,250.00
	<i>Taxes & Benefits Totals</i>	<i>\$176,250.00</i>
	<i>Supplies</i>	
520.05	Office Supplies General	6,850.00
520.10	Office Supplies Paper	350.00
525.95	Operating Supplies Other	200.00
	<i>Supplies Totals</i>	<i>\$7,400.00</i>
	<i>Services & Charges</i>	
540.05	Services Management Consulting	75,000.00
540.45	Services Data Processing/Technology	113,470.00
545.20	Communications Postage	750.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 38 - Information Technology		
Division 01 - Administration		
Program 0000 - General		
Services & Charges		
545.95	Communications Other	250.00
565.05	Repair and Maintenance Machinery & Equipment	20,300.00
565.35	Repair and Maintenance Software	55,120.00
570.05	Rental Office Equipment	45,000.00
575.05	Other Small Tools & Equipment	200.00
575.10	Other Memberships & Publications	750.00
575.15	Other Training & Travel	14,680.00
	Services & Charges Totals	\$325,520.00
	Program 0000 - General Totals	\$1,159,645.00
	Division 01 - Administration Totals	\$1,159,645.00
Division 22 - Geographic Information Systems		
Program 0000 - General		
Salaries		
500.05	Salaries Full Time	97,815.00
500.25	Salaries Special Compensation	750.00
	Salaries Totals	\$98,565.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	1,430.00
510.15	Taxes & Benefits Social Security	6,115.00
510.20	Taxes & Benefits IMRF Er Contribution	6,260.00
510.35	Taxes & Benefits Medical/Dental Insurance	18,695.00
510.40	Taxes & Benefits Life Insurance	130.00
	Taxes & Benefits Totals	\$32,630.00
Supplies		
520.10	Office Supplies Paper	900.00
	Supplies Totals	\$900.00
Services & Charges		
540.45	Services Data Processing/Technology	236,845.00
565.35	Repair and Maintenance Software	3,500.00
	Services & Charges Totals	\$240,345.00
	Program 0000 - General Totals	\$372,440.00
Division 22 - Geographic Information Systems	Totals	\$372,440.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)

Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 38 - Information Technology		
Division 23 - Communication Systems		
Program 0000 - General		
<i>Supplies</i>		
525.95	Operating Supplies Other	2,100.00
	<i>Supplies Totals</i>	\$2,100.00
<i>Services & Charges</i>		
545.10	Communications Telephone	27,400.00
545.15	Communications Cell Phones	24,360.00
545.95	Communications Other	28,680.00
565.05	Repair and Maintenance Machinery & Equipment	3,000.00
565.35	Repair and Maintenance Software	28,500.00
575.05	Other Small Tools & Equipment	1,000.00
	<i>Services & Charges Totals</i>	\$112,940.00
	Program 0000 - General Totals	\$115,040.00
	Division 23 - Communication Systems Totals	\$115,040.00
	Department 38 - Information Technology Totals	\$1,647,125.00
Department 40 - Community Development		
Division 01 - Administration		
Program 0000 - General		
<i>Salaries</i>		
500.05	Salaries Full Time	275,265.00
500.25	Salaries Special Compensation	4,615.00
	<i>Salaries Totals</i>	\$279,880.00
<i>Taxes & Benefits</i>		
510.05	Taxes & Benefits Deferred Compensation	11,275.00
510.10	Taxes & Benefits Medicare	4,330.00
510.15	Taxes & Benefits Social Security	18,495.00
510.20	Taxes & Benefits IMRF Er Contribution	18,495.00
510.35	Taxes & Benefits Medical/Dental Insurance	46,735.00
510.40	Taxes & Benefits Life Insurance	365.00
510.60	Taxes & Benefits Allowances	7,020.00
	<i>Taxes & Benefits Totals</i>	\$106,715.00
<i>Supplies</i>		
520.05	Office Supplies General	4,945.00
520.10	Office Supplies Paper	1,500.00
520.15	Office Supplies Printed Forms	3,500.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 40 - Community Development		
Division 01 - Administration		
Program 0000 - General		
Supplies		
525.25	Operating Supplies Chemicals	350.00
	Supplies Totals	\$10,295.00
Services & Charges		
575.10	Other Memberships & Publications	1,600.00
575.15	Other Training & Travel	4,500.00
	Services & Charges Totals	\$6,100.00
	Program 0000 - General Totals	\$402,990.00
	Division 01 - Administration Totals	\$402,990.00
Division 10 - Economic Development		
Program 0000 - General		
Services & Charges		
550.15	Printing/Advertising Outside Printing Services	1,000.00
575.10	Other Memberships & Publications	6,300.00
575.15	Other Training & Travel	2,500.00
	Services & Charges Totals	\$9,800.00
Other Expenses		
805	Refunds	27,500.00
	Other Expenses Totals	\$27,500.00
	Program 0000 - General Totals	\$37,300.00
	Division 10 - Economic Development Totals	\$37,300.00
Division 24 - Building Permits & Inspections		
Program 0000 - General		
Salaries		
500.05	Salaries Full Time	466,920.00
500.10	Salaries Part Time	47,120.00
500.20	Salaries Overtime	750.00
500.25	Salaries Special Compensation	750.00
	Salaries Totals	\$515,540.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	7,510.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)

Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 40 - Community Development		
Division 24 - Building Permits & Inspections		
Program 0000 - General		
<i>Taxes & Benefits</i>		
510.15	Taxes & Benefits Social Security	32,055.00
510.20	Taxes & Benefits IMRF Er Contribution	32,755.00
510.35	Taxes & Benefits Medical/Dental Insurance	115,120.00
510.40	Taxes & Benefits Life Insurance	630.00
510.60	Taxes & Benefits Allowances	1,080.00
	<i>Taxes & Benefits Totals</i>	\$189,150.00
<i>Supplies</i>		
525.35	Operating Supplies Clothing	1,400.00
	<i>Supplies Totals</i>	\$1,400.00
<i>Services & Charges</i>		
540.20	Services Architectural	141,030.00
540.25	Services Engineering	15,000.00
540.45	Services Data Processing/Technology	2,500.00
545.15	Communications Cell Phones	1,880.00
565.05	Repair and Maintenance Machinery & Equipment	1,050.00
565.35	Repair and Maintenance Software	103,500.00
565.95	Repair and Maintenance Vehicle Maint Service Charge	14,500.00
575.10	Other Memberships & Publications	1,720.00
575.15	Other Training & Travel	3,500.00
	<i>Services & Charges Totals</i>	\$284,680.00
	Program 0000 - General Totals	\$990,770.00
	Division 24 - Building Permits & Inspections Totals	\$990,770.00
Division 25 - Neighborhood Services		
Program 0000 - General		
<i>Salaries</i>		
500.05	Salaries Full Time	557,965.00
500.20	Salaries Overtime	1,500.00
500.25	Salaries Special Compensation	3,925.00
	<i>Salaries Totals</i>	\$563,390.00
<i>Taxes & Benefits</i>		
510.10	Taxes & Benefits Medicare	8,215.00
510.15	Taxes & Benefits Social Security	35,065.00
510.20	Taxes & Benefits IMRF Er Contribution	35,795.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)

Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 40 - Community Development		
Division 25 - Neighborhood Services		
Program 0000 - General		
<i>Taxes & Benefits</i>		
510.35	Taxes & Benefits Medical/Dental Insurance	112,165.00
510.40	Taxes & Benefits Life Insurance	755.00
510.60	Taxes & Benefits Allowances	1,800.00
	<i>Taxes & Benefits Totals</i>	<u>\$193,795.00</u>
<i>Supplies</i>		
525.35	Operating Supplies Clothing	1,400.00
	<i>Supplies Totals</i>	<u>\$1,400.00</u>
<i>Services & Charges</i>		
545.15	Communications Cell Phones	1,410.00
565.95	Repair and Maintenance Vehicle Maint Service Charge	14,500.00
575.10	Other Memberships & Publications	1,850.00
575.15	Other Training & Travel	2,525.00
	<i>Services & Charges Totals</i>	<u>\$20,285.00</u>
	Program 0000 - General Totals	<u>\$778,870.00</u>
	Division 25 - Neighborhood Services Totals	<u>\$778,870.00</u>
Division 26 - Environmental Health		
Program 0000 - General		
<i>Salaries</i>		
500.05	Salaries Full Time	371,785.00
500.10	Salaries Part Time	8,000.00
500.20	Salaries Overtime	750.00
500.25	Salaries Special Compensation	4,175.00
	<i>Salaries Totals</i>	<u>\$384,710.00</u>
<i>Taxes & Benefits</i>		
510.10	Taxes & Benefits Medicare	5,595.00
510.15	Taxes & Benefits Social Security	23,865.00
510.20	Taxes & Benefits IMRF Er Contribution	23,935.00
510.35	Taxes & Benefits Medical/Dental Insurance	63,725.00
510.40	Taxes & Benefits Life Insurance	505.00
	<i>Taxes & Benefits Totals</i>	<u>\$117,625.00</u>
<i>Supplies</i>		
525.35	Operating Supplies Clothing	1,050.00
	<i>Supplies Totals</i>	<u>\$1,050.00</u>

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 40 - Community Development		
Division 26 - Environmental Health		
Program 0000 - General		
Services & Charges		
540.60	Services Custodial	12,500.00
545.15	Communications Cell Phones	1,410.00
560.25	Utility Services Refuse Disposal	3,500.00
565.35	Repair and Maintenance Software	10,600.00
565.95	Repair and Maintenance Vehicle Maint Service Charge	14,500.00
575.10	Other Memberships & Publications	1,950.00
575.15	Other Training & Travel	3,000.00
	Services & Charges Totals	\$47,460.00
	Program 0000 - General Totals	\$550,845.00
	Division 26 - Environmental Health Totals	\$550,845.00
Division 44 - Planning & Zoning		
Program 0000 - General		
Salaries		
500.05	Salaries Full Time	325,630.00
500.10	Salaries Part Time	33,490.00
500.25	Salaries Special Compensation	3,650.00
	Salaries Totals	\$362,770.00
Taxes & Benefits		
510.05	Taxes & Benefits Deferred Compensation	9,040.00
510.10	Taxes & Benefits Medicare	5,505.00
510.15	Taxes & Benefits Social Security	23,500.00
510.20	Taxes & Benefits IMRF Er Contribution	23,620.00
510.35	Taxes & Benefits Medical/Dental Insurance	64,575.00
510.40	Taxes & Benefits Life Insurance	435.00
510.60	Taxes & Benefits Allowances	7,020.00
	Taxes & Benefits Totals	\$133,695.00
Supplies		
520.05	Office Supplies General	2,375.00
520.15	Office Supplies Printed Forms	2,300.00
525.95	Operating Supplies Other	200.00
	Supplies Totals	\$4,875.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 40 - Community Development		
Division 44 - Planning & Zoning		
Program 0000 - General		
Services & Charges		
545.15	Communications Cell Phones	470.00
545.20	Communications Postage	240.00
550.05	Printing/Advertising Legal Notices	7,000.00
575.10	Other Memberships & Publications	1,600.00
575.15	Other Training & Travel	4,250.00
	Services & Charges Totals	\$13,560.00
	Program 0000 - General Totals	\$514,900.00
	Division 44 - Planning & Zoning Totals	\$514,900.00
	Department 40 - Community Development Totals	\$3,275,675.00
Department 42 - Police		
Division 01 - Administration		
Program 0000 - General		
Salaries		
500.05	Salaries Full Time	1,299,685.00
500.25	Salaries Special Compensation	18,710.00
	Salaries Totals	\$1,318,395.00
Taxes & Benefits		
510.05	Taxes & Benefits Deferred Compensation	11,355.00
510.10	Taxes & Benefits Medicare	19,385.00
510.15	Taxes & Benefits Social Security	82,755.00
510.20	Taxes & Benefits IMRF Er Contribution	19,345.00
510.25	Taxes & Benefits Police Pension Er Contribution	463,080.00
510.35	Taxes & Benefits Medical/Dental Insurance	224,330.00
510.40	Taxes & Benefits Life Insurance	1,690.00
510.60	Taxes & Benefits Allowances	4,680.00
	Taxes & Benefits Totals	\$826,620.00
Supplies		
520.05	Office Supplies General	4,100.00
520.10	Office Supplies Paper	3,000.00
525.05	Operating Supplies Custodial	3,980.00
525.10	Operating Supplies Medical	1,000.00



Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 42 - Police		
Division 01 - Administration		
Program 0000 - General		
Supplies		
525.45	Operating Supplies Ammunition	14,345.00
525.95	Operating Supplies Other	3,500.00
	Supplies Totals	\$29,925.00
Services & Charges		
540.35	Services Medical	1,270.00
540.95	Services Other	2,530.00
545.20	Communications Postage	225.00
550.15	Printing/Advertising Outside Printing Services	1,000.00
565.05	Repair and Maintenance Machinery & Equipment	14,960.00
575.10	Other Memberships & Publications	21,570.00
575.15	Other Training & Travel	7,950.00
	Services & Charges Totals	\$49,505.00
	Program 0000 - General Totals	\$2,224,445.00
	Division 01 - Administration Totals	\$2,224,445.00
Division 27 - Crime Control & Investigation		
Program 4201 - Patrol		
Salaries		
500.05	Salaries Full Time	8,730,475.00
500.10	Salaries Part Time	151,205.00
500.20	Salaries Overtime	334,205.00
500.25	Salaries Special Compensation	18,400.00
	Salaries Totals	\$9,234,285.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	134,140.00
510.15	Taxes & Benefits Social Security	573,050.00
510.20	Taxes & Benefits IMRF Er Contribution	18,025.00
510.25	Taxes & Benefits Police Pension Er Contribution	4,102,955.00
510.35	Taxes & Benefits Medical/Dental Insurance	1,544,055.00
510.40	Taxes & Benefits Life Insurance	11,665.00
510.60	Taxes & Benefits Allowances	4,320.00
	Taxes & Benefits Totals	\$6,388,210.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)

Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 42 - Police		
Division 27 - Crime Control & Investigation		
Program 4201 - Patrol		
<i>Supplies</i>		
520.15	Office Supplies Printed Forms	2,000.00
525.05	Operating Supplies Custodial	50.00
525.35	Operating Supplies Clothing	78,390.00
525.95	Operating Supplies Other	6,800.00
	<i>Supplies Totals</i>	\$87,240.00
<i>Services & Charges</i>		
540.10	Services Financial	201,900.00
540.35	Services Medical	9,200.00
540.45	Services Data Processing/Technology	63,800.00
540.95	Services Other	1,200.00
545.10	Communications Telephone	240.00
565.05	Repair and Maintenance Machinery & Equipment	4,015.00
575.05	Other Small Tools & Equipment	1,000.00
575.10	Other Memberships & Publications	120.00
	<i>Services & Charges Totals</i>	\$281,475.00
	Program 4201 - Patrol Totals	\$15,991,210.00
Program 4202 - Investigation		
<i>Salaries</i>		
500.05	Salaries Full Time	2,896,915.00
500.20	Salaries Overtime	51,625.00
500.25	Salaries Special Compensation	15,100.00
	<i>Salaries Totals</i>	\$2,963,640.00
<i>Taxes & Benefits</i>		
510.10	Taxes & Benefits Medicare	43,310.00
510.15	Taxes & Benefits Social Security	185,020.00
510.20	Taxes & Benefits IMRF Er Contribution	4,735.00
510.25	Taxes & Benefits Police Pension Er Contribution	1,343,405.00
510.35	Taxes & Benefits Medical/Dental Insurance	532,135.00
510.40	Taxes & Benefits Life Insurance	3,870.00
510.60	Taxes & Benefits Allowances	19,340.00
	<i>Taxes & Benefits Totals</i>	\$2,131,815.00
<i>Supplies</i>		
525.95	Operating Supplies Other	6,195.00
	<i>Supplies Totals</i>	\$6,195.00

Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 42 - Police		
Division 27 - Crime Control & Investigation		
Program 4202 - Investigation		
Services & Charges		
540.95	Services Other	500.00
575.10	Other Memberships & Publications	18,100.00
	Services & Charges Totals	\$18,600.00
Program 4202 - Investigation Totals		\$5,120,250.00
Program 4204 - Crime Prevention/CFMH		
Salaries		
500.05	Salaries Full Time	355,655.00
500.20	Salaries Overtime	1,000.00
500.25	Salaries Special Compensation	2,500.00
	Salaries Totals	\$359,155.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	5,215.00
510.15	Taxes & Benefits Social Security	22,275.00
510.25	Taxes & Benefits Police Pension Er Contribution	169,230.00
510.35	Taxes & Benefits Medical/Dental Insurance	56,085.00
510.40	Taxes & Benefits Life Insurance	475.00
	Taxes & Benefits Totals	\$253,280.00
Supplies		
525.95	Operating Supplies Other	8,635.00
	Supplies Totals	\$8,635.00
Services & Charges		
550.15	Printing/Advertising Outside Printing Services	500.00
575.10	Other Memberships & Publications	300.00
	Services & Charges Totals	\$800.00
Program 4204 - Crime Prevention/CFMH Totals		\$621,870.00
Program 4205 - Records & Identification		
Salaries		
500.05	Salaries Full Time	379,605.00
500.10	Salaries Part Time	31,920.00
500.25	Salaries Special Compensation	3,250.00
	Salaries Totals	\$414,775.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 42 - Police		
Division 27 - Crime Control & Investigation		
Program 4205 - Records & Identification		
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	6,040.00
510.15	Taxes & Benefits Social Security	25,780.00
510.20	Taxes & Benefits IMRF Er Contribution	26,350.00
510.35	Taxes & Benefits Medical/Dental Insurance	130,855.00
510.40	Taxes & Benefits Life Insurance	520.00
510.60	Taxes & Benefits Allowances	720.00
	Taxes & Benefits Totals	\$190,265.00
Supplies		
520.15	Office Supplies Printed Forms	2,675.00
	Supplies Totals	\$2,675.00
Services & Charges		
565.35	Repair and Maintenance Software	500.00
	Services & Charges Totals	\$500.00
Program 4205 - Records & Identification Totals		\$608,215.00
Program 4206 - Evidence Collection		
Supplies		
525.10	Operating Supplies Medical	250.00
525.95	Operating Supplies Other	5,850.00
	Supplies Totals	\$6,100.00
Services & Charges		
565.35	Repair and Maintenance Software	3,635.00
	Services & Charges Totals	\$3,635.00
Program 4206 - Evidence Collection Totals		\$9,735.00
Program 4207 - Animal Control		
Salaries		
500.05	Salaries Full Time	53,320.00
500.20	Salaries Overtime	500.00
	Salaries Totals	\$53,820.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	785.00
510.15	Taxes & Benefits Social Security	3,345.00
510.20	Taxes & Benefits IMRF Er Contribution	3,425.00
510.35	Taxes & Benefits Medical/Dental Insurance	8,495.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 42 - Police		
Division 27 - Crime Control & Investigation		
Program 4207 - Animal Control		
Taxes & Benefits		
510.40	Taxes & Benefits Life Insurance	70.00
	Taxes & Benefits Totals	\$16,120.00
Supplies		
525.95	Operating Supplies Other	915.00
	Supplies Totals	\$915.00
Services & Charges		
540.95	Services Other	13,600.00
575.10	Other Memberships & Publications	905.00
	Services & Charges Totals	\$14,505.00
	Program 4207 - Animal Control Totals	\$85,360.00
	Division 27 - Crime Control & Investigation Totals	\$22,436,640.00
Division 28 - Traffic Control		
Program 4211 - Selective Traffic Enforcement		
Salaries		
500.05	Salaries Full Time	233,100.00
500.20	Salaries Overtime	15,000.00
	Salaries Totals	\$248,100.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	3,605.00
510.15	Taxes & Benefits Social Security	15,390.00
510.25	Taxes & Benefits Police Pension Er Contribution	110,915.00
510.35	Taxes & Benefits Medical/Dental Insurance	35,445.00
510.40	Taxes & Benefits Life Insurance	310.00
	Taxes & Benefits Totals	\$165,665.00
Supplies		
525.95	Operating Supplies Other	300.00
	Supplies Totals	\$300.00
	Program 4211 - Selective Traffic Enforcement Totals	\$414,065.00
Program 4212 - Overweight Vehicle Enforcement		
Salaries		
500.05	Salaries Full Time	118,555.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)

Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 42 - Police		
Division 28 - Traffic Control		
Program 4212 - Overweight Vehicle Enforcement		
Salaries		
500.20	Salaries Overtime	500.00
500.25	Salaries Special Compensation	1,250.00
	Salaries Totals	\$120,305.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	1,755.00
510.15	Taxes & Benefits Social Security	7,490.00
510.25	Taxes & Benefits Police Pension Er Contribution	56,415.00
510.40	Taxes & Benefits Life Insurance	160.00
510.60	Taxes & Benefits Allowances	360.00
	Taxes & Benefits Totals	\$66,180.00
Supplies		
525.95	Operating Supplies Other	350.00
	Supplies Totals	\$350.00
Services & Charges		
540.95	Services Other	3,150.00
565.05	Repair and Maintenance Machinery & Equipment	200.00
575.10	Other Memberships & Publications	100.00
	Services & Charges Totals	\$3,450.00
Program 4212 - Overweight Vehicle Enforcement	Totals	\$190,285.00
Program 4214 - Crossing Guards		
Salaries		
500.10	Salaries Part Time	60,435.00
	Salaries Totals	\$60,435.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	900.00
510.15	Taxes & Benefits Social Security	3,780.00
	Taxes & Benefits Totals	\$4,680.00
Services & Charges		
575.05	Other Small Tools & Equipment	560.00
	Services & Charges Totals	\$560.00
Program 4214 - Crossing Guards	Totals	\$65,675.00
Division 28 - Traffic Control	Totals	\$670,025.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 42 - Police		
Division 29 - Police Training		
Program 0000 - General		
Services & Charges		
575.15	Other Training & Travel	84,585.00
	Services & Charges Totals	\$84,585.00
	Program 0000 - General Totals	\$84,585.00
	Division 29 - Police Training Totals	\$84,585.00
Division 30 - Support Services		
Program 4221 - Communication Services		
Salaries		
500.05	Salaries Full Time	368,585.00
500.10	Salaries Part Time	33,815.00
500.20	Salaries Overtime	3,500.00
500.25	Salaries Special Compensation	1,000.00
	Salaries Totals	\$406,900.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	5,925.00
510.15	Taxes & Benefits Social Security	25,250.00
510.20	Taxes & Benefits IMRF Er Contribution	25,860.00
510.35	Taxes & Benefits Medical/Dental Insurance	74,785.00
510.40	Taxes & Benefits Life Insurance	500.00
	Taxes & Benefits Totals	\$132,320.00
Supplies		
530.05	R&M Supplies Equipment Parts	3,600.00
	Supplies Totals	\$3,600.00
Services & Charges		
545.05	Communications Dispatch Services	400,000.00
545.15	Communications Cell Phones	24,000.00
565.05	Repair and Maintenance Machinery & Equipment	1,500.00
	Services & Charges Totals	\$425,500.00
	Program 4221 - Communication Services Totals	\$968,320.00
Program 4222 - Automotive Services		
Services & Charges		
565.95	Repair and Maintenance Vehicle Maint Service Charge	579,820.00
	Services & Charges Totals	\$579,820.00
	Program 4222 - Automotive Services Totals	\$579,820.00



Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 42 - Police		
Division 30 - Support Services		
Program 4223 - Social Services		
Salaries		
500.05	Salaries Full Time	172,130.00
	Salaries Totals	\$172,130.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	2,515.00
510.15	Taxes & Benefits Social Security	10,720.00
510.20	Taxes & Benefits IMRF Er Contribution	10,935.00
510.35	Taxes & Benefits Medical/Dental Insurance	26,215.00
510.40	Taxes & Benefits Life Insurance	230.00
510.60	Taxes & Benefits Allowances	720.00
	Taxes & Benefits Totals	\$51,335.00
Supplies		
525.95	Operating Supplies Other	375.00
	Supplies Totals	\$375.00
Services & Charges		
575.10	Other Memberships & Publications	415.00
	Services & Charges Totals	\$415.00
	Program 4223 - Social Services Totals	\$224,255.00
	Division 30 - Support Services Totals	\$1,772,395.00
Division 31 - Special Detail Services		
Program 0000 - General		
Salaries		
500.25	Salaries Special Compensation	216,000.00
	Salaries Totals	\$216,000.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	3,145.00
510.15	Taxes & Benefits Social Security	13,395.00
	Taxes & Benefits Totals	\$16,540.00
	Program 0000 - General Totals	\$232,540.00
	Division 31 - Special Detail Services Totals	\$232,540.00
	Department 42 - Police Totals	\$27,420,630.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 44 - Fire		
Division 01 - Administration		
Program 0000 - General		
Salaries		
500.05	Salaries Full Time	607,195.00
500.10	Salaries Part Time	28,210.00
500.25	Salaries Special Compensation	12,810.00
	Salaries Totals	\$648,215.00
Taxes & Benefits		
510.05	Taxes & Benefits Deferred Compensation	11,060.00
510.10	Taxes & Benefits Medicare	9,610.00
510.15	Taxes & Benefits Social Security	41,045.00
510.20	Taxes & Benefits IMRF Er Contribution	7,970.00
510.30	Taxes & Benefits Fire Pension Er Contribution	300,930.00
510.35	Taxes & Benefits Medical/Dental Insurance	93,470.00
510.40	Taxes & Benefits Life Insurance	805.00
510.60	Taxes & Benefits Allowances	2,520.00
	Taxes & Benefits Totals	\$467,410.00
Supplies		
520.05	Office Supplies General	4,000.00
520.10	Office Supplies Paper	750.00
520.15	Office Supplies Printed Forms	500.00
	Supplies Totals	\$5,250.00
Services & Charges		
545.20	Communications Postage	350.00
575.10	Other Memberships & Publications	8,330.00
575.15	Other Training & Travel	5,250.00
	Services & Charges Totals	\$13,930.00
	Program 0000 - General Totals	\$1,134,805.00
	Division 01 - Administration Totals	\$1,134,805.00
Division 31 - Special Detail Services		
Program 0000 - General		
Salaries		
500.20	Salaries Overtime	20,800.00
500.25	Salaries Special Compensation	8,390.00
	Salaries Totals	\$29,190.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 44 - Fire		
Division 31 - Special Detail Services		
Program 0000 - General		
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	430.00
510.15	Taxes & Benefits Social Security	1,815.00
	Taxes & Benefits Totals	\$2,245.00
	Program 0000 - General Totals	\$31,435.00
	Division 31 - Special Detail Services Totals	\$31,435.00
Division 32 - Fire Service		
Program 4401 - Fire Suppression		
Salaries		
500.05	Salaries Full Time	10,329,210.00
500.20	Salaries Overtime	722,365.00
500.25	Salaries Special Compensation	152,660.00
	Salaries Totals	\$11,204,235.00
Taxes & Benefits		
510.05	Taxes & Benefits Deferred Compensation	20,910.00
510.10	Taxes & Benefits Medicare	162,975.00
510.15	Taxes & Benefits Social Security	696,180.00
510.30	Taxes & Benefits Fire Pension Er Contribution	6,095,330.00
510.35	Taxes & Benefits Medical/Dental Insurance	1,897,775.00
510.40	Taxes & Benefits Life Insurance	13,740.00
	Taxes & Benefits Totals	\$8,886,910.00
Supplies		
525.35	Operating Supplies Clothing	88,475.00
525.95	Operating Supplies Other	2,450.00
530.05	R&M Supplies Equipment Parts	1,850.00
530.15	R&M Supplies Building Repair	11,000.00
	Supplies Totals	\$103,775.00
Services & Charges		
540.35	Services Medical	24,000.00
565.05	Repair and Maintenance Machinery & Equipment	43,025.00
565.15	Repair and Maintenance Buildings	7,500.00
565.35	Repair and Maintenance Software	15,970.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 44 - Fire		
Division 32 - Fire Service		
Program 4401 - Fire Suppression		
Services & Charges		
575.05	Other Small Tools & Equipment	23,700.00
	Services & Charges Totals	\$114,195.00
	Program 4401 - Fire Suppression Totals	\$20,309,115.00
Program 4402 - Paramedic Service		
Supplies		
525.10	Operating Supplies Medical	19,540.00
	Supplies Totals	\$19,540.00
Services & Charges		
540.10	Services Financial	2,600,000.00
565.05	Repair and Maintenance Machinery & Equipment	13,200.00
565.35	Repair and Maintenance Software	5,545.00
575.10	Other Memberships & Publications	1,250.00
575.15	Other Training & Travel	10,000.00
	Services & Charges Totals	\$2,629,995.00
	Program 4402 - Paramedic Service Totals	\$2,649,535.00
	Division 32 - Fire Service Totals	\$22,958,650.00
Division 33 - Fire Prevention & Education		
Program 4411 - Fire Prevention		
Salaries		
500.05	Salaries Full Time	195,755.00
500.10	Salaries Part Time	82,095.00
	Salaries Totals	\$277,850.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	4,050.00
510.15	Taxes & Benefits Social Security	17,290.00
510.20	Taxes & Benefits IMRF Er Contribution	15,630.00
510.35	Taxes & Benefits Medical/Dental Insurance	56,080.00
510.40	Taxes & Benefits Life Insurance	265.00
510.60	Taxes & Benefits Allowances	720.00
	Taxes & Benefits Totals	\$94,035.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 44 - Fire		
Division 33 - Fire Prevention & Education		
Program 4411 - Fire Prevention		
Supplies		
520.05	Office Supplies General	500.00
520.10	Office Supplies Paper	500.00
520.15	Office Supplies Printed Forms	1,000.00
	Supplies Totals	\$2,000.00
Services & Charges		
545.10	Communications Telephone	3,250.00
575.05	Other Small Tools & Equipment	2,500.00
575.10	Other Memberships & Publications	1,620.00
575.15	Other Training & Travel	3,000.00
	Services & Charges Totals	\$10,370.00
	Program 4411 - Fire Prevention Totals	\$384,255.00
Program 4412 - Public Education		
Salaries		
500.20	Salaries Overtime	20,000.00
	Salaries Totals	\$20,000.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	290.00
510.15	Taxes & Benefits Social Security	1,240.00
	Taxes & Benefits Totals	\$1,530.00
Supplies		
525.95	Operating Supplies Other	6,400.00
	Supplies Totals	\$6,400.00
	Program 4412 - Public Education Totals	\$27,930.00
	Division 33 - Fire Prevention & Education Totals	\$412,185.00
Division 34 - Fire Training		
Program 0000 - General		
Salaries		
500.05	Salaries Full Time	148,680.00
500.20	Salaries Overtime	53,135.00
500.25	Salaries Special Compensation	1,000.00
	Salaries Totals	\$202,815.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 44 - Fire		
Division 34 - Fire Training		
Program 0000 - General		
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	2,950.00
510.15	Taxes & Benefits Social Security	12,580.00
510.30	Taxes & Benefits Fire Pension Er Contribution	87,740.00
510.35	Taxes & Benefits Medical/Dental Insurance	28,040.00
510.40	Taxes & Benefits Life Insurance	200.00
	Taxes & Benefits Totals	\$131,510.00
Supplies		
525.95	Operating Supplies Other	2,500.00
	Supplies Totals	\$2,500.00
Services & Charges		
540.95	Services Other	2,000.00
575.05	Other Small Tools & Equipment	12,000.00
575.10	Other Memberships & Publications	2,790.00
575.15	Other Training & Travel	50,000.00
	Services & Charges Totals	\$66,790.00
	Program 0000 - General Totals	\$403,615.00
	Division 34 - Fire Training Totals	\$403,615.00
Division 35 - Support Services		
Program 4421 - Communication Services		
Services & Charges		
545.05	Communications Dispatch Services	100,000.00
545.15	Communications Cell Phones	16,000.00
	Services & Charges Totals	\$116,000.00
	Program 4421 - Communication Services Totals	\$116,000.00
Program 4422 - Automotive Services		
Services & Charges		
565.95	Repair and Maintenance Vehicle Maint Service Charge	434,865.00
	Services & Charges Totals	\$434,865.00
	Program 4422 - Automotive Services Totals	\$434,865.00
	Division 35 - Support Services Totals	\$550,865.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 44 - Fire		
Division 37 - Emergency Management		
Program 0000 - General		
Supplies		
525.95	Operating Supplies Other	275.00
	Supplies Totals	\$275.00
Services & Charges		
540.95	Services Other	30,500.00
565.05	Repair and Maintenance Machinery & Equipment	360.00
575.15	Other Training & Travel	500.00
	Services & Charges Totals	\$31,360.00
	Program 0000 - General Totals	\$31,635.00
	Division 37 - Emergency Management Totals	\$31,635.00
	Department 44 - Fire Totals	\$25,523,190.00
Department 52 - Public Works		
Division 01 - Administration		
Program 0000 - General		
Salaries		
500.05	Salaries Full Time	939,935.00
500.10	Salaries Part Time	32,000.00
500.20	Salaries Overtime	500.00
500.25	Salaries Special Compensation	27,840.00
	Salaries Totals	\$1,000,275.00
Taxes & Benefits		
510.05	Taxes & Benefits Deferred Compensation	11,305.00
510.10	Taxes & Benefits Medicare	14,815.00
510.15	Taxes & Benefits Social Security	63,210.00
510.20	Taxes & Benefits IMRF Er Contribution	62,225.00
510.35	Taxes & Benefits Medical/Dental Insurance	176,295.00
510.40	Taxes & Benefits Life Insurance	1,250.00
510.60	Taxes & Benefits Allowances	7,200.00
	Taxes & Benefits Totals	\$336,300.00
Supplies		
520.05	Office Supplies General	2,780.00
520.10	Office Supplies Paper	2,000.00
520.15	Office Supplies Printed Forms	300.00
525.35	Operating Supplies Clothing	15,500.00
	Supplies Totals	\$20,580.00



Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 52 - Public Works		
Division 01 - Administration		
Program 0000 - General		
Services & Charges		
540.35	Services Medical	2,875.00
540.95	Services Other	600.00
545.20	Communications Postage	500.00
565.95	Repair and Maintenance Vehicle Maint Service Charge	24,160.00
575.05	Other Small Tools & Equipment	1,000.00
575.10	Other Memberships & Publications	7,600.00
575.15	Other Training & Travel	12,500.00
	Services & Charges Totals	\$49,235.00
	Program 0000 - General Totals	\$1,406,390.00
	Division 01 - Administration Totals	\$1,406,390.00
Division 38 - Building, Grounds, Electrical		
Program 5201 - Buildings & Grounds Maintenance		
Salaries		
500.05	Salaries Full Time	175,305.00
500.20	Salaries Overtime	2,500.00
500.25	Salaries Special Compensation	2,500.00
	Salaries Totals	\$180,305.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	2,630.00
510.15	Taxes & Benefits Social Security	11,185.00
510.20	Taxes & Benefits IMRF Er Contribution	11,460.00
510.35	Taxes & Benefits Medical/Dental Insurance	56,070.00
510.40	Taxes & Benefits Life Insurance	235.00
	Taxes & Benefits Totals	\$81,580.00
Supplies		
525.05	Operating Supplies Custodial	21,300.00
525.35	Operating Supplies Clothing	1,200.00
	Supplies Totals	\$22,500.00
Services & Charges		
540.60	Services Custodial	91,180.00
540.95	Services Other	98,550.00
560.05	Utility Services Electric	7,500.00
560.10	Utility Services Natural Gas	16,220.00



Account	Account Description	2024 Proposed Annual Budget
Fund 100	General Fund	
EXPENSE		
Department	52 - Public Works	
Division	38 - Building, Grounds, Electrical	
Program	5201 - Buildings & Grounds Maintenance	
Services & Charges		
575.05	Other Small Tools & Equipment	1,560.00
Services & Charges Totals		\$215,010.00
Program	5201 - Buildings & Grounds Maintenance Totals	\$499,395.00
Program	5202 - Mechanical Maintenance	
Salaries		
500.05	Salaries Full Time	105,310.00
500.20	Salaries Overtime	2,500.00
500.25	Salaries Special Compensation	2,500.00
Salaries Totals		\$110,310.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	1,610.00
510.15	Taxes & Benefits Social Security	6,845.00
510.20	Taxes & Benefits IMRF Er Contribution	7,015.00
510.35	Taxes & Benefits Medical/Dental Insurance	18,690.00
510.40	Taxes & Benefits Life Insurance	140.00
Taxes & Benefits Totals		\$34,300.00
Supplies		
525.05	Operating Supplies Custodial	6,000.00
530.05	R&M Supplies Equipment Parts	74,770.00
Supplies Totals		\$80,770.00
Services & Charges		
560.05	Utility Services Electric	135,530.00
565.05	Repair and Maintenance Machinery & Equipment	127,245.00
565.95	Repair and Maintenance Vehicle Maint Service Charge	9,665.00
570.10	Rental Machinery	500.00
575.05	Other Small Tools & Equipment	1,280.00
Services & Charges Totals		\$274,220.00
Program	5202 - Mechanical Maintenance Totals	\$499,600.00
Division	38 - Building, Grounds, Electrical Totals	\$998,995.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)

Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 52 - Public Works		
Division 39 - Forestry		
Program 5211 - Tree Maintenance		
Salaries		
500.05	Salaries Full Time	426,745.00
500.20	Salaries Overtime	10,000.00
500.25	Salaries Special Compensation	6,250.00
	<i>Salaries Totals</i>	<u>\$442,995.00</u>
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	6,450.00
510.15	Taxes & Benefits Social Security	27,520.00
510.20	Taxes & Benefits IMRF Er Contribution	28,145.00
510.35	Taxes & Benefits Medical/Dental Insurance	56,075.00
510.40	Taxes & Benefits Life Insurance	565.00
510.60	Taxes & Benefits Allowances	720.00
	<i>Taxes & Benefits Totals</i>	<u>\$119,475.00</u>
Supplies		
525.25	Operating Supplies Chemicals	4,155.00
525.35	Operating Supplies Clothing	2,400.00
525.95	Operating Supplies Other	5,540.00
	<i>Supplies Totals</i>	<u>\$12,095.00</u>
Services & Charges		
565.25	Repair and Maintenance Landscape	203,025.00
565.95	Repair and Maintenance Vehicle Maint Service Charge	67,650.00
575.05	Other Small Tools & Equipment	4,000.00
	<i>Services & Charges Totals</i>	<u>\$274,675.00</u>
	Program 5211 - Tree Maintenance Totals	<u>\$849,240.00</u>
Program 5212 - Landscape Maintenance		
Salaries		
500.05	Salaries Full Time	202,665.00
500.10	Salaries Part Time	40,000.00
500.20	Salaries Overtime	1,000.00
500.25	Salaries Special Compensation	5,750.00
	<i>Salaries Totals</i>	<u>\$249,415.00</u>
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	3,630.00
510.15	Taxes & Benefits Social Security	15,495.00
510.20	Taxes & Benefits IMRF Er Contribution	15,850.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)

Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 52 - Public Works		
Division 39 - Forestry		
Program 5212 - Landscape Maintenance		
Taxes & Benefits		
510.35	Taxes & Benefits Medical/Dental Insurance	56,070.00
510.40	Taxes & Benefits Life Insurance	270.00
510.60	Taxes & Benefits Allowances	360.00
	<i>Taxes & Benefits Totals</i>	<i>\$91,675.00</i>
Supplies		
525.25	Operating Supplies Chemicals	3,000.00
525.35	Operating Supplies Clothing	1,200.00
525.95	Operating Supplies Other	18,000.00
	<i>Supplies Totals</i>	<i>\$22,200.00</i>
Services & Charges		
565.25	Repair and Maintenance Landscape	149,000.00
565.95	Repair and Maintenance Vehicle Maint Service Charge	67,650.00
575.05	Other Small Tools & Equipment	3,000.00
	<i>Services & Charges Totals</i>	<i>\$219,650.00</i>
	Program 5212 - Landscape Maintenance Totals	\$582,940.00
	Division 39 - Forestry Totals	\$1,432,180.00
Division 41 - Streets		
Program 5231 - Pavement Maintenance		
Salaries		
500.05	Salaries Full Time	694,020.00
500.10	Salaries Part Time	7,500.00
500.20	Salaries Overtime	140,770.00
500.25	Salaries Special Compensation	17,500.00
	<i>Salaries Totals</i>	<i>\$859,790.00</i>
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	12,550.00
510.15	Taxes & Benefits Social Security	53,430.00
510.20	Taxes & Benefits IMRF Er Contribution	54,145.00
510.35	Taxes & Benefits Medical/Dental Insurance	168,215.00
510.40	Taxes & Benefits Life Insurance	930.00
510.60	Taxes & Benefits Allowances	1,080.00
	<i>Taxes & Benefits Totals</i>	<i>\$290,350.00</i>

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 52 - Public Works		
Division 41 - Streets		
Program 5231 - Pavement Maintenance		
Supplies		
525.25	Operating Supplies Chemicals	30,000.00
525.30	Operating Supplies Salt	363,000.00
525.35	Operating Supplies Clothing	3,600.00
525.40	Operating Supplies Shop Materials	1,500.00
530.20	R&M Supplies Street Maintenance	412,780.00
	Supplies Totals	\$810,880.00
Services & Charges		
540.95	Services Other	153,500.00
560.25	Utility Services Refuse Disposal	20,000.00
565.20	Repair and Maintenance Streets	89,400.00
565.95	Repair and Maintenance Vehicle Maint Service Charge	251,215.00
570.10	Rental Machinery	35,000.00
575.05	Other Small Tools & Equipment	9,000.00
	Services & Charges Totals	\$558,115.00
	Program 5231 - Pavement Maintenance Totals	\$2,519,135.00
Program 5232 - Traffic Control & Safety Signs		
Salaries		
500.05	Salaries Full Time	179,695.00
500.20	Salaries Overtime	500.00
500.25	Salaries Special Compensation	7,000.00
	Salaries Totals	\$187,195.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	2,730.00
510.15	Taxes & Benefits Social Security	11,640.00
510.20	Taxes & Benefits IMRF Er Contribution	11,900.00
510.35	Taxes & Benefits Medical/Dental Insurance	37,380.00
510.40	Taxes & Benefits Life Insurance	240.00
510.60	Taxes & Benefits Allowances	360.00
	Taxes & Benefits Totals	\$64,250.00
Supplies		
525.35	Operating Supplies Clothing	1,200.00
525.40	Operating Supplies Shop Materials	25,000.00
	Supplies Totals	\$26,200.00



Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 52 - Public Works		
Division 41 - Streets		
Program 5232 - Traffic Control & Safety Signs		
Services & Charges		
540.95	Services Other	38,000.00
560.05	Utility Services Electric	700.00
565.95	Repair and Maintenance Vehicle Maint Service	48,320.00
	Charge	
575.05	Other Small Tools & Equipment	2,800.00
	Services & Charges Totals	\$89,820.00
Program 5232 - Traffic Control & Safety Signs	Totals	\$367,465.00
Program 5233 - Rights of Way Maintenance		
Salaries		
500.05	Salaries Full Time	257,560.00
500.20	Salaries Overtime	2,500.00
500.25	Salaries Special Compensation	7,000.00
	Salaries Totals	\$267,060.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	3,890.00
510.15	Taxes & Benefits Social Security	16,565.00
510.20	Taxes & Benefits IMRF Er Contribution	16,975.00
510.35	Taxes & Benefits Medical/Dental Insurance	65,415.00
510.40	Taxes & Benefits Life Insurance	345.00
	Taxes & Benefits Totals	\$103,190.00
Supplies		
525.35	Operating Supplies Clothing	1,800.00
	Supplies Totals	\$1,800.00
Services & Charges		
560.25	Utility Services Refuse Disposal	2,000.00
565.25	Repair and Maintenance Landscape	1,530.00
565.95	Repair and Maintenance Vehicle Maint Service	130,460.00
	Charge	
575.05	Other Small Tools & Equipment	100.00
	Services & Charges Totals	\$134,090.00
Program 5233 - Rights of Way Maintenance	Totals	\$506,140.00
Division 41 - Streets	Totals	\$3,392,740.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 100 - General Fund		
EXPENSE		
Department 52 - Public Works		
Division 43 - Engineering		
Program 0000 - General		
Salaries		
500.05	Salaries Full Time	189,095.00
500.25	Salaries Special Compensation	1,000.00
	Salaries Totals	\$190,095.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	2,765.00
510.15	Taxes & Benefits Social Security	11,810.00
510.20	Taxes & Benefits IMRF Er Contribution	12,075.00
510.35	Taxes & Benefits Medical/Dental Insurance	18,700.00
510.40	Taxes & Benefits Life Insurance	245.00
510.60	Taxes & Benefits Allowances	360.00
	Taxes & Benefits Totals	\$45,955.00
Supplies		
520.10	Office Supplies Paper	200.00
525.95	Operating Supplies Other	100.00
	Supplies Totals	\$300.00
Services & Charges		
540.20	Services Architectural	1,500.00
540.25	Services Engineering	20,000.00
540.45	Services Data Processing/Technology	500.00
565.05	Repair and Maintenance Machinery & Equipment	500.00
565.35	Repair and Maintenance Software	2,800.00
	Services & Charges Totals	\$25,300.00
	Program 0000 - General Totals	\$261,650.00
	Division 43 - Engineering Totals	\$261,650.00
	Department 52 - Public Works Totals	\$7,491,955.00
	EXPENSE TOTALS	\$73,060,105.00
Fund 100 - General Fund Totals		
	REVENUE TOTALS	\$73,060,105.00
	EXPENSE TOTALS	\$73,060,105.00
Fund 100 - General Fund Totals		\$0.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund	205 - Motor Fuel Tax Fund	
REVENUE		
Intergovernmental Revenues		
430.35	Shared Revenues Motor Fuel Tax	2,819,100.00
434	Grants	550,000.00
Intergovernmental Revenues Totals		\$3,369,100.00
Interest Income		
460.05	Interest Income Investments	1,000.00
Interest Income Totals		\$1,000.00
(Source)/Use of Reserves		
499	(Source)/Use of Reserves	243,945.00
(Source)/Use of Reserves Totals		\$243,945.00
REVENUE TOTALS		\$3,614,045.00
EXPENSE		
Department 52 - Public Works		
Division 75 - Capital Outlay		
Program 6060 - Streets		
Capital Outlay		
615	Improvements Other Than Buildings	3,614,045.00
Capital Outlay Totals		\$3,614,045.00
Program 6060 - Streets Totals		\$3,614,045.00
Division 75 - Capital Outlay Totals		\$3,614,045.00
Department 52 - Public Works Totals		\$3,614,045.00
EXPENSE TOTALS		\$3,614,045.00
Fund 205 - Motor Fuel Tax Fund Totals		
REVENUE TOTALS		\$3,614,045.00
EXPENSE TOTALS		\$3,614,045.00
Fund 205 - Motor Fuel Tax Fund Totals		\$0.00
Fund	210 - Community Dev Block Grant Fund	
REVENUE		
Intergovernmental Revenues		
434	Grants	497,467.00
Intergovernmental Revenues Totals		\$497,467.00
REVENUE TOTALS		\$497,467.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 210 - Community Dev Block Grant Fund		
EXPENSE		
Department 30 - Finance & Operations		
Division 80 - Interfund Transfers		
Program 0000 - General		
Services & Charges		
540.90	Services Administrative Service Charge	99,493.00
	Services & Charges Totals	\$99,493.00
	Program 0000 - General Totals	\$99,493.00
	Division 80 - Interfund Transfers Totals	\$99,493.00
	Department 30 - Finance & Operations Totals	\$99,493.00
Department 40 - Community Development		
Division 21 - Community Development		
Program 0000 - General		
Services & Charges		
540.95	Services Other	74,620.00
	Services & Charges Totals	\$74,620.00
	Program 0000 - General Totals	\$74,620.00
	Division 21 - Community Development Totals	\$74,620.00
	Department 40 - Community Development Totals	\$74,620.00
Department 52 - Public Works		
Division 75 - Capital Outlay		
Program 6040 - Rights of Way Improvements		
Capital Outlay		
615	Improvements Other Than Buildings	323,354.00
	Capital Outlay Totals	\$323,354.00
	Program 6040 - Rights of Way Improvements Totals	\$323,354.00
	Division 75 - Capital Outlay Totals	\$323,354.00
	Department 52 - Public Works Totals	\$323,354.00
	EXPENSE TOTALS	\$497,467.00
Fund 210 - Community Dev Block Grant Fund Totals		
	REVENUE TOTALS	\$497,467.00
	EXPENSE TOTALS	\$497,467.00
Fund 210 - Community Dev Block Grant Fund Totals		\$0.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 221 - Federal Equitable Sharing Fund		
REVENUE		
	Intergovernmental Revenues	
434	Grants	100,000.00
	Intergovernmental Revenues Totals	\$100,000.00
	(Source)/Use of Reserves	
499	(Source)/Use of Reserves	32,020.00
	(Source)/Use of Reserves Totals	\$32,020.00
	REVENUE TOTALS	\$132,020.00
EXPENSE		
	Department 42 - Police	
	Division 27 - Crime Control & Investigation	
	Program 4201 - Patrol	
	Supplies	
525.95	Operating Supplies Other	61,000.00
	Supplies Totals	\$61,000.00
	Program 4201 - Patrol Totals	\$61,000.00
	Division 27 - Crime Control & Investigation Totals	\$61,000.00
	Division 75 - Capital Outlay	
	Program 0000 - General	
	Capital Outlay	
635	Office and Other Equipment	71,020.00
	Capital Outlay Totals	\$71,020.00
	Program 0000 - General Totals	\$71,020.00
	Division 75 - Capital Outlay Totals	\$71,020.00
	Department 42 - Police Totals	\$132,020.00
	EXPENSE TOTALS	\$132,020.00
	Fund 221 - Federal Equitable Sharing Fund Totals	
	REVENUE TOTALS	\$132,020.00
	EXPENSE TOTALS	\$132,020.00
	Fund 221 - Federal Equitable Sharing Fund Totals	\$0.00
Fund 222 - State Equitable Sharing Fund		
REVENUE		
	Intergovernmental Revenues	
434	Grants	20,000.00
	Intergovernmental Revenues Totals	\$20,000.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 222 - State Equitable Sharing Fund		
REVENUE		
(Source)/Use of Reserves		
499 (Source)/Use of Reserves		62,000.00
(Source)/Use of Reserves Totals		\$62,000.00
REVENUE TOTALS		\$82,000.00
EXPENSE		
Department 42 - Police		
Division 27 - Crime Control & Investigation		
Program 4201 - Patrol		
Supplies		
525.95 Operating Supplies Other		35,000.00
Supplies Totals		\$35,000.00
Program 4201 - Patrol Totals		\$35,000.00
Division 27 - Crime Control & Investigation Totals		\$35,000.00
Division 75 - Capital Outlay		
Program 0000 - General		
Capital Outlay		
635 Office and Other Equipment		47,000.00
Capital Outlay Totals		\$47,000.00
Program 0000 - General Totals		\$47,000.00
Division 75 - Capital Outlay Totals		\$47,000.00
Department 42 - Police Totals		\$82,000.00
EXPENSE TOTALS		\$82,000.00
Fund 222 - State Equitable Sharing Fund Totals		
REVENUE TOTALS		\$82,000.00
EXPENSE TOTALS		\$82,000.00
Fund 222 - State Equitable Sharing Fund Totals		\$0.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 224 - Foreign Fire Insurance Tax Fund		
REVENUE		
	Intergovernmental Revenues	
430.40	Shared Revenues Foreign Fire Insurance Tax	100,000.00
	Intergovernmental Revenues Totals	\$100,000.00
	REVENUE TOTALS	\$100,000.00
EXPENSE		
	Department 44 - Fire	
	Division 31 - Special Detail Services	
	Program 0000 - General	
	Supplies	
525.95	Operating Supplies Other	100,000.00
	Supplies Totals	\$100,000.00
	Program 0000 - General Totals	\$100,000.00
	Division 31 - Special Detail Services Totals	\$100,000.00
	Department 44 - Fire Totals	\$100,000.00
	EXPENSE TOTALS	\$100,000.00
Fund 224 - Foreign Fire Insurance Tax Fund Totals		
	REVENUE TOTALS	\$100,000.00
	EXPENSE TOTALS	\$100,000.00
Fund 224 - Foreign Fire Insurance Tax Fund Totals		\$0.00
Fund 233 - Downtown Area TIF (TIF #3) Fund		
REVENUE		
	Taxes	
410.95	Property Tax TIF Increment	7,600,000.00
	Taxes Totals	\$7,600,000.00
	Interest Income	
460.05	Interest Income Investments	2,500.00
	Interest Income Totals	\$2,500.00
	(Source)/Use of Reserves	
499	(Source)/Use of Reserves	(3,312,500.00)
	(Source)/Use of Reserves Totals	(\$3,312,500.00)
	REVENUE TOTALS	\$4,290,000.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 233 - Downtown Area TIF (TIF #3) Fund		
EXPENSE		
Department 20 - Village Manager's Office		
Division 10 - Economic Development		
Program 0000 - General		
Services & Charges		
540.10	Services Financial	5,000.00
540.30	Services Legal	5,000.00
	Services & Charges Totals	\$10,000.00
	Program 0000 - General Totals	\$10,000.00
	Division 10 - Economic Development Totals	\$10,000.00
	Department 20 - Village Manager's Office Totals	\$10,000.00
Department 52 - Public Works		
Division 75 - Capital Outlay		
Program 6010 - Buildings & Facilities		
Capital Outlay		
615	Improvements Other Than Buildings	3,780,000.00
	Capital Outlay Totals	\$3,780,000.00
	Program 6010 - Buildings & Facilities Totals	\$3,780,000.00
Program 6020 - Flood Control		
Capital Outlay		
615	Improvements Other Than Buildings	500,000.00
	Capital Outlay Totals	\$500,000.00
	Program 6020 - Flood Control Totals	\$500,000.00
	Division 75 - Capital Outlay Totals	\$4,280,000.00
	Department 52 - Public Works Totals	\$4,280,000.00
	EXPENSE TOTALS	\$4,290,000.00
Fund 233 - Downtown Area TIF (TIF #3) Fund Totals		
	REVENUE TOTALS	\$4,290,000.00
	EXPENSE TOTALS	\$4,290,000.00
Fund 233 - Downtown Area TIF (TIF #3) Fund Totals		\$0.00
Fund 234 - Rand Corridor TIF (TIF #4) Fund		
REVENUE		
Taxes		
410.95	Property Tax TIF Increment	3,750,000.00
	Taxes Totals	\$3,750,000.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 234 - Rand Corridor TIF (TIF #4) Fund		
REVENUE		
Interest Income		
460.05	Interest Income Investments	2,500.00
	Interest Income Totals	\$2,500.00
(Source)/Use of Reserves		
499	(Source)/Use of Reserves	158,240.00
	(Source)/Use of Reserves Totals	\$158,240.00
	REVENUE TOTALS	\$3,910,740.00
EXPENSE		
Department 20 - Village Manager's Office		
Division 10 - Economic Development		
Program 0000 - General		
Services & Charges		
540.10	Services Financial	5,000.00
540.30	Services Legal	5,000.00
	Services & Charges Totals	\$10,000.00
Other Expenses		
815	Rebates	1,500,000.00
820	TIF Development	716,860.00
	Other Expenses Totals	\$2,216,860.00
	Program 0000 - General Totals	\$2,226,860.00
	Division 10 - Economic Development Totals	\$2,226,860.00
	Department 20 - Village Manager's Office Totals	\$2,226,860.00
Department 30 - Finance & Operations		
Division 70 - Debt Service		
Program 3068 - GO Tax Ref Series 2014B (TIF 4)		
Debt Service		
705	Principal	760,000.00
710	Interest	49,820.00
715	Paying Agent Fees	750.00
	Debt Service Totals	\$810,570.00
	Program 3068 - GO Tax Ref Series 2014B (TIF 4) Totals	\$810,570.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 234 - Rand Corridor TIF (TIF #4) Fund		
EXPENSE		
Department 30 - Finance & Operations		
Division 70 - Debt Service		
Program 3073 - GO Tax Ref Series 2017D (TIF 4)		
Debt Service		
705	Principal	710,000.00
710	Interest	62,560.00
715	Paying Agent Fees	750.00
	Debt Service Totals	\$773,310.00
Program 3073 - GO Tax Ref Series 2017D (TIF 4)	Totals	\$773,310.00
	Division 70 - Debt Service Totals	\$1,583,880.00
Department 30 - Finance & Operations Totals		\$1,583,880.00
Department 52 - Public Works		
Division 75 - Capital Outlay		
Program 6040 - Rights of Way Improvements		
Capital Outlay		
615	Improvements Other Than Buildings	100,000.00
	Capital Outlay Totals	\$100,000.00
Program 6040 - Rights of Way Improvements	Totals	\$100,000.00
	Division 75 - Capital Outlay Totals	\$100,000.00
Department 52 - Public Works Totals		\$100,000.00
	EXPENSE TOTALS	\$3,910,740.00
Fund 234 - Rand Corridor TIF (TIF #4) Fund Totals		
	REVENUE TOTALS	\$3,910,740.00
	EXPENSE TOTALS	\$3,910,740.00
Fund 234 - Rand Corridor TIF (TIF #4) Fund Totals		\$0.00
Fund 235 - Rand/Lake Cook TIF (TIF #5) Fund		
REVENUE		
Taxes		
410.95	Property Tax TIF Increment	1,232,500.00
	Taxes Totals	\$1,232,500.00
Interest Income		
460.05	Interest Income Investments	500.00
	Interest Income Totals	\$500.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 235 - Rand/Lake Cook TIF (TIF #5) Fund		
REVENUE		
(Source)/Use of Reserves		
499	(Source)/Use of Reserves	272,000.00
	(Source)/Use of Reserves Totals	\$272,000.00
	REVENUE TOTALS	\$1,505,000.00
EXPENSE		
Department 20 - Village Manager's Office		
Division 10 - Economic Development		
Program 0000 - General		
Services & Charges		
540.10	Services Financial	5,000.00
	Services & Charges Totals	\$5,000.00
Other Expenses		
815	Rebates	1,500,000.00
	Other Expenses Totals	\$1,500,000.00
	Program 0000 - General Totals	\$1,505,000.00
	Division 10 - Economic Development Totals	\$1,505,000.00
	Department 20 - Village Manager's Office Totals	\$1,505,000.00
	EXPENSE TOTALS	\$1,505,000.00
Fund 235 - Rand/Lake Cook TIF (TIF #5) Fund Totals		
	REVENUE TOTALS	\$1,505,000.00
	EXPENSE TOTALS	\$1,505,000.00
Fund 235 - Rand/Lake Cook TIF (TIF #5) Fund Totals		\$0.00
Fund 300 - Debt Service Fund		
REVENUE		
Taxes		
410.25	Property Tax Debt Service	2,472,956.00
	Taxes Totals	\$2,472,956.00
Interest Income		
460.05	Interest Income Investments	633,830.00
	Interest Income Totals	\$633,830.00
Other Financing Sources		
481	Interfund Transfers In	1,642,000.00
	Other Financing Sources Totals	\$1,642,000.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 300 - Debt Service Fund		
REVENUE		
(Source)/Use of Reserves		
499 (Source)/Use of Reserves		(2,274,405.00)
(Source)/Use of Reserves Totals		(\$2,274,405.00)
REVENUE TOTALS		\$2,474,381.00
EXPENSE		
Department 30 - Finance & Operations		
Division 70 - Debt Service		
Program 3071 - GO Ref Series 2017B		
Debt Service		
705 Principal		490,000.00
710 Interest		29,250.00
715 Paying Agent Fees		475.00
Debt Service Totals		\$519,725.00
Program 3071 - GO Ref Series 2017B Totals		\$519,725.00
Program 3074 - GO Ref Series 2018		
Debt Service		
705 Principal		560,000.00
710 Interest		197,500.00
715 Paying Agent Fees		475.00
Debt Service Totals		\$757,975.00
Program 3074 - GO Ref Series 2018 Totals		\$757,975.00
Program 3075 - GO Ref Series 2020		
Debt Service		
705 Principal		705,000.00
710 Interest		491,206.00
715 Paying Agent Fees		475.00
Debt Service Totals		\$1,196,681.00
Program 3075 - GO Ref Series 2020 Totals		\$1,196,681.00
Division 70 - Debt Service Totals		\$2,474,381.00
Department 30 - Finance & Operations Totals		\$2,474,381.00
EXPENSE TOTALS		\$2,474,381.00
Fund 300 - Debt Service Fund Totals		
REVENUE TOTALS		\$2,474,381.00
EXPENSE TOTALS		\$2,474,381.00
Fund 300 - Debt Service Fund Totals		\$0.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 401	Capital Equipment Fund	
REVENUE		
Taxes		
415	Electric Use Utility Tax	1,075,000.00
Taxes Totals		\$1,075,000.00
Intergovernmental Revenues		
430.65	Shared Revenues Video Gaming Tax	176,550.00
Intergovernmental Revenues Totals		\$176,550.00
Interest Income		
460.05	Interest Income Investments	7,500.00
Interest Income Totals		\$7,500.00
Miscellaneous Revenues		
470.10	Rental Income Communication Tower	395,200.00
472.05	Sales Capital Assets	50,000.00
Miscellaneous Revenues Totals		\$445,200.00
Other Financing Sources		
481	Interfund Transfers In	650,000.00
Other Financing Sources Totals		\$650,000.00
(Source)/Use of Reserves		
499	(Source)/Use of Reserves	(359,610.00)
(Source)/Use of Reserves Totals		(\$359,610.00)
REVENUE TOTALS		\$1,994,640.00
EXPENSE		
Department 38 - Information Technology		
Division 75 - Capital Outlay		
Program 6030 - Technology		
Capital Outlay		
640	Technology	574,980.00
Capital Outlay Totals		\$574,980.00
Program 6030 - Technology Totals		\$574,980.00
Division 75 - Capital Outlay Totals		\$574,980.00
Department 38 - Information Technology Totals		\$574,980.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 401 - Capital Equipment Fund		
EXPENSE		
Department 42 - Police		
Division 75 - Capital Outlay		
Program 6070 - Vehicles & Equipment		
Capital Outlay		
625 Motor Vehicles		241,400.00
	Capital Outlay Totals	\$241,400.00
Program 6070 - Vehicles & Equipment Totals		\$241,400.00
Division 75 - Capital Outlay Totals		\$241,400.00
Department 42 - Police Totals		\$241,400.00
Department 44 - Fire		
Division 75 - Capital Outlay		
Program 6070 - Vehicles & Equipment		
Capital Outlay		
625 Motor Vehicles		350,000.00
635 Office and Other Equipment		41,000.00
	Capital Outlay Totals	\$391,000.00
Program 6070 - Vehicles & Equipment Totals		\$391,000.00
Division 75 - Capital Outlay Totals		\$391,000.00
Department 44 - Fire Totals		\$391,000.00
Department 52 - Public Works		
Division 75 - Capital Outlay		
Program 6070 - Vehicles & Equipment		
Capital Outlay		
625 Motor Vehicles		782,260.00
635 Office and Other Equipment		5,000.00
	Capital Outlay Totals	\$787,260.00
Program 6070 - Vehicles & Equipment Totals		\$787,260.00
Division 75 - Capital Outlay Totals		\$787,260.00
Department 52 - Public Works Totals		\$787,260.00
EXPENSE TOTALS		\$1,994,640.00
Fund 401 - Capital Equipment Fund Totals		
	REVENUE TOTALS	\$1,994,640.00
	EXPENSE TOTALS	\$1,994,640.00
Fund 401 - Capital Equipment Fund Totals		\$0.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 402	Capital Improvement Fund	
REVENUE		
Taxes		
414	Simplified Telecommunications Tax	600,000.00
415	Electric Use Utility Tax	1,075,000.00
	Taxes Totals	\$1,675,000.00
Intergovernmental Revenues		
430.60	Shared Revenues Cannabis Excise Tax	115,000.00
434	Grants	296,000.00
	Intergovernmental Revenues Totals	\$411,000.00
Interest Income		
460.05	Interest Income Investments	7,500.00
	Interest Income Totals	\$7,500.00
Other Financing Sources		
481	Interfund Transfers In	45,000.00
	Other Financing Sources Totals	\$45,000.00
(Source)/Use of Reserves		
499	(Source)/Use of Reserves	507,570.00
	(Source)/Use of Reserves Totals	\$507,570.00
	REVENUE TOTALS	\$2,646,070.00
EXPENSE		
Department 42 - Police		
Division 75 - Capital Outlay		
Program 6010 - Buildings & Facilities		
Capital Outlay		
610	Buildings & Structures	50,000.00
	Capital Outlay Totals	\$50,000.00
	Program 6010 - Buildings & Facilities Totals	\$50,000.00
	Division 75 - Capital Outlay Totals	\$50,000.00
	Department 42 - Police Totals	\$50,000.00
Department 44 - Fire		
Division 75 - Capital Outlay		
Program 6010 - Buildings & Facilities		
Capital Outlay		
610	Buildings & Structures	40,000.00
	Capital Outlay Totals	\$40,000.00
	Program 6010 - Buildings & Facilities Totals	\$40,000.00
	Division 75 - Capital Outlay Totals	\$40,000.00
	Department 44 - Fire Totals	\$40,000.00



Account	Account Description	2024 Proposed Annual Budget
Fund 402 - Capital Improvement Fund		
EXPENSE		
Department 52 - Public Works		
Division 75 - Capital Outlay		
Program 6010 - Buildings & Facilities		
Capital Outlay		
610	Buildings & Structures	175,000.00
	Capital Outlay Totals	\$175,000.00
	Program 6010 - Buildings & Facilities Totals	\$175,000.00
Program 6040 - Rights of Way Improvements		
Capital Outlay		
615	Improvements Other Than Buildings	435,000.00
	Capital Outlay Totals	\$435,000.00
	Program 6040 - Rights of Way Improvements Totals	\$435,000.00
Program 6060 - Streets		
Capital Outlay		
615	Improvements Other Than Buildings	1,946,070.00
	Capital Outlay Totals	\$1,946,070.00
	Program 6060 - Streets Totals	\$1,946,070.00
	Division 75 - Capital Outlay Totals	\$2,556,070.00
	Department 52 - Public Works Totals	\$2,556,070.00
	EXPENSE TOTALS	\$2,646,070.00
	Fund 402 - Capital Improvement Fund Totals	
	REVENUE TOTALS	\$2,646,070.00
	EXPENSE TOTALS	\$2,646,070.00
	Fund 402 - Capital Improvement Fund Totals	\$0.00
Fund 605 - Waterworks Fund		
REVENUE		
Intergovernmental Revenues		
432.35	Reimbursements Park District - CC & CSF	30,000.00
	Intergovernmental Revenues Totals	\$30,000.00
Charges for Services		
441.05	Water Service Resident - Regular	10,164,000.00
441.15	Water Service Resident - User Charge	1,802,815.00
441.20	Water Service Resident - Penalties	65,000.00
441.25	Water Service Non-Resident - Regular	1,497,000.00
441.30	Water Service Non-Resident - IOTP	79,000.00
441.35	Water Service Non-Resident - Deer Park	457,000.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 605 - Waterworks Fund		
REVENUE		
Charges for Services		
441.40	Water Service Non-Resident - User Charge	135,780.00
441.45	Water Service Non-Resident - Penalties	10,000.00
441.55	Water Service Water Meter Sales	15,000.00
441.60	Water Service Turn On Fee	20,000.00
441.65	Water Service Water Use	10,000.00
441.70	Water Service Water Syst Dev Surcharge	15,000.00
441.75	Water Service Water Extensions	20,000.00
441.80	Water Service Water Connection	10,000.00
	Charges for Services Totals	\$14,300,595.00
Interest Income		
460.05	Interest Income Investments	15,000.00
	Interest Income Totals	\$15,000.00
Miscellaneous Revenues		
474.90	Other Miscellaneous Income	5,000.00
	Miscellaneous Revenues Totals	\$5,000.00
(Source)/Use of Reserves		
499	(Source)/Use of Reserves	883,335.00
	(Source)/Use of Reserves Totals	\$883,335.00
	REVENUE TOTALS	\$15,233,930.00
EXPENSE		
Department 30 - Finance & Operations		
Division 01 - Administration		
Program 0000 - General		
Salaries		
500.05	Salaries Full Time	152,445.00
500.25	Salaries Special Compensation	3,935.00
	Salaries Totals	\$156,380.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	2,280.00
510.15	Taxes & Benefits Social Security	9,745.00
510.20	Taxes & Benefits IMRF Er Contribution	9,935.00
510.35	Taxes & Benefits Medical/Dental Insurance	28,040.00
510.40	Taxes & Benefits Life Insurance	200.00
510.60	Taxes & Benefits Allowances	720.00
	Taxes & Benefits Totals	\$50,920.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 605 - Waterworks Fund		
EXPENSE		
Department 30 - Finance & Operations		
Division 01 - Administration		
Program 0000 - General		
Services & Charges		
575.10	Other Memberships & Publications	650.00
575.15	Other Training & Travel	3,500.00
	Services & Charges Totals	\$4,150.00
	Program 0000 - General Totals	\$211,450.00
	Division 01 - Administration Totals	\$211,450.00
Division 11 - Accounting Services		
Program 0000 - General		
Salaries		
500.05	Salaries Full Time	86,505.00
	Salaries Totals	\$86,505.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	1,265.00
510.15	Taxes & Benefits Social Security	5,410.00
510.20	Taxes & Benefits IMRF Er Contribution	5,495.00
510.35	Taxes & Benefits Medical/Dental Insurance	8,495.00
510.40	Taxes & Benefits Life Insurance	115.00
510.60	Taxes & Benefits Allowances	720.00
	Taxes & Benefits Totals	\$21,500.00
Services & Charges		
540.10	Services Financial	17,000.00
540.15	Services Banking	140,100.00
575.10	Other Memberships & Publications	650.00
575.15	Other Training & Travel	2,000.00
	Services & Charges Totals	\$159,750.00
	Program 0000 - General Totals	\$267,755.00
	Division 11 - Accounting Services Totals	\$267,755.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)

Account	Account Description	2024 Proposed Annual Budget
Fund 605 - Waterworks Fund		
EXPENSE		
Department 30 - Finance & Operations		
Division 12 - Billing & Collections		
Program 3021 - Cashiering		
Salaries		
500.05	Salaries Full Time	53,170.00
500.20	Salaries Overtime	2,500.00
	Salaries Totals	\$55,670.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	815.00
510.15	Taxes & Benefits Social Security	3,455.00
510.20	Taxes & Benefits IMRF Er Contribution	3,540.00
510.35	Taxes & Benefits Medical/Dental Insurance	18,695.00
510.40	Taxes & Benefits Life Insurance	75.00
	Taxes & Benefits Totals	\$26,580.00
	Program 3021 - Cashiering Totals	\$82,250.00
Program 3022 - Utility Billing		
Salaries		
500.05	Salaries Full Time	140,215.00
500.20	Salaries Overtime	1,000.00
500.25	Salaries Special Compensation	750.00
	Salaries Totals	\$141,965.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	2,065.00
510.15	Taxes & Benefits Social Security	8,810.00
510.20	Taxes & Benefits IMRF Er Contribution	9,020.00
510.35	Taxes & Benefits Medical/Dental Insurance	18,695.00
510.40	Taxes & Benefits Life Insurance	190.00
	Taxes & Benefits Totals	\$38,780.00
Supplies		
520.05	Office Supplies General	600.00
520.10	Office Supplies Paper	400.00
	Supplies Totals	\$1,000.00
Services & Charges		
545.20	Communications Postage	55,000.00
550.15	Printing/Advertising Outside Printing Services	39,000.00
565.35	Repair and Maintenance Software	35,310.00
575.05	Other Small Tools & Equipment	500.00
575.15	Other Training & Travel	500.00
	Services & Charges Totals	\$130,310.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 605 - Waterworks Fund		
EXPENSE		
Department 30 - Finance & Operations		
Division 12 - Billing & Collections		
Program 3022 - Utility Billing Totals		\$312,055.00
Division 12 - Billing & Collections Totals		\$394,305.00
Division 17 - Village Wide Benefit Programs		
Program 0000 - General		
Services & Charges		
555.10 Insurance Liability Premiums		68,700.00
Services & Charges Totals		\$68,700.00
Program 0000 - General Totals		\$68,700.00
Division 17 - Village Wide Benefit Programs Totals		\$68,700.00
Division 70 - Debt Service		
Program 3069 - GO Series 2015		
Debt Service		
705 Principal		656,000.00
710 Interest		59,500.00
715 Paying Agent Fees		600.00
Debt Service Totals		\$716,100.00
Program 3069 - GO Series 2015 Totals		\$716,100.00
Division 70 - Debt Service Totals		\$716,100.00
Division 80 - Interfund Transfers		
Program 0000 - General		
Services & Charges		
540.90 Services Administrative Service Charge		1,044,000.00
Services & Charges Totals		\$1,044,000.00
Other Financing Uses		
905 Interfund Transfers Out		325,000.00
Other Financing Uses Totals		\$325,000.00
Program 0000 - General Totals		\$1,369,000.00
Division 80 - Interfund Transfers Totals		\$1,369,000.00
Department 30 - Finance & Operations Totals		\$3,027,310.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)

Account	Account Description	2024 Proposed Annual Budget
Fund 605 - Waterworks Fund		
EXPENSE		
Department 34 - Human Resources		
Division 17 - Village Wide Benefit Programs		
Program 0000 - General		
Salaries		
500.25	Salaries Special Compensation	6,000.00
	Salaries Totals	\$6,000.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	90.00
510.15	Taxes & Benefits Social Security	375.00
510.20	Taxes & Benefits IMRF Er Contribution	385.00
	Taxes & Benefits Totals	\$850.00
	Program 0000 - General Totals	\$6,850.00
	Division 17 - Village Wide Benefit Programs Totals	\$6,850.00
	Department 34 - Human Resources Totals	\$6,850.00
Department 52 - Public Works		
Division 01 - Administration		
Program 0000 - General		
Supplies		
520.05	Office Supplies General	4,700.00
	Supplies Totals	\$4,700.00
Services & Charges		
565.05	Repair and Maintenance Machinery & Equipment	500.00
575.10	Other Memberships & Publications	17,500.00
575.15	Other Training & Travel	5,245.00
	Services & Charges Totals	\$23,245.00
	Program 0000 - General Totals	\$27,945.00
	Division 01 - Administration Totals	\$27,945.00
Division 38 - Building, Grounds, Electrical		
Program 5201 - Buildings & Grounds Maintenance		
Salaries		
500.05	Salaries Full Time	104,715.00
500.20	Salaries Overtime	1,030.00
500.25	Salaries Special Compensation	1,750.00
	Salaries Totals	\$107,495.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	1,560.00
510.15	Taxes & Benefits Social Security	6,670.00
510.20	Taxes & Benefits IMRF Er Contribution	6,835.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)

Account	Account Description	2024 Proposed Annual Budget
Fund 605 - Waterworks Fund		
EXPENSE		
Department 52 - Public Works		
Division 38 - Building, Grounds, Electrical		
Program 5201 - Buildings & Grounds Maintenance		
Taxes & Benefits		
510.35	Taxes & Benefits Medical/Dental Insurance	28,035.00
510.40	Taxes & Benefits Life Insurance	140.00
	<i>Taxes & Benefits Totals</i>	<i>\$43,240.00</i>
Supplies		
525.05	Operating Supplies Custodial	12,000.00
525.35	Operating Supplies Clothing	1,200.00
530.05	R&M Supplies Equipment Parts	9,040.00
	<i>Supplies Totals</i>	<i>\$22,240.00</i>
Services & Charges		
540.60	Services Custodial	24,350.00
560.05	Utility Services Electric	5,000.00
560.10	Utility Services Natural Gas	50,000.00
565.05	Repair and Maintenance Machinery & Equipment	11,850.00
565.95	Repair and Maintenance Vehicle Maint Service Charge	9,665.00
	<i>Services & Charges Totals</i>	<i>\$100,865.00</i>
Program 5201 - Buildings & Grounds Maintenance Totals		<i>\$273,840.00</i>
Program 5202 - Mechanical Maintenance		
Salaries		
500.20	Salaries Overtime	515.00
	<i>Salaries Totals</i>	<i>\$515.00</i>
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	10.00
510.15	Taxes & Benefits Social Security	35.00
510.20	Taxes & Benefits IMRF Er Contribution	35.00
	<i>Taxes & Benefits Totals</i>	<i>\$80.00</i>
Supplies		
530.05	R&M Supplies Equipment Parts	9,280.00
	<i>Supplies Totals</i>	<i>\$9,280.00</i>
Services & Charges		
565.05	Repair and Maintenance Machinery & Equipment	25,435.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 605 - Waterworks Fund		
EXPENSE		
Department 52 - Public Works		
Division 38 - Building, Grounds, Electrical		
Program 5202 - Mechanical Maintenance		
Services & Charges		
575.05	Other Small Tools & Equipment	300.00
	Services & Charges Totals	\$25,735.00
	Program 5202 - Mechanical Maintenance Totals	\$35,610.00
	Division 38 - Building, Grounds, Electrical Totals	\$309,450.00
	Division 39 - Forestry	
	Program 5212 - Landscape Maintenance	
	Services & Charges	
540.60	Services Custodial	15,000.00
	Services & Charges Totals	\$15,000.00
	Program 5212 - Landscape Maintenance Totals	\$15,000.00
	Division 39 - Forestry Totals	\$15,000.00
	Division 40 - Utilities	
	Program 5223 - Water System Maintenance	
	Salaries	
500.05	Salaries Full Time	773,200.00
500.20	Salaries Overtime	102,750.00
500.25	Salaries Special Compensation	16,000.00
	Salaries Totals	\$891,950.00
	Taxes & Benefits	
510.10	Taxes & Benefits Medicare	12,970.00
510.15	Taxes & Benefits Social Security	55,345.00
510.20	Taxes & Benefits IMRF Er Contribution	56,665.00
510.35	Taxes & Benefits Medical/Dental Insurance	158,870.00
510.40	Taxes & Benefits Life Insurance	1,030.00
510.60	Taxes & Benefits Allowances	360.00
	Taxes & Benefits Totals	\$285,240.00
	Supplies	
525.25	Operating Supplies Chemicals	14,000.00
525.35	Operating Supplies Clothing	4,200.00
530.30	R&M Supplies Utility System	176,000.00
	Supplies Totals	\$194,200.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)

Account	Account Description	2024 Proposed Annual Budget
Fund 605 - Waterworks Fund		
EXPENSE		
Department 52 - Public Works		
Division 40 - Utilities		
Program 5223 - Water System Maintenance		
Services & Charges		
540.95	Services Other	137,680.00
560.05	Utility Services Electric	260,000.00
560.10	Utility Services Natural Gas	12,000.00
560.25	Utility Services Refuse Disposal	28,000.00
565.30	Repair and Maintenance Utility System	22,600.00
565.35	Repair and Maintenance Software	4,000.00
565.95	Repair and Maintenance Vehicle Maint Service	140,125.00
575.05	Other Small Tools & Equipment	10,000.00
	Services & Charges Totals	\$614,405.00
Program 5223 - Water System Maintenance Totals		\$1,985,795.00
Program 5224 - Water Purchase		
Services & Charges		
560.15	Utility Services Water/Sewer	3,300,000.00
	Services & Charges Totals	\$3,300,000.00
Program 5224 - Water Purchase Totals		\$3,300,000.00
Division 40 - Utilities Totals		\$5,285,795.00
Division 43 - Engineering		
Program 0000 - General		
Salaries		
500.05	Salaries Full Time	111,145.00
500.10	Salaries Part Time	8,000.00
500.25	Salaries Special Compensation	1,000.00
	Salaries Totals	\$120,145.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	1,755.00
510.15	Taxes & Benefits Social Security	7,480.00
510.20	Taxes & Benefits IMRF Er Contribution	7,125.00
510.35	Taxes & Benefits Medical/Dental Insurance	18,695.00
510.40	Taxes & Benefits Life Insurance	150.00
510.60	Taxes & Benefits Allowances	360.00
	Taxes & Benefits Totals	\$35,565.00



Account	Account Description	2024 Proposed Annual Budget
Fund 605 - Waterworks Fund		
EXPENSE		
Department 52 - Public Works		
Division 43 - Engineering		
Program 0000 - General		
Services & Charges		
540.25	Services Engineering	42,500.00
565.95	Repair and Maintenance Vehicle Maint Service Charge	9,665.00
	Services & Charges Totals	\$52,165.00
	Program 0000 - General Totals	\$207,875.00
	Division 43 - Engineering Totals	\$207,875.00
Division 75 - Capital Outlay		
Program 6030 - Technology		
Capital Outlay		
615	Improvements Other Than Buildings	25,000.00
	Capital Outlay Totals	\$25,000.00
	Program 6030 - Technology Totals	\$25,000.00
Program 6060 - Streets		
Capital Outlay		
615	Improvements Other Than Buildings	471,075.00
	Capital Outlay Totals	\$471,075.00
	Program 6060 - Streets Totals	\$471,075.00
Program 6080 - Water System		
Capital Outlay		
615	Improvements Other Than Buildings	5,857,630.00
	Capital Outlay Totals	\$5,857,630.00
	Program 6080 - Water System Totals	\$5,857,630.00
	Division 75 - Capital Outlay Totals	\$6,353,705.00
	Department 52 - Public Works Totals	\$12,199,770.00
	EXPENSE TOTALS	\$15,233,930.00
Fund 605 - Waterworks Fund Totals		
	REVENUE TOTALS	\$15,233,930.00
	EXPENSE TOTALS	\$15,233,930.00
Fund 605 - Waterworks Fund Totals		\$0.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 610	Sewerage Fund	
REVENUE		
Intergovernmental Revenues		
434	Grants	433,200.00
Intergovernmental Revenues Totals		\$433,200.00
Charges for Services		
442.05	Sewer Service Resident - Regular	2,765,320.00
442.10	Sewer Service Resident - Penalties	25,000.00
442.15	Sewer Service Non-Resident - Regular	531,390.00
442.20	Sewer Service Non-Resident - Penalties	2,000.00
442.25	Sewer Service Sewer Connection	6,000.00
442.35	Sewer Service Fair Meadows Maintenance	1,800.00
442.40	Sewer Service Stormwater Mgmt	843,750.00
Charges for Services Totals		\$4,175,260.00
Interest Income		
460.05	Interest Income Investments	2,500.00
Interest Income Totals		\$2,500.00
Miscellaneous Revenues		
474.90	Other Miscellaneous Income	250.00
Miscellaneous Revenues Totals		\$250.00
(Source)/Use of Reserves		
499	(Source)/Use of Reserves	11,825.00
(Source)/Use of Reserves Totals		\$11,825.00
REVENUE TOTALS		\$4,623,035.00
EXPENSE		
Department 30 - Finance & Operations		
Division 17 - Village Wide Benefit Programs		
Program 0000 - General		
Services & Charges		
555.10	Insurance Liability Premiums	68,700.00
Services & Charges Totals		\$68,700.00
Program 0000 - General Totals		\$68,700.00
Division 17 - Village Wide Benefit Programs Totals		\$68,700.00
Division 70 - Debt Service		
Program 3069 - GO Series 2015		
Debt Service		
705	Principal	164,000.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 610	Sewerage Fund	
EXPENSE		
Department 30	Finance & Operations	
Division 70	Debt Service	
Program 3069	GO Series 2015	
Debt Service		
710	Interest	14,875.00
715	Paying Agent Fees	500.00
Debt Service Totals		\$179,375.00
Program 3069 - GO Series 2015 Totals		\$179,375.00
Division 70 - Debt Service Totals		\$179,375.00
Division 80	Interfund Transfers	
Program 0000	General	
Services & Charges		
540.90	Services Administrative Service Charge	785,000.00
Services & Charges Totals		\$785,000.00
Other Financing Uses		
905	Interfund Transfers Out	325,000.00
Other Financing Uses Totals		\$325,000.00
Program 0000 - General Totals		\$1,110,000.00
Division 80 - Interfund Transfers Totals		\$1,110,000.00
Department 30 - Finance & Operations Totals		\$1,358,075.00
Department 34	Human Resources	
Division 17	Village Wide Benefit Programs	
Program 0000	General	
Salaries		
500.25	Salaries Special Compensation	2,500.00
Salaries Totals		\$2,500.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	40.00
510.15	Taxes & Benefits Social Security	155.00
510.20	Taxes & Benefits IMRF Er Contribution	160.00
Taxes & Benefits Totals		\$355.00
Program 0000 - General Totals		\$2,855.00
Division 17 - Village Wide Benefit Programs Totals		\$2,855.00
Department 34 - Human Resources Totals		\$2,855.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 610 - Sewerage Fund		
EXPENSE		
Department 52 - Public Works		
Division 40 - Utilities		
Program 5221 - Sanitary System Maintenance		
Salaries		
500.05	Salaries Full Time	443,035.00
500.20	Salaries Overtime	15,415.00
500.25	Salaries Special Compensation	4,000.00
	Salaries Totals	\$462,450.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	6,725.00
510.15	Taxes & Benefits Social Security	28,690.00
510.20	Taxes & Benefits IMRF Er Contribution	29,385.00
510.35	Taxes & Benefits Medical/Dental Insurance	130,830.00
510.40	Taxes & Benefits Life Insurance	595.00
	Taxes & Benefits Totals	\$196,225.00
Supplies		
525.25	Operating Supplies Chemicals	3,500.00
525.35	Operating Supplies Clothing	2,400.00
530.30	R&M Supplies Utility System	13,500.00
	Supplies Totals	\$19,400.00
Services & Charges		
540.95	Services Other	3,500.00
560.25	Utility Services Refuse Disposal	52,150.00
565.95	Repair and Maintenance Vehicle Maint Service Charge	53,150.00
575.05	Other Small Tools & Equipment	3,200.00
	Services & Charges Totals	\$112,000.00
Program 5221 - Sanitary System Maintenance		\$790,075.00
Totals		
Program 5222 - Storm System Maintenance		
Salaries		
500.05	Salaries Full Time	70,590.00
500.20	Salaries Overtime	4,110.00
	Salaries Totals	\$74,700.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	1,085.00
510.15	Taxes & Benefits Social Security	4,635.00
510.20	Taxes & Benefits IMRF Er Contribution	4,750.00
510.35	Taxes & Benefits Medical/Dental Insurance	9,345.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 610 - Sewerage Fund		
EXPENSE		
Department 52 - Public Works		
Division 40 - Utilities		
Program 5222 - Storm System Maintenance		
Taxes & Benefits		
510.40	Taxes & Benefits Life Insurance	95.00
	Taxes & Benefits Totals	\$19,910.00
Supplies		
525.35	Operating Supplies Clothing	1,340.00
530.30	R&M Supplies Utility System	13,250.00
	Supplies Totals	\$14,590.00
Services & Charges		
540.25	Services Engineering	17,570.00
540.95	Services Other	36,500.00
560.25	Utility Services Refuse Disposal	1,750.00
565.30	Repair and Maintenance Utility System	9,000.00
565.95	Repair and Maintenance Vehicle Maint Service Charge	53,150.00
575.05	Other Small Tools & Equipment	1,250.00
	Services & Charges Totals	\$119,220.00
Program 5222 - Storm System Maintenance Totals		\$228,420.00
Division 40 - Utilities Totals		\$1,018,495.00
Division 43 - Engineering		
Program 0000 - General		
Salaries		
500.05	Salaries Full Time	155,520.00
500.25	Salaries Special Compensation	3,995.00
	Salaries Totals	\$159,515.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	2,370.00
510.15	Taxes & Benefits Social Security	10,115.00
510.20	Taxes & Benefits IMRF Er Contribution	10,130.00
510.35	Taxes & Benefits Medical/Dental Insurance	28,040.00
510.40	Taxes & Benefits Life Insurance	205.00
510.60	Taxes & Benefits Allowances	3,600.00
	Taxes & Benefits Totals	\$54,460.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 610 - Sewerage Fund		
EXPENSE		
Department 52 - Public Works		
Division 43 - Engineering		
Program 0000 - General		
Services & Charges		
540.25	Services Engineering	22,500.00
545.15	Communications Cell Phones	470.00
565.95	Repair and Maintenance Vehicle Maint Service Charge	9,665.00
	Services & Charges Totals	\$32,635.00
	Program 0000 - General Totals	\$246,610.00
	Division 43 - Engineering Totals	\$246,610.00
Division 75 - Capital Outlay		
Program 6020 - Flood Control		
Capital Outlay		
615	Improvements Other Than Buildings	1,437,000.00
	Capital Outlay Totals	\$1,437,000.00
	Program 6020 - Flood Control Totals	\$1,437,000.00
Program 6050 - Sanitary Sewer System		
Capital Outlay		
615	Improvements Other Than Buildings	300,000.00
	Capital Outlay Totals	\$300,000.00
	Program 6050 - Sanitary Sewer System Totals	\$300,000.00
Program 6070 - Vehicles & Equipment		
Capital Outlay		
625	Motor Vehicles	260,000.00
	Capital Outlay Totals	\$260,000.00
	Program 6070 - Vehicles & Equipment Totals	\$260,000.00
	Division 75 - Capital Outlay Totals	\$1,997,000.00
	Department 52 - Public Works Totals	\$3,262,105.00
	EXPENSE TOTALS	\$4,623,035.00
	Fund 610 - Sewerage Fund Totals	
	REVENUE TOTALS	\$4,623,035.00
	EXPENSE TOTALS	\$4,623,035.00
	Fund 610 - Sewerage Fund Totals	\$0.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 615 - Refuse Fund		
REVENUE		
Licenses and Permits		
420.20	Business Licenses & Permits Commercial Refuse License	13,000.00
	Licenses and Permits Totals	\$13,000.00
Charges for Services		
443.05	Refuse Service Refuse Collection	4,053,430.00
443.25	Refuse Service Penalties	37,500.00
443.30	Refuse Service Multi-Family Disposal Fee	809,190.00
	Charges for Services Totals	\$4,900,120.00
Interest Income		
460.05	Interest Income Investments	500.00
	Interest Income Totals	\$500.00
(Source)/Use of Reserves		
499	(Source)/Use of Reserves	(51,865.00)
	(Source)/Use of Reserves Totals	(\$51,865.00)
	REVENUE TOTALS	\$4,861,755.00
EXPENSE		
Department 30 - Finance & Operations		
Division 80 - Interfund Transfers		
Program 0000 - General		
Services & Charges		
540.90	Services Administrative Service Charge	75,000.00
	Services & Charges Totals	\$75,000.00
Other Financing Uses		
905	Interfund Transfers Out	45,000.00
	Other Financing Uses Totals	\$45,000.00
	Program 0000 - General Totals	\$120,000.00
	Division 80 - Interfund Transfers Totals	\$120,000.00
	Department 30 - Finance & Operations Totals	\$120,000.00
Department 52 - Public Works		
Division 40 - Utilities		
Program 5225 - Refuse & Recycling		
Services & Charges		
560.20	Utility Services Refuse Collection	3,235,030.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 615 - Refuse Fund		
EXPENSE		
Department 52 - Public Works		
Division 40 - Utilities		
Program 5225 - Refuse & Recycling		
Services & Charges		
560.25	Utility Services Refuse Disposal	1,506,725.00
	Services & Charges Totals	\$4,741,755.00
	Program 5225 - Refuse & Recycling Totals	\$4,741,755.00
	Division 40 - Utilities Totals	\$4,741,755.00
	Department 52 - Public Works Totals	\$4,741,755.00
	EXPENSE TOTALS	\$4,861,755.00
	Fund 615 - Refuse Fund Totals	
	REVENUE TOTALS	\$4,861,755.00
	EXPENSE TOTALS	\$4,861,755.00
	Fund 615 - Refuse Fund Totals	\$0.00
Fund 620 - Parking System Fund		
REVENUE		
Fines and Fees		
453.10	Parking Fees Daily Fee - Commuter	200,000.00
453.50	Parking Fees Permit Fee - Business	5,000.00
453.55	Parking Fees Permit Fee - Commuter	125,000.00
	Fines and Fees Totals	\$330,000.00
Interest Income		
460.05	Interest Income Investments	1,000.00
	Interest Income Totals	\$1,000.00
Miscellaneous Revenues		
470.05	Rental Income Buildings	13,380.00
	Miscellaneous Revenues Totals	\$13,380.00
(Source)/Use of Reserves		
499	(Source)/Use of Reserves	267,535.00
	(Source)/Use of Reserves Totals	\$267,535.00
	REVENUE TOTALS	\$611,915.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 620 - Parking System Fund		
EXPENSE		
Department 30 - Finance & Operations		
Division 12 - Billing & Collections		
Program 3023 - Commuter Parking		
Services & Charges		
540.15	Services Banking	25,200.00
550.15	Printing/Advertising Outside Printing Services	750.00
570.20	Rental Buildings	6,000.00
	Services & Charges Totals	\$31,950.00
	Program 3023 - Commuter Parking Totals	\$31,950.00
	Division 12 - Billing & Collections Totals	\$31,950.00
Division 80 - Interfund Transfers		
Program 0000 - General		
Services & Charges		
540.90	Services Administrative Service Charge	150,000.00
	Services & Charges Totals	\$150,000.00
	Program 0000 - General Totals	\$150,000.00
	Division 80 - Interfund Transfers Totals	\$150,000.00
	Department 30 - Finance & Operations Totals	\$181,950.00
Department 52 - Public Works		
Division 38 - Building, Grounds, Electrical		
Program 5201 - Buildings & Grounds Maintenance		
Salaries		
500.20	Salaries Overtime	2,500.00
	Salaries Totals	\$2,500.00
	Taxes & Benefits	
510.10	Taxes & Benefits Medicare	40.00
510.15	Taxes & Benefits Social Security	155.00
510.20	Taxes & Benefits IMRF Er Contribution	160.00
	Taxes & Benefits Totals	\$355.00
	Services & Charges	
540.60	Services Custodial	100,810.00
540.95	Services Other	94,130.00
560.05	Utility Services Electric	52,000.00
560.10	Utility Services Natural Gas	8,000.00
565.15	Repair and Maintenance Buildings	54,370.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 620 - Parking System Fund		
EXPENSE		
Department 52 - Public Works		
Division 38 - Building, Grounds, Electrical		
Program 5201 - Buildings & Grounds Maintenance		
Services & Charges		
565.25	Repair and Maintenance Landscape	17,800.00
	Services & Charges Totals	\$327,110.00
	Program 5201 - Buildings & Grounds Maintenance Totals	\$329,965.00
	Division 38 - Building, Grounds, Electrical Totals	\$329,965.00
Division 75 - Capital Outlay		
Program 6010 - Buildings & Facilities		
Capital Outlay		
610	Buildings & Structures	100,000.00
	Capital Outlay Totals	\$100,000.00
	Program 6010 - Buildings & Facilities Totals	\$100,000.00
	Division 75 - Capital Outlay Totals	\$100,000.00
	Department 52 - Public Works Totals	\$429,965.00
	EXPENSE TOTALS	\$611,915.00
	Fund 620 - Parking System Fund Totals	
	REVENUE TOTALS	\$611,915.00
	EXPENSE TOTALS	\$611,915.00
	Fund 620 - Parking System Fund Totals	\$0.00
Fund 702 - Liability Insurance Fund		
REVENUE		
Charges for Services		
440.95	Intragovernmental Service Charge Charge to Operations	1,715,300.00
	Charges for Services Totals	\$1,715,300.00
Interest Income		
460.05	Interest Income Investments	10,000.00
	Interest Income Totals	\$10,000.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 702 - Liability Insurance Fund		
REVENUE		
(Source)/Use of Reserves		
499 (Source)/Use of Reserves		487,700.00
(Source)/Use of Reserves Totals		\$487,700.00
REVENUE TOTALS		\$2,213,000.00
EXPENSE		
Department 34 - Human Resources		
Division 19 - Liability Insurance Program		
Program 0000 - General		
Services & Charges		
540.05 Services Management Consulting		20,500.00
540.15 Services Banking		3,500.00
540.40 Services Management Fees		25,000.00
540.55 Services Claims Administration		50,000.00
540.95 Services Other		320,000.00
555.10 Insurance Liability Premiums		900,000.00
555.30 Insurance General Liability Claims		125,000.00
555.35 Insurance Property Claims		100,000.00
555.40 Insurance Automotive Claims		65,000.00
555.45 Insurance Work Comp Claims		580,000.00
555.50 Insurance Unemployment Claims		5,000.00
575.10 Other Memberships & Publications		19,000.00
Services & Charges Totals		\$2,213,000.00
Program 0000 - General Totals		\$2,213,000.00
Division 19 - Liability Insurance Program Totals		\$2,213,000.00
Department 34 - Human Resources Totals		\$2,213,000.00
EXPENSE TOTALS		\$2,213,000.00
Fund 702 - Liability Insurance Fund Totals		
REVENUE TOTALS		\$2,213,000.00
EXPENSE TOTALS		\$2,213,000.00
Fund 702 - Liability Insurance Fund Totals		\$0.00
Fund 710 - Fleet Services Fund		
REVENUE		
Intergovernmental Revenues		
430.45 Shared Revenues County Gas Tax Rebate		10,500.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 710 - Fleet Services Fund		
REVENUE		
Intergovernmental Revenues		
432.50	Reimbursements PW - Fuel	95,000.00
432.55	Reimbursements PW - Vehicle Parts	35,000.00
432.60	Reimbursements PW - Labor	36,750.00
Intergovernmental Revenues Totals		\$177,250.00
Charges for Services		
440.95	Intragovernmental Service Charge Charge to Operations	1,932,725.00
Charges for Services Totals		\$1,932,725.00
Interest Income		
460.05	Interest Income Investments	1,000.00
Interest Income Totals		\$1,000.00
Miscellaneous Revenues		
471.05	Insurance & Property Damage Property Damage Recovery	15,000.00
Miscellaneous Revenues Totals		\$15,000.00
(Source)/Use of Reserves		
499	(Source)/Use of Reserves	68,765.00
(Source)/Use of Reserves Totals		\$68,765.00
REVENUE TOTALS		\$2,194,740.00
EXPENSE		
Department 52 - Public Works		
Division 42 - Fleet Services		
Program 0000 - General		
Salaries		
500.05	Salaries Full Time	664,680.00
500.20	Salaries Overtime	10,000.00
500.25	Salaries Special Compensation	8,000.00
Salaries Totals		\$682,680.00
Taxes & Benefits		
510.10	Taxes & Benefits Medicare	9,930.00
510.15	Taxes & Benefits Social Security	42,380.00
510.20	Taxes & Benefits IMRF Er Contribution	43,375.00
510.35	Taxes & Benefits Medical/Dental Insurance	149,525.00
510.40	Taxes & Benefits Life Insurance	900.00
510.60	Taxes & Benefits Allowances	720.00
Taxes & Benefits Totals		\$246,830.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 710 - Fleet Services Fund		
EXPENSE		
Department 52 - Public Works		
Division 42 - Fleet Services		
Program 0000 - General		
Supplies		
525.15	Operating Supplies Motor Fuel	600,750.00
525.20	Operating Supplies Lubricants & Additives	31,575.00
525.35	Operating Supplies Clothing	4,080.00
530.10	R&M Supplies Vehicle Parts	451,000.00
	Supplies Totals	\$1,087,405.00
Services & Charges		
540.95	Services Other	17,500.00
560.25	Utility Services Refuse Disposal	1,000.00
565.05	Repair and Maintenance Machinery & Equipment	37,950.00
565.10	Repair and Maintenance Vehicles	100,000.00
565.35	Repair and Maintenance Software	9,000.00
575.05	Other Small Tools & Equipment	12,375.00
	Services & Charges Totals	\$177,825.00
	Program 0000 - General Totals	\$2,194,740.00
	Division 42 - Fleet Services Totals	\$2,194,740.00
	Department 52 - Public Works Totals	\$2,194,740.00
	EXPENSE TOTALS	\$2,194,740.00
Fund 710 - Fleet Services Fund Totals		
	REVENUE TOTALS	\$2,194,740.00
	EXPENSE TOTALS	\$2,194,740.00
Fund 710 - Fleet Services Fund Totals		\$0.00
Fund 801 - Police Pension Fund		
REVENUE		
Interest Income		
460.05	Interest Income Investments	750,000.00
461.05	Investment Income Realized Gain/Loss	250,000.00
	Interest Income Totals	\$1,000,000.00
Miscellaneous Revenues		
473.05	Pension Contributions Employer Required Contributions	5,895,000.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 801	Police Pension Fund	
REVENUE		
Miscellaneous Revenues		
473.10	Pension Contributions Employee Required Contributions	1,275,000.00
473.20	Pension Contributions Employer Addtl Contributions	375,000.00
Miscellaneous Revenues Totals		\$7,545,000.00
(Source)/Use of Reserves		
499	(Source)/Use of Reserves	938,250.00
(Source)/Use of Reserves Totals		\$938,250.00
REVENUE TOTALS		\$9,483,250.00
EXPENSE		
Department 12 - Boards & Commissions		
Division 07 - Police Pension Board		
Program 0000 - General		
Salaries		
505.05	Pension Service	8,080,000.00
505.10	Pension Duty Disability	330,000.00
505.15	Pension Non-Duty Disability	100,000.00
505.20	Pension Surviving Spouse	590,000.00
Salaries Totals		\$9,100,000.00
Supplies		
520.05	Office Supplies General	250.00
Supplies Totals		\$250.00
Services & Charges		
540.10	Services Financial	150,000.00
540.15	Services Banking	2,000.00
540.30	Services Legal	10,000.00
540.35	Services Medical	5,000.00
540.95	Services Other	12,000.00
575.10	Other Memberships & Publications	1,000.00
575.15	Other Training & Travel	3,000.00
Services & Charges Totals		\$183,000.00
Other Expenses		
805	Refunds	200,000.00
Other Expenses Totals		\$200,000.00
Program 0000 - General Totals		\$9,483,250.00
Division 07 - Police Pension Board Totals		\$9,483,250.00
Department 12 - Boards & Commissions Totals		\$9,483,250.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)



Account	Account Description	2024 Proposed Annual Budget
Fund 801 - Police Pension Fund		
	EXPENSE TOTALS	\$9,483,250.00
Fund 801 - Police Pension Fund Totals		
	REVENUE TOTALS	\$9,483,250.00
	EXPENSE TOTALS	\$9,483,250.00
Fund 801 - Police Pension Fund Totals		\$0.00
Fund 802 - Fire Pension Fund		
	REVENUE	
	Interest Income	
460.05	Interest Income Investments	750,000.00
461.05	Investment Income Realized Gain/Loss	250,000.00
	Interest Income Totals	\$1,000,000.00
	Miscellaneous Revenues	
473.05	Pension Contributions Employer Required Contributions	5,920,000.00
473.10	Pension Contributions Employee Required Contributions	1,050,000.00
473.20	Pension Contributions Employer Addtl Contributions	375,000.00
	Miscellaneous Revenues Totals	\$7,345,000.00
	(Source)/Use of Reserves	
499	(Source)/Use of Reserves	862,750.00
	(Source)/Use of Reserves Totals	\$862,750.00
	REVENUE TOTALS	\$9,207,750.00
	EXPENSE	
	Department 12 - Boards & Commissions	
	Division 08 - Fire Pension Board	
	Program 0000 - General	
	Salaries	
505.05	Pension Service	8,055,000.00
505.10	Pension Duty Disability	535,000.00
505.15	Pension Non-Duty Disability	85,000.00
505.20	Pension Surviving Spouse	200,000.00
	Salaries Totals	\$8,875,000.00
	Supplies	
520.05	Office Supplies General	250.00
	Supplies Totals	\$250.00
	Services & Charges	
540.10	Services Financial	100,000.00
540.15	Services Banking	2,000.00
540.30	Services Legal	10,000.00



Account	Account Description	2024 Proposed Annual Budget
Fund 802 - Fire Pension Fund		
EXPENSE		
Department 12 - Boards & Commissions		
Division 08 - Fire Pension Board		
Program 0000 - General		
Services & Charges		
540.35	Services Medical	5,000.00
540.95	Services Other	12,000.00
575.10	Other Memberships & Publications	1,000.00
575.15	Other Training & Travel	2,500.00
	Services & Charges Totals	\$132,500.00
Other Expenses		
805	Refunds	200,000.00
	Other Expenses Totals	\$200,000.00
	Program 0000 - General Totals	\$9,207,750.00
	Division 08 - Fire Pension Board Totals	\$9,207,750.00
	Department 12 - Boards & Commissions Totals	\$9,207,750.00
	EXPENSE TOTALS	\$9,207,750.00
Fund 802 - Fire Pension Fund Totals		
	REVENUE TOTALS	\$9,207,750.00
	EXPENSE TOTALS	\$9,207,750.00
Fund 802 - Fire Pension Fund Totals		\$0.00
Net Grand Totals		
	REVENUE GRAND TOTALS	\$142,735,843.00
	EXPENSE GRAND TOTALS	\$142,735,843.00
Net Grand Totals		\$0.00

Attachment: EXHIBIT A - CY 2024 Budget Worksheet (CY 2024 Budget Ordinance)

Consider the 2023 Tax Levy Ordinance

6.C.1.B

BACKGROUND:

The Tax Levy Ordinance must be passed and a certified copy thereof filed with the County Clerk on or before the last Tuesday in December {December 26, 2023}. A public hearing is required if the proposed levy is more than 105% of the prior year's final aggregate levy extensions, plus any amount abated.

KEY ISSUES:

The Mayor and Council have previously reviewed the tax levy request as part of the review of the Proposed CY 2024 Budget.

The final proposed net property tax levy has **no increase from the prior year.** A public hearing is required if the levy is more than 105% of the prior year's final aggregate levy extension, thus no public hearing on the Proposed 2023 Tax Levy was required.

The 2023 Tax Levy Request was formulated using \$2,476,755 million in abatements from various alternative revenue sources.

2023 Proposed Tax Levy

• Total Levy	\$25,013,589
• Abatements	\$2,476,755
• Net Requested Levy	\$22,536,834

The proposed levy for 2023 provides the funds necessary for the Village government to provide effective Public Safety services; fund mandated pension programs; and pay debt service costs for 2024, all with no increase in the property tax levy.

RECOMMENDATION:

Staff recommends that the Mayor and Council approve the 2023 Property Tax Levy Ordinance.

BUDGET IMPACT:

Adoption of this ordinance provides funding for critical Public Safety, Mandated Employee Pension, and legally required Debt Service Expenditures as provided for in the CY 2024 Annual Operating Budget.

ACTION REQUIRED:

Motion to approve the Tax Levy Ordinance, at Council's discretion.

ATTACHMENTS:

- TY 2023 Tax Levy Ordinance

ORDINANCE NO. O-____-23

TAX LEVY ORDINANCE

An ordinance levying taxes for corporate purposes for the fiscal year commencing with the first day of January 2024, and ending with the thirty-first day of December 2024, for the Village of Palatine, Cook County, Illinois to-wit:

BE IT ORDAINED by the Mayor and Village Council of the Village of Palatine, Cook County, Illinois, that:

SECTION 1: A tax for the following sums of money or as much thereof as may be authorized by law to defray all expenses and liabilities of the Village, be and the same is hereby levied for the purposes specified against all taxable property in the Village of Palatine according to the valuation of said property as is, or as shall be assessed or equalized for State and County purposes for the calendar year of 2023:

	<u>BUDGETED</u>	<u>LEVIED</u>
BUDGETED FOR POLICE PROTECTION SERVICES	\$ 21,388,650	
FOR POLICE PROTECTION SERVICES (FUND CODE 014)		
THERE IS HEREBY LEVIED A TAX IN ADDITION TO ALL		
OTHER TAXES AS PROVIDED BY LAW		\$ 2,231,939
BUDGETED FOR THE VILLAGE SHARE OF POLICE		
PENSION FUND OBLIGATIONS	\$ 6,246,000	
FOR THE VILLAGE SHARE OF POLICE PENSION		
(FUND CODE 006) OBLIGATIONS THERE IS HEREBY		
LEVIED A TAX IN ADDITION TO ALL OTHER TAXES		\$ 5,871,000
BUDGETED FOR FIRE PROTECTION SERVICES	\$ 19,139,190	
FOR FIRE PROTECTION SERVICES (FUND CODE 013)		
THERE IS HEREBY LEVIED A TAX IN ADDITION TO ALL		
OTHER TAXES AS PROVIDED BY LAW		\$ 2,231,939
BUDGETED FOR THE VILLAGE SHARE OF FIRE		
PENSION FUND OBLIGATIONS	\$ 6,484,000	
FOR THE VILLAGE SHARE OF FIRE PENSION		
(FUND CODE 007) OBLIGATIONS THERE IS HEREBY		
LEVIED A TAX IN ADDITION TO ALL OTHER TAXES		\$ 6,109,000

Attachment: TY 2023 Tax Levy Ordinance (2023 Tax Levy)

	<u>BUDGETED</u>	<u>LEVIED</u>
BUDGETED FOR THE VILLAGE SHARE OF MEDICARE AND SOCIAL SECURITY OBLIGATIONS (FICA)	\$ 3,055,380	
FOR THE VILLAGE SHARE OF SOCIAL SECURITY AND MEDICARE (FUND CODE 016) OBLIGATIONS THERE IS HEREBY LEVIED A TAX IN ADDITION TO ALL OTHER TAXES		\$ 2,885,000
BUDGETED FOR THE VILLAGE SHARE OF ILLINOIS MUNICIPAL RETIREMENT FUND OBLIGATIONS	\$ 866,205	
FOR THE VILLAGE SHARE OF ILLINOIS MUNICIPAL RETIREMENT FUND (FUND CODE 008) OBLIGATIONS THERE IS HEREBY LEVIED A TAX IN ADDITION TO ALL OTHER TAXES AS PROVIDED BY LAW		\$ 735,000
BUDGETED FOR THE PRINCIPAL AND INTEREST OF GENERAL OBLIGATION BONDS:		
REFUNDING TAXABLE SERIES 2014B	\$ 809,820	
SERIES 2015	\$ 894,375	
REFUNDING SERIES 2017B	\$ 519,250	
REFUNDING TAXABLE SERIES 2017D	\$ 772,560	
REFUNDING SERIES 2018	\$ 757,500	
REFUNDING SERIES 2020	\$ 1,196,206	
FOR THE GENERAL OBLIGATION BOND PRINCIPAL AND INTEREST (FUND CODE 003) THERE IS HEREBY LEVIED A TAX IN ADDITION TO ALL OTHER TAXES AS PROVIDED BY LAW		\$ 4,949,711

SUMMARY

Police Protection (Fund Code 014) Levy:	\$ 2,231,939
Police Pension (Fund Code 006) Levy:	\$ 5,871,000
Fire Protection (Fund Code 013) Levy:	\$ 2,231,939
Fire Pension (Fund Code 007) Levy:	\$ 6,109,000
Social Security (Fund Code 016) Levy:	\$ 2,885,000
Illinois Municipal Retirement Fund (Fund Code 008) Levy:	\$ 735,000
General Obligation Bond & Interest (Fund Code 003) Levy:	\$ 4,949,711
Total - All Levies	\$ 25,013,589

SECTION 2: That all ordinances or parts of ordinances in conflict with this ordinance be and the same are hereby repealed.

SECTION 3: That this ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

PASSED: This 4th day of December 2023

AYES: _____ NAYS: _____ ABSENT: _____ PASS: _____

APPROVED by me this 4th day of December 2023

Mayor of the Village of Palatine

ATTESTED and FILED in the Office of the
Village Clerk this 4th day of December 2023

Village Clerk

Attachment: TY 2023 Tax Levy Ordinance (2023 Tax Levy)

TRUTH IN TAXATION**CERTIFICATE OF COMPLIANCE**

I, Jim Schwantz, hereby certify that I am the presiding officer of the Village of Palatine, and as such presiding officer I certify that the levy ordinance, a copy of which is attached, was adopted pursuant to, and in all respects in compliance with the provisions of the Illinois Property Tax Code - Truth in Taxation Law, 35 ILCS 200/18-60 through 18-85(2002).

This certificate applies to the 2023 levy.

Dated this 4th day of December 2023

Jim Schwantz
Mayor of the Village of Palatine

(SEAL)

Attachment: TY 2023 Tax Levy Ordinance (2023 Tax Levy)

Consider an Ordinance to Abate 2023 Property Tax Levy

6.C.1.C

BACKGROUND:

The Tax Levy Ordinance must be passed, and a certified copy thereof filed with the County Clerk on or before the last Tuesday in December {December 26, 2023}. (65 ILCS 5/8-3-1)

KEY ISSUES:

Staff is requesting the adoption of the 2023 Property Tax Levy Abatements as proposed. The Proposed 2023 Property Tax Levy includes abatements from various sources, as noted:

- \$1,582,380 from TIF revenues
- \$894,375 from Water & Sewer Revenues

These abatements, totaling \$2,476,755, are proposed to reduce the property tax burden on our stakeholders. These abatements reduce the gross adopted levy from \$25,013,589 to \$22,536,834, a 9.9% reduction.

RECOMMENDATION:

Staff recommends adoption of the 2023 Property Tax Levy Abatement Ordinance as proposed.

BUDGET IMPACT:

Adoption of this ordinance provides for a reduced Property Tax burden on each and every home and business owner in Palatine.

ACTION REQUIRED:

Motion to approve an Ordinance to Abate Property Taxes.

ATTACHMENTS:

- TY 2023 Tax Levy Abatement Ordinance

ORDINANCE NO. O-____-23

AN ORDINANCE TO ABATE PROPERTY TAXES

WHEREAS, the Mayor and Village Council of the Village of Palatine have determined that the Village has funds on hand from various sources to pay a portion of Principal and Interest on General Obligation Bonds levied for Tax Year 2023;

BE IT ORDAINED by the Mayor and Village Council of the Village of Palatine, Cook County, Illinois, that:

SECTION 1: The taxes heretofore levied and in some cases previously reduced by a certificate of reduction to pay the costs of Principal and Interest on the following General Obligation Bonds are hereby abated in total so that the rate of tax shall produce an amount of taxes equal to zero, as follows:

	Previously <u>Levied</u>	Currently <u>Abated</u>	Remaining <u>Levy</u>
REFUNDING TAXABLE SERIES 2014B	\$ 809,820	\$ 809,820	\$ -
SERIES 2015	\$ 894,375	\$ 894,375	\$ -
REFUNDING TAXABLE SERIES 2017D	\$ 772,560	\$ 772,560	\$ -

SECTION 2: That all ordinances or parts of ordinances in conflict with this ordinance be and the same are hereby repealed.

SECTION 3: That this ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

PASSED: This 4th day of December 2023

AYES: _____ NAYS: _____ ABSENT: _____ PASS: _____

APPROVED by me this 4th day of December 2023

Mayor of the Village of Palatine

ATTESTED and FILED in the Office of the
Village Clerk this 4th day of December 2023

Village Clerk

Attachment: TY 2023 Tax Levy Abatement Ordinance (2023 Tax Levy Abatement)

Consider an Ordinance Adopting the 2024 Salary Rates of Compensation for Certain Officers and Employees of the Village, Effective January 1, 2024

BACKGROUND:

The Mayor and Village Council annually adopt a salary schedule as part of the budget approval process. The proposed salary schedule remains in effect throughout the year unless formally amended.

KEY ISSUES:

- Several market adjustments are made to the schedule.
- The wage adjustment for non-union and non-management employees is 3.25%.
- Palatine Firefighters, Local #4588 IAFF, is entering the fourth year of a four-year agreement. Wages in the existing contract were subject to re-opener. A signed Memorandum of Agreement provides for an increase of 2.34% for the position of Firefighter/Paramedic and an increase of 2.42% for Fire Lieutenant.
- International Union of Operating Engineers, Local 150 (representing Public Works employees) is entering the third year of a three-year agreement, under which they will receive an increase of 2.77%.
- Fraternal Order of Police, representing Police Officers, is entering the second year of a three year contract, under which they will receive an increase of 3.25%.
- Management/Professional and Executive Leadership positions do not receive a cost of living increase. Merit increases will be based solely upon performance for this group of employees and will vary accordingly as well as any equity adjustments based upon comparable positions and internal equity.

ALTERNATIVES:

1. Approve the ordinance.
2. Do not approve the ordinance.

RECOMMENDATION:

Staff recommends approval of the ordinance establishing rates of compensation for certain officers and employees of the Village, effective January 1, 2024.

ACTION REQUIRED:

A motion to approve the Ordinance Establishing Rates of Compensation for Certain Officers and Employees of the Village, effective January 1, 2024.

ATTACHMENTS:

- 2024 Salary Ord
- CY 2024 Step Schedule

ORDINANCE NO. _____

**AN ORDINANCE
ESTABLISHING RATES OF COMPENSATION
FOR CERTAIN OFFICERS AND EMPLOYEES
OF THE VILLAGE OF PALATINE**

BE IT ORDAINED, by the Mayor and Council of the Village, Cook County, Illinois, that:

SECTION 1: There is hereby established a salary schedule which shall be the basis for establishing the rates of compensation for officers and employees in the classes of positions described herein.

SECTION 2: “Salary Schedule Addendum”, attached hereto and made a part of this ordinance, establishes the positions in the service of the Village as identified as Schedule 1 (or “Step Plan”) positions. Each position is assigned a Grade Code and Grade Description in the Addendum.

SECTION 3: The “CY 2024 Salary Schedule, Schedule 1”, attached hereto and made part of this ordinance establishes a schedule of sixteen steps or hourly rates for each Grade Code. The minimum rate of compensation is identified as Step 1. The maximum rate of compensation is identified as Step 16. The steps between 1 and 16 are intermediate steps. Union positions of IAFF and FOP are compensated to Step 8.

Attachment: 2024 Salary Ord (2024 Salary Ordinance)

Ordinance No.:
Page 2 of 3

SECTION 4: Personnel Salary Schedule 2, attached hereto and made a part hereof, establishes salary ranges of other officers and employees. Pay rates are not to exceed the maximum.

SECTION 5: Classifications shall be paid within the ranges and steps listed opposite each class title as shown in Personnel Salary Schedule 1 and 2, and no employee shall be paid any base rate lower than the minimum or higher than the maximum rate of compensation in the salary range established for their position.

SECTION 6: The Village Manager shall make rules subject to the approval of the Mayor and Council, defining overtime for Village employees and providing a method of compensating for the same.

SECTION 7: The Village Manager shall post all required compensation information pursuant to 5 ILCS 120/7.3(a) and (b).

SECTION 8: The Mayor of the Village of Palatine is hereby authorized and directed to execute any necessary amendment to an Amended Employment Agreement between the Village of Palatine and Village Manager subject to compliance with all notice requirements of Section 7.

SECTION 9: All ordinances or parts of ordinances in conflict with this ordinance be and the same are hereby repealed.

SECTION 10: The compensation from this ordinance with Salary Schedule 1

Ordinance No.:
Page 3 of 3

and Schedule 2 shall take effect on January 1, 2024.

All ordinances or parts of ordinances in conflict with this ordinance be and the same are hereby repealed.

PASSED: This ____ day of _____, 2023

AYES:____ NAYS:____ ABSENT:____ PASS:____

APPROVED by me this ____ day of _____, 2023

Mayor of the Village of Palatine

ATTESTED and FILE in the office of the Village Clerk

this ____ day of _____, 2023.

Village Clerk

Attachment: 2024 Salary Ord (2024 Salary Ordinance)

VILLAGE OF PALATINE
CY 2024 SALARY SCHEDULE

Grade Code	Grade Description	Hourly Rates															
		Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step11	Step 12	Step 13	Step 14	Step 15	Step 16
NOUn-01	Non-Union Grade 1	24.42	25.03	25.66	26.30	26.96	27.63	28.32	29.03	29.76	30.50	31.26	32.04	32.84	33.66	34.50	35.35
NOUn-02	Non-Union Grade 2	25.80	26.45	27.11	27.79	28.48	29.19	29.92	30.67	31.44	32.23	33.04	33.87	34.72	35.59	36.48	37.37
NOUn-03	Non-Union Grade 3	27.14	27.82	28.52	29.23	29.96	30.71	31.48	32.27	33.08	33.91	34.76	35.63	36.52	37.43	38.37	39.33
NOUn-04	Non-Union Grade 4	28.48	29.19	29.92	30.67	31.44	32.23	33.04	33.87	34.72	35.59	36.48	37.39	38.32	39.28	40.26	41.27
NOUn-05	Non-Union Grade 5	29.14	29.87	30.62	31.39	32.17	32.97	33.79	34.63	35.50	36.39	37.30	38.23	39.19	40.17	41.17	42.20
NOUn-06	Non-Union Grade 6	30.20	30.95	31.72	32.51	33.32	34.15	35.00	35.88	36.78	37.70	38.64	39.61	40.60	41.61	42.65	43.71
NOUn-07	Non-Union Grade 7	31.24	32.02	32.82	33.64	34.48	35.34	36.22	37.13	38.06	39.01	39.99	40.99	42.01	43.06	44.14	45.24
NOUn-08	Non-Union Grade 8	33.33	34.16	35.01	35.89	36.79	37.71	38.65	39.62	40.61	41.63	42.67	43.74	44.83	45.95	47.10	48.27
NOUn-09	Non-Union Grade 9	34.06	34.91	35.78	36.67	37.59	38.53	39.49	40.48	41.49	42.53	43.59	44.68	45.80	46.95	48.12	49.31
NOUn-10	Non-Union Grade 10	34.75	35.62	36.51	37.42	38.36	39.32	40.30	41.31	42.34	43.40	44.48	45.59	46.73	47.90	49.10	50.32
NOUn-11	Non-Union Grade 11	38.07	39.02	40.00	41.00	42.03	43.08	44.16	45.26	46.39	47.55	48.74	49.96	51.21	52.49	53.80	55.13
NOUn-12	Non-Union Grade 12	38.60	39.56	40.55	41.56	42.60	43.66	44.75	45.87	47.02	48.20	49.40	50.63	51.90	53.20	54.53	55.89
NOUn-13	Non-Union Grade 13	39.11	40.09	41.09	42.12	43.17	44.25	45.36	46.49	47.65	48.84	50.06	51.31	52.59	53.90	55.25	56.63
NOUn-14	Non-Union Grade 14	40.30	41.31	42.34	43.40	44.49	45.60	46.74	47.91	49.11	50.34	51.60	52.89	54.21	55.57	56.96	58.37
NOUn-15	Non-Union Grade 15	44.25	45.36	46.49	47.65	48.84	50.06	51.31	52.59	53.90	55.25	56.63	58.05	59.50	60.99	62.51	64.05
NOUn-16	Non-Union Grade 16	45.67	46.81	47.98	49.18	50.41	51.67	52.96	54.28	55.64	57.03	58.46	59.92	61.42	62.96	64.53	66.13
NOUn-17	Non-Union Grade 17	47.02	48.20	49.40	50.64	51.91	53.21	54.54	55.90	57.30	58.73	60.20	61.70	63.24	64.82	66.44	68.09
PWUn-01	PW Union Grade 1	27.67	28.36	29.07	29.80	30.54	31.30	32.08	32.88	33.70	34.54	35.40	36.29	37.20	38.13	39.08	40.05
PWUn-02	PW Union Grade 2	28.15	28.85	29.57	30.31	31.07	31.85	32.65	33.47	34.31	35.17	36.05	36.95	37.87	38.82	39.79	40.78
PWUn-03	PW Union Grade 3	28.16	28.86	29.58	30.32	31.08	31.86	32.66	33.48	34.32	35.18	36.06	36.96	37.88	38.83	39.80	40.79
PWUn-04	PW Union Grade 4	30.24	31.00	31.78	32.57	33.38	34.21	35.07	35.95	36.85	37.77	38.71	39.68	40.67	41.69	42.73	43.79
PWUn-05	PW Union Grade 5	32.20	33.01	33.84	34.69	35.56	36.45	37.36	38.29	39.25	40.23	41.24	42.27	43.33	44.41	45.52	46.65
PWUn-06	PW Union Grade 6	32.32	33.13	33.96	34.81	35.68	36.57	37.48	38.42	39.38	40.36	41.37	42.40	43.46	44.55	45.66	46.79
PWUn-07	PW Union Grade 7	32.74	33.56	34.40	35.26	36.14	37.04	37.97	38.92	39.89	40.89	41.91	42.96	44.03	45.13	46.26	47.41
PWUn-08	PW Union Grade 8	33.32	34.15	35.00	35.88	36.78	37.70	38.64	39.61	40.60	41.61	42.65	43.72	44.81	45.93	47.08	48.25
PWUn-09	PW Union Grade 9	34.75	35.62	36.51	37.42	38.36	39.32	40.30	41.31	42.34	43.40	44.49	45.60	46.74	47.91	49.11	50.33
PWUn-10	PW Union Grade 10	34.97	35.84	36.74	37.66	38.60	39.56	40.55	41.56	42.60	43.66	44.75	45.87	47.02	48.20	49.40	50.62
PWUn-11	PW Union Grade 11	35.20	36.08	36.98	37.90	38.85	39.82	40.82	41.84	42.89	43.96	45.06	46.19	47.34	48.52	49.73	50.95
PWUn-12	PW Union Grade 12	35.84	36.74	37.66	38.60	39.56	40.55	41.56	42.60	43.66	44.75	45.87	47.02	48.20	49.41	50.65	51.90

Attachment: CY 2024 Step Schedule (2024 Salary Ordinance)

VILLAGE OF PALATINE
CY 2024 SALARY SCHEDULE

Grade Code	Grade Description	Hourly Rates								
		New Hire	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
FDU-01	FD Union Grade 1	NA	27.57	28.89	31.18	32.68	34.25	35.89	37.15	38.45
FDU-02	FD Union Grade 2	NA	32.60	34.16	36.87	38.64	40.49	42.43	43.92	45.46
FDU-03	FD Union Grade 3	NA	37.04	38.82	41.90	43.91	46.02	48.23	49.92	51.67
FDU-04	FD Union Grade 4	NA	40.25	42.18	45.53	47.72	50.01	52.41	53.33	54.26
PDU-01	PD Union Grade 1	36.32	38.23	42.82	46.22	48.44	50.77	53.21	55.07	57.00

SCHEDULE 1 (Continued)

EFFECTIVE: January 1, 2024

VILLAGE OF PALATINE
CY 2024 SALARY SCHEDULE ADDENDUM

Grade Code	Grade Description	Positions Assigned to Grade			
NOUn-01	Non-Union Grade 1	Community Service Officer	Animal Warden	Property Custodian	
NOUn-02	Non-Union Grade 2	Records Clerk	Customer Service Rep		
NOUn-03	Non-Union Grade 3	Assoc Env Health Practioner			
NOUn-04	Non-Union Grade 4	Support Services Specialist	Human Resources Rep		
NOUn-05	Non-Union Grade 5	Unassigned			
NOUn-06	Non-Union Grade 6	Utility Billing Clerk	Licensing Specialist		
NOUn-07	Non-Union Grade 7	Technical Support Specialist			
NOUn-08	Non-Union Grade 8	Management Analyst	Finance Clerk	Systems Specialist	
NOUn-09	Non-Union Grade 9	Unassigned			
NOUn-10	Non-Union Grade 10	Inspector 1	Zoning & Code Compliance Officer		
NOUn-11	Non-Union Grade 11	Human Resources Generalist	Accountant 1	Finance Analyst	Planner 1
NOUn-12	Non-Union Grade 12	Unassigned			
NOUn-13	Non-Union Grade 13	Inspector 2			
NOUn-14	Non-Union Grade 14	Environmental Health Practioner	Police Social Worker		
NOUn-15	Non-Union Grade 15	Unassigned			
NOUn-16	Non-Union Grade 16	Public Works Coordinator			
NOUn-17	Non-Union Grade 17	Police Sergeant			
PWUn-01	PW Union Grade 1	Mechanic Assistant			
PWUn-02	PW Union Grade 2	Supply Controller			
PWUn-03	PW Union Grade 3	Unassigned			
PWUn-04	PW Union Grade 4	Mechanic 1			
PWUn-05	PW Union Grade 5	Unassigned			
PWUn-06	PW Union Grade 6	Maintenance Worker	Assistant Buiding Engineer		
PWUn-07	PW Union Grade 7	Unassigned			
PWUn-08	PW Union Grade 8	Utility/Meter Service Worker			
PWUn-09	PW Union Grade 9	Electrician			
PWUn-10	PW Union Grade 10	Team Leader	Acting Team Leader		
PWUn-11	PW Union Grade 11	Mechanic 2			
PWUn-12	PW Union Grade 12	Unassigned			
PDU-01	PD Union Grade 1	Police Officer			
FDU-01	FD Union Grade 1	Probationary Firefighter			
FDU-02	FD Union Grade 2	Firefighter/Paramedic			
FDU-03	FD Union Grade 3	Fire Lieutenant			
FDU-04	FD Union Grade 4	Fire Captain			

Attachment: CY 2024 Step Schedule (2024 Salary Ordinance)

VILLAGE OF PALATINE
CY 2024 SALARY SCHEDULE

EXECUTIVE LEADERSHIP

		<u>Maximum</u>
Deputy Village Manager	Annual	\$ 207,500
Finance Director	Annual	\$ 207,500
Fire Chief	Annual	\$ 207,500
Police Chief	Annual	\$ 207,500
Public Works Director	Annual	\$ 207,500
Information Technology Director	Annual	\$ 207,500
Community Development Director	Annual	\$ 207,500
Human Resources Director	Annual	\$ 207,500

MANAGEMENT AND PROFESSIONAL

		<u>Maximum</u>
Planning & Zoning Director	Annual	\$ 173,420
Deputy Fire Chief	Annual	\$ 173,420
Deputy Police Chief	Annual	\$ 173,420
Village Engineer	Annual	\$ 173,420
Assistant Public Works Director	Annual	\$ 173,420
Assistant Finance Director	Annual	\$ 155,250
Public Works Superintendent	Annual	\$ 155,250
Fire Battalion/Division Chief	Annual	\$ 155,250
Police Commander	Annual	\$ 155,250
Systems Engineer	Annual	\$ 155,250
Accounting Manager	Annual	\$ 139,725
Field Director, Environmental Health	Annual	\$ 139,725
Field Director, Neighborhood Services	Annual	\$ 139,725
Customer Service Supervisor	Annual	\$ 139,725
Fire Marshal	Annual	\$ 139,725
Human Resources Coordinator	Annual	\$ 139,725
Information Technology Administrator/Manager	Annual	\$ 126,830
Civil Engineer	Annual	\$ 126,830
Accountant 2	Annual	\$ 110,885
Planner 2	Annual	\$ 110,885
Assistant Civil Engineer	Annual	\$ 110,885
Deputy Village Clerk	Annual	\$ 98,325
Communications Coordinator	Annual	\$ 98,325

OTHER

		<u>Maximum</u>
Seasonal Snow Plow Operator	Hourly	\$ 30.62
Fire Inspector	Hourly	\$ 30.26
Cable TV/Video Operator	Hourly	\$ 23.40
Intern	Hourly	\$ 20.65
Seasonal Part Time	Hourly	\$ 23.40
Crossing Guard	Hourly	\$ 17.21
Project Manager	Hourly	\$ 75.00

Attachment: CY 2024 Step Schedule (2024 Salary Ordinance)

Consider a Resolution Appropriating \$2,364,045 of Motor Fuel Tax Funds for the Maintenance of Streets and Highways

BACKGROUND:

The 2024 Capital Improvement Budget identifies the use of \$2,364,045 in Motor Fuel Tax (MFT) funds as a source of revenue for street maintenance.

In order to secure and expend these funds, the State requires that resolutions be passed by the Village indicating their intended use. The State then reviews these resolutions, granting or denying their approval. Historically, the Village has utilized all of its MFT appropriation for use on street maintenance and roadway capital improvements.

KEY ISSUES:

- Resurfacing maintenance activities include partial removal of the pavement structure, spot base repair, spot curb repair, installation of concrete edging, inlet repair, placement of a new surface course and pavement marking.
- In this program, 50/50 apron and curb replacement will also be provided.

ALTERNATIVES:

1. Approve the 2024 resolution appropriating Motor Fuel Tax funds in the amount of \$2,364,045.
2. Refer back to Staff with comments.

RECOMMENDATION:

It is recommended that the Resolution for the Improvement and Maintenance of Streets and Highways be approved, appropriating \$2,364,045 of Motor Fuel Tax funds for the 2024 Street Resurfacing Program.

ACTION REQUIRED:

Motion to approve the resolution appropriating \$2,364,045 of Motor Fuel Tax funds for the Improvement and Maintenance of Streets and Highways.

ATTACHMENTS:

- Resolution


**Illinois Department
of Transportation**
**Resolution for Maintenance
Under the Illinois Highway Code**

District	County	Resolution Number	Resolution Type	Section Number
1	Cook		Original	24-00000-00-GM

BE IT RESOLVED, by the Council of the Village of
Governing Body Type Local Public Agency Type
PALATINE Illinois that there is hereby appropriated the sum of
Name of Local Public Agency
Two Million, Three Hundred Sixty-Four Thousand, Forty-Five Dollars (\$2,364,045.00)
 of Motor Fuel Tax funds for the purpose of maintaining streets and highways under the applicable provisions of Illinois Highway Code from
01/01/24 to 12/31/24
Beginning Date Ending Date

BE IT FURTHER RESOLVED, that only those operations as listed and described on the approved Estimate of Maintenance Costs, including supplemental or revised estimates approved in connection with this resolution, are eligible for maintenance with Motor Fuel Tax funds during the period as specified above.

BE IT FURTHER RESOLVED, that Village of PALATINE
Local Public Agency Type Name of Local Public Agency
 shall submit within three months after the end of the maintenance period as stated above, to the Department of Transportation, on forms available from the Department, a certified statement showing expenditures and the balances remaining in the funds authorized for expenditure by the Department under this appropriation, and

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit four (4) certified originals of this resolution to the district office of the Department of Transportation.

I MARGARET R. DUER Village Clerk in and for said Village
Name of Clerk Local Public Agency Type Local Public Agency Type
 of PALATINE in the State of Illinois, and keeper of the records and files thereof, as
Name of Local Public Agency
 provided by statute, do hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the
Council of PALATINE at a meeting held on 12/04/23
Governing Body Type Name of Local Public Agency Date
 IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this day of Month, Year .

(SEAL, if required by the LPA)

Clerk Signature & Date

APPROVED

Regional Engineer Signature & Date
 Department of Transportation

JUN 13 2017

UNDERSTANDING

Attachment: Resolution (Resolution Appropriating MFT Funds for Street Improvements and Maintenance)


**Illinois Department
of Transportation**
**Request for Expenditure/Authorization
of Motor Fuel Tax Funds**

Local Public Agency

PALATINE

Type

Village

County

Cook

Section Number

24-00000-00-GM

I hereby request authorization to expend Motor Fuel Tax Funds as indicated below:

Purpose	Motor Fuel Tax Amount	Rebuild Illinois Amount
County Engineer/Superintendent Salary & Expenses		n/a
Contract Construction	\$2,364,045.00	
Day Labor Construction		
Engineering		
Engineering Investigations		
IMRF/Social Security		n/a
Maintenance		
Maintenance Engineering		
Obligation Retirement		n/a
Other		
Right-of-Way (Itemized on 2nd page)		
TOTAL	\$2,364,045.00	

Comments

Local Public Agency Official Signature & Date

Title

VILLAGE MANAGER

Approved

Regional Engineer Signature & Date
Department of Transportation

JUN 13 2017

UNDERSTANDING

Department of Transportation Use

Entered By

Date

Itemization of Right-of-Way Request

Location of Property			Property Owner	Acres Right-of- Way	Relocation Costs	Cost of Land Acquired	Cost of Damage to Land not Acquired	Total
Street/Road	Parcel Number	Address of Property Involved						
TOTAL								
Add Item								

Attachment: Resolution (Resolution Appropriating MFT Funds for Street Improvements and Maintenance)



Local Public Agency General Maintenance

Submittal Type **Original**

Estimate of Maintenance Costs

District Estimate of Cost For

1 Municipality

Local Public Agency	County	Section Number	Beginning	Ending
PALATINE	Cook	24-00000-00-GM	01/01/24	12/31/24

Maintenance Items							
Maintenance Operation	Maint Eng Category	Insp. Req.	Material Categories/ Point of Delivery or Work Performed by an Outside Contractor	Unit	Quantity	Unit Cost	Total Maintenance Operation Cost
2024 Street Resurfacing Program	IV	Yes					\$3,337,027.00
Total Operation Cost							\$3,337,027.00

Maintenance

Local Public Agency Labor
Local Public Agency Equipment
Materials/Contracts(Non Bid Items)
Materials/Deliver & Install/Materials Quotations (Bid Items)
Formal Contract (Bid Items)

Estimate of Maintenance Costs Summary

	MFT Funds	RBI Funds	Other Funds	Estimated Costs
	\$2,364,045.00		\$972,982.00	\$3,337,027.00
Maintenance Total	\$2,364,045.00		\$972,982.00	\$3,337,027.00

Maintenance Engineering

Preliminary Engineering
Engineering Inspection
Material Testing
Advertising
Bridge Inspection Engineering

Estimated Maintenance Eng Costs Summary

	MFT Funds	RBI Funds	Other Funds	Total Est Costs
			\$25,000.00	\$25,000.00
Maintenance Engineering Total			\$25,000.00	\$25,000.00
Total Estimated Maintenance	\$2,364,045.00		\$997,982.00	\$3,362,027.00

Remarks

SUBMITTED

Local Public Agency Official Signature & Date

Title

VILLAGE MANAGER

County Engineer/Superintendent of Highways Signature & Date

APPROVED

Regional Engineer Signature & Date
Department of Transportation

AGREEMENT OF

JUN 13 2017

UNDERSTANDING

Estimate of Maintenance Costs

Submittal Type **Original****6.C.1.E.a**

Local Public Agency

County

Section

Maintenance Period

Beginning

Ending

PALATINE

Cook

24-00000-00-GM

01/01/24

12/31/24

IDOT Department Use Only

Received Location

Received Date

Additional Location?

☐

WMFT Entry By

Entry Date

Attachment: Resolution (Resolution Appropriating MFT Funds for Street Improvements and Maintenance)

Consider a Motion to Approve the Updated Fee Schedule Supplement to the Village's Code of Ordinances

BACKGROUND:

Per Sec. 2-471 of the Village Code, the Fee Supplement to the Code of Ordinances is updated annually by the Municipal Cost Index as published in the September issue of American City and County magazine. This published index indicates a 1.23% increase for 2024.

KEY ISSUES:

The 2024 Budget has been prepared based upon the proposed Fee Schedule Supplement. In addition to the general fee increase, there are some adjustments to fees and charges related to utility services as follows:

- Flood Control Fee and Refuse Collection rates were held constant.
- Base residential Water & Sewer Rate was increased by \$0.43 per 1,000 gallons.
- Residential Basic User Charge was increased by \$4.65 per month.

RECOMMENDATION:

Staff recommends approval of the updated Fee Schedule Supplement as presented.

BUDGET IMPACT:

Provides adequate and necessary funding for the provision of services as proposed in the 2024 Budget.

ACTION REQUIRED:

Motion to approve the updated Fee Schedule Supplement to the Code of Ordinances, as presented, effective January 1, 2024.

ATTACHMENTS:

- CY 2024 Fee Schedule Supplement

VILLAGE OF PALATINE
FEE SCHEDULE SUPPLEMENT
TO THE
PALATINE CODE OF ORDINANCES

**PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE MAYOR
AND VILLAGE COUNCIL OF THE VILLAGE OF PALATINE, ILLINOIS**

January 1, 2024

Attachment: CY 2024 Fee Schedule Supplement (CY 2024 Fee Schedule)

**VILLAGE OF PALATINE
FEE SCHEDULE SUPPLEMENT**

CH.NO.	ART.NO.	SECT.NO.	CLASSIFICATION	CY 2024
CHAPTER 1 - General Provisions				
1		1-11	Insufficient Funds Administrative Fee	\$ 20
CHAPTER 2, Article XXX - Administrative Hearing Division				
2	XXX	2-705(b)(8)	Administrative Adjudication Court Cost	\$ 75
CHAPTER 3, Article I - Alcoholic Beverages, In General				
3	I	3-12	Alcoholic Beverages, In General Violations	\$ 200
CHAPTER 3, Article II - Alcoholic Beverages, Licenses				
3	II	3-35(2)	Class "A-1" Liquor License (Sports and Recreation Facility)	\$ 4,019
		3-35(3)	Class "B" Liquor License (Package Liquor Store)	\$ 4,044
		3-35(4)	Class "B-1" Liquor License (Grocery Store with Package Liquor)	\$ 4,044
		3-35(5)	Class "B-2" Liquor License (General Merchandise Store with Package Liquor)	\$ 4,044
		3-35(6)	Class "B-3" Liquor License (Drug Store with Package Liquor)	\$ 4,044
		3-35(7)	Class "B-4" Liquor License (Restaurant/Convenience Store with Package Liquor)	\$ 4,044
		3-35(8)	Class "C" Liquor License (Club)	\$ 533
		3-35(9)	Class "D" Liquor License (Restaurant)	\$ 4,019
		3-35(13)	Class "G" Liquor License (Restaurant with Beer and Wine)	\$ 2,641
		3-35(14)	Class "G-1" Liquor License (Seasonal)	\$ 1,321
		3-35(15)	Class "G-2" Liquor License (Beer and Wine Single Serve Package)	\$ 2,641
		3-35(16)	Class "H" Liquor License (Banquet Hall)	\$ 4,019
		3-35(17)	Class "K" Liquor License (Hotel)	\$ 5,362
		3-35(19)	Class "N" Liquor License (Microbrewery)	\$ 4,019
		3-35(21)	Class "P" Liquor License (Caterer)	\$ 130
		3-35(21)	Class "P" Liquor License (Outside Caterer) \$50 any event after	\$ 130
		3-35(22)a	Class "LC-1" Liquor License (Late Closing License)	\$ 521
		3-35(22)b	Class "LC-2" Liquor License (Late Closing License)	\$ 3,128
		3-35(24)	Class "PS-1" Liquor License (Full Serving Product Sampling)	\$ 130
		3-35(25)	Class "VG" Liquor License (Video Gaming)	\$ 5,213
CHAPTER 5, Article I - Animals, In General				
5	I	5-2 through 5-16	Animals In General Violations (except for Animal Biting in 5-6 (15,16) & Redemption Fee in 5-13)	
			Paid Within 35 Days	\$ 50
			Paid Between 36 and 60 Days	\$ 75
			Paid After 60 Days	\$ 125
5	I	5-6 (15, 16)	Animal Bite of Person/Bite of Domestic Animal Violations	
			First Offense	\$ 50
			Second and all subsequent Offense	\$ 100
5	I	5-6 (18)	Chicken Keeping Application Fee	\$ 75
		5-6 (18)a	Chicken Keeping Annual License	\$ 50
5	I	5-13	Redemption Fee	\$ 50
			Plus the total boarding fee incurred during the time each animal is retained by the Village	
CHAPTER 5, Article III - Animals, Dogs and Cats				
5	III	5-36 through 5-57	Dog & Cat Violations	
			Paid Within 35 Days	\$ 50
			Paid Between 36 and 60 Days	\$ 75
			Paid After 60 Days	\$ 125
5	III	5-38	Dog and Cat Registration	\$ -
CHAPTER 6, Article I - Building Codes and Regulations, Building Codes and Amendments				
6	I	6-1.5(a)(1)	Plan Examination Fees	
		6-1.5(a)(1)a	Single Family Detached Dwellings, additions, alterations, remodeling, or detached structure having an estimated valuation of work:	
			1. \$5,000 or less	\$ 54
			2. \$5,001 or more (in addition to the above fee) per \$1,000 valuation of work:	\$ 5
		6-1.5(a)(1)b	All other types of construction, based on estimated valuation of work:	
			1. Minimum fee	\$ 50
			2. \$100,000 or less per \$1,000 (in addition to the minimum fee)	\$ 10
			3. \$100,001 or more per \$1,000 (in addition to the above fee)	\$ 5
		6-1.5(a)(2)	Preliminary Plan Review Services, hourly rate per person	\$ 60

Attachment: CY 2024 Fee Schedule Supplement (CY 2024 Fee Schedule)

**VILLAGE OF PALATINE
FEE SCHEDULE SUPPLEMENT**

CH.NO.	ART.NO.	SECT.NO.	CLASSIFICATION	CY 2024
CHAPTER 6, Article I - Building Codes and Regulations, Building Codes and Amendments				
6	I	6-1.5(a)(3)	Building Permit based on the estimated valuation of work:	
			\$5,000 or less	\$ 54
			\$5,001 or more (in addition to the above fee) per \$1,000 valuation of work:	\$ 16
		6-1.5(a)(3)a	Building Permit Extension; 10% of bldg permit fee or no less or more than	
			1. Residential occupancies	\$ 73/219
			2. Non-Residential occupancies	\$ 219/658
		6-1.5(a)(4)	Certificate of Occupancy; All occupancies, per unit	\$ 68
		6-1.5(a)(4)a	Temporary Certificate of Occupancy; 10% of bldg permit fee or no less or more than	
			1. Residential occupancies	\$ 73/219
			2. Non-Residential occupancies	\$ 219/658
		6-1.5(a)(5)	Permit for demolition for each residential story or for other structures each 10 feet in height	\$ 67
		6-1.5(a)(6)	Moving of Building	
			a. Using public right-of-way	\$ 269
			b. Not using public right-of-way	\$ 81
		6-1.5(a)(7)	Minimum inspection fee	\$ 72
		6-1.5(a)(7)(a)	Inspection of Plumbing and Sanitation Fixtures (new and/or replacement)	
			1. Up to three (3) fixtures	\$ 72
			2. Four to Six (4-6) fixtures	\$ 143
			3. In excess of six (6) fixtures, per fixture (in addition to the above fee)	\$ 18
		6-1.5(a)(7)(b)	Inspection of Fire Suppression System	
			1. Up to 100 sprinkler heads	\$ 215
			2. Each additional 100 sprinkler heads or fraction thereof in excess of 100 (in addition to above)	\$ 35
		6-1.5(a)(7)c	Inspection of Electrical Systems	
			1. Residential (new and/or renovation) per unit	
			i. 250 sq. ft. or less	\$ 72
			ii. 251 to 1000 sq. ft. (in addition to the above)	\$ 143
			iii. Each additional 1,000 sq. ft. or fraction thereof (in addition to the above fee)	\$ 36
			2. In other than residential occupancies (new and/or renovation)	
			i. 42 circuits or less, per circuit	\$ 40
			ii. 43 circuits or more, for each additional circuit (in addition to the above)	\$ 24
		6-1.5(a)(7)(d)	Inspection of HVAC Systems	
			1. 250 sq. ft. or less	\$ 72
			2. 251 to 10,000 sq. ft. (in addition to the above)	\$ 143
			3. Each additional 10,000 sq. ft. or fraction thereof (in addition to the above)	\$ 18
		6-1.5(a)(7)(e)	Inspection of Carpentry (framing, roofing, concrete, insulation, and similar)	
			1. 500 sq. ft. or less	\$ 72
			2. 501 to 1,000 sq. ft. (in addition to the above)	\$ 215
			3. 1,001 to 10,000 sq. ft., per 1,000 sq. ft. or fraction thereof (in addition to the above)	\$ 36
			4. 10,001 to 20,000 sq. ft., per 1,000 sq. ft. or fraction thereof (in addition to the above)	\$ 18
			5. 20,001 sq. ft. and up, per 10,000 sq. ft. or fraction thereof (in addition to the above)	\$ 9
		6-1.5(a)(7)f	Reinspection Fee	\$ 72
		6-1.5(a)(7)g	Cancellation Fee	\$ 86
		6-1.5(a)(7)i	Existing Elevator Safety Inspection Fee	\$ 95
		6-1.5(a)(7)j	Existing Elevator Safety Reinspection Fee	\$ 67
		6-1.5(a)(7)k	New Elevator Inspection/Reinspection Fee	\$ 123
		6-1.5(a)(7)l	Repairs of Existing Elevator Inspection/Reinspection Fee	\$ 123
		6-1.5(f)(1)	Single family residential fence installation	\$ 74
		6-1.5(f)(2)	Single family residential shed installation	\$ 74
		6-1.5(f)(3)	Single family residential driveway installation	\$ 99
		6-1.5(f)(4)	Single family residential patio & private walk installation	\$ 99
		6-1.5(f)(5)	Single family residential tear-off roof & re-roof installation	\$ 99
		6-1.5(f)(6)	Single family residential deck installation	\$ 99
		6-1.5(f)(7)	Single Family above ground swimming pool	\$ 99
		6-1.5(f)(8)	Single family heating, ventilating and central air conditioning (HVAC) replacement	\$ 99
		6-1.5(f)(9)	Single family residential sewer repair or replacement	\$ 99
		6-1.5(f)(10)	Single family residential lawn sprinklers	\$ 99
		6-1.5(f)(11)	Single family residential electric service revision	\$ 99
		6-1.5(f)(12)	Dumpster/screening enclosure	\$ 99
		6-1.5(f)(13)	Single family water heater replacement	\$ 99

Attachment: CY 2024 Fee Schedule Supplement (CY 2024 Fee Schedule)

**VILLAGE OF PALATINE
FEE SCHEDULE SUPPLEMENT**

<u>CH.NO.</u>	<u>ART.NO.</u>	<u>SECT.NO.</u>	<u>CLASSIFICATION</u>	<u>CY 2024</u>
CHAPTER 6, Article III - Building Codes and Regulations, Building Operations				
6	III	6-32	Building Operations, Construction - Hours of Service Violations	\$ 200
CHAPTER 6, Article VII - Building Codes and Regulations, Condominium Conversions & Deconversions				
6	VII	6-82(b)(2)	Review of Property Report plus \$25 for each dwelling unit being converted to condo	\$ 134
6	VII	6-89A(a)	Review of Property Report plus \$25 for each dwelling unit being converted from condo	\$ 134
CHAPTER 7, Article III - Fire Prevention and Protection, Fire Prevention				
7	III	7-41	Regular Fire and Life Safety Inspection Fees	
			Initial and First Passing Re-Inspection	\$ -
			Failed First Re-Inspection	\$ 72
			Failed Second Re-Inspection	\$ 108
			Failed Third or more Re-Inspection Fee (per re-inspection)	\$ 209
		7-63	Fire Lane Violations	
			Paid Within 35 Days	\$ 50
			Paid Between 36 and 60 Days	\$ 75
			Paid After 60 Days	\$ 125
CHAPTER 7, Article V - Fire Prevention and Protection, Ambulance Service Fees				
7	V	7-80	Ambulance Service Fees	
			Resident	\$ 1,500
			Non-Resident	\$ 1,800
			Mileage Fee	\$ 15
CHAPTER 7, Article V - Fire Prevention and Protection, Ambulance and Emergency Response Service Fees				
7	V	7-82	Motor Vehicle Incidents	
			Level 1	\$ 540
			Level 2	\$ 614
			Add-On Services	
			Extrication	\$ 1,620
			Additional Time On-Scene	
			Engine/per hour	\$ 497
			Truck/per hour	\$ 621
			Miscellaneous Equipment/per hour	\$ 373
			Chief Response	
			per hour	\$ 310
CHAPTER 8, Garbage and Refuse				
8		8-2	For Each Single-Family Dwelling Unit	
			Basic User Billing Charge, per Month	\$ 7.50
		8-2(a)(1)	Curbside Pickup Charge, per month	\$ 21.00
		8-2(a)(2)	Rear Door Pickup Premium, per month	\$ 13.50
		8-2(a)(3)	Yard-Waste Exempt Discount, per month	\$ 1.50
		8-2(a)(4)	Senior Citizen Discount, per month	\$ 2.50
CHAPTER 9, Article I - Health and Sanitation, In General				
9	1	9-9	Expectoration in Public Places Violations	\$ 200

**VILLAGE OF PALATINE
FEE SCHEDULE SUPPLEMENT**

CH.NO.	ART.NO.	SECT.NO.	CLASSIFICATION	CY 2024
CHAPTER 9, Article IV - Health and Sanitation, Village of Palatine Clean Indoor Air Ordinance				
9	IV	9-72,73	Prohibition of Smoking in Public Places Violations	\$ 200
CHAPTER 10, Article IV - Rental Property Rules and Regulations				
10	IV	10-15(f)	Rental license fee	
			Multiple Dwelling (Apartments)	
			25% of Units Inspected,	
			Whichever is Greater	
			Per building	\$ 127
			Per unit	\$ 26
			50% of Units Inspected	
			Per unit	\$ 90
			100% of Units Inspected	
			Per unit	\$ 149
			All Other Rental Dwelling Types (Condo, Townhome, SFR)	
			0 - 3 Violations	\$ 90
			4 or More Violations	\$ 167
CHAPTER 10, Article VII - Notice of Violation Procedures, Penalties, Appeals and Conflict of Ordinances				
VII	10-44(b)(2)		1st Re-inspection Fee	\$ 72
			2nd Re-Inspection Fee	\$ 108
			3rd or more Re-Inspection Fee (per re-inspection)	\$ 209
	10-44(b)(3)		Cancellation and absentee fee	\$ 78
CHAPTER 11, Article I - Licenses, Permits and Business Regulations, In General				
11	I	11-3	License Required Violations	
			Paid Within 35 Days	\$ 200
			Paid Between 36 and 60 Days	\$ 300
			Paid After 60 Days	\$ 400
		11-8	Late Fee	
			After January 31st	50% of Fee
			After February 28/29th	100% of Fee
			<i>All Fees in Section 11-21 are Based on Floor Area in Square Feet</i>	
		11-21	Amusement & Entertainment Establishments (Type A)	
			Step 1: 0 - 2,500 sq ft	\$ 95
			Step 2: 2,501 sq ft and over	\$ 189
		11-21	Food Establishments (Type B)	
			Step 1: 0 - 2,500 sq ft	\$ 269
			Step 2: 2,501 - 5,000 sq ft	\$ 398
			Step 3: 5,001 - 7,500 sq ft	\$ 531
			Step 4: 7,501 sq ft and over	\$ 604
		11-21	Service Establishments (Type C)	
			Step 1: 0 - 2,500 sq ft	\$ 95
			Step 2: 2,501 sq ft and over	\$ 189
		11-21	Retail and Wholesale Establishments (Type D)	
			Step 1: 0 - 2,500 sq ft	\$ 134
			Step 2: 2,501 - 5,000 sq ft	\$ 269
			Step 3: 5,001 - 7,500 sq ft	\$ 403
			Step 4: 7,501 sq ft and over	\$ 604
		11-21	Industrial Establishments (Type E)	
			Step 1: 0 - 10,000 sq ft	\$ 200
			Step 2: 10,001 - 20,000 sq ft	\$ 403
			Step 3: 20,001 sq ft and over	\$ 604
		11-21	Home Occupations (Type F)	\$ 12

Attachment: CY 2024 Fee Schedule Supplement (CY 2024 Fee Schedule)

**VILLAGE OF PALATINE
FEE SCHEDULE SUPPLEMENT**

CH.NO.	ART.NO.	SECT.NO.	CLASSIFICATION	CY 2024
CHAPTER 11, Article II - Licenses, Permits and Business Regulations, Amusement Facilities				
11	II	11-32(G)	Coin Operated Amusement Device	\$ 67
		11-32.1	Juke Boxes	\$ 27
		11-45	Circus License; per day	\$ 486
			Carnival License; per day	\$ 37
			Each sideshow, ride, game & concession (food or other) operated in connection with above; per day	\$ 12
CHAPTER 11, Article III - Licenses, Permits and Business Regulations, Food Establishments				
11	III	11-67	Vending Machine - Only prepackaged, non TCS food or beverages	\$ 14
			Vending Machine - Ice Machine not ancillary to primary use	\$ 41
			Vending Machine - General Merchandise (no food or beverage of any kind)	\$ 14
			Vending Machine - Offers TCS foods or beverages	\$ 41
			Mobile food dispensing units and roadside stands	\$ 134
			Vehicle used for delivery of TCS food or beverages:	
			To individual residences	\$ 67
			To retail establishments	\$ 28
CHAPTER 11, Article IV - Licenses, Permits and Business Regulations, Merchants				
11	IV	11-127	Auctioneers Permit - Annual	
			Annual	\$ 134
			Daily	\$ 14
		11-130	Auctioneers Employees License	\$ 8
		11-142	Cigarette and Tobacco Dealers	\$ 55
		11-145(a-c)	Sales to Minors, Possession of Tobacco Products Violations	\$ 200
		11-201	Itinerant Merchants License	\$ 14
CHAPTER 11, Article V - Licenses, Permits and Business Regulations, Miscellaneous Business Operations				
11	V	11-369	Outdoor Advertisers - Annual	\$ 39
		11-424	Residential Scavenger License	\$ 1,433
			Commercial, Industrial, Institutional License	\$ 2,408
		11-428	Garbage Collection (Hours of Service) Violations	\$ 200
		11-433&434	Public Passenger Vehicle and Vehicle Operator Violations	\$ 200
		11-434	Public Passenger Vehicle Operator's License	\$ 27
		11-442	Public Passenger Vehicle	
			Between 1/1 and 6/30	\$ 103
			Between 7/1 and 12/31	\$ 65
			Each Additional Vehicle	
			Between 1/1 and 6/30	\$ 78
			Between 7/1 and 12/31	\$ 52
		11-451,465,466	Taxi Violations	
			Paid Within 35 Days	\$ 50
			Paid Between 36 and 60 Days	\$ 75
			Paid After 60 Days	\$ 125
		11-473	Building Contractor Annual Registration	
		11-473(1)	General Contractor	\$ 269
		11-473(2)	All Other Contractors	\$ 67
		11-512	Dealers in Gold and Silver	
			Daily Fee	\$ 134
			Annual License Fee	\$ 67
CHAPTER 11, Article VI - Licenses, Permits and Business Regulations, Solicitors				
11	VI	11-517	Solicitors - Registration Violations	\$ 200
		11-523	Solicitors - Wearing Identification Badge Violations	\$ 200
		11-524	Solicitors - Application Fee	\$ 30
		11-525	Solicitors - Time Limit Violations	\$ 200
		11-527	Solicitor Registration - Annual Fee	\$ 41
			Solicitor Registration - Daily Activity Fee	\$ 13
			Solicitors for holders of a Village granted Franchise for the operation of a Cable Communications System - Annual Fee	\$ 41
CHAPTER 11, Article VIII - Licenses, Permits and Business Regulations, Commercial Vehicle Relocators Licensing Law				
11	VIII	11-606(11)(a)	Reloacted Vehicle Permit	\$ 20
11	VIII	11-607(1)	Repossessed Vehicle Permit	\$ 20
11	VIII	11-609	Relocator's License	\$ -

**VILLAGE OF PALATINE
FEE SCHEDULE SUPPLEMENT**

<u>CH.NO.</u>	<u>ART.NO.</u>	<u>SECT.NO.</u>	<u>CLASSIFICATION</u>	<u>CY 2024</u>
CHAPTER 12 Offenses and Miscellaneous Provisions				
12		12-3 through 12-324	Offenses and Misc Provisions Violations (except for 12-29)	\$ 200
CHAPTER 12, Article I, In General				
12	I	12-29	Possession of Cannabis 10 grams or less	\$ 200
			Possession of Cannabis >10 grams but less than 30 grams	\$ 400
CHAPTER 16, Article I - Rights of Way, In General And Utilities				
16	I	16-5(f)	Application Fee	\$ 602
			Plus Cable Installation, per foot	\$ 0.17
CHAPTER 16, Article VI - Rights of Way, Trees & Shrubs				
16	VI	16-104	Annual Commercial Tree License Fee	\$ 43
CHAPTER 17, Article VIII - Taxes, Prepared Food and Beverage Tax				
17	VIII	17-75	Transmission of Tax Collections Violations	
			Paid Within 35 Days	\$ 200
			Paid Between 36 and 60 Days	\$ 300
			Paid After 60 Days	\$ 400
CHAPTER 18, Article IV - Traffic, Parking				
18	IV	18-81 (16)	Handicapped Parking Violations	\$ 250
CHAPTER 18, Article VII - Traffic, Violations				
18	VII	18-173(a)	Minor Violations; Parking Regulations	
			Paid Within 35 Days	\$ 50
			Paid Between 36 and 60 Days	\$ 75
			Paid After 60 Days	\$ 125
		18-173(b)	Minor Violations; Certain Sections of the Illinois Vehicle Code	
			Paid Within 35 Days	\$ 50
			Paid Between 36 and 60 Days	\$ 75
			Paid After 60 Days	\$ 125
CHAPTER 18, Article VIII - Oversize and Overweight Vehicle Permit Fees				
18	VIII	18-176	Oversized Vehicles Only	
			Single Trip	\$ 50
			Round Trip	\$ 90
			Overweight Vehicles - Single Trip	
			100,000 pounds or less Gross Weight	\$ 60
			100,001 to 120,000 pounds Gross Weight	\$ 85
			120,001 to 150,000 pounds Gross Weight	\$ 115
			150,001 pounds or more Gross Weight	\$ 140
			Overweight Vehicles - Round Trip	
			100,000 pounds or less Gross Weight	\$ 115
			100,001 to 120,000 pounds Gross Weight	\$ 165
			120,001 to 150,000 pounds Gross Weight	\$ 215
			150,001 pounds or more Gross Weight	\$ 265

**VILLAGE OF PALATINE
FEE SCHEDULE SUPPLEMENT**

<u>CH.NO.</u>	<u>ART.NO.</u>	<u>SECT.NO.</u>	<u>CLASSIFICATION</u>	<u>CY 2024</u>
CHAPTER 18, Article IX - Traffic, Motor Driven Scooters				
18	IX	18-185	Operation of Motor Driven Scooter Violations	\$ 200
CHAPTER 19, Article I - Utility Services, In General				
19	I	19-2 & 19-53	Turn-On Fees	
			Between 8 am and 3 pm	\$ 68
			Between 3 pm and 8 am	\$ 193
CHAPTER 19, Article II - Utility Services, Water				
19	II	19-16	Per Unit Construction Fees for Water	
			Incorporated Properties	\$ 126
			Unincorporated Properties	\$ 151
		19-20	Water Tap and Meter Inspection Fee	
			Residential/Business/Manufacturing	\$ 65
19	II	19-20 & 19-51	Connection and Meter Fees (all served by single meter):	
			Single Unit Less than or Equal to 3/4 Inch Meter, 1 Inch Tap	
			Meter	\$ 577
			Connection Fee	\$ 1,360
			2 Units - 1 Inch Meter, 1 1/4 Inch Tap	
			Meter	\$ 636
			Connection Fee	\$ 1,590
			2 Units - 1 Inch Meter, 1 1/2 Inch Tap	
			Meter	\$ 636
			Connection Fee	\$ 1,874
19	II	19-20 & 19-51	2-15 Units Inclusive, 1-1/2 Inch Meter, 2 Inch Tap	
			Meter	\$ 1,382
			Connection Fee	\$ 3,987
			15-35 Units Inclusive, 2 Inch Compound Meter, 3 Inch Tap	
			Meter	\$ 1,715
			Connection Fee	\$ 10,939
			36-50 Units Inclusive, 3 Inch Compound Meter, 4 Inch Tap	
			Meter	\$ 3,867
			Connection Fee	\$ 14,091
			51-100 Units Inclusive, 4 Inch Compound Meter, 6 Inch Tap	
			Meter	\$ 5,950
			Connection Fee	\$ 30,921
			51-100 Units Inclusive, 6 Inch Compound Meter, 8 Inch Tap	
			Meter	\$ 9,335
			Connection Fee	\$ 47,750
19	II	19-25	Unauthorized Use - Water Rate per 1,000 Gallons	\$ 23
		19-25	Penalty for Unauthorized Use	
			Not Less Than	\$ 63
			Not More Than	\$ 939
		19-51	Non Conversion of Meter	
			Meter (Per Residential Dwelling Unit Per Billing Cycle)	\$ 54
			External Transponder (Per Account Per Billing Cycle)	\$ 81
		19-54	Testing Fees	
			Meters No Larger Than 1 1/2 Inch	\$ 186
			1 3/4 and 2 Inch	\$ 315
			3 Inch	\$ 344
			4 Inch	\$ 378
			6 Inch	\$ 378
			8 Inch	\$ 401

Attachment: CY 2024 Fee Schedule Supplement (CY 2024 Fee Schedule)

**VILLAGE OF PALATINE
FEE SCHEDULE SUPPLEMENT**

CH.NO.	ART.NO.	SECT.NO.	CLASSIFICATION	CY 2024
CHAPTER 19, Article II - Utility Services, Water				
19	II	19-62(A)	For All Services to Premises Within the Village Basic User Billing Charge, per Month	
			Meters No Larger Than 1 Inch	\$ 7.50
			1 1/2 Inch	\$ 12.00
			2 Inch	\$ 18.00
			3 Inch	\$ 59.00
			4 Inch	\$ 74.00
			6 Inch	\$ 109.00
			8 Inch	\$ 150.00
			Water Consumption Charge, per 1,000 Gallons (Minimum Charge 5,000 Gallons)	
		19-62(A)(1)	For Premises not Exempt from the Payment of Real Estate Taxes	
			For the First 74,810 Gallons	\$ 5.68
			For All Consumption Over 74,810 Gallons	\$ 7.30
		19-62(A)(2)	For Premises Exempt from the Payment of Real Estate Taxes	
			For the First 74,810 Gallons	\$ 9.88
			For All Consumption Over 74,810 Gallons	\$ 11.50
		19-62(B)	For All Services to Premises Not Within the Village Basic User Billing Charge, per Month	
			Meters No Larger Than 1 Inch	\$ 9.40
			1 1/2 Inch	\$ 15.00
			2 Inch	\$ 22.50
			3 Inch	\$ 73.75
			4 Inch	\$ 92.50
			6 Inch	\$ 136.25
			8 Inch	\$ 187.50
			Water Consumption Charge, per 1,000 Gallons (Minimum Charge 5,000 Gallons)	
		19-62(B)(1)	For Premises Outside of the Village not in Deer Park	
			For the First 74,810 Gallons	\$ 13.13
			For All Consumption Over 74,810 Gallons	\$ 14.75
19	II	19-62(B)(2)	For Premises Outside of the Village that are in Deer Park For All Consumption	
			Regular Rate	\$ 14.83
		19-62(D)	For Contractor Usage from a Metered Hydrant, Water Consumption Charge, per 1,000 Gallons	
			For All Consumption	\$ 14.75
		19-63	Standardized Billing Rates (Number of Times the Minimum Usage Billing)	
			Single Family Residential Dwellings	\$ 2.00
			Non-Single Family Residential Dwellings	\$ 5.00
		19-63(A)	For All Services to Premises Within the Village	
			Basic User Billing Charge, per Month	\$ 7.50
			Consumption Charge, per 1,000 Gallons (Minimum Charge 5,000 Gallons)	
			Regular Rate	\$ 1.45
		19-63(B)	For All Services to Premises Not Within the Village	
			Basic User Billing Charge, per Month	\$ 7.50
			Consumption Charge, per 1,000 Gallons (Minimum Charge 5,000 Gallons)	
			Regular Rate	\$ 4.10
		19-64	Local Capital Financing (Sewer Separation) Surcharge, per Month	\$ -
		19-65	Local Storm Water Drainage Facility Surcharge, per Month	\$ 1.55
		19-66	Stormwater Management Fee, per Month	\$ 3.75
CHAPTER 19, Article III - Utility Services, Sewers				
19	III	19-83	Sewer Connection Fees; All connections	
			Single Family Residences	\$ 137
			Multiple Family Residence for each family unit	\$ 137
			Business Establishments	\$ 137
		19-88(2)	Penalties, Not to Exceed	\$ 750
CHAPTER 19, Article V - Utility Services, Stormwater Discharge				
19	V	19-130	Criminal Penalty	
			Not Less Than	\$ 200
			Not More Than	\$ 1,000

**VILLAGE OF PALATINE
FEE SCHEDULE SUPPLEMENT**

<u>CH.NO.</u>	<u>ART.NO.</u>	<u>SECT.NO.</u>	<u>CLASSIFICATION</u>	<u>CY 2024</u>
CHAPTER 20, Article V - Personal Wireless Telecommunication Services and Facilities				
20	V	20.94(3)(A)	Application Fee - Collocate on Existing Utility Pole	\$ 650
			Plus Per Each Location	\$ 350
		20.94(3)(B)	Application Fee - Collocate on New Utility Pole	\$ 1,000
APPENDIX A, Article V - Zoning, Use Districts				
APP A	V	5.02(a)(2)	Official Zoning Map	\$ 30
APPENDIX A, Article VIII - Zoning, Signage				
APP A	VIII	8.01(b)(1)	Illuminated and Nonilluminated Signs	\$ 58
			Plus one dollar (\$1) per square foot of gross surface area of the proposed sign	
			Plan Exam Fee	\$ 27
			Inspection and Electrical Fees: as outlined in this Fee Schedule	
			Supplement shall be in addition to the fees shown above.	
APPENDIX A, Article XIII - Zoning, Planned Development Districts				
APP A	XIII	13.04(a)	Preliminary Review of Planned Development; Plus	\$ 2,390
			Per Acre for the first 5 acres	\$ 36
			Per Acre for each acre over 5	\$ 24
		13.05(g)	Final Review of Planned Development; Plus	\$ 1,195
			Per Acre for the first 5 acres	\$ 36
			Per Acre for each acre over 5	\$ 24
APPENDIX A, Article XIV - Zoning, Administration				
APP A	XIV	14.09	Text Amendments	
			Residential	\$ 403
			Non-Residential	\$ 805
			Zoning Map Change	
			Less than one acre	\$ 403
			One acre or more	\$ 952
			Variations	
			Single Family (excluding zoning relief applications for Lot Coverage)	\$ 269
			Administrative (excluding zoning relief applications for Lot Coverage)	\$ 135
			Minor Variation	\$ 23
			All Others	\$ 872
APP A	X	10.02-10.07(g)	Residential Lot Coverage applications requiring zoning relief, as a % beyond the maximum % allowed per Zoning District:	
			Res Lot Coverage up to 14.99% above the maximum % Lot Coverage allowed, per Zoning Dist	\$ 275
			Res Lot Coverage from 15% to 25% above the maximum % Lot Coverage allowed, per Zoning Dist	\$ 500
			Res Lot Coverage over 25% above the maximum % Lot Coverage allowed, per Zoning Dist	\$ 750
APPENDIX A, Article XIV - Zoning, Administration				
APP A	XIV	14.09	Special Use Permits	
			Residential Uses	\$ 403
			Administrative Special Use	\$ 202
			Minor Special Use	\$ 23
			Special Use Amendments and for non-conforming businesses requiring a Special Use to continue their operations	\$ 173
			Special Use Permit for Live Entertainment	\$ 537
			All Others	\$ 1,006
			Annexation Hearing	\$ 805
			Multiple Application Fee for each Additional Application	\$ 67
			In addition to the above fees, a document processing fee of plus the actual Cook County Recording Fees shall be charged whenever recording is required.	\$ 190

**VILLAGE OF PALATINE
FEE SCHEDULE SUPPLEMENT**

CH.NO.	ART.NO.	SECT.NO.	CLASSIFICATION	CY 2024
APPENDIX B, Article III - Subdivision, Site Development and Floodplain Regulations, Preliminary Plat				
APP B	III	3.01(a)(4)a	Preliminary Plat; plus	\$ 199
			Per Acre for the first five (5) acres	\$ 18
			Per Acre for each acre over five (5) acres	\$ 12
		3.01(a)(4)b	A Plan Review fee (rounded to the nearest dollar) based on one hundred fifty percent (150%) of the rate per hour of the present salary schedule adopted by the Village Council of those Village personnel participating in the review process shall be paid.	
APPENDIX B, Article IV - Subdivision, Site Development and Floodplain Regulations, Final Plat				
APP B	IV	4.01(a)(2)a	Final Plat Fee; plus	\$ 269
			Per Acre for the first five (5) acres	\$ 18
			Per Acre for each acre over five (5) acres	\$ 12
			In addition to the above fees, a document processing fee of	
			plus the actual Cook County Recording Fees shall be charged whenever recording is required.	\$ 194
		4.01(a)(2)b	Plan review fee, based 1.5% of total land improvements costs (which shall consist of, but not exclusively of curb and gutters, sidewalks, pavements, sanitary sewer system, storm sewer system, water distribution system, stormwater detention facilities, parkway trees, landscaping, street lights, plus soil erosion control measures) as estimated by the design engineer and approved by the Village Engineer.	
APPENDIX B, Article V - Subdivision, Site Development and Floodplain Regulations,				
			Dedication of Park Land and School Sites for Payment of Fees in Lieu Thereof	
APP B	V	5.02(a)(1)a	Contribution of fees in lieu of park and school sites	
			The cash contributions in lieu of land shall be based on the "fair market value" of the acres of land in the area improved as specified herein, that otherwise would have been dedicated as park and recreation and school sites.	
			It has been determined that the "fair market value" per acre of such improved land in and surrounding the village, to be used in calculating the applicable fee in lieu is:	\$ 163,300
APPENDIX B, Article VI - Subdivision, Site Development and Floodplain Regulations, Design Standards				
APP B	VI	6.09(f)(1)	Site Development Permit	
			Plan Review/@ Gross Site Acre (Minimum \$16)	
		6.09(f)(2)	Site Development Permit	
			On-site Inspections	
			0-3 acres, each inspection	\$ 67
			3-6 acres, each inspection	\$ 134
			6-8 acres, each inspection	\$ 202
			Over 8 acres, each inspection	\$ 269
		6.09(f)(3)	Filing Fee	\$ 94
APPENDIX B, Article VIII - Subdivision, Site Development and Floodplain Regulations, Required Land Improvements				
APP B	VIII	8.08(a)(1)	Exemption from Live Detention	
			Per Square Foot of Total Land Area to be Developed	\$ 0.26
General Fees, Provided for Administratively				
		Police	Fingerprinting Fees	
			Residents/Employees	\$ 30
			Non-Residents	\$ 40
		Public Works	Mulch Delivery, per Cubic Yard	
			Residential	\$ 16
			Commercial	\$ 25
		Finance	Utility Bill Fees	
			Online Utility Bill Convenience Fee	\$ 3.50
		Community Development	Business License Fees	
			Online Business License Renewal Convenience Fee	\$ 3.50

Consider a Resolution Amending the Village's Employee Handbook for 2024

BACKGROUND:

The Village of Palatine Employee Handbook outlines the rules, regulations, benefits, and conditions of employment that apply to Village employees. Annually, the handbook is reviewed and amended as needed to comply with State, Federal, and local regulations, as well as changing practices. The last update to the handbook was completed with the adoption of the Village's 2023 budget.

KEY ISSUES:

The suggested handbook changes for 2024 include:

- Clarify Section 4.1. Employees hired before February 1, 2017 will be considered for two-step promotions until they reach Step 13 or until reclassified or promoted.
- Health Insurance Advisory Committee and Wellness Committees will be combined.
- Amend Holidays Section to show current practice. Village Manager may designate an alternate day off as a holiday.
- Expand vacation benefits: after completion of five (5), ten (10), eleven (11), twelve (12), thirteen (13), fourteen (14) and nineteen (19) completed years of service. This change re-balances the competitiveness of the Village's vacation program based on comparable community changes in recent years.
- Amend non-bargained police pension employee benefits to maintain parity after promotion to include: Pay unused vacation at separation to the RHS plan; Add advance retirement notice incentive for six months' notice; Enhance sick leave incentive for minimal sick leave usage; Adjust base-line hours for qualified FMLA leave within last 12 months of employment.
- Village Manager may approve alternate payment of unused vacation upon acceptance of resignation or retirement.
- Expand executive leave to select supervisory employees.
- Increase sick leave annual buy-back incentive for employees who use one day or fewer. Eligible employee can now buy-back up to three days sick leave annually.
- Amend sick leave accrual maximums to account for an IMRF employee who reaches maximum IMRF service credit through non-use of sick leave. Pay 50% of balance to RHS plan.
- Move Tuition Assistance Schedule to Employee Intranet, update as needed.

ALTERNATIVES:

1. Approve the recommended changes.
2. Do not approve the recommended changes.

RECOMMENDATION:

Staff recommends adopting the Resolution amending the 2024 Village's Employee Handbook.

ACTION REQUIRED:

A motion to adopt the Resolution amending the 2024 Village's Employee Handbook.

ATTACHMENTS:

- EE Hdbk Resolution 2024
- 2024 Red-Lined Employee Handbook
- Summary of Changes 2024 EE Handbook
- Final 2024 Employee Handbook

RESOLUTION NO. _____

**CONSIDER A RESOLUTION AMENDING THE EMPLOYEE HANDBOOK
OF THE VILLAGE OF PALATINE**

WHEREAS, the Village of Palatine maintains an Employee Handbook that outlines the rules, regulations, benefits and conditions of employment that apply to Village Employees; and

WHEREAS, the Employee Handbook must be updated to comply with State, Federal, and local regulations; and

WHEREAS, should any section or provision of this Resolution, the Employee Handbook, or the incorporated Policy Prohibiting Sexual Harassment be declared invalid, that decision shall not affect the validity of this Resolution, the Employee Handbook, or the incorporated Policy Prohibiting Sexual Harassment as a whole or any part thereof, other than the part so declared to be invalid; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Village of Palatine, that:

SECTION 1: The Employee Handbook is hereby amended to comply with State, Federal and local Regulations, a copy of which is attached hereto and made a part hereof and that this manual is hereby adopted as the Employee Handbook of the Village of Palatine.

SECTION 2: This Resolution shall be in full force and effect on January 1, 2024.

DATED: This _____ day of _____, 2023

AYES: _____ NAYS: _____ ABSENT: _____ PASS: _____

APPROVED by me this _____ day of _____, 2023

Mayor of the Village of Palatine

ATTEST and FILE in the office of the Village Clerk this _____ day of _____, 2023

Village Clerk

Attachment: EE Hdbk Resolution 2024 (2024 Employee Handbook)

EMPLOYEE HANDBOOK

January 1, 202~~4~~3

Attachment: 2024 Red-Lined Employee Handbook (2024 Employee Handbook)

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ARTICLE I. INTRODUCTION

Section 1.1 Purpose of Employee Handbook

Whether you have just joined our organization or have been with the Village of Palatine for many years, we are confident that you will find the organization to be a dynamic and rewarding place in which to work. We look forward to a productive and successful association. Our employees are our most valuable resources.

The Village has always taken pride in the abilities and accomplishments of its employees. It is the Village's policy, so far as the judgment of Village management is able, to pay wages and benefits that are competitive with the market, and recognize the value of its employees. It is also Village policy, generally, to communicate directly with employees and to try and work together to resolve employee concerns as they arise.

The purpose of this Employee Handbook is to present the principle rules, regulations, benefits and conditions of employment that apply to Village employees. Employees are urged to carefully read this Employee Handbook and understand its application. Clarification and interpretation of the Employee Handbook shall be made by the Village Manager as the Chief Administrative Officer of the Village. The Village Manager or his/her designee shall administer the provisions of this Employee Handbook.

This Employee Handbook is not intended to create any sort of contract of employment. Rather, it is intended to describe the Village and its present policies and procedures. These policies and procedures may be changed from time to time as the Village deems appropriate, consistent with state and federal laws. Further, consistent with the principles of at-will employment, employment and compensation can be terminated, with or without cause, and with or without notice, at any time at the option of the Village, except for those employees whose method of appointment or removal is set by State statute or Village ordinance. No representative of the Village, other than the Village Manager as an agent of the Village Council, has the authority to enter into any agreement for a specific period of time, or to make any agreement contrary to the foregoing.

Section 1.2 Collective Bargaining Agreements

Where this Employee Handbook and a Collective Bargaining Agreement between the Village and any of its employees address the same or similar issues or conflict in any way, the provisions of the Collective Bargaining Agreement shall control, and the provisions of the Employee Handbook shall not apply, with respect to any employee covered by the Collective Bargaining Agreement with regards to these issues or conflicts.

Section 1.3 Types of Employment

This Employee Handbook applies to all employees. The Village recruits and employs personnel under the following classifications:

A. Part-Time Employee

Employment that involves being regularly scheduled to work less than thirty-five (35) hours per week. The hours for part-time employment vary by position. Based on the

expected and actual hours worked on a regular basis throughout the year, part-time employees may be eligible for paid leave or pension participation as defined by the Employee Handbook (Section 4.9, etc.) and by Illinois Municipal Fund requirements. Short Term, Seasonal or Temporary Employee.

B. Short-Term, Seasonal or Temporary Employee

Employment which is considered short term or seasonal. An employee under this category is employed for less than three (3) full consecutive calendar quarters during a calendar year, or does not have reasonable assurance of being rehired for the same service in a subsequent calendar year. Unless specifically authorized by the Village Manager as a condition of employment, Intern positions are considered Short Term or Seasonal and are ineligible for paid leave.

C. Full-Time Employee

Employment which involves being regularly scheduled to work thirty-five (35) or more hours per week.

D. Supervisor

Employment as a supervisor shall be identified as an employee whose principle work is substantially different from that of their subordinate and is a member of the management group who has the authority and the interests of the Village, and may direct the daily work activities of a unit or shift of employees, and to whom the employees shall contact for reporting to work late, illness or other absence, and makes requests for authorized leave, and may have the authority to recommend employment, discipline or dismissal.

E. Sworn Employment

Employment as a Sworn employee shall mean all full-time firefighters and police officers who are sworn under oath to uphold state and federal law; and the hiring and promotional processes for these positions are typically governed by the rules and regulations of the Palatine Fire and Police Commission.

F. Confidential

Employment as a Confidential employee shall be identified as an employee who, in the regular course of employee's duties, assists or acts in a confidential capacity to persons who formulate, determine, and effectuate management policies or who have authorized access to information relating to the effectuation or review of management policies. Confidential status shall be assigned by the Department Head with the concurrence of the Village Manager.

G. Management and Professional

Employment as a management or professional employee shall be identified as an employee directly involved in the daily administration of key operational functions

within the departments and the Village as a whole. They are empowered to exercise independent judgment in areas impacting Village-wide concerns. This group is closely aligned with the Executive Leadership Team and is often called upon to assume an “acting director” role in the absence of the Department Head.

H. Executive Leadership

Employment as an executive leadership employee shall mean a Department Director and the position of the Deputy Village Manager. The executive leaders of the organization assist the Village Manager in administering the Village and are granted administrative authority to lead their department. They have a dual role in representing their department and the Village as a whole. They must also represent the Village to their departments to ensure Village policies are fully and properly carried out.

In addition to Employment Types, the Village designates the following Employment Classifications in conjunction with the guidelines for the Fair Labor Standards Act.

A. Exempt Employees

Exempt employees are paid on a salaried basis for all hours of work performed in a workweek and therefore are not entitled to overtime pay pursuant to the Fair Labor Standards Act.

B. Non-Exempt Employees

Non-Exempt employees are eligible for overtime pursuant to the Fair Labor Standards Act.

The employee’s Employment Type shall be used to determine, among other things, eligibility for benefits (assuming employee meets other eligibility requirements of the benefit program). The employee’s Classification will determine eligibility for overtime.

Section 1.4 **Equal Employment Opportunity**

It is the policy of the Village of Palatine to provide equal employment and advancement opportunities to all qualified persons without regard to race, color, religion, sex, sexual preference, sexual orientation, age, disability or handicap, political affiliation, national origin, type of military discharge, marital status, pregnancy or any other basis protected by law. It is the belief of the Village that equal employment opportunity is necessary for the development and maintenance of an efficient work force and for the optimum utilization of human resources. It is the intention of the Village to promote the full realization of equal employment opportunity through a positive, continuing commitment to diversity among the members of its staff. Specifically, the Village seeks to recruit and promote the career growth of qualified minorities, women, veterans, and disabled persons; as well as make reasonable accommodations to further the employment of the disabled.

Any employee with questions or concerns about any type of discrimination in the workplace is encouraged to bring these issues to the attention of his/her supervisor or Human Resources. Any form of retaliation against an employee is strictly prohibited; therefore, employees can raise

concerns and make reports without fear of reprisal. Any employee found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment. The complaint reporting procedure is set forth below in Section 1.7, Resolving Complaints of Harassment or Discrimination.

Section 1.5 **Americans with Disabilities**

The Village is committed to employing and providing equal employment opportunities to individuals with disabilities. The Village also provides reasonable accommodations to applicants and employees who are otherwise qualified to perform the essential functions of the job. Any employee in need of such an accommodation must notify his supervisor, Human Resources or the Village Manager.

The Village may engage in an interactive process with employees to determine the nature of limitations and potential accommodations that might remove such limitations. As part of this interactive process, the Village may request an employee to provide certain information from his or her health care provider regarding the employee's ability to perform the essential job functions with or without a reasonable accommodation.

Upon presentation of medical documentation supporting the need for a workplace accommodation, the Village will consider accommodation of pregnancy pursuant to this procedure to the extent such accommodation does not pose an undue hardship on the ordinary operation of the business of the Village.

Section 1.6 **Harassment**

The Village recognizes its responsibility to all employees to maintain a working environment free from sexual harassment and other forms of harassment. This policy prohibits all forms of harassment or other workplace discrimination based on an employee's or applicant's legally protected status. This includes conduct, whether verbal, physical, or visual, that denigrates or shows hostility or aversion toward an individual based upon that person's race, color, religion, sex, sexual preference, sexual orientation, age, disability or handicap, political affiliation, national origin, type of military discharge, marital status, pregnancy or any other basis protected by law. To achieve this environment, appropriate methods, such as affirmatively addressing the subject, expressing strong disapproval, developing appropriate sanctions, and informing employees of their right to raise the issue of harassment are utilized to alert employees to the problem.

A. **Harassment Not Tolerated**

The Village will not tolerate harassing conduct that has the purpose or effect of interfering unreasonably with an individual's work performance, affecting an individual's tangible job benefits, or creating an intimidating, hostile, or offensive work environment. The Village discourages any such conduct in the workplace, and this policy prohibits harassment based on an individual's protected status, even if it does not rise to the level of a legal violation.

B. Sexual Harassment

As with other forms of harassment, harassment on the basis of sex is a violation of State, Federal and Local Laws. Sexual harassment includes any harassing conduct based on gender or sexual orientation, regardless of whether the conduct is sexual in nature. Any unwelcome conduct based on gender is also forbidden by this policy regardless of whether the individual who engaged in the harassment and the individual being harassed are of the same or different genders.

While sexual harassment can take several forms, unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

1. submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment,
2. submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting an individual, or
3. such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

C. Prohibited Conduct

The Village considers the following conduct to represent some of the types of acts which violate the Village's Sexual Harassment Policy. These examples should not be construed as an all-inclusive list of prohibited acts under this Policy.

1. Physical contact of a sexual nature, such as:
 - a. Rape, sexual battery, molestation, or attempts to commit these assaults;
 - b. Intentional physical conduct which is sexual in nature such as touching, pinching, patting, grabbing, brushing against, or poking another employee's body.
2. Unwanted sexual advances, propositions, or other sexual comments such as:
 - a. Sexually-oriented gestures, noises, remarks, jokes, or comments about a person's sexuality, sexual orientation, or sexual experience directed at or made in the presence of any employee;
 - b. Preferential treatment, or promises of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward;

- c. Subjecting, or threats of subjecting, an employee to unwelcome sexual attention or conduct intentionally making performance of the employee's job more difficult because of that employee's sex.
3. Sexual or discriminatory displays or publications anywhere in the Village's workplace by Village employees such as:
- a. Displaying pictures, posters, calendars, graffiti, objects, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning, or pornographic, or bringing into the work environment or possessing any such material to display or view at work. A picture will be presumed to be sexually suggestive if it depicts a person of either sex who is not fully clothed or in clothes that are not suited to or ordinarily accepted for the accomplishment of routine work in and around the Village and who is posed for the obvious purpose of displaying or drawing attention to private portions of his or her body;
 - b. Publicizing in the work environment material that is in any way sexually revealing, sexually suggestive, sexually demeaning, or pornographic;
 - c. Displaying signs or other materials purporting to segregate an employee by sex in any area of the workplace.

D. Employee Responsibility

Everyone at the Village can help assure that our workplace is free from prohibited discrimination or harassment. Every employee is expected to avoid any behavior or conduct that could reasonably be interpreted as prohibited harassment under this policy. Employees are encouraged to inform others in the workplace whenever their conduct is unwelcome, offensive, inappropriate, or in poor taste. In addition, employees should come forward with complaints about alleged problems or violations of this policy at any time. Employees are expected to come forward promptly and report any problems pursuant to this policy before the alleged offending behavior becomes severe or pervasive. Complaints need not be limited to someone who was the target of the alleged offending conduct. Anyone who has observed an alleged violation of the policy is also encouraged to report such conduct. No employees, not even the highest-ranking people in the Village are exempt from the requirements of this policy. This policy forbids any employee, supervisor, elected official, vendor, client, customer or other person to harass any employee of the Village.

E. Retaliation Prohibited

The Village will not retaliate or take reprisal in any way based on the fact that an employee has articulated a concern about harassment or discrimination against the individual raising the concern or against another individual; participates in an investigation of a complaint, whether internally or with an external agency; files a charge of discrimination or harassment; or otherwise provides information in a proceeding, including in a court, administrative or legislative hearing, related to

violations of discrimination or harassment laws. Retaliation prohibited by this policy includes, for example:

1. Disciplining, changing work assignments of, providing inaccurate work information to, or refusing to cooperate or discuss work-related matters with any employee because that employee has complained about or resisted harassment, discrimination, or retaliation; and
2. Intentionally pressuring, falsely denying, lying about, or otherwise covering up or attempting to cover up conduct such as that described in any item above.

F. Discipline

An employee who engages in conduct which violates this policy will be subject to disciplinary action, up to and including termination of employment.

Section 1.7 Resolving Complaints of Harassment or Discrimination

A. Reporting

If an employee experiences or witnesses any conduct that he or she believes is inconsistent with the Village's policies against harassment or discrimination, the Village expects the employee to immediately report the conduct to his or her supervisor, the Human Resources Director or the Village Manager. This policy does not require that the employee report the conduct to any individual who is engaging in the conduct. Employees need not follow the chain of command to report a complaint or discuss offending behavior with the employee offender.

B. Supervisory Responsibility

Any supervisor or manager who has knowledge of suspected prohibited conduct, or to whom a complaint has been made, must promptly report the conduct to the department head, Human Resources Director, or the Village Manager. The failure of a supervisor to report suspected violations of this policy may result in discipline.

C. Investigation/Interim Measures/Conclusion

All reports describing conduct that is inconsistent with this policy will be investigated promptly. Employees who believe they have been subjected or exposed to discrimination or harassment prohibited by this policy have the right to have any such activity terminated immediately. The Village may put reasonable interim measures in place, such as a leave of absence or a transfer, while the investigation takes place. The Village will take further appropriate action once the report has been thoroughly investigated. That action may be a conclusion that a violation occurred, as explained immediately below. The Village might also conclude, depending on the circumstances, either that no violation of the policy occurred or that the Village cannot conclude whether or not a violation occurred.

D. Corrective Action

If an investigation reveals that a violation of this policy or other inappropriate conduct has occurred, then the Village will take corrective action, including discipline up to and including dismissal, as is appropriate under the circumstances, regardless of the job positions of the parties involved. The Village may discipline an employee for any inappropriate conduct discovered in investigating reports made under this policy, regardless of whether the conduct amounts to a violation of law or even a violation of policy. If the person who engaged in harassment is not employed by the Village, then the Village will take whatever corrective action is reasonable and appropriate under the circumstances.

E. External Process

The Village of Palatine hopes that any incidents of inappropriate behavior can be resolved through the internal process outlined, above. All employees however, have the right to file formal charges with the Illinois Department of Human Rights, 555 W. Monroe St., 7th Floor, Chicago, IL 60661 (312) 814-6200 or to the Federal Equal Employment Opportunity Commission, JCK Federal Building, 230 S. Dearborn St., Chicago, IL 60604 (312-872-9744). In addition, an appeal process is available through the Illinois Human Rights Commission, (IHRC) after IDHR has completed its investigation of the complaint: Illinois Human Rights Commission Chicago: 312-814-6269 Chicago TTY: 312-814-4760; Springfield: 217-785-4350 Springfield TTY: 217-557-1500.

F. False Complaints

It is critical in establishing a workplace free of harassment that a victim of an incident perceived as being harassing has access to a mechanism for reporting such incidents. At the same time, the purposes of this policy are not furthered where a complaint is found to be false and frivolous and made to accomplish some other end than stopping harassment. A complaint that is determined to be false and frivolous can result in a severe level of discipline or discharge. A false or frivolous complaint does not refer to complaints made in good faith that cannot be proven.

G. Elected/Appointed Officials

Because the Village promotes civility and respectful interactions at all levels of the organization, it is critical that elected and appointed officials understand their responsibility to comply with this policy. Elected and appointed officials are also expected to treat each other in a manner consistent with this policy. Any elected or appointed official who believes they have experienced prohibited conduct by another elected or appointed official that is inconsistent with the Village's non-harassment policy may notify the Human Resources Director or the Village Manager. After receiving the complaint, the Village will initiate an investigation using an independent investigator experienced in investigating workplace harassment complaints.

Section 1.8 **Immediate Family**

Unless otherwise specified, the term “immediate family” shall include the following members: spouse, parents, grandparents, mother-in-law, father-in-law, brother, sister, sister-in-law, brother-in-law, son, daughter, stepson, stepdaughter, son-in-law, daughter-in-law, grandchildren and step-parents.

ARTICLE II. APPOINTMENTS AND PROMOTIONS

Section 2.1 **Employment Policy**

The Village Manager, or Village Manager’s Designee, shall have the responsibility and authority for recruiting, selecting, retaining, suspending and removing all Village employees other than those employees whose method of appointment or removal is subject to Palatine Fire and Police Commission procedural rules.

A. Applicants

Applicants shall generally be selected on the basis of merit, training, experience and other job related factors. Applicants are subject to a background check, and Fleet Safety Guidelines (if employed in a position which requires driving a Village vehicle). Other requirements may apply by department.

B. Internal Applicants

The Village will attempt, so far as it deems possible, to fill vacancies from among existing employees when deemed by the Village Manager to be in the best interest of the Village. The Village shall not, however, be bound to fill a vacancy by transfer or promotion of an existing employee.

C. Fire & Police Commission

The recruitment, employment, termination of employment, and some disciplinary procedures for all employees under the jurisdiction of the Fire and Police Commission of the Village of Palatine may be subject to the rules and regulations of that Commission.

D. Orientation

A new employee shall receive an orientation by appropriate staff and their respective Department. Orientation consists of an overview of Village organization, rules and regulations, benefits and general procedures. Each Department is responsible for orienting new employees to departmental guidelines and procedures specific or unique to their Department.

E. Evidence of Identity and Employment Eligibility

Employees must provide evidence of identity and employment eligibility within three (3) days of their start date. New employees will be advised as to the proper documents that must be provided to the Village.

F. Village IDs

Village IDs will be given to all full-time and part-time employees as required to perform their job as a means to identify employees when dealing with the public. Employees shall identify themselves to the public when in the field as Village employees. Village IDs are also used for access to some employee buildings. If an employee loses an ID, employee must report the loss to their supervisor.

G. New Employee Training

New employees shall receive a list of National Incident Management System (NIMS) courses which apply to their position. These courses must be successfully completed within the first six (6) months of employment. Employees, as part of their Village employment, may be asked to staff the Emergency Operations Center (EOC) or participate in a response to a local or regional emergency event.

H. Electronic Records

An employee can view their electronic record through the HR Portal which can be found at <http://hr.palatine.il.us>. Requests to re-set a password can be directed to Human Resources through email at: hr@palatine.il.us or at extension 6652.

I. Employee Personal Information

Employees are expected to timely update the Village and associated vendors of change in name, address, status or dependents. The Village can be updated through the HR Portal.

Section 2.2 Nepotism/Non-fraternization

For the purpose of this Employee Handbook, nepotism shall be defined as favoritism shown, or patronage granted in the employment decision made by the Village to the immediate family of Village employees, as defined in Article I, Section 1.8.

A. Avoiding Conflict of Interest

In order to avoid an actual or potential conflict of interest in employee hiring, supervision and/or allocation of duties, employment and personnel decisions shall not be made on the basis of nepotism nor under circumstances which reasonably create the appearance of nepotism to the public.

1. The hiring of immediate family members of elected Village Officials or the Village Manager shall be prohibited under this policy. Those employees whose employment preceded the candidacy or election of a Village Office shall be unaffected by this policy.
2. This policy does not apply to those individuals who are uncompensated and serve on Village Commissions or Boards.

3. Nothing herein shall apply to the hiring of persons whose application and appointment are under the jurisdiction of the Fire and Police Commission of the Village.
4. If employment of immediate family members exists, or is later established, and an actual or potential conflict arises, the Village Manager and the appropriate Department Head(s) will endeavor to resolve the conflict by conciliation, transfer or other appropriate action, including termination. These situations will be resolved on a case-by-case basis.

B. Relationship Conflict of Interest

The Village considers certain personal/dating relationships to be inappropriate. Such relationships could create disruptions in the workplace and could negatively affect the morale of other Village employees. Equally important, such activity can create the appearance of favoritism and/or the potential for unfair treatment or the appearance of a conflict of interest. Therefore:

1. Executive Leadership employees are prohibited from engaging in a personal/dating relationship with any other Village employee.
2. All other employees who serve in a management professional, supervisory or managerial position are prohibited from engaging in a personal/dating relationship with any person with whom he/she has a direct reporting relationship and/or who is also employed within the same department.
3. Employees who serve in a management professional, supervisory or managerial position are required to disclose to their supervisor any personal/dating relationship with any person within the same department. The purpose of this disclosure is to determine compliance with this policy and if necessary set specific guidelines to avoid conflicts due to the relationship.
4. If the Village becomes aware of a violation of this policy, appropriate corrective and disciplinary action will be taken to remedy the situation, up to and including dismissal or transfer of one or both employees.
5. This policy applies without regard to marital status, gender or sexual orientation and situations will be addressed on a case-by-case basis to avoid even the appearance of a conflict of interest.

Section 2.3 Probation

A. Probationary Period

Unless otherwise designated by the Village Manager, the first twelve (12) months of employment with the Village, or the first six (6) months after a promotion or reclassification, is considered a probationary period to determine whether the employee is well-suited for the position.

Successful completion of the probationary (trial) period does not mean an employee has a permanent job. Except for those employees covered by a collective bargaining agreement with contrary provisions, all employees are at-will and may be disciplined or discharged at any time for any reason.

B. Sworn Employees

The probationary period for Sworn personnel in the Police and Fire Departments is determined by the Fire and Police Commission, subject to State statute.

Section 2.4 Promotion

As vacancies occur in positions other than those in the lowest pay ranges, the Village will attempt, so far as it deems possible and appropriate, to fill these positions from among current staff members. If the Department Head is not satisfied with the employee's performance during the first six months, the Department Head may return the employee to employee's former position.

Section 2.5 Transfers

Employees may be transferred between departments to satisfy the needs of the Village. Transfers of employees between departments, on either a regular or temporary basis, may be made upon the recommendations of the Department Heads of the affected departments and with the approval of the Village Manager.

Section 2.6 Residency Requirement

Residency within the specific area stated in the Village of Palatine Employee Handbook, is a condition of continued employment.

A. Residency Boundaries

All Village of Palatine employees shall be actual full-time regular residents of and maintain their domicile within the State of Illinois geographical area described as follows:

The Illinois/Wisconsin state line on the north; Lake Michigan on the east; Interstate 74 (I-74) on the south; and the Illinois/Iowa state line on the west.

B. Executive Leadership Requirements

Department Heads (Executive Leadership Team) are required to be actual full-time permanent residents of and maintain their domicile within the corporate limits of the Village of Palatine unless otherwise authorized.

C. Applicant/New Hire Requirements

There is no residency requirement for applicants for employment; however, within twelve (12) months from the date of employment, newly hired employees must comply with the provisions set above.

D. Exemptions

The Village Manager may, in their discretion, exempt an employee from the residency requirement if compliance would impose an undue hardship on such employee.

E. Violations

Any employee who violates any provision of this policy shall be deemed to have resigned from their position of employment with the Village of Palatine (no matter when the violation is discovered).

ARTICLE III. HOURS OF WORK AND OVERTIME

Section 3.1 Normal Work Periods

A normal work period for regular, full-time employees shall constitute:

- A. Thirty-five (35) hours per week for employees in Village Administration, Village Clerk's Office, Finance and Operations, Community ~~Development Services, Planning & Zoning,~~ Information Technology and clerical and administrative employees in the Public Works Department.
- B. Forty (40) hours per week for all Executive Leadership employees, employees in the Public Works Department, uniformed civilian employees in the Police Department, and designated civilian employees in the Fire and Police Departments with the exception of those employees covered in Section 3.1 (A) above.
- C. Sworn shift personnel in the Fire Department shall perform under a regular recurring schedule as determined by the Department which shall not exceed nineteen (19) days with a maximum non-overtime accumulation of one hundred and forty-four (144) hours in the nineteen (19) day work period.
- D. Police officers who are members of a collective bargaining unit shall perform under a regular recurring schedule as determined by the Police Chief.
- E. The work periods of supervisory, middle management and professional employees shall be determined by the employees' respective Department Heads.

Section 3.2 Normal Working Hours

A. Work Hours/Tracking Time Using Executime Software

An employee's normal working hours will be determined by the Department Head, upon concurrence of the Village Manager.

1. Department Heads (or their designee) will verify and approve the time worked and leave time taken for each assigned employee as required by the Village Manager using the Executime software program.

2. Approvals in Executime will be approved no later than 12:00 p.m. on the Monday after the end of the pay period.
3. Employees are responsible for the accurate input of time worked and leave taken as implemented for the employee's department.
4. Any corrections or changes to the time record shall be submitted to Finance using the Payroll Correction Request Form.

B. Start Time/Notice if Unable to Work

An employee is expected to report promptly at the designated starting time, and to devote their entire effort to Village business during his scheduled working hours.

1. In the event an employee is unable to report to work due to illness or other emergency, employee must inform his Department Head or their designee within thirty (30) minutes of his designated starting time.
2. Due to the emergency nature of the fire service and minimum manning requirements, all Sworn fire personnel must notify the Fire Chief or Chief's designee sixty (60) minutes prior to the member's designated starting time.
3. In the event a Department Head is unable to report to work, Department Head must notify the Village Manager and the respective department.

C. Department Scheduling

Department Heads may adjust their employee's working hours to meet the needs and demands of their departments, subject to the approval of the Village Manager.

D. Off-the-Clock Work Prohibited

The Village does not allow non-exempt employees to work "off-the-clock" without compensation and does not allow non-exempt employees to work additional hours without prior authorization and approval.

E. Overtime Authorization and Approval

Employees are not permitted to begin work prior to their authorized starting time nor work past the end of their scheduled work shift without the expressed prior permission of their supervisor.

Section 3.3 Lunch and Rest Periods

Department Heads are authorized to establish reasonable lunch and rest periods during each working day. Determination of time and length of lunch and rest periods will be arranged as the Department Head feels is most consistent with the effective operation of the department. However, each full-time employee shall be entitled to an uninterrupted lunch period of at least thirty (30) minutes and at least one rest period of fifteen (15) minutes each working day.

Section 3.4 Overtime

A. Non-Exempt Employee Overtime

Overtime for full time, non-exempt employees shall consist of authorized work in excess of the normal number of scheduled work hours for any calendar week, as defined herein:

1. In cases where the employee performs authorized work in excess of the normal hours scheduled per day, the Department Head may reduce the employee's working hours during the same work period in order to minimize the cost of overtime.
2. All overtime must be authorized in advance by the Department Head or by a designated Supervisor unless otherwise stated by departmental policy.
3. Where overtime is authorized, eligible employees may receive one and one-half (1 ½) times their regular rate of pay for every hour worked in excess of forty (40) hours worked per week. Those employees who work a thirty-five (35) hour week will earn their hourly rate of pay for all hours worked up to forty (40) hours unless otherwise stipulated in writing by the Village Manager.
4. Overtime for Sworn police and fire employees is governed by applicable collective bargaining agreements as well as state and federal law.

B. Supervisor Overtime

Overtime for supervisory personnel (as defined in Section 1.3) is not a policy. It is implicit in the nature of administration and certain supervisory positions, as determined by the Department Head or the Village Manager, that time beyond the normal work schedule may be spent on the job.

Section 3.5 Optional Compensatory Time

A. Compensatory Accrual

In lieu of cash payment for overtime hours worked, a non-exempt employee may request that for the work performed in excess of the normal work period, compensatory time off may be accrued according to the provisions as stated below. The accrual of compensatory time requires the approval of the employee's Supervisor. Absent such approval, the employee shall not receive compensatory time but shall instead receive paid compensation for his or her overtime hours.

1. Non-exempt employees whose normal work period is less than forty (40) hours per week may receive compensatory time on an hour-for-hour basis for each hour worked in excess of their normal work period up to a forty (40) hour per week limit.
2. For non-exempt public works employees and other non-exempt employees whose regular work period consists of a forty (40) hour work week, any hours worked in excess of the forty (40) hours shall be rewarded at the rate of one and one-half (1

½) hours for each hour worked in excess of the forty (40) hour work period and shall be counted towards the maximum accumulation of compensatory hours earned.

3. Those employees under the FLSA Section 207(k) (special rules for determining compensable hours of work for public safety employees) exemption shall be compensated at the rate of one and one-half (1-1/2) hours for each hour worked in excess of the maximum hours allowable under the particular 207(k) exemption. These hours shall be counted towards the accumulation of compensatory hours earned.

B. Compensatory Time Limits

No employee shall be allowed to accumulate over one hundred forty-four (144) hours of compensatory time without written permission of the Village Manager. The Village may, in its discretion, pay out some or all of an employee's accrued, unused compensatory time at any time or schedule an employee for compensatory time as operationally necessary. Upon separation either through termination or retirement, the employee will be compensated for the amount of compensatory time accrued. In the event the employee does not utilize compensatory time in a timely fashion due to work requirements beyond the employee's control, the employee may request in writing a continuation of accrual from their Department Head, subject to the approval of the Village Manager.

Compensatory time shall be taken at a time mutually agreed upon in advance by the employee and the Department Head or designated supervisor. The use of compensatory time shall be permitted within a reasonable period after making the request if such use does not "unduly disrupt" the operations of the Village.

Section 3.6 Light Duty Policy

The best interests of the Village and its employees are served by injured or ill employees returning to work as soon as they are able. The goal of a light duty program is to progressively move an injured worker from restricted work status to full working capacity, with as little time as possible away from the workplace. It is not a permanent accommodation of a disability. When employees are on a leave of absence for an injury or illness, the Department Head may recommend and the Village Manager approve, light duty under the following specifications.

- A. Upon request submitted by an employee along with a physician's report, the Department Head, in consultation with the Village Manager, may seek to identify light duty that can be accomplished by the employee. Some departments may not have light duty work available and some employees may not be able to perform certain light duty jobs due to skill required. The Department Head shall review each case on an individual basis and shall determine if the employee's health status and the Department's work environment are such that the injured/ill employee could fill a limited work status.
- B. The work the employee performs must be within the physical limitations prescribed by the employee's and/or Village designated physician.

- C. The work the employee performs must have existed within the Department before the illness or injury occurred (i.e. the Village will not “make work” for an employee).
- D. No employee will be moved from their regular job in order to make a light duty situation available to another employee.
- E. The performance of light duty work shall not otherwise disrupt the functioning of the department.
- F. An employee who is authorized and assigned light duty work shall continue in their status as an employee of the Village with the same wage and benefits that were assigned to their regular position.
- G. The Village may require the employee to submit to an examination by another physician at the Village’s expense in order to determine the employee’s fitness for duty, even light duty. The determination of the Village’s physician will govern in the case of a dispute between the Village’s physician and the employee’s physician. The Village also reserves the right to review an employee’s status at any time during the duration of the light duty assignment.
- H. The decision of the Village Manager shall be final with respect to the determination of whether a light duty assignment is available within the limits of the physician’s restrictions. No light duty assignments will be made permanent and requests for light duty may be denied where there is no reasonable expectation of the employee returning to full duty within ninety (90) days. While there is no guarantee of a light duty assignment for any period of time, generally, light duty will not be offered beyond ninety (90) days. Light duty assignments are temporary assignments that are made on a case-by-case basis, and to the extent that modified duty assignments cease to serve the operational needs of the Village, light duty assignments will be terminated.
- I. An employee assigned to light duty will be subject to ongoing evaluation of the employee's physical status and of the availability of legitimate work. The Village reserves the right to terminate any light duty assignment at any time if the Village’s physician determines that an employee is capable of returning to employee’s normal job duties, or for any other reason deemed appropriate by the Department Head and Village Manager. If at any time, with or without accommodation, an injured employee is unable to resume the duties of the employee’s position as defined by the employee’s official job description, they shall either be reclassified or reassigned, placed on a leave of absence with or without compensation, apply for a disability pension or be terminated. Such decision shall be made by the Village Manager and Department Head based on the circumstances of each specific case and in accordance with applicable laws.
- J. It is the intention of any light duty assignment to facilitate the employee’s return to the workplace while ensuring that the employee remains focused on achieving maximum medical improvement so that they may return to full duty with the Village. While on light duty, employees will not be permitted to work overtime or engage in any secondary employment. While on light duty, employees must limit their physical activities to comply with the medical restrictions as outlined by the treating physician while at work as well as during off duty hours. Failure to adhere to the medical restrictions outlined by the

physician, either at work or during off duty hours may result in the termination of the light duty assignment and may be grounds for disciplinary action.

- K. Failure to report for or to carry out the assignments of the light duty work status may result in disciplinary action, up to and including termination of employment.
- L. This policy will be interpreted and applied consistent with all of the Village's obligations under the Family and Medical Leave Act, the Americans with Disabilities Act and all other applicable laws and exemptions will be made only as necessary to comply with those laws and as approved by the Village Manager in writing.

ARTICLE IV. PAY PLAN AND PAY PERIOD

Section 4.1 **Composition of Pay Plan**

The Pay Plan consists of two pay schedules. Both schedules include the minimum and maximum rate of pay. The Step Plan is covered under Schedule 1 of the Salary Ordinance. Executive Leadership, Management/Professional and Other Plan is covered under Schedule 2.

A. Step Plan

The Step Plan includes intermediate steps for all established job classification positions in the Village service.

There are generally sixteen (16) steps in the Step Compensation Pay Plan, also known as Schedule 1 of the Salary Ordinance. Each step above the hiring rate in the pay range is termed a merit rate. Every step can be interpreted as follows:

1. The rate/step at which the employee is hired is the base rate/step in the pay range for that employee. An employee usually remains at this base step for a minimum of twelve (12) months.
2. Once an employee successfully completes the first twelve (12) months, employee shall be reviewed and may be considered for a merit increase to the next step in their pay range. (Example: Employee is hired at Step One (1), reviewed as overall "Commendable or Satisfactory" at twelve months, then increased to Step 1A).
3. The first Steps, Step One (1) through Step Thirteen (13) represent the merit ranges where recognition is attained when the employee has demonstrated continual development and advancement of skills and abilities; performance of assigned tasks with greater and increasing skills; exemplary behavior; increased work effort; and high quality of work.
4. Advancement after Step Thirteen (13) represents merit ranges where recognition is attained when an employee has "Distinguished, Surpassing or Outstanding" performance ratings in at least three (3) evaluation categories and NO ratings below "Competent, Commendable or Satisfactory". Additionally, the employee

must have recommendation by the Department Director based on work program and contributions to the department and organization.

5. Employees on the Step Plan who were hired before February 1, 2017 will be considered for two-step promotions until they reach Step Thirteen (13) or until reclassified or promoted.

B. Executive Leadership, Management/Professional and Other Plan

Employees in the Executive Leadership and Management Professional Classification are evaluated annually, and may receive a salary increase based on performance.

Exceptions to Pay Plan progression are within discretion of the Department Head and subject to the approval of the Village Manager.

Section 4.2 Development and Maintenance of Salary Ranges

Salary ranges will be developed and maintained in conjunction with the annual budget process.

Section 4.3 Rate of Pay at Hire

- A. The rate of pay at hire will not be below the minimum rate for the position. Rates in excess of the minimum (for recognition of prior experience or exceptional training) must be recommended by the Department Head and approved by the Village Manager. Any such approval will be limited to recognition of exceptional qualifications or a lack of available applicants at a lower rate.

B. Starting Rate – Step Plan

The normal beginning pay rate for a new employee on the step plan will be the hiring step within the pay range established for the job position. The Village Manager may make exception upon request from the Department Head.

C. Starting Rate - Schedule 2

The normal beginning pay rate for a new employee on Schedule 2 of the Salary Ordinance will be within the pay range established for the position.

Section 4.4 Salary Adjustments

A. Annual Review

Annually, employees shall be reviewed for performance. Each employee who is not already at the maximum rate for employee's position shall be considered for a merit-based salary step increase based on the performance review.

1. Review Date defined. The employee's review date for all non-Sworn personnel for purposes of salary adjustments will be one (1) year from the date of hire, then annually after the first review.

2. **Reviews after Promotion.** Employees who have been promoted or reclassified will be reviewed for performance and salary adjustment one (1) year from the effective date of the promotion or reclassification. Recommendations for merit pay increases on review dates shall not be automatic or based merely on the passage of time. Rather, determination of an increase shall be based upon the written recommendation of the Department Head and the approval of the Village Manager.
3. **Merit/Step increase denied.** Employees who do not receive salary step increases on their review dates may receive such increases before the next review date if, in the discretion of Village management, such an increase would be appropriate. If such an increase is awarded, this will not alter the consideration of any increase on the employee's next review date.
4. **Double Step Increase.** The Village Manager may, on the basis of written recommendations from the Department Head, provide a salary increase of more than one step on the employee's review date. (Example: Department Head recommends a Merit or Step Increase from existing Step 8 to Step 10. It is approved, thus skipping Step 9.)

B. Promotion

When an employee has been promoted, or employee's position has been reclassified to the class position in a higher range, the Village Manager will, upon written recommendation from the employee's Department Head, determine the appropriate level of pay compensation. The employee's new review date will be the date one (1) year following the date the employee is reclassified. The salary level will not be lower than the salary the employee was receiving before such promotion or reclassification.

C. Unsatisfactory Performance

If an employee is determined to have not satisfactorily performed duties that are expected of the position, the Village Manager may also lower that employee's pay classification upon recommendation of the Department Head or defer to a later time.

Section 4.5 Performance Evaluations

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, on-going basis. Formal performance evaluations are to be conducted generally on an annual basis (or more frequently as determined by management), to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, establish goals and discuss positive, purposeful approaches to meet those goals.

Section 4.6 Pay Period

Employees are paid biweekly on Friday. When a regularly scheduled payday falls on a holiday, checks will be issued on the previous work day.

Those persons hired or terminating their employment in the middle of a pay period, shall be paid at an hourly rate based on their current salary schedule for hours worked in the next scheduled pay period after their hiring or after their termination.

Section 4.7 Payroll Deductions

- A. Automatic payroll deductions are made for federal and state of Illinois income tax purposes, for the employee's pension contributions and social security, and other legally mandated deductions, where applicable.
- B. The employee may request other payroll deductions (charitable organization, voluntary benefit plans, etc.) provided the Village Manager has authorized those types of deductions and the employee has signed the written authorization forms.
- C. Employees are strongly encouraged to use direct deposit. With direct deposit, pay is electronically deposited into the employee's designated account(s) at participating financial institutions. The employee directs where and how the earnings are deposited. This reliable process eliminates the need to make a trip to the bank each pay period.

Section 4.8 Payroll Errors

While we attempt to be careful when computing all hours worked and we expect that mistakes will be the exception, if you have reason to believe that there is an error in your paycheck and/or if you believe you are entitled to additional overtime compensation that does not appear within your payroll check, we encourage you to promptly report the matter to the attention of your Department Head. Whenever possible, please report such potential errors within five (5) working days so that the matter can be investigated and promptly remedied if appropriate to do so. Be assured that no retaliation will be taken or tolerated against any employee who reports a potential payroll error. We appreciate your cooperation in helping us to address these issues when they arise.

Section 4.9 Part-Time Employment Policy

- A. Part-time employees and Interns of the Village shall be compensated within the salary range specified in the Personnel Salary Schedule. This range may be adjusted during the annual budget process pursuant to changes in the cost of living or other economic variables. All part-time employees shall start at the minimum salary range unless otherwise approved by the Village Manager.
- B. Part-time employees shall be eligible for a merit increase subject to the recommendation of the Department Head and approval by the Village Manager at twelve months and, annually thereafter as any other employee, on their review date in conjunction with a performance appraisal.
- C. Part-time employees shall be eligible to receive prorated Holiday pay for hours normally worked in accordance with Section 6.1 C, and Vacation, in accordance with Section 6.4 F.
- D. Part-time employees shall be eligible for pro-rated Jury Duty pay (Section 7.10) and up to one day of pro-rated Funeral Leave (Section 7.10).

- E. Part-time employees shall also be eligible for the Translation Incentive as outlined in Section 5.10.

Section 4.10 **Demotions**

A Department Head, with the concurrence of the Village Manager, may demote an employee to a lower paid job classification if Department Head deems the employee is not meeting the essential job requirements of the employee's present position (either with or without a reasonable accommodation), or if the position is substantially changed, or if it is in response to a request of the employee.

- A. Employees promoted to a higher classification must maintain satisfactory performance in the new position. If performance in the higher classification is deemed unsatisfactory by the Department Head, with approval of the Village Manager, the employee will be returned to the classification and pay step from which they were promoted or will be placed in another available position.
- B. When an employee is demoted, the employee will receive the salary in the classification to which the employee is demoted.
- C. The Department Head generally will try, insofar as deemed possible, to give employees notice of at least three (3) days before demoting the employee.
- D. In rare instances, the employee's salary may be frozen or "red-lined" if the nature of the employee's position has changed, and the duties no longer meet the classification (because the duties fall into a lower paid classification). The employee's salary may be frozen until the job duties and range coincide, or for a period up to twelve (12) months.

ARTICLE V. EMPLOYEE BENEFITS

The Village reserves the right to add to, delete or modify benefits as necessary to meet its business demands and for other appropriate reasons. The employee benefits described in this article are mere summaries of these benefits and the actual plan documents will govern in all cases in the event of a conflict between the provisions of this Employee Handbook and the actual plan document.

Section 5.1 Longevity

Eligible employees (hired on or before December 31, 2011) shall be paid longevity pay in addition to their base salaries. The payment will occur two (2) pay periods prior to Christmas of the year the employee's longevity anniversary date occurs; payment represents twelve (12) months ending in December.

A. Longevity Schedule for Employees Hired On or Before December 31, 2011

After 8, 9, and 10 years of full-time service - \$300.00.

After 11, 12, 13, and 14 years of full-time service - \$550.00.

After 15, 16, 17, 18, and 19 years of full-time service - \$750.00.

After 20 years of full-time service - \$1,000.00.

B. Proration at Termination

In the event an employee separates in good standing prior to the longevity pay date, a prorated share of their longevity bonus will be paid with the final paycheck.

C. Proration for Unpaid Leave of Absence

Longevity will be prorated for unpaid leaves of absence.

D. Longevity for Sworn Position

For employees hired into sworn positions, the Longevity Schedule is determined by the collective bargaining agreement. Sworn employees promoted to sworn positions outside of the bargaining unit shall maintain eligibility to receive annual longevity; however, the Longevity Schedule for the promoted employee shall be consistent with the schedule in Section 5.1A

Section 5.2 Medical and Dental Insurance

The Village currently offers medical and dental insurance coverage for eligible employees and their eligible dependents after a thirty (30) day waiting period. A prescription drug benefit is also available. Questions regarding insurance coverage and the eligibility requirements and terms that apply, should be directed to Human Resources or refer to the Policy Booklet.

Section 5.3 Employee Health Insurance Advisory Committee

The Village has established an Employee Health Insurance Advisory Committee, consisting of representation from all employee groups in order to provide a direct link between the employees and the Village's health insurance advisors. This committee shall meet as required and provide the Village Manager with feedback pertaining to the Village's employee benefits program and the administration of the plans. In addition, the annual wellness program will be planned and implemented.

Section 5.4 Flexible Benefit Plan

Full-time employees may participate in the voluntary Flexible Benefit Plan. Under this plan, employees can enroll in various types of benefits. They can have deductions made from their paychecks on a pre or post-tax basis to pay for these benefits. Benefits available under this plan include: medical reimbursement account, dependent care account, disability insurance, cancer insurance, universal life and term insurance. Any questions regarding the terms or eligibility requirements for this Plan should be directed to Human Resources.

Section 5.5 Life Insurance/Accidental Death and Dismemberment

In addition to any benefits payable under the Illinois Municipal Retirement Fund or Fire and Police Pension Funds, the Village currently provides all eligible full-time employees with a life insurance policy covering natural death and accidental death and dismemberment, at such level as periodically established by the Village Council, upon recommendation of the Village Manager. Information concerning this policy and the terms and eligibility requirements are available from Human Resources.

Section 5.6 Pension/Retirement Planning

The Village is covered by various pension funds and plans. State statute requires pension contributions to be deducted from all eligible employees' paychecks. If an employee obtains the required years of creditable service and otherwise satisfies the requirements of the Plan, they will be eligible for a monthly pension at a set age as specified in each plan. If an individual terminates employment prior to meeting the service and age requirement, they may request a refund of their contributions. For more information on the details of each fund and the remaining terms and eligibility requirements, contact your Retirement Plan Administrator. These benefits can be summarized as follows:

A. Illinois Municipal Retirement Fund

All Village employees who work over 1,000 hours per year, except Sworn personnel, are covered by the Illinois Municipal Retirement Fund. An amount is deducted from each employee's payroll check for employee's contribution to the plan. In addition, the Village, as the employer, also contributes to this fund.

B. Fire Pension Fund

All Sworn members of the Fire Department may be covered by the Fire Pension Fund or other statewide fund as determined by Illinois Compiled Statutes. An amount is

deducted from each employee's earnings for their contribution to the plan. The Village, as the employer, also contributes to this fund.

C. Police Pension Fund

All Sworn members of the Police Department may be covered by the Police Pension Fund. or other statewide fund as determined by Illinois Compiled Statutes. An amount is deducted from each employee's earnings for their contribution to the plan. The Village, as the employer, also contributes to this fund.

D. Deferred Compensation

All full-time and part-time employees are eligible to participate in a Deferred Compensation Plan to provide the employee with added retirement savings. The Plan allows employees to defer, on a pre-tax basis, a dollar amount or percentage of pay. At retirement or termination of employment, various payment options are available to the individual. Information on the Deferred Compensation Plan is available from Human Resources.

The details, terms and eligibility requirements of these benefit programs as well as newly implemented plans are governed by the applicable Plan documents and as required by law.

Section 5.7 Employee Assistance Program

The Village may provide an Employee Assistance Program (EAP) for all eligible Village employees, their spouses and dependent children. The purpose of the program is to provide a method of obtaining professional assistance to help resolve difficult personal problems such as family, marital, emotional, alcoholism, drug abuse, legal or financial difficulties. Any service provided is confidential

Section 5.8 Disability Benefits

Full-time employees may be eligible for disability benefits provided through IMRF or the Police/Fire Pension Boards. Employees should contact their retirement plan administrator for more information on plan eligibility through their respective pension plans.

Section 5.9 Retiree Health Savings Plan

The Village has set up Retiree Health Savings Plans. Contributions are mandatory, based on the employee group covered. Plans are available for review in Human Resources.

Section 5.10 Translation Reward Program

To reward individuals regularly using their secondary language skills in the workplace, the Village has established a recognition program.

The program is intended for those who use their language skills on a regular on-going basis through the year in any department, as needed. An eligible employee must first establish their proficiency level as "Advanced" through the testing process with Language Testing International. The

employee can test once per year, until certified as “Advanced.” The employee completes the certification once. Payment for the testing will be made by the Village upon approval of the Village Manager.

Employees must also have met minimum performance expectations with ratings of “meets expectations” or “satisfactory” or the equivalent in all categories during the prior rating period. The recognition reward will be paid in February for those who translated during the prior twelve (12) month period. Full-time employees are eligible for \$500 for one language and up to \$1,000 for more than one language. Part-time employees (working a minimum of twenty (20) hours per week as an IMRF participant) are eligible for \$350. Employees must be actively employed and in good standing at the time the payment is made.

Section 5.11 Employee Wellness Program and Wellness Rooms

Village of Palatine encourages employee participation in the Wellness Program, which includes annual screenings, planned activities and an employee committee. Annual screenings are carried out by a third-party vendor, and all employees who work over twenty hours per week are eligible to participate. Screening results are confidentially reported to the employee. Any results reported to the Village of Palatine are compiled so that no individual confidential employee information is shared. The Village will periodically conduct employee surveys to understand employee health and wellness needs and interests. The Health Insurance Advisory Committee (HIAC) Wellness Committee meets quarterly to will plan and carry out wellness activities. Employees are encouraged to participate in the wellness program to improve health, prevent or manage disease and maintain stable health insurance rates.

The Village maintains wellness rooms at Village Hall and the Police Station. The rooms are unmonitored, and employee must sign the Employee Waiver and Release Form to use the rooms.

Section 5.12 Continued Health Insurance Upon Separation

Employees who participated in the health insurance plan may be eligible for continued participation in the plan either under Retiree Health Insurance or COBRA. Status at time of separation determines eligibility for continued health insurance. Human Resources will provide employees with information following notice of separation.

ARTICLE VI. HOLIDAYS, VACATION DAYS, PERSONAL DAYS

Section 6.1 Holidays

A. Recognized Holiday Scheduling

All eligible full-time and part-time employees regularly scheduled to work twenty (20) hours or more per week are generally given the following holidays off work with pay:

New Year's Day
Presidents' Day
Memorial Day
Independence Day
Labor Day

Veterans' Day
Thanksgiving Day
Friday Following Thanksgiving Day
Christmas Day

If the holiday falls on a Sunday, the following Monday generally will be observed as the holiday. If a holiday falls on a Saturday, the preceding Friday generally will be observed as the holiday.

The final holiday schedule shall be set at the discretion of the Village Manager on an annual basis. The Village Manager may substitute an additional floating holiday or alternate day off for a scheduled holiday.

B. Floating Holidays

All eligible full-time employees not covered by a collective bargaining agreement will receive two (2) floating holidays to be scheduled and used consistent with Personal Days (See Section 6.3 B). If an employee is on vacation when a holiday occurs, that day shall either be added to the regularly scheduled vacation (if approved in advance by the Department Head) or not charged against the employee's vacation time. Part-time employees are not eligible for Floating Holidays.

Any employee hired on or before May 31, will be entitled to floating holidays on a prorated basis for that calendar year. Pro-rated credit is assigned using 1/12th of the total floating holidays~~personal days~~ for each full month remaining in the year at the time of hire. If hired June 1 or after, employee receives no pro-rated floating holidays ~~Personal Time~~ in the first year. This time may be taken after the employee has completed six (6) full months of consecutive full-time employment. Entitlement to use the time before six (6) full months of consecutive service may be granted by the Department Head for unusual circumstances.

Any employee hired after May 31, is not eligible for floating holidays for that calendar year.

Accrued, but unused Floating Holidays are not paid out upon separation.

C. Full-time Credit/Part-time Proration of Holidays

Eligible full-time and part-time Village employees shall be credited with a number of working hours in their normal work shift for each of the preceding holidays. Part-time employees shall be eligible to receive prorated holiday pay based on normal hours worked, but must work a minimum of twenty (20) hours per week on a regular basis to be eligible. Short-term, Seasonal or Temporary employees are ineligible.

D. Eligibility/Work Before and After Holiday

In the event an employee does not work the scheduled day before and scheduled day after a holiday, and is not on a previously authorized absence, that employee shall not receive holiday pay until proof of illness, or an otherwise excusable absence, is established to the satisfaction of the Department Head. An employee on unpaid leave of absence shall not receive holiday pay credits during such leave.

E. Religious Holidays

If an employee needs time off to celebrate a religious holiday not covered by this policy, employee can make arrangements to take the time off without pay or he may use other paid time opportunities for this purpose, if previously arranged with and approved by the Department Head.

Section 6.2 Employees Required to Work on Holidays

- A. On holidays for Village employees (as referenced in Section 6.1), only those employees shall be on duty whose services are necessary for police and fire protection, and for municipal, utility and other operations deemed necessary by the Department Head or Village Manager.
- B. In the event an employee, other than those who are normally required to work on a holiday, is required to work on a holiday because their presence is essential, that employee shall be entitled to additional pay computed on the basis of actual time worked and in accordance with the overtime provisions applicable to the employee's department and the Fair Labor Standards Act.
- C. Short-term, Seasonal or Temporary employees and part-time employees working fewer than twenty (20) hours per week (for example, Interns) are not eligible for holiday pay. Holiday pay for other part-time employees scheduled to work on the holiday must receive the approval of the Department Head and/or the Village Manager (for example: part-time Police Assistant).
- D. Holiday leave for employees required to work on holidays must be taken within twelve (12) months of the date of the holiday, unless departmental policy specifies otherwise.

Section 6.3 Personal Days

- A. Each full-time employee, except for Fire Department Shift Personnel, shall be entitled to two (2) personal days per calendar year. Fire Department Shift Personnel shall receive one

- (1) 24-hour personal day per calendar year. Part-time employees are not eligible for Personal Days.
- B. The employee must notify the Department Head of planned use of a personal day at least twenty-four (24) hours in advance and receive the Department Head's approval.
 - C. The use of personal days shall not result in a situation whereby overtime is created.
 - D. The personal days shall not accumulate and shall be limited to two (2) per year.
 - E. Any employee hired on or before May 31, will be entitled to personal days on a prorated basis for that calendar year. Pro-rated credit is assigned using 1/12 of the total personal days for each full month remaining in the year at the time of hire. If hired June 1 or after, employee receives no pro-rated Personal Time in the first year. This time may be taken after the employee has completed six (6) full months of consecutive full-time employment. Entitlement to use the time before six full months of consecutive service may be granted by the Department Head for unusual circumstances.
 - F. Any employee hired after May 31, is not eligible for personal days for that calendar year.
 - G. Accrued, but unused Personal Days are not paid out upon separation.

Section 6.4 **Vacation Program**

Eligible Village employees, except for Sworn Shift Personnel and those who have a contrary written employment agreement, or other written offer of employment accrue vacation leave, granted at the convenience of the Department Head, according to the following schedule of accrual:

A. Vacation Accrual Schedule

Eligible employees will be assigned an accrual date upon eligibility for Vacation. This date will be the first day of service as a full-time employee or first day as a part-time employee regularly scheduled to work more than twenty (20) hours per week for twelve (12) months of the year. Part-time employees will accrue on a pro-rated basis according to regularly scheduled hours. The following accrual schedule will apply.

Beginning with the first day of service or accrual date through the completion of five (5) ~~six (6)~~ years of continued service, an employee shall be allowed to accrue ten (10) vacation days credit. Such vacation day credit shall be calculated on the basis of 5/6th vacation day credit for each full month of service. For purposes of this section, a full month of satisfactory service is defined as a month in which the employee has worked through the 16th of that month. The total yearly credit under this paragraph shall not exceed two (2) work weeks (10 work days).

1. No employee is entitled to use any vacation time until he/she has completed six (6) full months of consecutive full-time employment. Entitlement may be granted by the Department Head for unusual circumstances.

2. In the event the employee completes his/her initial six-months of employment time before the calendar year ends, the employee may either utilize his/her vacation credit earned in the current year, or carry them over to the next year.

Beginning with the first day following completion of ~~five (5) six (6)~~ years of continued service (or time worked since accrual date), an employee shall be allowed to accrue five (5) additional vacation days credit. Such additional vacation days credit shall be calculated on the basis of 5/12th vacation day credit for each full month of service. The total yearly credit under this paragraph shall not exceed three (3) work weeks (15 work days).

Beginning with the first day following completion of ~~ten (10) fourteen (14)~~ years of continued service (or time worked since accrual date), an employee shall be allowed to accrue ~~one (1) up to five (5)~~ additional vacation days credit. Such additional vacation days credit will be calculated on the basis of ~~1/12th-5/12th~~ vacation day credit for each full month of service. The total yearly credit under this paragraph shall not exceed ~~sixteen (16) work days. four (4) work weeks (20 work days).~~

Beginning with the first day following completion of eleven (11) years of continued service (or time worked since accrual date), an employee shall be allowed to accrue one (1) additional vacation day credit. Such additional vacation day credit shall be calculated on the basis of 1/12th vacation day credit for each full month of service. The total yearly credit under this paragraph shall not exceed seventeen (17) work days.

Beginning with the first day following completion of twelve (12) years of continued service (or time worked since accrual date), an employee shall be allowed to accrue one (1) additional vacation day credit. Such additional vacation day credit shall be calculated on the basis of 1/12th vacation day credit for each full month of service. The total yearly credit under this paragraph shall not exceed eighteen (18) work days.

Beginning with the first day following completion of thirteen (13) years of continued service (or time worked since accrual date), an employee shall be allowed to accrue one (1) additional vacation day credit. Such additional vacation day credit shall be calculated on the basis of 1/12th vacation day credit for each full month of service. The total yearly credit under this paragraph shall not exceed nineteen (19) work days.

Beginning with the first day following completion of fourteen (14) years of continued service (or time worked since accrual date), an employee shall be allowed to accrue up to one (1) additional vacation day credit. Such additional vacation day credit will be calculated on the basis of 1/12th vacation day credit for each full month service. The total yearly credit under this paragraph shall not exceed four (4) work weeks (20 work days).

Beginning with the first day following completion of ~~nineteen (19) twenty (20)~~ years of continued service (or time worked since accrual date), an employee shall be allowed to accrue up to three (3) additional vacation days credit. Such additional vacation days credit will be calculated on the basis of 3/12th vacation day credit for each full month of service. The total yearly credit under this paragraph shall not exceed twenty-three (23) work days.

Beginning with the first day following completion of twenty-five (25) years of continued service, (or time worked since accrual date), an employee shall be allowed to accrue up to two (2) additional vacation days credit. Such additional vacation days credit will be calculated on the basis of 2/12th vacation day credit for each full month of service. The total yearly credit under this paragraph shall not exceed twenty-five (25) work days.

- B. An employee's vacation credits will be accrued on a monthly basis and are available for use at the time they are earned. When an employee reaches another vacation period level on the accrual anniversary date, the employee begins accruing at the higher rate.

- C. **Vacation Scheduling**

The selection of vacation days by employees shall be based on seniority or as otherwise determined by the Department Head. The fragmentary use of vacation days may be permitted by the Department Head if such use is consistent with the needs of the department.

- D. In the event a holiday occurs during an employee's vacation period, time for such holiday shall not be charged against the employee's vacation credit.

- E. **Vacation Buy-Back**

Employees are not allowed to take cash payment for vacation in lieu of actual time off. However, individuals classified as Executive Leadership and others as designated by the Village Manager are eligible to sell back one (1) week of vacation per fiscal year. This requires authorization by the Department Head and Village Manager. Any other exceptions to this provision must be authorized by the Village Manager.

- F. **Limits to Vacation Accrual**

Vacation credits shall be used by each employee within a twelve (12) month period following the end of the calendar year in which the credits were earned unless the Department Head recommends an exception in writing due to an extenuating circumstance and is approved by the Village Manager. An employee may carry-over a maximum of one year of vacation accrual from the then-applicable vacation accrual schedule from year-to-year as of December 31. Unused vacation credits in excess of the maximum will be reviewed annually after the first payroll in January. Upon review, any unused accrued vacation over the maximum will be forfeited.

Extension of time for the use of vacation credits as required in the above paragraph may be authorized in writing by the Village Manager upon written application by an employee and after recommendation by the Department Head.

- G. **Vacation Credit at Separation of Employment**

At the time of separation of employment, the employee will be paid for all unused, accrued, vacation credits. If an employee has taken more vacation days than accrued, arrangements will be made to reimburse the Village for the unearned days. The Village Manager may

approve alternative timing for payment of unused vacation credits upon acceptance of a resignation or retirement.

Vacation Credit for Police Pension Employees

At the time of separation of employment, a Police Pension employee (non-bargained) will be paid for unused, accrued, vacation credits at 100% of the employee's current hourly rate and the sum shall be deposited in the Village's Retiree Health Savings Plan into an account in the employee's name. If the employee has taken more vacation days than accrued, arrangements will be made to reimburse the Village for the unearned days.

H. Part-time Vacation

Part-time employees with a schedule of work hours averaging at least twenty (20) hours weekly throughout the year will be eligible for prorated vacation. Accrual rate for part-time employees shall be based upon the annual budgeted hours for the position, unless otherwise set by the Village Manager. The prorated vacation accrual for each individual shall be reviewed annually against the actual hours worked.

I. Vacation Accruals for Part-time to Full-time or Other Change in Status

As long as an employee remains in a continuous status of vacation eligibility, their accrual date for earning vacation will not change. Therefore, an employee who moves from part-time to full-time and from full-time to part-time will not have a change in their accrual schedule, only in the pro-ration of their accrued leave benefit. However, an employee who retires from a full-time position, and is in receipt of a Village of Palatine pension, and returns to the Village in a part-time capacity, will re-start their vacation accrual date upon rehire.

Section 6.5 **Vacation Program for Sworn Shift Personnel in the Fire Department (24-Hour Shift Personnel, not in the Collective Bargaining Unit)**

- A. Sworn shift personnel having served less than seven (7) years of service will receive ten (10) hours of vacation credit per calendar month worked in the calendar year not to exceed five (5) duty days for each year through the sixth (6th) year. For purposes of this policy, a full month of satisfactory service is defined as a month in which the employee has worked through the 16th of that month.
- B. Beginning with the first day following completion of six (6) years of continued service, Sworn shift personnel shall be allowed to accrue two (2) additional duty days credit. Such vacation days credit shall be calculated on the basis of fourteen (14) hours credit for each full month of service. The total yearly credit under this paragraph shall not exceed seven (7) duty days.
- C. Beginning with the first day following completion of fourteen (14) years of continued service, Sworn shift personnel shall be allowed to accrue an additional three (3) days of vacation credit. Such vacation days credit shall be calculated on the basis of twenty (20) hours credit for each full month of service. The total yearly credit under this paragraph shall not exceed ten (10) duty days.

- D. Beginning with the first day following completion of twenty (20) years of continued service, Sworn shift personnel shall be allowed to accrue up to one (1) additional vacation day credit. Such vacation days credit shall be calculated on the basis of twenty-two (22) hours credit for each full month of service. The total yearly credit under this paragraph shall not exceed eleven (11) duty days.
- E. Beginning with the first day following completion of twenty-five (25) years of continued service, Sworn shift personnel shall be allowed to accrue up to one (1) additional vacation day credit. Such vacation day credit shall be calculated on the basis of twenty-four (24) hours credit for each full month of service. The total yearly credit under this paragraph shall not exceed twelve (12) duty days.

Section 6.6 Executive Leave

All of the Executive Leadership employees and many Management and Professional employees and select Supervisory employees are routinely required to attend meetings or work on projects outside of the normal working hours of the Village or in excess of their regularly scheduled work times. In recognition of the significant hours spent in the evenings and weekends, all Executive Leadership employees and those Management and Supervisory employees designated by the Village Manager shall receive five (5) days of Executive Leave. This time must be used on an annual basis or shall be forfeited.

ARTICLE VII. OTHER LEAVES OF ABSENCE

Section 7.1 Sick Leave Program

A. Accrual of Sick Leave

All employees, except Fire Department shift personnel, except those in temporary or part-time positions, and except those on a leave of absence without pay, shall accumulate sick leave at the rate of one (1) day for each month of satisfactory service. For purposes of this section, a full month of satisfactory service is defined as a month in which the employee has worked through the 16th of that month.

Fire Department shift personnel shall accumulate sick leave at the rate of twelve (12) hours for each month of satisfactory service.

Beginning January 1, 2015, the maximum accrual limit for Sick Leave shall be one hundred (100) days. For Fire Department Shift Personnel (outside of the collective bargaining unit), this limit shall be one thousand (1000) hours. Further details about annual maximum accruals can be found in Section 7.4.

B. Use of Sick Leave

Sick leave is considered a contingent benefit, and shall not be considered as personal time which an employee may use at his or her discretion. Sick leave use shall be allowed only in case of actual sickness or disability or pregnancy or because of illness or death in the immediate family. The Department Head or the Village Manager may grant sick

leave to employees to meet medical or dental appointments if the employee establishes that the appointment cannot reasonably be scheduled during non-working hours.

C. Substantiation of Illness

The Village Manager or the Department Head may require the substantiation of the need for sick leave of any length. Any employee who is required to submit substantiation for sick leave of less than three (3) days will be informed in advance of the need to do so by the Village Manager or the Department Head.

Falsification of evidence that would otherwise substantiate the need for sick leave will result in disciplinary action (no matter when discovered).

D. Fire Department Calculations

For the purposes of computing sick leave for Sworn personnel in the Fire Department, sick leave shall be deducted for each shift absence on an hour-for-hour basis.

E. New Classification Recalculation

Employees who change hourly classification schedules will have their accrued sick leave bank adjusted according to the new schedule (For example, a twenty-four (24) hour shift employee in the Fire Department transfers to a forty (40) hour per week position).

Section 7.2 Sick Leave Requests for Use

A. Employee Notice Responsibility

In order to receive Sick Leave compensation while absent, the employee shall notify the Department Head or their designee by phone no later than thirty (30) minutes before the time set for beginning daily duties (unless department policies provide other restrictions).

Failure to provide such notice will constitute absence without leave and may result in loss of sick leave compensation. Notification of an absence does not guarantee approved use of benefit time for the absence. Electronic notification is unacceptable unless approved in advance by the Supervisor.

B. Physician's Certification

The Village Manager or Department Head may require a physician's certificate of health examination as a condition for sick leave pay for any absence of any duration.

1. The Department Head or Village Manager may require any employee to undergo a physical and/or psychological examination or medical test at any time when, in their judgment, such an examination or test may be necessary to determine the employee's fitness to perform the duties of his/her position.

2. The cost of such physical examination provided by the employee's physician is the responsibility of the employee. All examinations and tests performed by a licensed medical professional or professionals appointed by the Village will be at the Village's expense.

C. Limitations on Sick Leave Usage

1. When Injured through Outside Employment

Sick leave credits shall not be available for use in circumstances involving personal injury sustained by an employee in the course of paid outside or secondary employment. This limitation also applies to an employee with secondary part-time employment with the Village of Palatine.

2. Use of Other Accrued Leave when Sick

Employees are expected to use their Sick Leave when sick, and not use other accrued leave time (except the planned use of Personal Time) to avoid the use of Sick Leave so as to make themselves eligible for the Sick Leave Buyback Annual Incentive. No employee shall be allowed to use time other than Sick Leave or Personal Time for an illness or injury or FMLA-qualifying event until employee has used at least six (6) full days of sick leave (four (4) days for Fire shift personnel) This will be measured using the twelve (12) months before November 17. If the employee has no sick leave available, other accrued leave time shall be used.

3. Upon Use of All Sick Leave

In the event that any employee has exhausted all sick leave credits, the employee must request to use accumulated compensatory time, holiday time, vacation time, personal day time, or donated sick leave time or request discretionary leave to remain in active status.

Section 7.3 Sick Leave Buyback Annual Incentive

Unexpected absence and the use of sick leave impacts productivity and cost effectiveness for each department. In some instances, overtime costs must be incurred to cover for sick employees. Therefore, an incentive is established to encourage employees to carefully consider the use of sick time. Employees who have used minimal sick time for the current year are eligible for up to ~~threetwo~~ (32) days pay. Sick Leave Buyback Incentive will be paid annually on the pay day preceding Christmas. To be eligible, the employee must have been employed for one (1) full calendar year prior to November 17. Following is the procedure for pay out:

- A. Eligible employees may, at their option, decline inclusion in this annual incentive program.
- B. Payment shall be at the rate of pay for the position currently held by the employee.
- C. Sick leave usage will be evaluated during the twelve (12) month period from November 17 of the prior year to November 16 of the current year.

- D. The Number of Days Eligible for Buyback will be deducted from the unused sick leave earned during the twelve (12) month period from November 17 of the prior year to November 16 of the current year and any remaining days will accumulate with those of prior years until the Sick Leave Accrual Maximum (Section 7.4) is reached.
- E. The following schedule shall be used to determine the “up to ~~threetwo~~ (32) days” eligibility for the buyback program:

<u>Number of Sick Leave Days Used</u>	<u>Number Days Eligible for Buyback</u>
<u>Zero to One (0 -1)</u>	<u>23</u>
Greater than 1 up to 2	<u>2</u> +
More than 2	0

- F. Sworn Twenty-four (24) hour shift personnel in the Fire Department (not in the Collective Bargaining Unit) shall be eligible for the buyback program according to the following schedule:

<u>Number of Sick Leave Hours Used</u>	<u>Number of Hours Eligible for Buyback</u>
<u>Zero—</u>	<u>7248</u>
Greater than zero to 48 hours used	<u>4824</u>
More than 48 hours used	0

Employees covered under collective bargaining agreement can find the terms of annual sick leave buyback incentive in their agreements.

Section 7.4 Sick Leave Annual Accrual Maximums

Sick Leave Accrual maximums shall be acknowledged and accounted for as follows:

A. Employees in the Illinois Municipal Retirement Fund (IMRF)

- 1. Collectively Bargained IMRF Employees:** ~~Any~~ Any days in excess of one hundred (100) days on November 16 (after any sick leave buyback is calculated per Section 7.3) of each calendar year shall be recorded for the purpose of service credit with IMRF. This service credit shall be reported to IMRF upon separation of employment with the Village of Palatine. Service Credit accrual will be subject to compliance with IMRF rules and regulations and modifications may be made for compliance. There shall be no additional cash value of these hours and the hours shall be removed from the accrued sick leave balance.

- ~~A.~~ **2. Non-bargained IMRF Employees:** Any days in excess of one hundred (100) days on November 16 (after any sick leave buyback is calculated per Section 7.3) of each calendar year shall be recorded for the purpose of service credit with IMRF. This service credit shall be reported to IMRF upon separation of employment with the Village of Palatine. Service Credit accrual will be subject to compliance with IMRF rules and regulations and modifications may be made for compliance. There shall be no additional cash value of these hours and the hours shall be removed from the accrued sick leave balance. If, at the time of separation of employment, the

total sick leave balance, including the recorded IMRF service credit, is in excess of 221 days, the excess of 221 days shall be deposited to a Retirement Health Savings Account in an amount equal to 50% of the employee's final rate of pay provided the employee has provided a minimum of 120 days notice of their retirement.

B. **Employees governed by the rules of Palatine Fire Pension Plans** (but not covered by a collective bargaining agreement): such as Fire Division Chief, Fire Deputy Chief, and Fire Chief shall have fifty percent (50%) of the current value of any sick days in excess of one hundred (100) days that remain on November 16 (after any sick leave buyback is calculated per Section 7.3) paid to a Retirement Health Savings account in such manner as directed by the Village Manager. There shall be no additional cash value of these hours and the hours shall be removed from the accrued sick leave balance.

C. **Employees governed by the rules of Palatine Police Pension Plans** (but not covered by a collective bargaining agreement): such as Police Sergeant, Police Commander, Police Deputy Chief and Police Chief: shall have fifty percent (50%) of the current value of any sick days in excess of one hundred (100) days that remain on November 16 (after any sick leave buyback is calculated per Section 7.3) paid to a Retirement Health Savings account in such manner as directed by the Village Manager. In addition, upon separation of employment, an employee who leaves employment with the Village voluntarily with at least twenty (20) years of service and has a minimum of 800 hours accumulated sick leave shall be reimbursed for all accumulated sick leave up to 800 hours at 20% (160 hours maximum reimbursement) at the rate of pay of the then current top step Patrol Officer. Said sum shall be deposited into the Retirement Health Savings Account. If within twelve (12) months of retirement, the Police Pension employee has a qualifying instance of FMLA, the sick leave reimbursement threshold shall be reduced from 800 hours, but in no event shall the buyback threshold fall below 700 hours. The reimbursement percentage remains at 20% and is calculated from the balance of sick leave with the FMLA time removed.

1. A Police Pension employee who used an average of four (4) days or less per year for the entirety of the employee's career shall be eligible for a 10% increase of reimbursable sick leave. Sick days that are bought back at the end of the year, or donated to others will not be included as used days in this calculation.

2. Advanced Notice of Retirement: A Police Pension employee who provides a minimum of six (6) months advance written notice of retirement to the Village shall be eligible for a 10% increase of reimbursable sick leave at top patrol officer rate of pay. Said notice shall be irrevocable.

There shall be no additional cash value of ~~sick leave~~^{these} hours and the hours shall be removed from the accrued sick leave balance.

D. **Fire Battalion Chiefs:** shall have fifty percent (50%) of the current value of any sick days in excess of one thousand (1000) hours that remain on November 16 (after any sick leave buyback is calculated per Section 7.3) paid to a Retirement Health Savings account in such manner as directed by the Village Manager. There shall be no additional cash value of these hours and the hours shall be removed from the accrued sick leave balance.

At separation from employment, any new hours in excess of the annual maximum will be applied using these same practices.

Section 7.5 Sick Leave Donation Program

In the event that an ill or injured, full-time Village employee has exhausted all sick leave credits, all accumulated compensatory time, all vacation days and all personal days and floating holidays, employee may be eligible for a donation from any full-time employee of any department within the Village upon recommendation of the Department Head and approval of the Village Manager. The employee will initiate a written request for a sick leave donation to his or her Director.

- A. Both the ailing employee and the donating employee must have at least one (1) year of full-time service with the Village.
- B. Any donated sick leave day(s) must have been accrued in prior calendar years.
- C. The donating employee must sign a form, which would direct Human Resources to deduct one (1) or more sick days from prior accrued sick leave.
- D. Employees may donate to a fellow employee one (1) sick day for every five (5) available sick days the donating employee has accrued in prior calendar years.
- E. The employee receiving the donation will be credited with one (1) day's compensation at the employer's normal daily rate for the employee. Any days donated will be deducted from the sick leave time available to the donating employee.
- F. Any sick leave donated will not count as used sick leave for the purpose of sick leave buyback.
- G. For purposes of this section, sick leave may be donated between Sworn Fire Department Shift Personnel and all other Village employees on an hour for hour basis.

Section 7.6 Discretionary Leave

The Village Manager, upon recommendation by the Department Head, may grant a leave of absence to any employee when it is determined that there is good and sufficient reason and assuming it is not disruptive to the Village's business needs. The Village Manager shall set the terms and the conditions of the leave, including whether or not the leave is to be with pay and whether or not leave accruals will continue. During the leave period, accrued leave may be used; however, additional leave will not accrue unless otherwise specified by the Village Manager. Generally, discretionary leaves of absences will not exceed six (6) months, unless a further definitive period of leave may be appropriate as a reasonable accommodation. During the leave period, an employee may be required to report periodically to the Village on the status and their intention to return to work. No leave of absence will be granted to an employee for the purpose of accepting employment elsewhere.

Section 7.7 **Application for Leave**

Any request for leave of absence shall be submitted in writing by the employee to the Department Head or their designee as far in advance as practicable. The request shall state the reasons for the leave of absence and the approximate length of time-off the employee desires. Authorization for leave of absence shall, if granted, be furnished to the employee by their immediate supervisor and it shall be in writing.

Section 7.8 **Funeral Leave**

In the event of a death in the immediate family (as defined in Section 1.8), a full-time employee shall be granted up to three (3) paid work days as funeral leave if the employee attends the funeral. Leave beyond three (3) days may, upon approval of the Village Manager or Manager's designee, be classified as discretionary leave.

Sworn personnel in the Fire Department shall be provided with one twenty-four (24) hour shift absence as funeral leave in the event of a death in the immediate family.

In the event of the death of an extended family member, an employee may be granted up to one (1) day if the employee attends the funeral. Leave beyond one (1) day may, upon approval of the Village Manager, or his designee, be classified as discretionary leave.

Under no circumstances will an employee be allowed to use more than six (6) days in a year.

A part-time employee (regularly scheduled to work 20 hours per week or more) shall be granted up to one (1) paid pro-rated work day as funeral leave if the employee attends the funeral of an immediate family member.

The Village also follows the Illinois Family Bereavement Leave Act, as amended, 820 ILCS 154/1, et seq. Leave under the Illinois Family Bereavement Leave Act must be requested and approved in advance and will run concurrently with any other type of Funeral Leave set forth above.

Section 7.9 **Military Leave**

Military leave shall be granted in accordance with the requirements of applicable law. Written verification should be provided by the employee to his supervisor which states the specific dates, locations and anticipated length of the military assignment.

Section 7.10 **Jury Leave**

A full-time employee shall be granted a leave of absence with pay pursuant to a notice for jury duty. The employee must show the jury duty summons to his supervisor as soon as possible so that the supervisor may make arrangements to accommodate the absence. The employee shall present the jury duty pay check to the supervisor as demonstration of completed jury duty service. The employee shall keep the jury duty check in addition to receiving his regular pay. Employees are expected to report to work whenever the court schedule permits.

A part-time employee (regularly scheduled to work twenty (20) or more hours per week) shall be granted a leave of absence pursuant to a notice for jury duty. The employee must show the jury duty summons to his supervisor as soon as possible so that the supervisor may make arrangements

to accommodate the absence. The employee shall present the jury duty pay check to his supervisor as demonstration of completed jury duty service. The employee shall keep the jury duty check and receive pro-rated pay. Employees are expected to report to work whenever the court schedule permits.

Section 7.11 **Family and Medical Leave**

- A. If employee has been employed by the Village for at least twelve (12) months, has worked at least 1,250 hours during the twelve (12) month period preceding the start of the leave, employee is eligible for up to a total of twelve (12) work weeks of unpaid leave during a rolling twelve (12) month period measured backward from the start of leave for one or more of the following reasons:
1. Because of the birth of employee's child and in order to care for such child (within twelve (12) months after the birth of the child); or
 2. Because of the placement of a child with employee for adoption or foster care (within twelve (12) months of the placement of the child); or
 3. In order to care for employee's spouse, child, or parent if employee has a "serious health condition"; or
 4. Because of employee's own "serious health condition" that makes employee unable to perform the functions of the job; or
 5. For any qualifying emergency because the employee is the spouse, child, or parent of a military member on covered active duty or called to covered active duty status.

Leaves of absence under FMLA may be unpaid if no paid leave time is available. See "Coordination with Other Policies", below for a full explanation.

If employee's spouse or significant other also works for the Village and both employees become eligible for a leave under paragraphs 1 or 2 above, or for the care of a sick parent or child under paragraph 3 above, the two employees together will be limited to a combined total of twelve (12) workweeks of leave in any rolling twelve (12) month period.

An eligible employee who is the grandparent of a person called to military service lasting longer than thirty (30) days pursuant to a state or federal deployment order may also be entitled to up to fifteen (15) days of unpaid family military leave during the time the deployment order is in effect, if the employee has exhausted all available vacation and personal time.

B. Medical Certification

Any request for a leave under paragraphs 3 or 4 above, must be supported by certification issued by the applicable health care provider. Employees shall provide a

certification in support of leave on an annual basis if the need for leave continues for the same reason. You may obtain a certification form from Human Resources.

At its discretion, the Village may require a second medical opinion and periodic recertification to support the continuation of a leave. If the first and second opinions differ, a third opinion can be obtained from a health care provider jointly approved by both the employee and the Village.

The Village will also require certification in support of leave for a qualifying military exigency.

C. Serious Health Condition

For purposes of this policy, “serious health condition” means an illness, injury, impairment or physical or mental condition that involves one of the following:

1. Hospital Care
Inpatient care in a hospital, hospice or residential medical care facility, including any period of incapacity relating to the same condition;
2. Absence Plus Treatment
A period of incapacity of **more** than three (3) consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition), that also involves either:
 - a. treatment two (2) or more times by a health care provider, by a nurse or physician’s assistant under direct supervision of a health care provider, or by a provider of health care services under orders of, or on referral by, a health care provider; or
 - b. treatment by a health care provider on at least one (1) occasion, which results in a regimen of continuing treatment under the supervision of the health care provider.
3. Pregnancy
Any period of incapacity due to pregnancy, or for prenatal care;
4. Chronic Conditions Requiring Treatment
A chronic condition which requires periodic visits for treatment by a health care provider, or by a nurse or physician’s assistant under direct supervision of a health care provider, continues over an extended period of time; and may cause episodic rather than a continuing period of incapacity;
5. Permanent/Long-term Conditions Requiring Supervision
A period of incapacity, which is permanent or long-term due to a condition for which treatment may be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider;

6. Multiple Treatments (non-chronic conditions)

Any period of absence to receive multiple treatments (including any period of recovery) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for condition that would likely result in a period of incapacity of more than three (3) consecutive calendar days in the absence of medical intervention or treatment.

D. Intermittent Leave

If certified as medically necessary for the serious health condition of either the employee or spouse, child or parent, leave may be taken on an intermittent or reduced leave schedule. If leave is requested on the basis of a foreseeable, planned medical treatment, the Village may require a temporary transfer to an alternative position which better accommodates recurring periods of absence or to a part-time schedule, provided that the position offers equivalent pay and benefits.

E. Notification and Reporting Requirements

1. All requests for leave of absence must be submitted to the supervisor in writing at least thirty (30) days in advance of the start of the leave (except when the leave is due to an emergency or is otherwise not foreseeable, employee is expected to notify the Village as soon as practicable, generally within one to two (1 to 2) business days of learning of the need for leave). A delay in submitting this request could result in a delay of the start of leave. The supervisor will forward the request to Human Resources for approval. All leave requests will receive a Notice of Eligibility and Rights and Responsibilities. Employee must submit additional documents as requested. Once all documentation is submitted and reviewed, approved leaves will receive a Designation Notice. Employee must also make an effort to schedule a leave so as not to disrupt business operations. During the leave, employee may be required to report periodically on status and intention to return to work.
2. When an employee seeks leave for a FMLA-qualifying reason for the first time, the Village will designate the leave as covered by this policy when the Village has enough information to determine that leave is being taken for a FMLA-qualifying reason. When an employee seeks leave, however, due to a FMLA-qualifying reason for which the Village has previously provided the employee FMLA-protected leave, the employee must specifically reference either the qualifying reason for leave or the need for FMLA.
3. In all instances, the employee must answer questions and provide sufficient information to allow the Village to determine whether an absence is for a FMLA-qualifying reason. Failure to provide such information can result in a delay or denial of FMLA coverage.
4. The Village may also require recertification periodically during a leave. As part of the recertification, the Village may provide the employee's health care provider with the employee's attendance records and ask whether the need for leave is

consistent with the employee's serious health condition. In all instances, the Village requires recertification every six (6) weeks in connection with an FMLA medical leave.

5. Any extension of time for leave of absence must be requested in writing prior to the scheduled date of return to work, together with written documentation to support the extension. Any time beyond twelve (12) weeks in a rolling twelve (12) month period shall not be considered FMLA leave. Failure to either return to work on the scheduled date of return or to apply in writing for an extension prior to that date will be considered to be a resignation of employment effective as of the last date of the approved leave. Employees on leaves for their own serious health condition must provide fitness-for-duty releases from their health care provider before they will be permitted to return to work.
6. Extensions of a leave of absence beyond the date originally approved are at the sole discretion of the Village. The maximum time on a leave of absence, all types combined, and including all extensions, cannot exceed a total of twelve (12) weeks in a rolling twelve (12) month period (exceptions only as required by law to accommodate individuals with a disability).
7. A paid leave of absence will not affect the continuity of employment. The original date of employment remains the same for seniority purposes. The employee will accrue benefits in accordance with applicable laws while on Family and Medical Leave.

F. Employee Benefits During Family and Medical Leave of Absences

Employee will be permitted to maintain health insurance coverage for the duration of the leave under the same conditions coverage would have been provided if employee had remained actively at work. However, employee must make arrangements for the continuation of and payment of insurance premiums before going on leave status. If employee does not return to work after the leave, or if employee fails to pay employee's portion of the premiums, employee will be required to reimburse the Village for the costs and expenses of insurance during the leave.

G. Return from a Family and Medical Leave

1. Upon return from leave which has extended no longer than a total of twelve (12) workweeks in a rolling twelve (12) month period, employee will be restored to the same or to an equivalent position to the one employee held when the leave started. If the leave was due to employee's own serious health condition, employee will be required to submit a fitness for duty certification from their health care provider stating that employee is able to perform the essential functions of the job. If employee fails to return to work at the expiration of the approved Family and Medical Leave, it will be considered to be a resignation of employment with the Village.

2. Certain highly compensated “key” Employees may be denied reinstatement when necessary to prevent “substantial and grievous economic injury” to the Village’s operations. A “key” Employee is a salaried employee who is among the highest paid ten percent (10%) of employees at that location, or any location within a seventy-five (75) mile radius. Employees will be notified of their status as a key Employee, when applicable, after they request a Family and Medical Leave.
3. An employee shall not be granted a leave of absence for the purpose of seeking or taking employment elsewhere or operating a private business. Unauthorized work while on a leave of absence will result in disciplinary action, up to and including termination of employment.

H. Military Caregiver Leave

An eligible employee is entitled to a total of twenty-six (26) weeks of Military Caregiver Leave:

1. To care for a spouse, parent, child, or an individual for whom the employee is the nearest blood relative (or designated as next of kin for caregiving) who has a serious injury or illness that was incurred or aggravated in the line of duty while on active military duty overseas, who is undergoing medical treatment, recuperation, or therapy, is in outpatient status or is on temporary disability retirement.
2. To care for a spouse, parent, child or an individual for whom the employee is the nearest blood relative (or designated as next of kin for caregiving) to a veteran who is undergoing medical treatment, recuperation, or therapy for serious injury or illness that occurred any time during the five (5) years preceding the date of treatment while on active military duty overseas.

Leave to care for an injured or ill service member or covered veteran will begin on the first day of such leave and must be completed within twelve (12) months from that date. Leave for an injured service member may be taken only once per service member unless that service member has a subsequent injury or illness incurred or aggravated in overseas military duty. In addition, spouses employed by the Village who request caregiver leave may only take a combined aggregate total of twenty-six (26) weeks leave for such purpose.

Any FMLA leave taken by an employee for reasons other than an injured or ill service member or covered veteran will reduce the twenty-six (26) weeks of available leave to care for an injured service member or covered veteran. As a result, if an employee requests caregiver leave, the maximum leave allowed will be up to twenty-six (26) weeks, less any FMLA leave already used in the same twelve (12) month period for any other reason.

I. Coordination with Other Policies

Except as provided herein, below, an employee must substitute any accrued paid sick days, vacation days, personal time or compensatory time for unpaid leave under this policy, and any such paid time off must be taken concurrently with employee’s Family and Medical Leave. However, employees with more than two (2) weeks of sick leave available at the time of FMLA eligibility will be allowed to retain up to two (2) weeks of sick time on the books for future use. If employee otherwise qualifies for disability pay, employee will collect disability pay at the same time as Family and Medical Leave. Similarly, if employee otherwise qualifies for any other type of leave of absence, employee must take

that leave at the same time as Family and Medical Leave. All time missed from work due to personal injury, illness or work-related injury will be counted toward the Employee's twelve (12) weeks of Family and Medical Leave.

If an employee requests leave under Sections 7.11 A 1 or 2 (for bonding time) because of a birth, adoption or foster care placement of a child, the employee shall be permitted to use no more than ten (10) days of accrued sick leave, which shall run concurrently with FMLA leave. Paid vacation days, personal time, compensatory time may also be used, to the extent available.

Section 7.12 Failure to Return from Leave

An employee who fails to return to duty within three (3) work days of the time specified on the application for leave shall be considered to have resigned from such service in the absence of evidence of extenuating circumstances. See also Section 12.2 regarding Resignation/Loss of Seniority due to failure to work for extended periods of time.

Section 7.13 Benefits While on Discretionary Leave

While on a paid or unpaid leave of absence or layoff, the employee shall be entitled to coverage under applicable group health/dental and life insurance plans to the extent provided in such plan(s).

The Village of Palatine Employee Health Insurance Plan will require the employee's contribution to health insurance premiums for the remainder of the month in which such leave commenced. Thereafter, the employee will pay the COBRA premiums (102% of the full monthly medical premium), unless authorized in writing by the Village Manager. During an unpaid leave, seniority, vacation time, holiday time, sick leave and personal days shall not accrue except as required by law.

Section 7.14 Requalification After Leave

Unless otherwise stated in this handbook, or otherwise required by law, length of service or seniority shall not accrue for an employee who is on an approved unpaid leave status. Accumulated length of service shall remain in place during that leave and shall begin to accrue again when the employee returns to work on a paid status. Unless otherwise stated in this handbook, an employee returning from leave will have their seniority continued after the period of leave.

When an employee returns to work from an approved leave of absence, the Village will place the employee in the previous job if the job is vacant; if not vacant, the employee will be placed in the first available opening in employee's classification according to the employee's seniority, where skill and ability to perform the work without additional training is equal.

If, upon the expiration of a leave of absence, there is no work available for the employee or if the employee could have been laid off according to seniority except for the leave, employee shall go directly to layoff. If the employee is on layoff, recall procedures as stated in this handbook shall apply.

Section 7.15 **Non-Employment Elsewhere**

A leave of absence will not be granted to enable an employee to try for or accept employment elsewhere or for self-employment. Employees who engage in employment elsewhere during an approved leave, without the express written permission of the Village Manager may be subject to discipline up to and including termination of employment.

ARTICLE VIII. **EMPLOYEE SAFETY**

To provide a safe and healthful work environment for self, fellow employees and visitors, the Village of Palatine has established a Loss Prevention Safety Program (aka Safety Policy Manual). This program is a top priority for the Village. The Village Safety Coordinator has responsibility for implementing, administering, monitoring and evaluating the safety program. The program's success depends on the alertness and personal commitment of all employees.

The Village provides information to employees about workplace safety and health issues through regular internal communication channels such as safety meeting minutes, supervisor-employee meetings, employee newsletter, bulletin board postings, memos, and other written communications. Safety is also emphasized in the employee job description. A safety committee has been established to assist in these activities and to facilitate effective communication between employees and management about workplace safety and health issues.

Employees and supervisors receive periodic workplace safety training. The training covers potential safety and health hazards and safe work practices and procedures to eliminate or minimize hazards.

Section 8.1 **Employee Responsibility**

Each employee is expected to obey rules and to exercise caution in all work activities. Employees must immediately report any unsafe conditions to the appropriate supervisor. Employees who violate safety standards, cause hazardous or dangerous situations, or fail to report or remedy such situations (when appropriate) may be subject to disciplinary action, up to and including termination of employment.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, the employee must notify the appropriate supervisor and complete the proper reports. Immediate employee reports of injury are necessary to comply with applicable laws and to initiate insurance and worker's compensation benefit procedures. Reports shall be submitted to Human Resources within twenty-four (24) hours of the accident. Failure to report an accident on a timely basis could lead to disciplinary action under Section 10.1.

If the injury is severe, the supervisor or supervisor's designee should immediately call 911. Severity is based on judgment. No employee shall be disciplined for using reasonable judgement to call 911.

More detailed information regarding the Village's safety policies and loss prevention program can be found in the Village's Safety Policy Manual. Each employee is responsible to familiarize

themselves with the content of that manual and follow all safety procedures and policies described within it.

Section 8.2 Workplace Injuries/Accidents

- A. If an employee is injured during the performance of the employee's duties, the employee should **immediately** report this fact to the supervisor. The employee must insure that an Employee's Statement of Injury form is submitted to the supervisor for forwarding to Human Resources, so the employee's right to worker's compensation insurance benefits or reimbursements for medical expenses is not jeopardized. Even if the injury is so slight that no time is lost, a report must be made. This is necessary to protect the employee in case a future disability results because of the injury. Also, appropriate action can be initiated to prevent future, and possibly more serious accidents of a similar nature.
1. Neither the Village nor the worker's compensation insurance carrier will be liable for the payment of worker's compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social or athletic activity sponsored by the Village of Palatine, except as required by law. If it is determined that the employee should seek medical attention, the supervisor shall provide the doctor with a job description for doctor's use in determining the employees' ability to return to work. In addition, the supervisor will provide the doctor with the types of "light duty" which may be available.
 2. If the doctor determines that the employee cannot return to work, the employee is responsible for providing the Village with written confirmation within one (1) working day of the determination. In addition, the employee is also responsible to provide any status updates within one (1) working day of the appointment.
 3. If the doctor determines that the employee may return to work with restrictions, the employee will be provided a written statement indicating the terms of any approved light duty assignment (including the supervisor to report to, the length of the assignment, the type of work, and the restrictions).

For more information on Light Duty, see Section 3.6, Light Duty Policy.

- B. If an employee is involved in any accident while in performance of duties resulting in property damage or injury to any person, it must be reported **immediately** to the supervisor. The Police should be called to the scene immediately if the accident involves a vehicle. The employee should not discuss the accident with anyone except the Police, or admit to any liability. Direct any person seeking information to Human Resources.

Disciplinary action may be taken against employees if negligence is proven to be a factor contributing to the accident or causation of an unsafe condition.

Section 8.3 Safety Committees

In order to reduce the risk of work related injury and maximize safe working conditions, the Village has established several safety committees consisting of both supervisors and employees in the field. The duties of these committees include:

- A. Investigation of work related injuries or accidents for the purpose of providing feedback as to how such injury or accident can be prevented.
- B. Review of equipment, work areas and procedures for completing jobs to determine if unsafe conditions exist and what is necessary to correct such conditions.
- C. Review of accidents involving the operation of municipal vehicles and equipment to recommend if those employees involved should not earn their Safe Driving Day privileges. Employees involved in an accident shall have the right to present their case to their department safety committee.

A Village Safety Committee, consisting of management and non-management representatives from all departments, has been established by the Village to consider the recommendations of the department safety committees. The Village Manager's designee shall serve as Chair of the Village Safety Committee. This committee shall meet on a regular basis and follow guidelines as outlined in the Safety Policy Manual.

Section 8.4 Safe Driving Day

A safety incentive program has been established for those employees required to drive a vehicle or operate a heavy piece of equipment in the course of their daily assigned activities. Full-time employees are eligible for a Safe Driving Day if they are expected to drive a Village vehicle for at least one-hundred-sixty (160) days in a calendar year, (eighty (80) days for Fire Personnel). This program provides one additional personal day to a qualified employee if the qualified employee is determined to have had no preventable accidents or no preventable accidents have occurred in which an employee shares responsibility within the previous calendar year. The employee must have worked for the Village in a capacity requiring them to drive a vehicle or operate a heavy piece of equipment for at least nine (9) months during the previous year. If an employee, who is working part-time in another position/job/assignment for the Village, has a preventable accident while working in that capacity, they will not earn the full Safe Driving Day. The use of this Safe Driving Day is subject to the conditions of Section 6.3. If an employee is unsure if they qualify for the Safe Driving Program, employee should contact Human Resources.

Section 8.5 Workplace Violence

The Village of Palatine maintains a zero tolerance toward workplace violence, or the threat of violence, by any of its employees, residents, customers, or general public, and/or anyone who conducts business with the Village. It is the intent of the Village of Palatine to provide a workplace (which includes Village property and all other locations where a Village employee is properly performing duties) that is free from intimidation, threats or violent acts.

Workplace violence includes, but is not limited to, harassment, threats, physical attack, or property damage. A threat is the expression of the intent to cause physical or mental harm regardless of

whether the person communicating the threat has the present ability to carry out the threat and regardless of whether the threat is contingent, conditional, or future. Physical attack is unwanted or hostile physical contact with another person such as hitting, fighting, pushing, shoving, or throwing objects. Property damage is intentional damage to property which includes property owned by the Village, employees or others.

A. Prevention of Workplace Violence

The Village subscribes to the concept of a safe work environment and supports the prevention of workplace violence. Prevention efforts include, but are not limited to, informing employees of this policy, instructing employees regarding the dangers of workplace violence, communicating the sanctions imposed for violating this policy, and providing a reporting hierarchy within which to report incidents of violence without fear of reprisal.

B. Reporting Threats – Internal and External

All Village of Palatine employees are responsible for notifying their Supervisor or their Department Head of any threats which they have witnessed, received, or have been told that another person has witnessed or received. Even without an actual threat, employees should also report any behavior they have witnessed which they regard as threatening or violent, when that behavior is job related or might be carried out on a Village controlled site, or is connected to Village employment. Employees are responsible for making this report whether the incident is committed by another employee or an external individual such as a customer, vendor, or citizen. The Department Head will inform Human Resources of all reported incidents of workplace violence. Any employee who acts in good faith by reporting actual or potential violent behavior will not be subjected to any form of retaliation or harassment.

C. Identifying Dangerous Situations

While we do not expect employees to be skilled at identifying potentially dangerous persons, employees are expected to exercise good judgment and to inform their Supervisor or Department Head if any employee exhibits behavior that could be a sign of a potentially dangerous situation. Such behavior includes:

1. discussing weapons or bringing them to the workplace (other than Sworn law enforcement personnel); or
2. displaying overt signs of extreme stress, resentment, hostility or anger; or
3. making threatening remarks; or
4. sudden or significant deterioration of performance; or
5. displaying irrational or inappropriate behavior.

D. Prohibited Actions and Sanctions

It is a violation of this policy to engage in any act of workplace violence. Any person who makes substantial threats, exhibits threatening behavior, or engages in violent acts on Village property or which arise from their employment with the Village shall be removed from the premises (or work locations if not on site) as quickly as safety permits, and shall remain off Village premises pending the outcome of the investigation. Any employee who has been determined to be in violation may be subject to disciplinary action up to and including termination of employment and, depending upon the violent act, may be subject to criminal sanctions. Any other person who has been determined to be in violation will be subject to suspension and/or termination of any business relationship, and/or criminal prosecution.

Section 8.6 Driver Responsibilities

Employees who use a vehicle in the performance of their position will be required to maintain a valid driver's license as a condition of holding such a position.

Consistent with this obligation, the Village reserves the right to conduct periodic reports to verify that the employee's driver's license is current and valid. Employees may need to execute documents in order to authorize the Village to confirm the status of a driver's license.

Failure to cooperate with such periodic verification reports will result in ineligibility for employment in a position in which a valid driver's license is required.

To promote overall good driving habits, employees are expected to maintain a good driving record both on and off the job. Drivers with one (1) or more recorded high-risk driving violations will be subject to a verbal warning as future violations would impact the ability to perform job duties. Drivers shall notify their supervisor of driving violations that occurred on duty before the end of the shift. Off duty violations shall be reported at the beginning of the next day reporting to work; but no later than 72 hours after the violation.

High Risk driving violations are outlined in the "Fleet Safety Policy" Manual. These violations consist of licensing or registration offenses, felonies directly involving a motor vehicle, violations which indicate a disregard for public safety including driving under the influence, reckless driving resulting in bodily injury or property damage, reckless homicide, violations resulting in fatal accident, speeding in excess of fifteen (15) miles per hour over the limit, or following too closely.

ARTICLE IX. EMPLOYEE CONDUCT

Section 9.1 Outside Employment

Village employees shall not participate in outside employment that in any way interferes with the employees' regular duties, responsibilities or work performance with the Village, as determined by the Village Manager.

- A. Full-time and part-time Village employees may not engage in outside work or employment as defined in this section without the express written approval of their Department Head

and the Village Manager. Any employee who engages in outside work or employment without such express written approval is subject to discipline up to and including termination of employment. All requests to engage in outside employment must be submitted in writing to the Department Head who will forward it to the Village Manager. The “Outside Employment Request Form” is located at the end of the Employee Handbook.

1. Outside work is defined as any gainful employment other than the performance of official duties, including, but not limited to: self-employment, working for another employer, employment in the management, and operation or direction of a private business for profit, including any direct or indirect financial interest in any such business.
 2. Department Heads may set policies and guidelines regarding outside employment. Such policies and guidelines shall be approved or subject to change by the Village Manager.
- B. The Village generally will permit employees to engage in outside employment or work so long as, in the opinion of the Village Manager or the employee’s Department Head, the outside work or employment would not affect:
1. the quality of the employee’s work for the Village; or
 2. prevent the employee from devoting their primary interest to the accomplishment of their work for the Village; or
 3. tend to create conflict, or the appearance of a conflict, between the private interests of the employee and the employee’s official responsibility to the Village.
- C. An employee shall not perform outside work, which in the judgment of the Village Manager:
1. is of such nature that it may be reasonably construed by the public to be an official act of the Village, or Department thereof; or
 2. involves the use of Village facilities, equipment, and electronic devices; or
 3. involves the use of official information not available to the public; or
 4. might encourage, on the part of members of the general public, a reasonable belief of a conflict of interest.
- D. While an employee is not prohibited from performing outside work solely because the work is of the same general nature as the work the employee performs for the Village, no employee may perform the outside work if, in the judgment of the Village Manager:
1. the work is such that the employee would be expected to do it as part of his or her regular duties; or

2. the work involves management of a business closely related to the official work of the employee; or
3. the work would tend to influence the exercise of impartial judgment on any matter coming before the employee in the course of the employee's official duties.

During the time an employee is absent from work due to medical reasons, an employee shall be prohibited from working a secondary position.

Section 9.2 Use of Village Mail

Employees shall not on a regular basis use the address of the Village for receipt of personal mail without the approval of the Department Head.

Section 9.3 Use of Village Property

The Village may provide automobiles, machinery, equipment and tools for employees whose work requires frequent and extensive use. Such Village property is not for personal use and employees shall make every effort to use such property in a safe, non-abusive, efficient manner. Personal use of Village property without the expressed written consent of the Village Manager shall be subject to discipline up to and including termination of employment. Vehicles owned by the Village and used by employees, shall be subject to applicable federal tax requirements.

When using Village vehicles, employees should keep in mind that they are representatives of the Village government and that their conduct as drivers in adhering to the rules and regulations of the road is a reflection on the Village.

Section 9.4 Political Activity

Employees may not engage in political activity while at work or on duty. No employee, or compensated officer, other than an elected officer of the Village of Palatine shall campaign for, or make a contribution, either in cash or kind, to the campaign of any candidate for an elected office of the Village of Palatine. It shall be unlawful for any person to coerce or solicit an officer or employee of the Village to campaign for or contribute, either in cash or in kind, to the campaign of any candidate for an elected office for the Village of Palatine. No appointment to employment by the Village, or discharge or removal therefrom, or demotion or other unfavorable personnel action affecting an officer or employee of the Village of Palatine shall be conditioned upon a requirement that such officer or employee campaign for, support or contribute, either in cash or in kind, to the campaign of any candidate for an elected office of the Village of Palatine.

Section 9.5 Solicitation, Distribution of Printed Materials, Selling/Peddling Among Employees

A. Solicitation During Work Hours Prohibited

Unless authorized by the Department Head and approved by the Village Manager, all solicitation among Village employees during working hours for charitable, or any other purposes, and the selling of tickets, magazines, or merchandise of any kind are prohibited. In addition, solicitation by any Village employee is not permitted during non-working time in areas where it will disturb other employees who are working.

1. This restriction applies to all solicitations, distribution of printed materials, selling or peddling of every nature, whether by Village employees or non-employees.
2. Distribution or circulation of printed material for personal reasons by any Village employee is not permitted in any work area or during any work time.
3. Solicitation or distribution of any printed materials by non-employees on behalf of any individual, organization, group, or society will not be permitted at any time on any Village property.
4. The failure of any employee to comply with these rules will result in appropriate disciplinary action

B. Solicitation After Hours

Solicitation by Village employees after working hours shall be in accordance with the following guidelines:

1. Administrative and operational departments of the Village are precluded from initiating or promoting any type of solicitation or fund raising event.
2. Only auxiliary or supportive groups are allowed to sponsor a solicitation or fund raising activity. However, the name of the Village or the name of any Village department(s) shall not be used in such solicitation or fund raising.
3. Any such solicitation or fund raising program must be reviewed and approved by the Village Manager before it is initiated.

C. Bulletin Boards

Bulletin boards maintained by the Village of Palatine are to be used only for posting or distributing material of the following nature:

1. Notices containing matters directly concerning Village business.
2. Announcements which are equally applicable and of interest to employees.

All posted material must have authorization from the Department Head. All employees are expected to check these bulletin boards periodically for new and/or updated information and to follow the rules set forth in all posted notices. Employees are not to remove material from the bulletin boards.

Section 9.5 **Indoor Clean Air Policy**

In compliance with the State of Illinois' Indoor Clean Air Act, smoking is prohibited in any building or vehicle and prohibited on all Village premises except in designated smoking areas where authorized by the Village Manager. All types of tobacco products and electronic smoking devices are included in this policy. The property surrounding Village Hall (including parking lots, etc.) is considered a smoke-free campus.

Section 9.6 Drug-Free and Alcohol-Free Workplace Policies

It is the Village of Palatine's desire to provide and ensure that all employees work efficiently in a safe environment. Adherence to the terms of this policy shall be a condition of employment.

The unlawful use, manufacture, sale, distribution, dispensing, transportation or possession of a controlled substance, or illegal drug is prohibited at any time, except in accordance with duty requirements. The prohibitions in this policy encompass, but are not limited to: narcotics (heroin, morphine, opioids, etc.), cannabis (marijuana, hashish, cannabis-infused products), stimulants (cocaine, crack, diet pills, etc.), depressants (tranquilizers), and hallucinogens (PCP, LSD, "designer drugs," etc.). An illegal drug includes the use of prescription drugs in a manner other than lawfully prescribed. The consumption of alcohol at any time during the work day (except when drinking intoxicating beverages is required in accordance with duty requirements) is prohibited. No employee shall be on duty or on call while under the influence or effects of alcohol or drugs. This policy further prohibits the consumption, possession, sale, purchase or delivery of cannabis or cannabis-infused substances by law enforcement officers, paramedics or firefighters even when off duty. This policy also prohibits the use of medically prescribed marijuana in the workplace or being under the influence of marijuana as a "qualifying patient" under the Illinois Compassionate Use of Medical Cannabis Pilot Program Act during the work day or work activities.

An employee is considered to be under the influence of drugs if the employee has a confirmed positive test result for drug use or their metabolites pursuant to federal HHS-certified lab cutoff concentrations or has engaged in conduct evidencing apparent impairment.

In addition, all Village property and Village workplaces are subject to inspection, including, but not limited to, Village lockers assigned to employees and Village vehicles used by its employees. Failure to comply with this policy will result in disciplinary action up to and including termination of employment.

Village of Palatine employees must report for work in an appropriate mental and physical condition to perform their job and remain in that condition the entire time on duty. Failure to comply with this policy will result in disciplinary action up to and including termination of employment.

1. The legal use of prescribed drugs or commercially available over-the-counter drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner, that does not endanger the employee or other individuals in the workplace. Employees using a prescribed medication or an over-the-counter medication that may impair the performance of their job duties must immediately inform their supervisor of such use.
2. If the Village has reasonable suspicion to believe an employee is under the influence of alcohol or illegal drugs during the course of the employee's work day, the Village has the right to require the employee to submit to alcohol or drug testing. Any employee who refuses to take an alcohol and/or drug test shall be

subject to disciplinary action, up to and including termination of employment. The Village, in its sole discretion and in addition to any disciplinary action, may require an employee who has tested positive on any alcohol or drug test to participate in an approved alcohol or drug counseling or rehabilitation program as a condition to being allowed to return to work.

3. The Village will, to the extent required by law, protect the confidentiality of all drug and alcohol test results.
4. Employees with questions or concerns about substance dependency or abuse are encouraged to discuss these matters with their supervisor or Human Resources. Employees with drug or alcohol problems shall be responsible to seek and successfully complete treatment either through the Employee Assistance Program or an alternate form of treatment.
5. Employees shall be required to notify the Village administration of any criminal drug conviction for a violation occurring at the workplace no later than five (5) days after the conviction.
6. Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. The Village of Palatine will comply with all federal, state, and local laws and regulations concerning violations of drug and alcohol use in the workplace. The Village will comply with the applicable requirements of the Drug-Free Workplace Act of 1988, the Americans with Disabilities Act, the Family and Medical Leave Act, and any future new legislation. In addition, any employee convicted under a criminal drug statute for a violation occurring in the workplace must notify the Village Manager within five (5) days after such conviction. An employee who is convicted of such a crime will be subject to disciplinary action, up to and including immediate discharge.

Section 9.7 **Attendance, Punctuality and Dependability**

Because the Village depends heavily upon its employees, it is important that employees attend work as scheduled. Dependability, attendance, punctuality, and a commitment to do the job right are essential at all times. As such, employees are expected at work on all scheduled work days and during all scheduled work hours and to report to work on time. An employee must notify their supervisor as far in advance as possible, but not later than thirty (30) minutes before the scheduled starting time if employee expects to be late or absent. If a department policy requires a greater notice period, employees must adhere to that policy. This policy applies for each day of employee's absence. An employee who fails to contact the immediate supervisor may be considered as having voluntarily resigned. A careful record of absenteeism and lateness is kept by the employee's supervisor and becomes part of the personnel record. Absenteeism and lateness can lessen an employee's chances for advancement, except if approved in accordance with the Village's FMLA policy.

Section 9.8 **Disclosure of Confidential Information**

No current or former official or employee shall use or disclose, other than in the performance of their official duties and responsibilities, or as may be required by law, confidential information gained in the course of or by reason of their position or employment, including information about citizens and non-public information about operations and employees. Such confidential information includes personal or private information of employees, customers, citizens, and vendors, such as personal telephone numbers, personal email addresses, home addresses, personal license plates or other unique identifiers, personal financial information, medical information, information about minors, and other sensitive information. Other confidential information includes trade secrets, reports and analysis prepared by the Village or third parties that have not been released to the public, information provided for audit purposes that has not been released to the public, information related to other actions that remain under review or in a preliminary or draft state, attorney-client communications, or other information that is not subject to disclosure under state or federal law. Disclosures required for the performance of official duties must be compliant with HIPAA and other privacy laws.

Inquiries from the media should be referred to the proper Village contact, including the designated department contacts in Police and Fire, and the Village Manager's Office.

Records of the Village of Palatine are subject to retention periods as outlined by the Records Management Section of the Office of the Secretary of State. Records may be destroyed only upon prior authorization.

Section 9.9 **Employee Ethics Policy**

Employees shall not use their Village employment for private gain. Guidelines:

No Village employee shall engage in any act, which is in conflict with or creates the appearance of conflict with, the performance of official duties. An employee shall be deemed to have a conflict if the employee:

- A. Has any financial interest in any sale to the Village of any goods or services when such financial interest was received with prior knowledge that the Village intended to purchase the property, goods or services.
- B. Solicits, accepts or seeks an inappropriate gift, gratuity or favor from any person, firm or corporation involved in a contract or transaction, which is or may be the subject of official action by the Village. An inappropriate gift, gratuity or favor is one that has significant monetary value or is offered or accepted in expectation of preferential treatment instead of as an expression of appreciation or professional courtesy.
- C. Discloses or uses without authorization confidential information concerning property or affairs of the Village to advance a private interest with respect to any contract or transaction which is or may be the subject of official action of the Village.
- D. Violates any applicable provision of the Illinois State Gift Ban Act, 5ILCS425/1 et seq., as now or hereafter amended.

Section 9.10 **Post-Employment Restrictions**

No former official or employee shall assist or represent any person or entity other than the Village in any judicial or administrative proceeding involving the Village if the official or employee participated personally and substantively in the proceeding during their term of office or employment.

No former official or employee shall, for a period of one (1) year after the termination of the official's or employee's term of office or employment, be involved in, or assist or represent any person or entity in any business or land use transaction involving the Village. This shall not preclude a former official or employee from representing himself or herself or representing any business owned by former official or employee, regarding any matter or transaction involving the Village.

ARTICLE X. **EMPLOYEE DISCIPLINE**

Section 10.1 **Disciplinary Action**

It is only fair that employees should know what the Village expects of them so far as conduct at work, on Village property, and off duty (off duty applies if it impacts the ability of the employee to do their job or if the conduct impacts the Village's reputation in the community). Certain standards of conduct are necessary so the Village can operate in an orderly and efficient manner, and can provide for the safety and general welfare of all employees. While not all wrongful conduct can be listed, the Village sets forth the most common instances and the penalties which may be applied to them:

- A. Theft (taking without permission) property belonging to the Village, another employee, citizen or business.
- B. Refusal to comply with a work assignment or a direct instruction from a member of management.
- C. Reporting to work or working under the influence of alcohol or drugs, or using or having such in one's possession on working time, or other violation of the Village's published policy, Drug-Free and Alcohol-Free Workplace Policies, Section 9.6.
- D. Concealing evidence, interfering with an ongoing investigation, or failure to correct errors and omissions within a reasonable period of time.
- E. Restricting or encouraging others to refrain from the proper exercise of their duties, or engaging in any illegal work stoppage in violation of any collective bargaining agreement.
- F. Sabotage, destruction, misuse, or hiding of Village property, or that of a contractor or another employee, or a Village resident.
- G. Falsifying Department records, altering Village records without permission, or giving false information in preparation of any Village records, including employment applications and time tracking systems.
- H. Fighting on Village property, assaulting or attempting to assault any person or employee, or deliberately provoking another person to engage in an assault or fight, except as required and appropriate in proper exercise of their duties.

- I. Possession of any weapon not authorized by the Village (other than duty weapons properly displayed) or explosives on Village property.
- J. Being insubordinate or disobedient.
- K. Conviction of a serious misdemeanor (other than class b and c misdemeanors) or a felony.
- L. Failing to timely return from a leave of absence (except if granted extension).
- M. Violation of the Village's sexual harassment policy (depending on severity involved).
- N. Sleeping on the job (unless authorized, for example, twenty-four hour Fire Department Personnel).
- O. Refusal to work a reasonable amount of overtime when requested.
- P. Illegal gambling or participating in any illegal lottery or illegal game of chance on Village property.
- Q. Destruction of Village bulletin boards or marking or destroying any literature on such bulletin boards, or posting anything on Village bulletin boards without management permission.
- R. Failing to follow prescribed safety and health procedures, practices or policies, including smoking except where permitted, and including careless operation of any motorized equipment/vehicle.
- S. Incompetent or inefficient work performance.
- T. Failing to obtain supervisor's permission before leaving Village premises during working hours, except where it is reasonably necessary to leave the Village in the proper performance of duties.
- U. Not working during working time or engaging in personal business during working time, such as personal work, personal telephone calls, texting, playing games, reading, visiting other employees, etc., without supervisor's permission.
- V. Overstaying rest periods or lunch periods.
- W. Failing to call before your designated starting time, when not reporting for work.
- X. Failing to maintain satisfactory standards of dress, grooming, cleanliness, or personal conduct in accordance with guidelines set forth in rules and regulations of the Village.
- Y. Spreading malicious gossip or rumors, or making false, vicious or malicious statements concerning any employee, the Department, or its services, or the Village Administration.
- Z. Engaging in horseplay or disorderly conduct.
- AA. Failing to report immediately to a supervisor any accident or injury.
- BB. Excessive tardiness or absenteeism.
- CC. Violation of a Special Order or other published rules or regulations of the Department in which the employee works or such rules, regulations and ordinances adopted by the Village from time to time.
- DD. Any other behavior which brings discredit to the Village or the expected role or function of employee's Department or the Village or that the Village deems misconduct.

The Village may apply progressive discipline. However, an employee may still be immediately terminated, instead of receiving progressive discipline, for inappropriate conduct, including but not limited to: violation of work rules, general rules and regulations or policy violations, unacceptable behavior, misconduct, poor performance, or unacceptable attendance. Progressive

discipline may include any of the following steps: Documented Oral Reprimand; Written Warning; Suspension; Termination.

Section 10.2 **Appealing Disciplinary Actions**

Full-time employees (except Police Officers and Firefighters who are subject to the jurisdiction of the Fire and Police Commission) may appeal in the following manner disciplinary action other than an oral reprimand or termination:

- A. Any employee who wishes to appeal any disciplinary action must within three (3) business days after being notified of disciplinary action, submit to the Department Head a short written statement outlining the employee's reasons for appealing the action. If the employee takes no action within three (3) business days of being notified of the disciplinary action, then the employee forfeits the right to appeal the discipline and the disciplinary action shall stand.
- B. The employee's Department Head will forward any timely written appeal to the Village Manager. The Village Manager will review timely, written appeals and may meet with the employee. The employee will be notified of the Village Manager's decision. The Village Manager's decision in the matter is final.

Any appeal of discipline to the Village Manager shall be limited solely to presenting mitigating information which was not available to the employee prior to disciplinary decision. Any appeal considered by the Village Manager does not alter the employment at-will relationship or bind the Village to a specific standard in its decision-making.

Section 10.3 **Grievance Procedure**

The Village strives to treat employees fairly in all matters arising out of their employment with the Village. It is further recognized that it is in the best interests of the employees and the Village that each employee has the opportunity to be heard fully at any time that employee feels that this right to fair treatment has been violated. It is the Village's policy that there be at all times full and free discussion of employment matters between employees and supervisory personnel, since many grievances are the result of misunderstandings and lack of communication. However, the Village retains the rights in accordance with applicable law to do the following:

- A. Direct employees of the Village in performance of their duties;
- B. Hire, promote, transfer, assign, and retain employees in positions within the Village and to suspend, demote, terminate, or take disciplinary action;
- C. Take the necessary means to achieve the proper purposes of the Village in emergency situations.

In addition, a grievance filed by an employee must:

- A. Be clearly defined and within control of the Village Manager;

- B. Arise out of an act or failure to act by the management of the Village and be directly related to the working conditions or to the employment relationship;
- C. State the relief being sought and such relief must be within the authority of the Village to grant.

If an employee has any complaints or grievances that are within the criteria as stated above, the employee must act as follows:

Step 1:

The employee must submit a short written notice of grievance describing the complaint to the supervisor within three (3) business days of the time the employee first became aware or should have become aware of the incident or situation giving rise to the grievance. The employee's immediate supervisor will, within three (3) business days of receipt of the written notice of grievance, meet with the employee to discuss the problem. If the employee is satisfied with the solution offered by the immediate supervisor, the grievance is ended.

If a supervisor fails to meet with the employee, the employee then must, within ten (10) business days of originally submitting the grievance, proceed to Step 2 of the grievance procedure, or the grievance is ended.

Step 2:

If the employee is not satisfied with the solution offered by the supervisor, the employee must, within three (3) business days of meeting with the supervisor, make a written request to the employee's Department Head for a meeting to discuss the problem. The Department Head will attempt to meet with the employee within five (5) business days of receiving the written request. The Department Head generally will attempt to respond to the concerns expressed by the employee in this meeting within five (5) business days of the meeting. If the employee is satisfied with the response offered by the Department Head, the grievance is ended.

If a Department Head fails to meet with the employee, the employee then must, within ten (10) business days of submitting the written request for a meeting with the Department Head, proceed to Step 3 of the grievance procedure or the grievance is ended. If the Department Head fails to provide a response after meeting with the employee, the employee then must, within five (5) business days of meeting with the Department Head, proceed to Step 3 of the grievance procedure or the grievance is ended.

Step 3:

If the employee has completed Steps 1 and 2 of the grievance procedure and still is not satisfied, the employee must, within three (3) business days of receiving written notification of the Department Head's response, submit in writing a request for a meeting with the Village Manager. The request must briefly set forth the substance of the employee's grievance. The Village Manager or their designee, as soon as is practicable, meet with the employee and thoroughly discuss the grievance. The Village Manager or their designee then shall attempt to provide the employee with a written answer containing the Village Manager's decision concerning the disposition of the grievance within five (5) business days. The Village Manager's decision shall be final.

The Village reserves the right to deviate from the procedures and timelines set forth in this Section if it deems it appropriate.

The Fire Chief, with the concurrence of the Village Manager, may extend the time requirements of the grievance procedure for Fire Shift personnel not covered under the Collective Bargaining Unit due to the unique nature of the work shift and work period in the Fire Department.

ARTICLE XI. MISCELLANEOUS POLICIES

Section 11.1 Meet and Confer Sessions

In an attempt to address the needs and suggestions of all employees, it is the Village's policy to conduct "meet and confer" sessions with selected representatives from employee groups when appropriate. Those employees whose terms and conditions of employment are covered by a collective bargaining agreement or having professional, confidential, or supervisory status (except where the Illinois Labor Relations Board defines supervisors as eligible for representation by a Collective Bargaining Unit) are not allowed to participate in meet and confer sessions, but may submit requested changes in personnel policies, fringe benefits, wages and working conditions to their Department Heads for review by the Village Manager or Village Manager's representative.

- A. Meet and confer sessions should be completed in a timely manner in order to provide ample time for budget preparation. Each employee group may select a representative to meet with the Village's representative and to submit requests or suggestions.
- B. Meet and confer sessions allow employee groups to provide input on potential changes being made to the working conditions, wages, fringe benefits, and personnel policies affecting specific employee groups. These changes usually become effective or are approved in conjunction with the adoption of a new Village budget.
- C. Those employee groups wishing to participate in meet and confer discussions must submit a request in writing which specifies the selected representatives for the employee group. This request shall be submitted to the Village Manager.

Section 11.2 Tuition Assistance Program

The Tuition Assistance Program is intended to encourage continuous education by providing tuition assistance to the employee in his/her effort to complete continuing education but will not cover all costs. The Village funds a Tuition Assistance Program subject to the appropriation limits as established annually by the Village Council. Tuition Assistance is available to full-time employees in good standing who have been with the Village for at least twelve (12) months of active, continuous service. Employee must have an overall rating of "meets expectations" or better on their most recent performance evaluation at the time of application to qualify. Coursework and study are expected to be completed on the employee's own time.

Tuition Assistance is a discretionary program subject to the availability of funds and may be discontinued at any time by the Mayor and Village Council or the Village Manager. Past approval and participation in the tuition reimbursement program does not guarantee approval in subsequent

years and does not obligate the Village to pay coursework beyond the approved term. Reimbursements will not carry over from year to year if the program doesn't have enough funds in a given year.

Courses or degrees must be job related and must improve the employee's efficiency, knowledge and competency in the performance of existing or future job duties. The education program must be relevant to the employee's job as determined by the Village.

Course reimbursement shall be for tuition costs only. Costs for books, student fees, or other associated costs are not covered by the program. The amount of reimbursement for a course will depend on:

1. Whether it is undergraduate or graduate level.
2. The grade achieved in the course, and
3. Whether any other financial assistance is received by the employee.

Harper College rates will be used as a benchmark for establishing maximum reimbursement rates for community college coursework. Northern Illinois University will be used as a benchmark for establishing maximum reimbursement rates for undergraduate and graduate coursework.

Maximum reimbursement will be:

- 75% of the established reimbursement rate for a grade of A or B.
- 50% of the established reimbursement rate for a "Pass" in a Pass/Fail Course
- 25% of the established reimbursement rate for a grade of C
- No reimbursement for a grade of D, or F, or "Fail" in a Pass/Fail Course.

Reimbursement rates will be reconsidered from time-to-time, and shall be posted to the Employee Intranet.

Sample Reimbursement Rates (2022/2023 School Year)

Type of Program Attended	Base Rate	75% Rate	50% Rate	25% Rate
Harper or other Community College	\$133.50 per hour	\$ 100	\$ 66	\$ 33
Undergraduate program	\$360.80 per hour	\$ 271	\$180	\$ 90
Graduate program	\$503.60 per hour	\$ 378	\$252	\$ 126

The employee is expected to seek all other sources of assistance (Veteran's benefits, scholarships, and grants) with the exception of student loans. The Village's reimbursement shall not exceed the difference between a tuition invoice and tuition assistance from all other sources.

Advance Program Approval Procedure

Employees must be approved for coursework before they are eligible for reimbursement. Each learning period, an employee will submit a "Tuition Assistance Application" (form found at the end of the Employee Handbook) to their department director describing the course of study and its relevance to the employee's job and the Village of Palatine. The employee must include the cost of their tuition as well as any anticipated financial aid. The department director then considers preliminary approval and makes a recommendation to the Human Resources Director for final approval. Once a course is approved, the employee will receive acknowledgement of acceptance into the program for that period.

For an employee new to the program, the best opportunity to be accepted into the program is to submit a request to Human Resources by July 31 of the year prior to the coursework. This way, the Village can consider new individual education plans as part of the Tuition Assistance Program. Education expenses will be considered for advance approval when the actual budget year begins.

Reimbursement Procedure

Within sixty (60) days after the course is completed, the employee shall submit the initial approved request, final grade report, receipt showing tuition costs and a completed Tuition Assistance Agreement (form found at the end of the Employee Handbook). Human Resources will coordinate signatures on the Reimbursement Agreement and will process the reimbursement. The Village will make every effort to reimburse eligible costs for current approved courses (or those pending reimbursement). Failure to submit within 60 days will result in forfeiture of the reimbursement.

Reimbursement Limits

Annually, the limit for tuition assistance shall be the lesser of either eighteen (18) credit hours credit or the annual limit for non-taxable tuition assistance benefits as established by the IRS. This limit can be lifted at the express written authorization of the Village Manager in circumstances where the employee is continuing their education as part of a Village succession plan.

Employee Commitment to Village

Employees shall recognize the Village's commitment to supporting their education efforts with a commitment to three years of continued employment following completion of their course(s). In consideration for tuition assistance reimbursements, the employee agrees to a minimum three (3) year commitment to continued employment with the Village following completion of each course. Employees who voluntarily leave Village employment after receiving tuition assistance shall be required to reimburse the Village according to the following schedule:

<u>Time between course completion and terminating employment</u>	<u>Percent employee shall Reimburse the Village</u>
Less than one year	100%
One to two years	75%
Over two years to three years	50%
Over three years	0%

Section 11.3 Employee Suggestions

The Village management is always desirous of providing a more efficient Village service and actively solicits the suggestions of all Village officials and employees. Employee suggestions should be submitted in writing to the Department Head and/or Village Manager. All suggestions shall be acknowledged in writing and will be given thorough consideration. If an employee's idea or suggestion is implemented, the employee will receive written recognition and a copy of this recognition shall be placed in the employee's personnel file.

Section 11.4 Business Travel Expense Policy

The Village of Palatine will reimburse employees for reasonable business travel expenses incurred while on professional business away from the normal work location. All business travel must be approved in advance by the Department Head or Village Manager.

When approved, the actual costs of travel, meals, lodging, and other expenses directly related to accomplishing business travel objectives will be reimbursed by the Village. Employees are expected to exercise good judgment and limit expenses to reasonable amounts, as if they were traveling at their own expense.

If employees are using their personal car for Village business, they are entitled to the per-mile rate of reimbursement according to the Internal Revenue Service. Mileage will be calculated from the employee's work location. To verify employees meet their obligation to have appropriate auto vehicle coverage while conducting village business, employees will be asked to demonstrate proof of insurance before receiving their mileage reimbursement check. Minimum insurance requirements are \$100,000 Bodily Injury Liability per person; \$300,000 Bodily Injury Liability per Occurrence; \$100,000 Property Damage Liability or \$300,000 Bodily Injury and Property Damage Liability Combined Single Limit.

If an employee receives an auto allowance as part of their job, they are entitled to reimbursement for travel outside of fifty (50) miles from Village Hall. Under no circumstances shall the mileage reimbursement exceed the cost of airfare to the destination.

If an employee has an auto accident as a result of conducting Village business using their personal vehicle, the Village may reimburse the employee's deductible up to \$500. The damage must be incurred performing tasks directly related to the job and must be documented through a Police Report. The Village will use discretion when considering reimbursement and will not make payment when, for example, the employee violated the law and/or caused the accident.

Employees may be entitled to a per diem meal allowance as defined by IRS Regulations, Publication 1542. Pursuant to IRS Publication 1542, receipts are not required when per diem allowances are authorized. Advance approval of the Village Manager is required to be eligible for a per diem meal allowance.

Travel cash advances to cover reasonable anticipated expenses may be made to employees, after travel has been approved. Employees should submit a written request to their supervisor when travel advances are needed. The amount of the travel expense should be sustainable in advance by an itemized estimate of the expenses.

When travel is completed, employees should submit a completed travel expense report within five (5) business days. Reports should be accompanied by receipts for all reimbursable expenses except those related to per diem allowances.

In any situation where extraordinary travel expenses are to be incurred, or where these regulations do not cover the situation, or place a significant financial hardship on the employee, the Village Manager may authorize exceptions. The employee must justify the additional expense via memo addressed to the Department Head.

Abuse of the Business Travel Expense policy, including falsifying expense reports to reflect costs not incurred by the employee, may be subject to disciplinary action, up to and including termination of employment.

Section 11.5 Uniforms and Appearance

Employees in certain departments are required to wear uniforms as assigned while on duty or acting as a representative of the Village. Departmental policy shall specify when uniforms and proper attire are necessary.

All employees are to maintain a neat appearance. It is particularly important that employees who meet the public make a neat, clean appearance at all times. Supervisors are directed to advise employees of improper appearance for the work in which they are engaged. Continued disregard of the Village's uniform and appearance policy may be subject to disciplinary action.

Section 11.6 Failure to Work Due to Exceptional Circumstances

During any type of exceptional natural emergency which occurs on a normal work day, as determined by the Village Manager, (i.e. snow, flood, etc.) a Village employee should report to work unless specifically directed by the Department Head not to report. If an employee does not report to work or is unable to report to work during such emergency without authorization from the Department Head, the hours lost will be deducted from authorized accrued time off of the employee. If no such time is available to the employee, the hours lost will be deducted as time without pay.

Section 11.7 Work Requirements During Inclement Weather

The Department Head may alter the employee's work assignments during *extreme* weather conditions to minimize employee exposure. However, if it is determined that the health, safety and welfare of the Village is threatened, employees shall perform assigned duties regardless of weather conditions.

Section 11.8 Work from Home Arrangements

Municipal employee work, by nature, occurs face-to-face and in-person. In rare circumstances, work-from-home arrangements will be considered on a temporary basis if there is an established business need and the means for the employee to meet the temporary project requirements. The Department Head must establish a clear benefit to the Village to justify work from home and must seek concurrence of the Village Manager before work-from-home arrangements are made.

Section 11.9 Internal Investigations and Searches

From time to time, the Village of Palatine may conduct internal investigations pertaining to security, auditing or work-related matters. The Village reserves the right to search lockers, desks, filing cabinets, computers, other electronic devices whether provided by the Village or a personal device, and other personal belongings located on Village property at any time. As part of such investigation, the Village reserves the right to search materials and possessions brought on site by the employee. Employees are required to cooperate fully with and assist in these investigations if requested to do so.

The Village will generally try to obtain an employee's consent before conducting a search of work areas or personal belongings, but may not always be able to do so. The Village will conduct such searches in a manner reasonably intended to address the legitimate operational and management reasons for the search.

Section 11.10 **Firearm Restrictions**

- A. All Village property is a “prohibited area” under Section 65 of the Illinois Firearm Concealed Carry Act and thus concealed carrying in or on any Village property is not authorized by Illinois law.

Except as provided under EXCEPTIONS, no employee may wear, carry, store, transport, or otherwise possess a Firearm at any time in or on Village property or while performing any duties for or on behalf of the Village.

Examples of prohibited times and places include, but are not limited to the following:

1. Performing work for the Village at any location including private residences and commercial establishments and other customer or client locations; or
2. Driving or riding as a passenger in a Village vehicle; or
3. Attending Village directed or sponsored activities or events.

Use of a private vehicle. No Village employee may use a privately owned vehicle for Village business if that vehicle contains a firearm of any type or size, whether loaded or unloaded.

- B. **EXCEPTIONS**
Police Officers and other Village employees specifically designated may possess their work-issued Weapons.
- C. **Parking Lots**
An employee may keep a firearm in his or her personal vehicle properly parked and locked in a Village parking area, so long as the weapon is kept in compliance with all applicable federal and state laws and regulations, is entirely out of sight, and, so long as the employee is properly licensed and the firearm is unloaded and locked in a glove box, trunk or other secured container.

ARTICLE XII. SEPARATION FROM VILLAGE EMPLOYMENT

Section 12.1 **Layoffs and Recalls**

- A. Whenever it becomes necessary to reduce the number of employees in any given class, the Department Head concerned shall prepare, for the Village Manager’s approval, a list of those employees to be laid off or reassigned.

The Village will endeavor, so far as it deems possible, to transfer qualified employees to any available vacant position rather than lay them off.

When the Village must lay off employees, Department Heads generally will, insofar as the Village deems appropriate, consider a number of factors. An evaluation of each employee will be made by the Department Head on the following criteria:

1. An employee's qualifications, skills and abilities to perform relevant job duties;
 2. Promotion potential and transferability of skills to other positions within the unit;
 3. Demonstrated current and past performance; and
 4. The needs of the Village and specific projects.
- B. For a period of up to six (6) months following the date of a layoff, the Village will try, in so far as it deems possible and appropriate, to give preference to employees laid off due to a reduction in force in filling positions which subsequently open and for which the employee is qualified.
- C. In order to assist in the orderly and easy transition into other employment, the Village will attempt, in so far as it deems possible and appropriate, to give employees advance notice of an impending reduction in the force.
- D. Employees in a class by virtue of promotional appointment may request demotion to a class from which he was promoted in lieu of a layoff, but any such demotion shall be at the Village's discretion.

Section 12.2 **Resignation/Loss of Seniority**

- A. Employees absent without leave authorization for more than three (3) consecutive work days (or two (2) consecutive duty days for Fire Department shift personnel) shall be deemed to have voluntarily resigned from their job.
- B. Any employee wishing to resign from the Village service in good standing shall file with the Department Head a written resignation stating the reason or reasons for leaving and giving at least ten (10) working days' notice. For Fire Department employees, a written resignation stating the reason or reasons for leaving should be submitted with at least five (5) duty days' notice. Employee shall be in active, scheduled working status on the final date of employment unless otherwise authorized by the Village Manager.
- C. Failure to comply with these procedures may result in denial of future employment with the Village.
- D. Employees who have not performed work for a continuous period in excess of twelve (12) months (for any reason other than absence approved due to military service) shall lose their seniority and will be considered terminated from employment. Exceptions will be considered only on a case-by-case basis when required to comply with the law.

ARTICLE XIII. ELECTRONIC MEDIA POLICY AND PROCEDURES

Section 13.1 Purpose

This policy provides guidelines for the secure, effective, and efficient use of the electronic media system. It sets forth the Village's policy with regard to use, access to and disclosure of electronic messages sent or received by Village employees using the electronic media systems.

Section 13.2 System Components/Media Defined

This system provides technology tools and communications over various media for authorized users, to include, but not limited to:

- A. E-mail and messaging
- B. Internet communications
- C. Broadcast messages
- D. Voice-mail
- E. Mobile data terminals, desktop and laptop computers
- F. Telephones and cellular phones
- G. Tablets and other portable electronic devices
- H. Fax machines, modems and servers
- I. Software licensed to the Village of Palatine
- J. Video conference equipment
- K. Social Media

Violations of this policy may result in loss of privileges and/or disciplinary action no matter when such violations are discovered.

Section 13.3 Usage Guidelines and Procedures

- A. The electronic media systems are user friendly, privileged communications systems that electronically create, store, and forward communications and data from one person to other recipients.
- B. All data created, composed, sent, received, stored, accessed, viewed or transmitted with any of these systems are, and remain the property of, the Village of Palatine; as such, these messages are not the private property of any employee. Tools, messages and information are subject to inspection.
- C. Authorized users of the Village's Municipal Area Network (MAN) will be provided a login name, which allows access to the system. The user will then provide a personalized password. The confidentiality of this password will be the sole responsibility of each user. Any communications via this system will be attributed to, and therefore the responsibility of, the login name of the originating user. Users may wish to utilize any additional security features built into the system, i.e., passwords, encryption, etc. to further protect their individual messages.

- D. To maintain the security of the computer-based systems, each user shall be required to logout or secure the system (password required screen saver) if they are not in the physical presence of the computer. Employees are not permitted to modify the Village Standard Load (SL) computer configuration without express permission from the Information Technology Department (IT).
- E. Access for users will be authorized and recommended by the employee's Department Head. The appropriate information will be collected by Human Resources, reviewed for approval, and conveyed to IT.
- F. The Computer User Group (CUG) representative, or trained departmental staff shall provide initial training where possible.
- G. The maintenance of the master list used on the computer systems shall be IT's responsibility. Suggestions for changes should be forwarded to the employee's respective CUG representative for their recommendation.
- H. Users shall not divulge their password(s) to other users, except where it may be required in the best interest of the Village. This determination will be made by the Department Head and IT, with the approval of the Village Manager or his designee. In this rare exception, the security accountability policies apply to all parties involved. Any person with knowledge of any password not their own shall report this to their supervisor and the IT Department. Appropriate actions may then be taken to secure the system. The Village Manager's office reserves the right to require an employee(s) to reveal their password(s).
- I. No employee shall attempt any unauthorized access to any system.
- J. The Village reserves the right to control access to various Internet sites.
- K. Employees will adhere to guidelines of computer security awareness training including phishing, secure passwords, etc.

Section 13.4 **Acceptable Use**

Communication tools may be used to communicate internally with employees, or externally with citizens, consultants, suppliers, vendors and other business relationships and acquaintances. The Village provides electronic communication tools to facilitate business communications, enhance productivity and improve service to our customers. The Internet may be used for appropriate business uses such as, research, updates of business information or news, or for specifically approved projects.

Incidental and occasional personal messages and Internet usage will be permitted on the system as long as they do not interfere with regular duties of the user or any other employee or the availability of technology resources. To the extent it occurs, personal use should be reserved to non-work hours. Personal messages will be treated the same as all other messages sent via the system. They are and remain property of the Village as outlined in Section 13.3B. Internet usage, whether business related or occasional personal use, may

be monitored and reported on regularly and subject to the Unacceptable Use in Section 13.5.

Section 13.5 **Unacceptable Use**

These systems (as defined in Section 13.2) cannot be used to create, forward, or receive any offensive or disruptive messages, i.e., containing sexual implications; racial slurs; gender-specific comments; discriminations relating to age, sexual orientation, religious or political beliefs, national origin, disability, or any other basis protected by law. Access to Internet sites of this nature are prohibited unless deemed necessary to perform their Village-defined job function. Where that condition exists, approval by the Department Head and authorization from the Village Manager or their designee is required prior to access to such Internet sites.

No employee shall use the Village's communication systems for mass distribution or receipt of personal or non-business information. These messages include, but are not limited to, messages containing personal advertisements, personal opinions, or personal requests. These systems may not be used to solicit or proselytize for commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitations. Participation in, or originating chain letters may result in loss of privileges.

No electronic media system shall be used to send copies of any documents, or information that is copyrighted, trade secret, proprietary, or considered confidential by the Village Manager's office.

No employee with authorized access to a media system shall allow an unauthorized person, employed or not employed by the Village, to use the system for any reason.

Section 13.6 **Limits of Privacy**

The Village reserves the right to review, audit, intercept, access, and disclose the contents of any employee's use of the Village of Palatine communications systems. Therefore, it should not be expected that such communications are private. Any contents obtained under these guidelines may be disclosed without the consent of the employee. As with all other Village property, the Village will search, monitor, inspect, intercept, review, access and/or disclose all Village electronic media resources and all data created, entered, received, stored, viewed, accessed or transmitted via those resources for legitimate management reasons, at any time, and without further advance notice by persons designated by or acting at the direction of the Village, or as may be required by law or as necessary for, or incidental to, auditing, security and investigative activities, and to ensure effective technology resource administration and policy compliance. Users specifically consent to the access by and disclosure to the Village of information created, entered, received, stored, accessed, viewed or transmitted via the Village's electronic media resources that is stored by a third-party electronic communication service or remote computing service and have no expectation of privacy in such information. For example, authorized persons will inspect the Village's technology resources to investigate theft or other unlawful activity or workplace misconduct, the unauthorized disclosure of client confidences, attorney work product and proprietary information, misuse, to assess Internet use, and for other work-related purposes.

No employee may monitor or intercept any data without the authorization of the Village Manager or Human Resources.

Section 13.7 **Transmitting Confidential Information**

Communication tools, especially the e-mail system should not be used to transmit confidential communications.

Confidential information pertaining to the Village itself or to any of its employees shall not be sent by e-mail without the express authorization of the Department Head. In cases where confidential information may need to be transmitted electronically on a regular basis, the IT Department should be consulted regarding the availability of encryption software and other means for securing the communication.

Section 13.8 **Software Standardization**

To ensure long range, cost effective compatibility with Village computer software, purchases and installation of software must be approved by the Director of Information Technology.

Section 13.9 **Software Licensing**

To ensure that personnel abide by licensing agreements entered into with software manufacturers, the Village prohibits employees from making copies of software, downloading software from the Internet (commonly referred to as shareware or freeware), or bringing software from home or other sources without prior approval from the Director of Information Technology. This includes but is not limited to items like screen savers, wallpaper, and weather reporting installations.

Section 13.10 **Software Development**

Any software developed by an employee is the exclusive property of the Village and cannot be sold or used for profit ventures by anyone without the specific written agreement from the Village Manager.

Section 13.11 **Etiquette and Village of Palatine Representation**

E-mail and voicemail messages reflect the Village of Palatine's image. Such messages should always be composed in a professional manner that is no different than the manner used to compose letters or memoranda on letterhead. Users of the system must keep in mind that electronic files are subject to discovery and may subsequently be used in litigation. Inappropriate use of facilities may damage the Village's reputation and could give rise to Village and individual's liabilities. Accordingly, every effort must be made to be professional in all usage of communication tools.

Section 13.12 **Regulation and Enforcement**

The Director of Information Technology or their designee is responsible for monitoring the compliance with the provisions of these procedures. The Director of Information Technology

shall also be responsible for investigation of suspected non-compliance with the provisions of this procedure.

Misuse of the communication tools or violations of this policy may result in disciplinary action including suspension of privileges to user, or up to and including termination of employment. Criminal or civil action may be initiated in appropriate instances. Such discipline shall be in accordance with the Village's policies.

Section 13.1 **Global Positioning Systems**

Global Positioning System (GPS) devices are used for reporting items such as location, condition, or current operational state of Village assets. Some Village equipment, including, but not limited to, cell phones, mobile devices, computers, and vehicles may have GPS devices attached or built in and enabled for management and reporting purposes.

VILLAGE OF PALATINE TUITION ASSISTANCE APPLICATION

This form must be completed, signed and submitted to Human Resources for consideration of Tuition Assistance. Assistance is provided on a first come, first serve basis. There is no guarantee of benefits.

Employee Name: _____ Application Date: _____

Job Title: _____ Department: _____

Courses Requested: _____ Number of Hours: _____

Undergraduate _____ Graduate _____ Degree: _____

Name of Institution: _____

Tuition Rate Per Credit Hour:

In your opinion, how will this degree or course(s) improve your job performance?

Provide a written explanation on how this course will benefit you personally.

Employee Signature: _____ Date: _____

Department Head Approval: _____ **Date:** _____

Employee, upon course completion, submits:

_____ Transcript showing final grade
_____ Tuition statement for proof of payment
_____ Completed Tuition Assistance Agreement

Attachment: 2024 Red-Lined Employee Handbook (2024 Employee Handbook)

Village of Palatine
TUITION ASSISTANCE AGREEMENT

This Tuition Assistance Agreement is between Village of Palatine, (“Village”), and _____ (“Employee”). Both the Village and the Employee voluntarily agree to the following provisions:

- (1) The Village will give the Employee a Cash Advance or Loan following successful completion of coursework in accordance with the provisions of the Tuition Assistance Program as indicated in Section 11.2 of the Employee Handbook.
- (2) The Village agrees to Loan this amount to the Employee on the condition that the Employee agrees to repay the Village the entire amount of this Loan on or before his last day of employment unless he completes three years of active service following the Cash Advance.
- (3) The Village will excuse a portion of the Cash Advance for each 12-month period that Employee works for the Village following completion of the course according to the following schedule:
 - At least 12 months after completion of the course work, the Village will excuse 25% of the Loan.
 - At least 24 months after completion of the course work, the Village will excuse 50% of the Loan.
 - At least 36 months after completion of the course work, the Village will excuse 100% of the Loan.
- (4) If the employment relationship between the Employee and the Village is terminated for any reason before the Loan is paid in full, the Employee agrees that the unpaid balance of this Loan Amount shall immediately become due.
- (5) The Employee also agrees and voluntarily authorizes the Village to withhold from the Employee’s final paycheck deductions to satisfy the loan, even if the amount exceeds 15% of the total paycheck. If the final paycheck does not cover the entire unpaid balance, the remaining balance, (if any) may be recovered by the Village in a court of law, with the Employee being responsible for the Villages’ attorney’s fees and costs incurred if deemed appropriate by the court.
- (6) Nothing contained in this loan agreement constitutes a promise or guarantee of employment for a specific term, and the Village and Employee acknowledge that the Employee’s employment relationship remains an at-will employment.
- (7) This Agreement shall be construed and enforced pursuant to Illinois law.

 Employee Signature

 Village of Palatine

 Date

 Date

Class(es): _____

Employee, upon course completion please submit:

1. Completed Tuition Assistance Agreement
2. Transcript showing final grade
3. Statement from the Bursar's Office (Tuition Statement) for proof of payment.

OUTSIDE EMPLOYMENT REQUEST

Village employees may participate in outside employment with the prior approval of their Department Head and/or the Village Manager, subject to the following conditions:

1. All requests to engage in outside employment must be submitted in writing to the Department Head and/or Village Manager.
2. The Department Head and/or Village Manager may prohibit outside employment which may:
 - a. Affect the quality of the employee's work for the Village;
 - b. Prevent the employee from devoting their primary interest to the accomplishment of their work for the Village, or;
 - c. Create conflict, or appearance of a conflict, between the private interests of the employee and the employee's official responsibility to the Village.
3. Outside employment will generally be prohibited if the outside work is of such nature that it may be reasonably construed by the public to be an official act of the Village or Department thereof; involves the use of Village facilities, equipment and/or supplies of whatever kind; involves the use of official information not available to the public; might encourage, on the part of members of the general public, a reasonable belief of a conflict of interest.
4. No employee may perform outside work if, in the judgment of the Village Manager, the work is what the employee would be expected to do as part of employee's regular duties; the work involves management of a business closely related to the official work of the employee; the work would tend to influence the exercise of impartial judgment on any matter coming before the employee in the course of the employee's official duties.

EMPLOYEE NAME	POSITION	DATE
NAME/LOCATION OF BUSINESS		
TYPE OF BUSINESS		
TYPE OF WORK TO BE PERFORMED	() INDOORS	() OUTDOORS
TOTAL HOURS/WEEK	DAYS OF WEEK	HOURS OF DAY
() APPROVED () DISAPPROVED	() APPROVED () DISAPPROVED	
VILLAGE MANAGER	DATE	DEPARTMENT HEAD DATE

2024 Summary of Handbook Changes

Section 4.1 Composition of Pay Plan

Employees on the Step Plan hired before February 1, 2017 will be considered for two-step promotions until Step Thirteen (13) is reached, **or until employee is reclassified or promoted.**

Section 5.3 Employee Health Insurance Advisory Committee

Wellness programs will be planned and implemented by Health Insurance Advisory Committee.

Section 5.11 Employee Wellness Program

Wellness committee will combine with Health Insurance Advisory Committee.

Section 6.1 Holidays

Manager may designate an alternate day off.

Section 6.4 Vacation Program

- Add 5 days after 5 years (instead of 6 years, for a total of 3 weeks after 5 years)
- Add one day after 10 years. (16 days at 11 years)
- Add one day after 11 years (17 days at 12 years)
- Add one day after 12 years (18 days at 13 years)
- Add one day after 13 years (19 days at 14 years)
- Add one day after 14 years (20 days/4 weeks at 15 years)
- Add three (3) days at 19 years (23 days at 20 years)

Section 6.4 G Vacation Credit at Separation of Employment for IMRF

If a non-bargained IMRF employee provides a minimum 120 days notice of separation, the Village Manager may, with the consent of the employee, advance the payment of unused, accrued vacation credits prior to the actual date of separation.

Section 6.4 G Vacation Credit at Separation of Employment

The Village Manager may approve alternative timing for payment of unused vacation credits.

Accrued, unused vacation for non-bargained police pension employees is paid to RHS.

Section 6.6 Executive Leave

Adds select supervisory employees to the list of employees eligible for executive leave.

Section 7.3 Sick Leave Buyback Annual Incentive

Sick leave buy back incentive is raised from two days to three days if only one day sick leave or less is used.

Section E is amended as follows:

Number of Sick Leave Days Used	Number Days Eligible for Buyback
0 -1	3
Greater than 1 up to 2	2
More than 2	0

Section F is amended as follows:

Sworn twenty-four hour shift personnel in the Fire Department (not in the collective bargaining unit) shall be eligible for new schedule, as follows:

Number of Sick Leave Hours Used	Number of Hours Eligible for Buyback
Zero	72
Greater than zero to 48 hours used	48
More than 48 hours used	0

Section 7.4 Sick Leave Accrual Maximums

A. Employees in the Illinois Municipal Retirement Fund

Establishes an RHS plan for contribution of sick leave for non-collectively bargained employees who have minimal sick leave usage but are maxed out on IMRF service credit if 120 days of advance notice of retirement is given.

C. Employees governed by the rules of Palatine Police Pension Plan

Adds the following to Accrued Leave/Sick Leave Buy Back to non-bargained Police Pension employees:

If qualifying instance of FMLA occurs within last 12 months, the threshold for sick leave reimbursement drops from 800 hours to 700 hours.

If employee has used an average of four sick days or less throughout career, employee eligible for a 10% increase in sick leave benefit.

If employee provides six months of notice of retirement, employee eligible for 10% increase of sick leave benefit.

Section 11.2 Tuition Assistance Program

Sample reimbursement rates removed and posted annually on Employee Intranet.

EMPLOYEE HANDBOOK

January 1, 2024

Attachment: Final 2024 Employee Handbook (2024 Employee Handbook)

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ARTICLE I. INTRODUCTION

Section 1.1 Purpose of Employee Handbook

Whether you have just joined our organization or have been with the Village of Palatine for many years, we are confident that you will find the organization to be a dynamic and rewarding place in which to work. We look forward to a productive and successful association. Our employees are our most valuable resources.

The Village has always taken pride in the abilities and accomplishments of its employees. It is the Village's policy, so far as the judgment of Village management is able, to pay wages and benefits that are competitive with the market, and recognize the value of its employees. It is also Village policy, generally, to communicate directly with employees and to try and work together to resolve employee concerns as they arise.

The purpose of this Employee Handbook is to present the principle rules, regulations, benefits and conditions of employment that apply to Village employees. Employees are urged to carefully read this Employee Handbook and understand its application. Clarification and interpretation of the Employee Handbook shall be made by the Village Manager as the Chief Administrative Officer of the Village. The Village Manager or his/her designee shall administer the provisions of this Employee Handbook.

This Employee Handbook is not intended to create any sort of contract of employment. Rather, it is intended to describe the Village and its present policies and procedures. These policies and procedures may be changed from time to time as the Village deems appropriate, consistent with state and federal laws. Further, consistent with the principles of at-will employment, employment and compensation can be terminated, with or without cause, and with or without notice, at any time at the option of the Village, except for those employees whose method of appointment or removal is set by State statute or Village ordinance. No representative of the Village, other than the Village Manager as an agent of the Village Council, has the authority to enter into any agreement for a specific period of time, or to make any agreement contrary to the foregoing.

Section 1.2 Collective Bargaining Agreements

Where this Employee Handbook and a Collective Bargaining Agreement between the Village and any of its employees address the same or similar issues or conflict in any way, the provisions of the Collective Bargaining Agreement shall control, and the provisions of the Employee Handbook shall not apply, with respect to any employee covered by the Collective Bargaining Agreement with regards to these issues or conflicts.

Section 1.3 Types of Employment

This Employee Handbook applies to all employees. The Village recruits and employs personnel under the following classifications:

A. Part-Time Employee

Employment that involves being regularly scheduled to work less than thirty-five (35) hours per week. The hours for part-time employment vary by position. Based on the

expected and actual hours worked on a regular basis throughout the year, part-time employees may be eligible for paid leave or pension participation as defined by the Employee Handbook (Section 4.9, etc.) and by Illinois Municipal Fund requirements. Short Term, Seasonal or Temporary Employee.

B. Short-Term, Seasonal or Temporary Employee

Employment which is considered short term or seasonal. An employee under this category is employed for less than three (3) full consecutive calendar quarters during a calendar year, or does not have reasonable assurance of being rehired for the same service in a subsequent calendar year. Unless specifically authorized by the Village Manager as a condition of employment, Intern positions are considered Short Term or Seasonal and are ineligible for paid leave.

C. Full-Time Employee

Employment which involves being regularly scheduled to work thirty-five (35) or more hours per week.

D. Supervisor

Employment as a supervisor shall be identified as an employee whose principle work is substantially different from that of their subordinate and is a member of the management group who has the authority and the interests of the Village, and may direct the daily work activities of a unit or shift of employees, and to whom the employees shall contact for reporting to work late, illness or other absence, and makes requests for authorized leave, and may have the authority to recommend employment, discipline or dismissal.

E. Sworn Employment

Employment as a Sworn employee shall mean all full-time firefighters and police officers who are sworn under oath to uphold state and federal law; and the hiring and promotional processes for these positions are typically governed by the rules and regulations of the Palatine Fire and Police Commission.

F. Confidential

Employment as a Confidential employee shall be identified as an employee who, in the regular course of employee's duties, assists or acts in a confidential capacity to persons who formulate, determine, and effectuate management policies or who have authorized access to information relating to the effectuation or review of management policies. Confidential status shall be assigned by the Department Head with the concurrence of the Village Manager.

G. Management and Professional

Employment as a management or professional employee shall be identified as an employee directly involved in the daily administration of key operational functions

within the departments and the Village as a whole. They are empowered to exercise independent judgment in areas impacting Village-wide concerns. This group is closely aligned with the Executive Leadership Team and is often called upon to assume an “acting director” role in the absence of the Department Head.

H. Executive Leadership

Employment as an executive leadership employee shall mean a Department Director and the position of the Deputy Village Manager. The executive leaders of the organization assist the Village Manager in administering the Village and are granted administrative authority to lead their department. They have a dual role in representing their department and the Village as a whole. They must also represent the Village to their departments to ensure Village policies are fully and properly carried out.

In addition to Employment Types, the Village designates the following Employment Classifications in conjunction with the guidelines for the Fair Labor Standards Act.

A. Exempt Employees

Exempt employees are paid on a salaried basis for all hours of work performed in a workweek and therefore are not entitled to overtime pay pursuant to the Fair Labor Standards Act.

B. Non-Exempt Employees

Non-Exempt employees are eligible for overtime pursuant to the Fair Labor Standards Act.

The employee’s Employment Type shall be used to determine, among other things, eligibility for benefits (assuming employee meets other eligibility requirements of the benefit program). The employee’s Classification will determine eligibility for overtime.

Section 1.4 **Equal Employment Opportunity**

It is the policy of the Village of Palatine to provide equal employment and advancement opportunities to all qualified persons without regard to race, color, religion, sex, sexual preference, sexual orientation, age, disability or handicap, political affiliation, national origin, type of military discharge, marital status, pregnancy or any other basis protected by law. It is the belief of the Village that equal employment opportunity is necessary for the development and maintenance of an efficient work force and for the optimum utilization of human resources. It is the intention of the Village to promote the full realization of equal employment opportunity through a positive, continuing commitment to diversity among the members of its staff. Specifically, the Village seeks to recruit and promote the career growth of qualified minorities, women, veterans, and disabled persons; as well as make reasonable accommodations to further the employment of the disabled.

Any employee with questions or concerns about any type of discrimination in the workplace is encouraged to bring these issues to the attention of his/her supervisor or Human Resources. Any form of retaliation against an employee is strictly prohibited; therefore, employees can raise

concerns and make reports without fear of reprisal. Any employee found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment. The complaint reporting procedure is set forth below in Section 1.7, Resolving Complaints of Harassment or Discrimination.

Section 1.5 **Americans with Disabilities**

The Village is committed to employing and providing equal employment opportunities to individuals with disabilities. The Village also provides reasonable accommodations to applicants and employees who are otherwise qualified to perform the essential functions of the job. Any employee in need of such an accommodation must notify his supervisor, Human Resources or the Village Manager.

The Village may engage in an interactive process with employees to determine the nature of limitations and potential accommodations that might remove such limitations. As part of this interactive process, the Village may request an employee to provide certain information from his or her health care provider regarding the employee's ability to perform the essential job functions with or without a reasonable accommodation.

Upon presentation of medical documentation supporting the need for a workplace accommodation, the Village will consider accommodation of pregnancy pursuant to this procedure to the extent such accommodation does not pose an undue hardship on the ordinary operation of the business of the Village.

Section 1.6 **Harassment**

The Village recognizes its responsibility to all employees to maintain a working environment free from sexual harassment and other forms of harassment. This policy prohibits all forms of harassment or other workplace discrimination based on an employee's or applicant's legally protected status. This includes conduct, whether verbal, physical, or visual, that denigrates or shows hostility or aversion toward an individual based upon that person's race, color, religion, sex, sexual preference, sexual orientation, age, disability or handicap, political affiliation, national origin, type of military discharge, marital status, pregnancy or any other basis protected by law. To achieve this environment, appropriate methods, such as affirmatively addressing the subject, expressing strong disapproval, developing appropriate sanctions, and informing employees of their right to raise the issue of harassment are utilized to alert employees to the problem.

A. **Harassment Not Tolerated**

The Village will not tolerate harassing conduct that has the purpose or effect of interfering unreasonably with an individual's work performance, affecting an individual's tangible job benefits, or creating an intimidating, hostile, or offensive work environment. The Village discourages any such conduct in the workplace, and this policy prohibits harassment based on an individual's protected status, even if it does not rise to the level of a legal violation.

B. Sexual Harassment

As with other forms of harassment, harassment on the basis of sex is a violation of State, Federal and Local Laws. Sexual harassment includes any harassing conduct based on gender or sexual orientation, regardless of whether the conduct is sexual in nature. Any unwelcome conduct based on gender is also forbidden by this policy regardless of whether the individual who engaged in the harassment and the individual being harassed are of the same or different genders.

While sexual harassment can take several forms, unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

1. submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment,
2. submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting an individual, or
3. such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

C. Prohibited Conduct

The Village considers the following conduct to represent some of the types of acts which violate the Village's Sexual Harassment Policy. These examples should not be construed as an all-inclusive list of prohibited acts under this Policy.

1. Physical contact of a sexual nature, such as:
 - a. Rape, sexual battery, molestation, or attempts to commit these assaults;
 - b. Intentional physical conduct which is sexual in nature such as touching, pinching, patting, grabbing, brushing against, or poking another employee's body.
2. Unwanted sexual advances, propositions, or other sexual comments such as:
 - a. Sexually-oriented gestures, noises, remarks, jokes, or comments about a person's sexuality, sexual orientation, or sexual experience directed at or made in the presence of any employee;
 - b. Preferential treatment, or promises of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward;

- c. Subjecting, or threats of subjecting, an employee to unwelcome sexual attention or conduct intentionally making performance of the employee's job more difficult because of that employee's sex.
3. Sexual or discriminatory displays or publications anywhere in the Village's workplace by Village employees such as:
- a. Displaying pictures, posters, calendars, graffiti, objects, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning, or pornographic, or bringing into the work environment or possessing any such material to display or view at work. A picture will be presumed to be sexually suggestive if it depicts a person of either sex who is not fully clothed or in clothes that are not suited to or ordinarily accepted for the accomplishment of routine work in and around the Village and who is posed for the obvious purpose of displaying or drawing attention to private portions of his or her body;
 - b. Publicizing in the work environment material that is in any way sexually revealing, sexually suggestive, sexually demeaning, or pornographic;
 - c. Displaying signs or other materials purporting to segregate an employee by sex in any area of the workplace.

D. Employee Responsibility

Everyone at the Village can help assure that our workplace is free from prohibited discrimination or harassment. Every employee is expected to avoid any behavior or conduct that could reasonably be interpreted as prohibited harassment under this policy. Employees are encouraged to inform others in the workplace whenever their conduct is unwelcome, offensive, inappropriate, or in poor taste. In addition, employees should come forward with complaints about alleged problems or violations of this policy at any time. Employees are expected to come forward promptly and report any problems pursuant to this policy before the alleged offending behavior becomes severe or pervasive. Complaints need not be limited to someone who was the target of the alleged offending conduct. Anyone who has observed an alleged violation of the policy is also encouraged to report such conduct. No employees, not even the highest-ranking people in the Village are exempt from the requirements of this policy. This policy forbids any employee, supervisor, elected official, vendor, client, customer or other person to harass any employee of the Village.

E. Retaliation Prohibited

The Village will not retaliate or take reprisal in any way based on the fact that an employee has articulated a concern about harassment or discrimination against the individual raising the concern or against another individual; participates in an investigation of a complaint, whether internally or with an external agency; files a charge of discrimination or harassment; or otherwise provides information in a proceeding, including in a court, administrative or legislative hearing, related to

violations of discrimination or harassment laws. Retaliation prohibited by this policy includes, for example:

1. Disciplining, changing work assignments of, providing inaccurate work information to, or refusing to cooperate or discuss work-related matters with any employee because that employee has complained about or resisted harassment, discrimination, or retaliation; and
2. Intentionally pressuring, falsely denying, lying about, or otherwise covering up or attempting to cover up conduct such as that described in any item above.

F. Discipline

An employee who engages in conduct which violates this policy will be subject to disciplinary action, up to and including termination of employment.

Section 1.7 Resolving Complaints of Harassment or Discrimination

A. Reporting

If an employee experiences or witnesses any conduct that he or she believes is inconsistent with the Village's policies against harassment or discrimination, the Village expects the employee to immediately report the conduct to his or her supervisor, the Human Resources Director or the Village Manager. This policy does not require that the employee report the conduct to any individual who is engaging in the conduct. Employees need not follow the chain of command to report a complaint or discuss offending behavior with the employee offender.

B. Supervisory Responsibility

Any supervisor or manager who has knowledge of suspected prohibited conduct, or to whom a complaint has been made, must promptly report the conduct to the department head, Human Resources Director, or the Village Manager. The failure of a supervisor to report suspected violations of this policy may result in discipline.

C. Investigation/Interim Measures/Conclusion

All reports describing conduct that is inconsistent with this policy will be investigated promptly. Employees who believe they have been subjected or exposed to discrimination or harassment prohibited by this policy have the right to have any such activity terminated immediately. The Village may put reasonable interim measures in place, such as a leave of absence or a transfer, while the investigation takes place. The Village will take further appropriate action once the report has been thoroughly investigated. That action may be a conclusion that a violation occurred, as explained immediately below. The Village might also conclude, depending on the circumstances, either that no violation of the policy occurred or that the Village cannot conclude whether or not a violation occurred.

D. Corrective Action

If an investigation reveals that a violation of this policy or other inappropriate conduct has occurred, then the Village will take corrective action, including discipline up to and including dismissal, as is appropriate under the circumstances, regardless of the job positions of the parties involved. The Village may discipline an employee for any inappropriate conduct discovered in investigating reports made under this policy, regardless of whether the conduct amounts to a violation of law or even a violation of policy. If the person who engaged in harassment is not employed by the Village, then the Village will take whatever corrective action is reasonable and appropriate under the circumstances.

E. External Process

The Village of Palatine hopes that any incidents of inappropriate behavior can be resolved through the internal process outlined, above. All employees however, have the right to file formal charges with the Illinois Department of Human Rights, 555 W. Monroe St., 7th Floor, Chicago, IL 60661 (312) 814-6200 or to the Federal Equal Employment Opportunity Commission, JCK Federal Building, 230 S. Dearborn St., Chicago, IL 60604 (312-872-9744). In addition, an appeal process is available through the Illinois Human Rights Commission, (IHRC) after IDHR has completed its investigation of the complaint: Illinois Human Rights Commission Chicago: 312-814-6269 Chicago TTY: 312-814-4760; Springfield: 217-785-4350 Springfield TTY: 217-557-1500.

F. False Complaints

It is critical in establishing a workplace free of harassment that a victim of an incident perceived as being harassing has access to a mechanism for reporting such incidents. At the same time, the purposes of this policy are not furthered where a complaint is found to be false and frivolous and made to accomplish some other end than stopping harassment. A complaint that is determined to be false and frivolous can result in a severe level of discipline or discharge. A false or frivolous complaint does not refer to complaints made in good faith that cannot be proven.

G. Elected/Appointed Officials

Because the Village promotes civility and respectful interactions at all levels of the organization, it is critical that elected and appointed officials understand their responsibility to comply with this policy. Elected and appointed officials are also expected to treat each other in a manner consistent with this policy. Any elected or appointed official who believes they have experienced prohibited conduct by another elected or appointed official that is inconsistent with the Village's non-harassment policy may notify the Human Resources Director or the Village Manager. After receiving the complaint, the Village will initiate an investigation using an independent investigator experienced in investigating workplace harassment complaints.

Section 1.8 **Immediate Family**

Unless otherwise specified, the term “immediate family” shall include the following members: spouse, parents, grandparents, mother-in-law, father-in-law, brother, sister, sister-in-law, brother-in-law, son, daughter, stepson, stepdaughter, son-in-law, daughter-in-law, grandchildren and step-parents.

ARTICLE II. **APPOINTMENTS AND PROMOTIONS**

Section 2.1 **Employment Policy**

The Village Manager, or Village Manager’s Designee, shall have the responsibility and authority for recruiting, selecting, retaining, suspending and removing all Village employees other than those employees whose method of appointment or removal is subject to Palatine Fire and Police Commission procedural rules.

A. **Applicants**

Applicants shall generally be selected on the basis of merit, training, experience and other job related factors. Applicants are subject to a background check, and Fleet Safety Guidelines (if employed in a position which requires driving a Village vehicle). Other requirements may apply by department.

B. **Internal Applicants**

The Village will attempt, so far as it deems possible, to fill vacancies from among existing employees when deemed by the Village Manager to be in the best interest of the Village. The Village shall not, however, be bound to fill a vacancy by transfer or promotion of an existing employee.

C. **Fire & Police Commission**

The recruitment, employment, termination of employment, and some disciplinary procedures for all employees under the jurisdiction of the Fire and Police Commission of the Village of Palatine may be subject to the rules and regulations of that Commission.

D. **Orientation**

A new employee shall receive an orientation by appropriate staff and their respective Department. Orientation consists of an overview of Village organization, rules and regulations, benefits and general procedures. Each Department is responsible for orienting new employees to departmental guidelines and procedures specific or unique to their Department.

E. **Evidence of Identity and Employment Eligibility**

Employees must provide evidence of identity and employment eligibility within three (3) days of their start date. New employees will be advised as to the proper documents that must be provided to the Village.

F. Village IDs

Village IDs will be given to all full-time and part-time employees as required to perform their job as a means to identify employees when dealing with the public. Employees shall identify themselves to the public when in the field as Village employees. Village IDs are also used for access to some employee buildings. If an employee loses an ID, employee must report the loss to their supervisor.

G. New Employee Training

New employees shall receive a list of National Incident Management System (NIMS) courses which apply to their position. These courses must be successfully completed within the first six (6) months of employment. Employees, as part of their Village employment, may be asked to staff the Emergency Operations Center (EOC) or participate in a response to a local or regional emergency event.

H. Electronic Records

An employee can view their electronic record through the HR Portal which can be found at <http://hr.palatine.il.us>. Requests to re-set a password can be directed to Human Resources through email at: hr@palatine.il.us or at extension 6652.

I. Employee Personal Information

Employees are expected to timely update the Village and associated vendors of change in name, address, status or dependents. The Village can be updated through the HR Portal.

Section 2.2 Nepotism/Non-fraternization

For the purpose of this Employee Handbook, nepotism shall be defined as favoritism shown, or patronage granted in the employment decision made by the Village to the immediate family of Village employees, as defined in Article I, Section 1.8.

A. Avoiding Conflict of Interest

In order to avoid an actual or potential conflict of interest in employee hiring, supervision and/or allocation of duties, employment and personnel decisions shall not be made on the basis of nepotism nor under circumstances which reasonably create the appearance of nepotism to the public.

1. The hiring of immediate family members of elected Village Officials or the Village Manager shall be prohibited under this policy. Those employees whose employment preceded the candidacy or election of a Village Office shall be unaffected by this policy.
2. This policy does not apply to those individuals who are uncompensated and serve on Village Commissions or Boards.

3. Nothing herein shall apply to the hiring of persons whose application and appointment are under the jurisdiction of the Fire and Police Commission of the Village.
4. If employment of immediate family members exists, or is later established, and an actual or potential conflict arises, the Village Manager and the appropriate Department Head(s) will endeavor to resolve the conflict by conciliation, transfer or other appropriate action, including termination. These situations will be resolved on a case-by-case basis.

B. Relationship Conflict of Interest

The Village considers certain personal/dating relationships to be inappropriate. Such relationships could create disruptions in the workplace and could negatively affect the morale of other Village employees. Equally important, such activity can create the appearance of favoritism and/or the potential for unfair treatment or the appearance of a conflict of interest. Therefore:

1. Executive Leadership employees are prohibited from engaging in a personal/dating relationship with any other Village employee.
2. All other employees who serve in a management professional, supervisory or managerial position are prohibited from engaging in a personal/dating relationship with any person with whom he/she has a direct reporting relationship and/or who is also employed within the same department.
3. Employees who serve in a management professional, supervisory or managerial position are required to disclose to their supervisor any personal/dating relationship with any person within the same department. The purpose of this disclosure is to determine compliance with this policy and if necessary set specific guidelines to avoid conflicts due to the relationship.
4. If the Village becomes aware of a violation of this policy, appropriate corrective and disciplinary action will be taken to remedy the situation, up to and including dismissal or transfer of one or both employees.
5. This policy applies without regard to marital status, gender or sexual orientation and situations will be addressed on a case-by-case basis to avoid even the appearance of a conflict of interest.

Section 2.3 Probation

A. Probationary Period

Unless otherwise designated by the Village Manager, the first twelve (12) months of employment with the Village, or the first six (6) months after a promotion or reclassification, is considered a probationary period to determine whether the employee is well-suited for the position.

Successful completion of the probationary (trial) period does not mean an employee has a permanent job. Except for those employees covered by a collective bargaining agreement with contrary provisions, all employees are at-will and may be disciplined or discharged at any time for any reason.

B. Sworn Employees

The probationary period for Sworn personnel in the Police and Fire Departments is determined by the Fire and Police Commission, subject to State statute.

Section 2.4 Promotion

As vacancies occur in positions other than those in the lowest pay ranges, the Village will attempt, so far as it deems possible and appropriate, to fill these positions from among current staff members. If the Department Head is not satisfied with the employee's performance during the first six months, the Department Head may return the employee to employee's former position.

Section 2.5 Transfers

Employees may be transferred between departments to satisfy the needs of the Village. Transfers of employees between departments, on either a regular or temporary basis, may be made upon the recommendations of the Department Heads of the affected departments and with the approval of the Village Manager.

Section 2.6 Residency Requirement

Residency within the specific area stated in the Village of Palatine Employee Handbook, is a condition of continued employment.

A. Residency Boundaries

All Village of Palatine employees shall be actual full-time regular residents of and maintain their domicile within the State of Illinois geographical area described as follows:

The Illinois/Wisconsin state line on the north; Lake Michigan on the east; Interstate 74 (I-74) on the south; and the Illinois/Iowa state line on the west.

B. Executive Leadership Requirements

Department Heads (Executive Leadership Team) are required to be actual full-time permanent residents of and maintain their domicile within the corporate limits of the Village of Palatine unless otherwise authorized.

C. Applicant/New Hire Requirements

There is no residency requirement for applicants for employment; however, within twelve (12) months from the date of employment, newly hired employees must comply with the provisions set above.

D. Exemptions

The Village Manager may, in their discretion, exempt an employee from the residency requirement if compliance would impose an undue hardship on such employee.

E. Violations

Any employee who violates any provision of this policy shall be deemed to have resigned from their position of employment with the Village of Palatine (no matter when the violation is discovered).

ARTICLE III. HOURS OF WORK AND OVERTIME

Section 3.1 Normal Work Periods

A normal work period for regular, full-time employees shall constitute:

- A. Thirty-five (35) hours per week for employees in Village Administration, Village Clerk's Office, Finance and Operations, Community Development, Information Technology and clerical and administrative employees in the Public Works Department.
- B. Forty (40) hours per week for all Executive Leadership employees, employees in the Public Works Department, uniformed civilian employees in the Police Department, and designated civilian employees in the Fire and Police Departments with the exception of those employees covered in Section 3.1 (A) above.
- C. Sworn shift personnel in the Fire Department shall perform under a regular recurring schedule as determined by the Department which shall not exceed nineteen (19) days with a maximum non-overtime accumulation of one hundred and forty-four (144) hours in the nineteen (19) day work period.
- D. Police officers who are members of a collective bargaining unit shall perform under a regular recurring schedule as determined by the Police Chief.
- E. The work periods of supervisory, middle management and professional employees shall be determined by the employees' respective Department Heads.

Section 3.2 Normal Working Hours

A. Work Hours/Tracking Time Using Executime Software

An employee's normal working hours will be determined by the Department Head, upon concurrence of the Village Manager.

1. Department Heads (or their designee) will verify and approve the time worked and leave time taken for each assigned employee as required by the Village Manager using the Executime software program.

2. Approvals in Executime will be approved no later than 12:00 p.m. on the Monday after the end of the pay period.
3. Employees are responsible for the accurate input of time worked and leave taken as implemented for the employee's department.
4. Any corrections or changes to the time record shall be submitted to Finance using the Payroll Correction Request Form.

B. Start Time/Notice if Unable to Work

An employee is expected to report promptly at the designated starting time, and to devote their entire effort to Village business during his scheduled working hours.

1. In the event an employee is unable to report to work due to illness or other emergency, employee must inform his Department Head or their designee within thirty (30) minutes of his designated starting time.
2. Due to the emergency nature of the fire service and minimum manning requirements, all Sworn fire personnel must notify the Fire Chief or Chief's designee sixty (60) minutes prior to the member's designated starting time.
3. In the event a Department Head is unable to report to work, Department Head must notify the Village Manager and the respective department.

C. Department Scheduling

Department Heads may adjust their employee's working hours to meet the needs and demands of their departments, subject to the approval of the Village Manager.

D. Off-the-Clock Work Prohibited

The Village does not allow non-exempt employees to work "off-the-clock" without compensation and does not allow non-exempt employees to work additional hours without prior authorization and approval.

E. Overtime Authorization and Approval

Employees are not permitted to begin work prior to their authorized starting time nor work past the end of their scheduled work shift without the expressed prior permission of their supervisor.

Section 3.3 Lunch and Rest Periods

Department Heads are authorized to establish reasonable lunch and rest periods during each working day. Determination of time and length of lunch and rest periods will be arranged as the Department Head feels is most consistent with the effective operation of the department. However, each full-time employee shall be entitled to an uninterrupted lunch period of at least thirty (30) minutes and at least one rest period of fifteen (15) minutes each working day.

Section 3.4 **Overtime**

A. Non-Exempt Employee Overtime

Overtime for full time, non-exempt employees shall consist of authorized work in excess of the normal number of scheduled work hours for any calendar week, as defined herein:

1. In cases where the employee performs authorized work in excess of the normal hours scheduled per day, the Department Head may reduce the employee's working hours during the same work period in order to minimize the cost of overtime.
2. All overtime must be authorized in advance by the Department Head or by a designated Supervisor unless otherwise stated by departmental policy.
3. Where overtime is authorized, eligible employees may receive one and one-half (1 ½) times their regular rate of pay for every hour worked in excess of forty (40) hours worked per week. Those employees who work a thirty-five (35) hour week will earn their hourly rate of pay for all hours worked up to forty (40) hours unless otherwise stipulated in writing by the Village Manager.
4. Overtime for Sworn police and fire employees is governed by applicable collective bargaining agreements as well as state and federal law.

B. Supervisor Overtime

Overtime for supervisory personnel (as defined in Section 1.3) is not a policy. It is implicit in the nature of administration and certain supervisory positions, as determined by the Department Head or the Village Manager, that time beyond the normal work schedule may be spent on the job.

Section 3.5 **Optional Compensatory Time**

A. Compensatory Accrual

In lieu of cash payment for overtime hours worked, a non-exempt employee may request that for the work performed in excess of the normal work period, compensatory time off may be accrued according to the provisions as stated below. The accrual of compensatory time requires the approval of the employee's Supervisor. Absent such approval, the employee shall not receive compensatory time but shall instead receive paid compensation for his or her overtime hours.

1. Non-exempt employees whose normal work period is less than forty (40) hours per week may receive compensatory time on an hour-for-hour basis for each hour worked in excess of their normal work period up to a forty (40) hour per week limit.
2. For non-exempt public works employees and other non-exempt employees whose regular work period consists of a forty (40) hour work week, any hours worked in excess of the forty (40) hours shall be rewarded at the rate of one and one-half (1

½) hours for each hour worked in excess of the forty (40) hour work period and shall be counted towards the maximum accumulation of compensatory hours earned.

3. Those employees under the FLSA Section 207(k) (special rules for determining compensable hours of work for public safety employees) exemption shall be compensated at the rate of one and one-half (1-1/2) hours for each hour worked in excess of the maximum hours allowable under the particular 207(k) exemption. These hours shall be counted towards the accumulation of compensatory hours earned.

B. Compensatory Time Limits

No employee shall be allowed to accumulate over one hundred forty-four (144) hours of compensatory time without written permission of the Village Manager. The Village may, in its discretion, pay out some or all of an employee's accrued, unused compensatory time at any time or schedule an employee for compensatory time as operationally necessary. Upon separation either through termination or retirement, the employee will be compensated for the amount of compensatory time accrued. In the event the employee does not utilize compensatory time in a timely fashion due to work requirements beyond the employee's control, the employee may request in writing a continuation of accrual from their Department Head, subject to the approval of the Village Manager.

Compensatory time shall be taken at a time mutually agreed upon in advance by the employee and the Department Head or designated supervisor. The use of compensatory time shall be permitted within a reasonable period after making the request if such use does not "unduly disrupt" the operations of the Village.

Section 3.6 Light Duty Policy

The best interests of the Village and its employees are served by injured or ill employees returning to work as soon as they are able. The goal of a light duty program is to progressively move an injured worker from restricted work status to full working capacity, with as little time as possible away from the workplace. It is not a permanent accommodation of a disability. When employees are on a leave of absence for an injury or illness, the Department Head may recommend and the Village Manager approve, light duty under the following specifications.

- A. Upon request submitted by an employee along with a physician's report, the Department Head, in consultation with the Village Manager, may seek to identify light duty that can be accomplished by the employee. Some departments may not have light duty work available and some employees may not be able to perform certain light duty jobs due to skill required. The Department Head shall review each case on an individual basis and shall determine if the employee's health status and the Department's work environment are such that the injured/ill employee could fill a limited work status.
- B. The work the employee performs must be within the physical limitations prescribed by the employee's and/or Village designated physician.

- C. The work the employee performs must have existed within the Department before the illness or injury occurred (i.e. the Village will not “make work” for an employee).
- D. No employee will be moved from their regular job in order to make a light duty situation available to another employee.
- E. The performance of light duty work shall not otherwise disrupt the functioning of the department.
- F. An employee who is authorized and assigned light duty work shall continue in their status as an employee of the Village with the same wage and benefits that were assigned to their regular position.
- G. The Village may require the employee to submit to an examination by another physician at the Village’s expense in order to determine the employee’s fitness for duty, even light duty. The determination of the Village’s physician will govern in the case of a dispute between the Village’s physician and the employee’s physician. The Village also reserves the right to review an employee’s status at any time during the duration of the light duty assignment.
- H. The decision of the Village Manager shall be final with respect to the determination of whether a light duty assignment is available within the limits of the physician’s restrictions. No light duty assignments will be made permanent and requests for light duty may be denied where there is no reasonable expectation of the employee returning to full duty within ninety (90) days. While there is no guarantee of a light duty assignment for any period of time, generally, light duty will not be offered beyond ninety (90) days. Light duty assignments are temporary assignments that are made on a case-by-case basis, and to the extent that modified duty assignments cease to serve the operational needs of the Village, light duty assignments will be terminated.
- I. An employee assigned to light duty will be subject to ongoing evaluation of the employee's physical status and of the availability of legitimate work. The Village reserves the right to terminate any light duty assignment at any time if the Village’s physician determines that an employee is capable of returning to employee’s normal job duties, or for any other reason deemed appropriate by the Department Head and Village Manager. If at any time, with or without accommodation, an injured employee is unable to resume the duties of the employee’s position as defined by the employee’s official job description, they shall either be reclassified or reassigned, placed on a leave of absence with or without compensation, apply for a disability pension or be terminated. Such decision shall be made by the Village Manager and Department Head based on the circumstances of each specific case and in accordance with applicable laws.
- J. It is the intention of any light duty assignment to facilitate the employee’s return to the workplace while ensuring that the employee remains focused on achieving maximum medical improvement so that they may return to full duty with the Village. While on light duty, employees will not be permitted to work overtime or engage in any secondary employment. While on light duty, employees must limit their physical activities to comply with the medical restrictions as outlined by the treating physician while at work as well as during off duty hours. Failure to adhere to the medical restrictions outlined by the

physician, either at work or during off duty hours may result in the termination of the light duty assignment and may be grounds for disciplinary action.

- K. Failure to report for or to carry out the assignments of the light duty work status may result in disciplinary action, up to and including termination of employment.
- L. This policy will be interpreted and applied consistent with all of the Village's obligations under the Family and Medical Leave Act, the Americans with Disabilities Act and all other applicable laws and exemptions will be made only as necessary to comply with those laws and as approved by the Village Manager in writing.

ARTICLE IV. PAY PLAN AND PAY PERIOD

Section 4.1 **Composition of Pay Plan**

The Pay Plan consists of two pay schedules. Both schedules include the minimum and maximum rate of pay. The Step Plan is covered under Schedule 1 of the Salary Ordinance. Executive Leadership, Management/Professional and Other Plan is covered under Schedule 2.

A. Step Plan

The Step Plan includes intermediate steps for all established job classification positions in the Village service.

There are generally sixteen (16) steps in the Step Compensation Pay Plan, also known as Schedule 1 of the Salary Ordinance. Each step above the hiring rate in the pay range is termed a merit rate. Every step can be interpreted as follows:

1. The rate/step at which the employee is hired is the base rate/step in the pay range for that employee. An employee usually remains at this base step for a minimum of twelve (12) months.
2. Once an employee successfully completes the first twelve (12) months, employee shall be reviewed and may be considered for a merit increase to the next step in their pay range. (Example: Employee is hired at Step One (1), reviewed as overall "Commendable or Satisfactory" at twelve months, then increased to Step 1A).
3. The first Steps, Step One (1) through Step Thirteen (13) represent the merit ranges where recognition is attained when the employee has demonstrated continual development and advancement of skills and abilities; performance of assigned tasks with greater and increasing skills; exemplary behavior; increased work effort; and high quality of work.
4. Advancement after Step Thirteen (13) represents merit ranges where recognition is attained when an employee has "Distinguished, Surpassing or Outstanding" performance ratings in at least three (3) evaluation categories and NO ratings below "Competent, Commendable or Satisfactory". Additionally, the employee

must have recommendation by the Department Director based on work program and contributions to the department and organization.

5. Employees on the Step Plan who were hired before February 1, 2017 will be considered for two-step promotions until they reach Step Thirteen (13) or until reclassified or promoted.

B. Executive Leadership, Management/Professional and Other Plan

Employees in the Executive Leadership and Management Professional Classification are evaluated annually, and may receive a salary increase based on performance.

Exceptions to Pay Plan progression are within discretion of the Department Head and subject to the approval of the Village Manager.

Section 4.2 Development and Maintenance of Salary Ranges

Salary ranges will be developed and maintained in conjunction with the annual budget process.

Section 4.3 Rate of Pay at Hire

- A. The rate of pay at hire will not be below the minimum rate for the position. Rates in excess of the minimum (for recognition of prior experience or exceptional training) must be recommended by the Department Head and approved by the Village Manager. Any such approval will be limited to recognition of exceptional qualifications or a lack of available applicants at a lower rate.

B. Starting Rate – Step Plan

The normal beginning pay rate for a new employee on the step plan will be the hiring step within the pay range established for the job position. The Village Manager may make exception upon request from the Department Head.

C. Starting Rate - Schedule 2

The normal beginning pay rate for a new employee on Schedule 2 of the Salary Ordinance will be within the pay range established for the position.

Section 4.4 Salary Adjustments

A. Annual Review

Annually, employees shall be reviewed for performance. Each employee who is not already at the maximum rate for employee's position shall be considered for a merit-based salary step increase based on the performance review.

1. Review Date defined. The employee's review date for all non-Sworn personnel for purposes of salary adjustments will be one (1) year from the date of hire, then annually after the first review.

2. **Reviews after Promotion.** Employees who have been promoted or reclassified will be reviewed for performance and salary adjustment one (1) year from the effective date of the promotion or reclassification. Recommendations for merit pay increases on review dates shall not be automatic or based merely on the passage of time. Rather, determination of an increase shall be based upon the written recommendation of the Department Head and the approval of the Village Manager.
3. **Merit/Step increase denied.** Employees who do not receive salary step increases on their review dates may receive such increases before the next review date if, in the discretion of Village management, such an increase would be appropriate. If such an increase is awarded, this will not alter the consideration of any increase on the employee's next review date.
4. **Double Step Increase.** The Village Manager may, on the basis of written recommendations from the Department Head, provide a salary increase of more than one step on the employee's review date. (Example: Department Head recommends a Merit or Step Increase from existing Step 8 to Step 10. It is approved, thus skipping Step 9.)

B. Promotion

When an employee has been promoted, or employee's position has been reclassified to the class position in a higher range, the Village Manager will, upon written recommendation from the employee's Department Head, determine the appropriate level of pay compensation. The employee's new review date will be the date one (1) year following the date the employee is reclassified. The salary level will not be lower than the salary the employee was receiving before such promotion or reclassification.

C. Unsatisfactory Performance

If an employee is determined to have not satisfactorily performed duties that are expected of the position, the Village Manager may also lower that employee's pay classification upon recommendation of the Department Head or defer to a later time.

Section 4.5 Performance Evaluations

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, on-going basis. Formal performance evaluations are to be conducted generally on an annual basis (or more frequently as determined by management), to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, establish goals and discuss positive, purposeful approaches to meet those goals.

Section 4.6 Pay Period

Employees are paid biweekly on Friday. When a regularly scheduled payday falls on a holiday, checks will be issued on the previous work day.

Those persons hired or terminating their employment in the middle of a pay period, shall be paid at an hourly rate based on their current salary schedule for hours worked in the next scheduled pay period after their hiring or after their termination.

Section 4.7 Payroll Deductions

- A. Automatic payroll deductions are made for federal and state of Illinois income tax purposes, for the employee's pension contributions and social security, and other legally mandated deductions, where applicable.
- B. The employee may request other payroll deductions (charitable organization, voluntary benefit plans, etc.) provided the Village Manager has authorized those types of deductions and the employee has signed the written authorization forms.
- C. Employees are strongly encouraged to use direct deposit. With direct deposit, pay is electronically deposited into the employee's designated account(s) at participating financial institutions. The employee directs where and how the earnings are deposited. This reliable process eliminates the need to make a trip to the bank each pay period.

Section 4.8 Payroll Errors

While we attempt to be careful when computing all hours worked and we expect that mistakes will be the exception, if you have reason to believe that there is an error in your paycheck and/or if you believe you are entitled to additional overtime compensation that does not appear within your payroll check, we encourage you to promptly report the matter to the attention of your Department Head. Whenever possible, please report such potential errors within five (5) working days so that the matter can be investigated and promptly remedied if appropriate to do so. Be assured that no retaliation will be taken or tolerated against any employee who reports a potential payroll error. We appreciate your cooperation in helping us to address these issues when they arise.

Section 4.9 Part-Time Employment Policy

- A. Part-time employees and Interns of the Village shall be compensated within the salary range specified in the Personnel Salary Schedule. This range may be adjusted during the annual budget process pursuant to changes in the cost of living or other economic variables. All part-time employees shall start at the minimum salary range unless otherwise approved by the Village Manager.
- B. Part-time employees shall be eligible for a merit increase subject to the recommendation of the Department Head and approval by the Village Manager at twelve months and, annually thereafter as any other employee, on their review date in conjunction with a performance appraisal.
- C. Part-time employees shall be eligible to receive prorated Holiday pay for hours normally worked in accordance with Section 6.1 C, and Vacation, in accordance with Section 6.4 F.
- D. Part-time employees shall be eligible for pro-rated Jury Duty pay (Section 7.10) and up to one day of pro-rated Funeral Leave (Section 7.10).

- E. Part-time employees shall also be eligible for the Translation Incentive as outlined in Section 5.10.

Section 4.10 **Demotions**

A Department Head, with the concurrence of the Village Manager, may demote an employee to a lower paid job classification if Department Head deems the employee is not meeting the essential job requirements of the employee's present position (either with or without a reasonable accommodation), or if the position is substantially changed, or if it is in response to a request of the employee.

- A. Employees promoted to a higher classification must maintain satisfactory performance in the new position. If performance in the higher classification is deemed unsatisfactory by the Department Head, with approval of the Village Manager, the employee will be returned to the classification and pay step from which they were promoted or will be placed in another available position.
- B. When an employee is demoted, the employee will receive the salary in the classification to which the employee is demoted.
- C. The Department Head generally will try, insofar as deemed possible, to give employees notice of at least three (3) days before demoting the employee.
- D. In rare instances, the employee's salary may be frozen or "red-lined" if the nature of the employee's position has changed, and the duties no longer meet the classification (because the duties fall into a lower paid classification). The employee's salary may be frozen until the job duties and range coincide, or for a period up to twelve (12) months.

ARTICLE V. EMPLOYEE BENEFITS

The Village reserves the right to add to, delete or modify benefits as necessary to meet its business demands and for other appropriate reasons. The employee benefits described in this article are mere summaries of these benefits and the actual plan documents will govern in all cases in the event of a conflict between the provisions of this Employee Handbook and the actual plan document.

Section 5.1 Longevity

Eligible employees (hired on or before December 31, 2011) shall be paid longevity pay in addition to their base salaries. The payment will occur two (2) pay periods prior to Christmas of the year the employee's longevity anniversary date occurs; payment represents twelve (12) months ending in December.

A. Longevity Schedule for Employees Hired On or Before December 31, 2011

After 8, 9, and 10 years of full-time service - \$300.00.

After 11, 12, 13, and 14 years of full-time service - \$550.00.

After 15, 16, 17, 18, and 19 years of full-time service - \$750.00.

After 20 years of full-time service - \$1,000.00.

B. Proration at Termination

In the event an employee separates in good standing prior to the longevity pay date, a prorated share of their longevity bonus will be paid with the final paycheck.

C. Proration for Unpaid Leave of Absence

Longevity will be prorated for unpaid leaves of absence.

D. Longevity for Sworn Position

For employees hired into sworn positions, the Longevity Schedule is determined by the collective bargaining agreement. Sworn employees promoted to sworn positions outside of the bargaining unit shall maintain eligibility to receive annual longevity; however, the Longevity Schedule for the promoted employee shall be consistent with the schedule in Section 5.1A

Section 5.2 Medical and Dental Insurance

The Village currently offers medical and dental insurance coverage for eligible employees and their eligible dependents after a thirty (30) day waiting period. A prescription drug benefit is also available. Questions regarding insurance coverage and the eligibility requirements and terms that apply, should be directed to Human Resources or refer to the Policy Booklet.

Section 5.3 **Employee Health Insurance Advisory Committee**

The Village has established an Employee Health Insurance Advisory Committee, consisting of representation from all employee groups in order to provide a direct link between the employees and the Village's health insurance advisors. This committee shall meet as required and provide the Village Manager with feedback pertaining to the Village's employee benefits program and the administration of the plans. In addition, the annual wellness program will be planned and implemented.

Section 5.4 **Flexible Benefit Plan**

Full-time employees may participate in the voluntary Flexible Benefit Plan. Under this plan, employees can enroll in various types of benefits. They can have deductions made from their paychecks on a pre or post-tax basis to pay for these benefits. Benefits available under this plan include: medical reimbursement account, dependent care account, disability insurance, cancer insurance, universal life and term insurance. Any questions regarding the terms or eligibility requirements for this Plan should be directed to Human Resources.

Section 5.5 **Life Insurance/Accidental Death and Dismemberment**

In addition to any benefits payable under the Illinois Municipal Retirement Fund or Fire and Police Pension Funds, the Village currently provides all eligible full-time employees with a life insurance policy covering natural death and accidental death and dismemberment, at such level as periodically established by the Village Council, upon recommendation of the Village Manager. Information concerning this policy and the terms and eligibility requirements are available from Human Resources.

Section 5.6 **Pension/Retirement Planning**

The Village is covered by various pension funds and plans. State statute requires pension contributions to be deducted from all eligible employees' paychecks. If an employee obtains the required years of creditable service and otherwise satisfies the requirements of the Plan, they will be eligible for a monthly pension at a set age as specified in each plan. If an individual terminates employment prior to meeting the service and age requirement, they may request a refund of their contributions. For more information on the details of each fund and the remaining terms and eligibility requirements, contact your Retirement Plan Administrator. These benefits can be summarized as follows:

A. **Illinois Municipal Retirement Fund**

All Village employees who work over 1,000 hours per year, except Sworn personnel, are covered by the Illinois Municipal Retirement Fund. An amount is deducted from each employee's payroll check for employee's contribution to the plan. In addition, the Village, as the employer, also contributes to this fund.

B. **Fire Pension Fund**

All Sworn members of the Fire Department may be covered by the Fire Pension Fund or other statewide fund as determined by Illinois Compiled Statutes. An amount is

deducted from each employee's earnings for their contribution to the plan. The Village, as the employer, also contributes to this fund.

C. Police Pension Fund

All Sworn members of the Police Department may be covered by the Police Pension Fund. or other statewide fund as determined by Illinois Compiled Statutes. An amount is deducted from each employee's earnings for their contribution to the plan. The Village, as the employer, also contributes to this fund.

D. Deferred Compensation

All full-time and part-time employees are eligible to participate in a Deferred Compensation Plan to provide the employee with added retirement savings. The Plan allows employees to defer, on a pre-tax basis, a dollar amount or percentage of pay. At retirement or termination of employment, various payment options are available to the individual. Information on the Deferred Compensation Plan is available from Human Resources.

The details, terms and eligibility requirements of these benefit programs as well as newly implemented plans are governed by the applicable Plan documents and as required by law.

Section 5.7 Employee Assistance Program

The Village may provide an Employee Assistance Program (EAP) for all eligible Village employees, their spouses and dependent children. The purpose of the program is to provide a method of obtaining professional assistance to help resolve difficult personal problems such as family, marital, emotional, alcoholism, drug abuse, legal or financial difficulties. Any service provided is confidential

Section 5.8 Disability Benefits

Full-time employees may be eligible for disability benefits provided through IMRF or the Police/Fire Pension Boards. Employees should contact their retirement plan administrator for more information on plan eligibility through their respective pension plans.

Section 5.9 Retiree Health Savings Plan

The Village has set up Retiree Health Savings Plans. Contributions are mandatory, based on the employee group covered. Plans are available for review in Human Resources.

Section 5.10 Translation Reward Program

To reward individuals regularly using their secondary language skills in the workplace, the Village has established a recognition program.

The program is intended for those who use their language skills on a regular on-going basis through the year in any department, as needed. An eligible employee must first establish their proficiency level as "Advanced" through the testing process with Language Testing International. The

employee can test once per year, until certified as “Advanced.” The employee completes the certification once. Payment for the testing will be made by the Village upon approval of the Village Manager.

Employees must also have met minimum performance expectations with ratings of “meets expectations” or “satisfactory” or the equivalent in all categories during the prior rating period. The recognition reward will be paid in February for those who translated during the prior twelve (12) month period. Full-time employees are eligible for \$500 for one language and up to \$1,000 for more than one language. Part-time employees (working a minimum of twenty (20) hours per week as an IMRF participant) are eligible for \$350. Employees must be actively employed and in good standing at the time the payment is made.

Section 5.11 Employee Wellness Program and Wellness Rooms

Village of Palatine encourages employee participation in the Wellness Program, which includes annual screenings, planned activities and an employee committee. Annual screenings are carried out by a third-party vendor, and all employees who work over twenty hours per week are eligible to participate. Screening results are confidentially reported to the employee. Any results reported to the Village of Palatine are compiled so that no individual confidential employee information is shared. The Village will periodically conduct employee surveys to understand employee health and wellness needs and interests. The Health Insurance Advisory Committee (HIAC) will plan and carry out wellness activities. Employees are encouraged to participate in the wellness program to improve health, prevent or manage disease and maintain stable health insurance rates.

The Village maintains wellness rooms at Village Hall and the Police Station. The rooms are unmonitored, and employee must sign the Employee Waiver and Release Form to use the rooms.

Section 5.12 Continued Health Insurance Upon Separation

Employees who participated in the health insurance plan may be eligible for continued participation in the plan either under Retiree Health Insurance or COBRA. Status at time of separation determines eligibility for continued health insurance. Human Resources will provide employees with information following notice of separation.

ARTICLE VI. HOLIDAYS, VACATION DAYS, PERSONAL DAYS

Section 6.1 Holidays

A. Recognized Holiday Scheduling

All eligible full-time and part-time employees regularly scheduled to work twenty (20) hours or more per week are generally given the following holidays off work with pay:

New Year's Day	Veterans' Day
Presidents' Day	Thanksgiving Day
Memorial Day	Friday Following Thanksgiving Day
Independence Day	Christmas Day
Labor Day	

If the holiday falls on a Sunday, the following Monday generally will be observed as the holiday. If a holiday falls on a Saturday, the preceding Friday generally will be observed as the holiday.

The final holiday schedule shall be set at the discretion of the Village Manager on an annual basis. The Village Manager may substitute an additional floating holiday or alternate day off for a scheduled holiday.

B. Floating Holidays

All eligible full-time employees not covered by a collective bargaining agreement will receive two (2) floating holidays to be scheduled and used consistent with Personal Days (See Section 6.3 B). If an employee is on vacation when a holiday occurs, that day shall either be added to the regularly scheduled vacation (if approved in advance by the Department Head) or not charged against the employee's vacation time. Part-time employees are not eligible for Floating Holidays.

Any employee hired on or before May 31, will be entitled to floating holidays on a prorated basis for that calendar year. Pro-rated credit is assigned using 1/12th of the total floating holidays for each full month remaining in the year at the time of hire. If hired June 1 or after, employee receives no pro-rated floating holidays in the first year. This time may be taken after the employee has completed six (6) full months of consecutive full-time employment. Entitlement to use the time before six (6) full months of consecutive service may be granted by the Department Head for unusual circumstances.

Any employee hired after May 31, is not eligible for floating holidays for that calendar year.

Accrued, but unused Floating Holidays are not paid out upon separation.

C. Full-time Credit/Part-time Proration of Holidays

Eligible full-time and part-time Village employees shall be credited with a number of working hours in their normal work shift for each of the preceding holidays. Part-time

employees shall be eligible to receive prorated holiday pay based on normal hours worked, but must work a minimum of twenty (20) hours per week on a regular basis to be eligible. Short-term, Seasonal or Temporary employees are ineligible.

D. Eligibility/Work Before and After Holiday

In the event an employee does not work the scheduled day before and scheduled day after a holiday, and is not on a previously authorized absence, that employee shall not receive holiday pay until proof of illness, or an otherwise excusable absence, is established to the satisfaction of the Department Head. An employee on unpaid leave of absence shall not receive holiday pay credits during such leave.

E. Religious Holidays

If an employee needs time off to celebrate a religious holiday not covered by this policy, employee can make arrangements to take the time off without pay or he may use other paid time opportunities for this purpose, if previously arranged with and approved by the Department Head.

Section 6.2 Employees Required to Work on Holidays

- A. On holidays for Village employees (as referenced in Section 6.1), only those employees shall be on duty whose services are necessary for police and fire protection, and for municipal, utility and other operations deemed necessary by the Department Head or Village Manager.
- B. In the event an employee, other than those who are normally required to work on a holiday, is required to work on a holiday because their presence is essential, that employee shall be entitled to additional pay computed on the basis of actual time worked and in accordance with the overtime provisions applicable to the employee's department and the Fair Labor Standards Act.
- C. Short-term, Seasonal or Temporary employees and part-time employees working fewer than twenty (20) hours per week (for example, Interns) are not eligible for holiday pay. Holiday pay for other part-time employees scheduled to work on the holiday must receive the approval of the Department Head and/or the Village Manager (for example: part-time Police Assistant).
- D. Holiday leave for employees required to work on holidays must be taken within twelve (12) months of the date of the holiday, unless departmental policy specifies otherwise.

Section 6.3 Personal Days

- A. Each full-time employee, except for Fire Department Shift Personnel, shall be entitled to two (2) personal days per calendar year. Fire Department Shift Personnel shall receive one (1) 24-hour personal day per calendar year. Part-time employees are not eligible for Personal Days.

- B. The employee must notify the Department Head of planned use of a personal day at least twenty-four (24) hours in advance and receive the Department Head's approval.
- C. The use of personal days shall not result in a situation whereby overtime is created.
- D. The personal days shall not accumulate and shall be limited to two (2) per year.
- E. Any employee hired on or before May 31, will be entitled to personal days on a prorated basis for that calendar year. Pro-rated credit is assigned using 1/12 of the total personal days for each full month remaining in the year at the time of hire. If hired June 1 or after, employee receives no pro-rated Personal Time in the first year. This time may be taken after the employee has completed six (6) full months of consecutive full-time employment. Entitlement to use the time before six full months of consecutive service may be granted by the Department Head for unusual circumstances.
- F. Any employee hired after May 31, is not eligible for personal days for that calendar year.
- G. Accrued, but unused Personal Days are not paid out upon separation.

Section 6.4 **Vacation Program**

Eligible Village employees, except for Sworn Shift Personnel and those who have a contrary written employment agreement, or other written offer of employment accrue vacation leave, granted at the convenience of the Department Head, according to the following schedule of accrual:

A. **Vacation Accrual Schedule**

Eligible employees will be assigned an accrual date upon eligibility for Vacation. This date will be the first day of service as a full-time employee or first day as a part-time employee regularly scheduled to work more than twenty (20) hours per week for twelve (12) months of the year. Part-time employees will accrue on a pro-rated basis according to regularly scheduled hours. The following accrual schedule will apply.

Beginning with the first day of service or accrual date through the completion of five (5) years of continued service, an employee shall be allowed to accrue ten (10) vacation days credit. Such vacation day credit shall be calculated on the basis of 5/6th vacation day credit for each full month of service. For purposes of this section, a full month of satisfactory service is defined as a month in which the employee has worked through the 16th of that month. The total yearly credit under this paragraph shall not exceed two (2) work weeks (10 work days).

1. No employee is entitled to use any vacation time until he/she has completed six (6) full months of consecutive full-time employment. Entitlement may be granted by the Department Head for unusual circumstances.
2. In the event the employee completes his/her initial six-months of employment time before the calendar year ends, the employee may either utilize

his/her vacation credit earned in the current year, or carry them over to the next year.

Beginning with the first day following completion of five (5) years of continued service (or time worked since accrual date), an employee shall be allowed to accrue five (5) additional vacation days credit. Such additional vacation days credit shall be calculated on the basis of 5/12th vacation day credit for each full month of service. The total yearly credit under this paragraph shall not exceed three (3) work weeks (15 work days).

Beginning with the first day following completion of ten (10) years of continued service (or time worked since accrual date), an employee shall be allowed to accrue one (1) additional vacation day credit. Such additional vacation days credit will be calculated on the basis of 1/12th vacation day credit for each full month of service. The total yearly credit under this paragraph shall not exceed sixteen (16) work days.

Beginning with the first day following completion of eleven (11) years of continued service (or time worked since accrual date), an employee shall be allowed to accrue one (1) additional vacation day credit. Such additional vacation day credit shall be calculated on the basis of 1/12th vacation day credit for each full month of service. The total yearly credit under this paragraph shall not exceed seventeen (17) work days.

Beginning with the first day following completion of twelve (12) years of continued service (or time worked since accrual date), an employee shall be allowed to accrue one (1) additional vacation day credit. Such additional vacation day credit shall be calculated on the basis of 1/12th vacation day credit for each full month of service. The total yearly credit under this paragraph shall not exceed eighteen (18) work days.

Beginning with the first day following completion of thirteen (13) years of continued service (or time worked since accrual date), an employee shall be allowed to accrue one (1) additional vacation day credit. Such additional vacation day credit shall be calculated on the basis of 1/12th vacation day credit for each full month of service. The total yearly credit under this paragraph shall not exceed nineteen (19) work days.

Beginning with the first day following completion of fourteen (14) years of continued service (or time worked since accrual date), an employee shall be allowed to accrue up to one (1) additional vacation day credit. Such additional vacation day credit will be calculated on the basis of 1/12th vacation day credit for each full month service. The total yearly credit under this paragraph shall not exceed four (4) work weeks (20 work days).

Beginning with the first day following completion of nineteen (19) years of continued service (or time worked since accrual date), an employee shall be allowed to accrue up to three (3) additional vacation days credit. Such additional vacation days credit will be calculated on the basis of 3/12th vacation day credit for each full month of service. The total yearly credit under this paragraph shall not exceed twenty-three (23) work days.

Beginning with the first day following completion of twenty-five (25) years of continued service, (or time worked since accrual date), an employee shall be allowed to accrue up to two (2) additional vacation days credit. Such additional vacation days credit will be

calculated on the basis of 2/12th vacation day credit for each full month of service. The total yearly credit under this paragraph shall not exceed twenty-five (25) work days.

- B. An employee's vacation credits will be accrued on a monthly basis and are available for use at the time they are earned. When an employee reaches another vacation period level on the accrual anniversary date, the employee begins accruing at the higher rate.

- C. Vacation Scheduling

The selection of vacation days by employees shall be based on seniority or as otherwise determined by the Department Head. The fragmentary use of vacation days may be permitted by the Department Head if such use is consistent with the needs of the department.

- D. In the event a holiday occurs during an employee's vacation period, time for such holiday shall not be charged against the employee's vacation credit.

- E. Vacation Buy-Back

Employees are not allowed to take cash payment for vacation in lieu of actual time off. However, individuals classified as Executive Leadership and others as designated by the Village Manager are eligible to sell back one (1) week of vacation per fiscal year. This requires authorization by the Department Head and Village Manager. Any other exceptions to this provision must be authorized by the Village Manager.

- F. Limits to Vacation Accrual

Vacation credits shall be used by each employee within a twelve (12) month period following the end of the calendar year in which the credits were earned unless the Department Head recommends an exception in writing due to an extenuating circumstance and is approved by the Village Manager. An employee may carry-over a maximum of one year of vacation accrual from the then-applicable vacation accrual schedule from year-to-year as of December 31. Unused vacation credits in excess of the maximum will be reviewed annually after the first payroll in January. Upon review, any unused accrued vacation over the maximum will be forfeited.

Extension of time for the use of vacation credits as required in the above paragraph may be authorized in writing by the Village Manager upon written application by an employee and after recommendation by the Department Head.

- G. Vacation Credit at Separation of Employment

At the time of separation of employment, the employee will be paid for all unused, accrued, vacation credits. If an employee has taken more vacation days than accrued, arrangements will be made to reimburse the Village for the unearned days. The Village Manager may approve alternative timing for payment of unused vacation credits upon acceptance of a resignation or retirement.

Vacation Credit for Police Pension Employees

At the time of separation of employment, a Police Pension employee (non-bargained) will be paid for unused, accrued, vacation credits at 100% of the employee's current hourly rate and the sum shall be deposited in the Village's Retiree Health Savings Plan into an account in the employee's name. If the employee has taken more vacation days than accrued, arrangements will be made to reimburse the Village for the unearned days.

H. Part-time Vacation

Part-time employees with a schedule of work hours averaging at least twenty (20) hours weekly throughout the year will be eligible for prorated vacation. Accrual rate for part-time employees shall be based upon the annual budgeted hours for the position, unless otherwise set by the Village Manager. The prorated vacation accrual for each individual shall be reviewed annually against the actual hours worked.

I. Vacation Accruals for Part-time to Full-time or Other Change in Status

As long as an employee remains in a continuous status of vacation eligibility, their accrual date for earning vacation will not change. Therefore, an employee who moves from part-time to full-time and from full-time to part-time will not have a change in their accrual schedule, only in the pro-ration of their accrued leave benefit. However, an employee who retires from a full-time position, and is in receipt of a Village of Palatine pension, and returns to the Village in a part-time capacity, will re-start their vacation accrual date upon rehire.

Section 6.5 **Vacation Program for Sworn Shift Personnel in the Fire Department (24-Hour Shift Personnel, not in the Collective Bargaining Unit)**

- A. Sworn shift personnel having served less than seven (7) years of service will receive ten (10) hours of vacation credit per calendar month worked in the calendar year not to exceed five (5) duty days for each year through the sixth (6th) year. For purposes of this policy, a full month of satisfactory service is defined as a month in which the employee has worked through the 16th of that month.
- B. Beginning with the first day following completion of six (6) years of continued service, Sworn shift personnel shall be allowed to accrue two (2) additional duty days credit. Such vacation days credit shall be calculated on the basis of fourteen (14) hours credit for each full month of service. The total yearly credit under this paragraph shall not exceed seven (7) duty days.
- C. Beginning with the first day following completion of fourteen (14) years of continued service, Sworn shift personnel shall be allowed to accrue an additional three (3) days of vacation credit. Such vacation days credit shall be calculated on the basis of twenty (20) hours credit for each full month of service. The total yearly credit under this paragraph shall not exceed ten (10) duty days.
- D. Beginning with the first day following completion of twenty (20) years of continued service, Sworn shift personnel shall be allowed to accrue up to one (1) additional vacation day credit. Such vacation days credit shall be calculated on the basis of twenty-two (22)

hours credit for each full month of service. The total yearly credit under this paragraph shall not exceed eleven (11) duty days.

- E. Beginning with the first day following completion of twenty-five (25) years of continued service, Sworn shift personnel shall be allowed to accrue up to one (1) additional vacation day credit. Such vacation day credit shall be calculated on the basis of twenty-four (24) hours credit for each full month of service. The total yearly credit under this paragraph shall not exceed twelve (12) duty days.

Section 6.6 **Executive Leave**

All of the Executive Leadership employees and many Management and Professional employees and select Supervisory employees are routinely required to attend meetings or work on projects outside of the normal working hours of the Village or in excess of their regularly scheduled work times. In recognition of the significant hours spent in the evenings and weekends, all Executive Leadership employees and those Management and Supervisory employees designated by the Village Manager shall receive five (5) days of Executive Leave. This time must be used on an annual basis or shall be forfeited.

ARTICLE VII. **OTHER LEAVES OF ABSENCE**

Section 7.1 **Sick Leave Program**

A. **Accrual of Sick Leave**

All employees, except Fire Department shift personnel, except those in temporary or part-time positions, and except those on a leave of absence without pay, shall accumulate sick leave at the rate of one (1) day for each month of satisfactory service. For purposes of this section, a full month of satisfactory service is defined as a month in which the employee has worked through the 16th of that month.

Fire Department shift personnel shall accumulate sick leave at the rate of twelve (12) hours for each month of satisfactory service.

Beginning January 1, 2015, the maximum accrual limit for Sick Leave shall be one hundred (100) days. For Fire Department Shift Personnel (outside of the collective bargaining unit), this limit shall be one thousand (1000) hours. Further details about annual maximum accruals can be found in Section 7.4.

B. **Use of Sick Leave**

Sick leave is considered a contingent benefit, and shall not be considered as personal time which an employee may use at his or her discretion. Sick leave use shall be allowed only in case of actual sickness or disability or pregnancy or because of illness or death in the immediate family. The Department Head or the Village Manager may grant sick leave to employees to meet medical or dental appointments if the employee establishes that the appointment cannot reasonably be scheduled during non-working hours.

C. Substantiation of Illness

The Village Manager or the Department Head may require the substantiation of the need for sick leave of any length. Any employee who is required to submit substantiation for sick leave of less than three (3) days will be informed in advance of the need to do so by the Village Manager or the Department Head.

Falsification of evidence that would otherwise substantiate the need for sick leave will result in disciplinary action (no matter when discovered).

D. Fire Department Calculations

For the purposes of computing sick leave for Sworn personnel in the Fire Department, sick leave shall be deducted for each shift absence on an hour-for-hour basis.

E. New Classification Recalculation

Employees who change hourly classification schedules will have their accrued sick leave bank adjusted according to the new schedule (For example, a twenty-four (24) hour shift employee in the Fire Department transfers to a forty (40) hour per week position).

Section 7.2 Sick Leave Requests for Use

A. Employee Notice Responsibility

In order to receive Sick Leave compensation while absent, the employee shall notify the Department Head or their designee by phone no later than thirty (30) minutes before the time set for beginning daily duties (unless department policies provide other restrictions).

Failure to provide such notice will constitute absence without leave and may result in loss of sick leave compensation. Notification of an absence does not guarantee approved use of benefit time for the absence. Electronic notification is unacceptable unless approved in advance by the Supervisor.

B. Physician's Certification

The Village Manager or Department Head may require a physician's certificate of health examination as a condition for sick leave pay for any absence of any duration.

1. The Department Head or Village Manager may require any employee to undergo a physical and/or psychological examination or medical test at any time when, in their judgment, such an examination or test may be necessary to determine the employee's fitness to perform the duties of his/her position.
2. The cost of such physical examination provided by the employee's physician is the responsibility of the employee. All examinations and tests performed by a

licensed medical professional or professionals appointed by the Village will be at the Village's expense.

C. Limitations on Sick Leave Usage

1. When Injured through Outside Employment

Sick leave credits shall not be available for use in circumstances involving personal injury sustained by an employee in the course of paid outside or secondary employment. This limitation also applies to an employee with secondary part-time employment with the Village of Palatine.

2. Use of Other Accrued Leave when Sick

Employees are expected to use their Sick Leave when sick, and not use other accrued leave time (except the planned use of Personal Time) to avoid the use of Sick Leave so as to make themselves eligible for the Sick Leave Buyback Annual Incentive. No employee shall be allowed to use time other than Sick Leave or Personal Time for an illness or injury or FMLA-qualifying event until employee has used at least six (6) full days of sick leave (four (4) days for Fire shift personnel) This will be measured using the twelve (12) months before November 17. If the employee has no sick leave available, other accrued leave time shall be used.

3. Upon Use of All Sick Leave

In the event that any employee has exhausted all sick leave credits, the employee must request to use accumulated compensatory time, holiday time, vacation time, personal day time, or donated sick leave time or request discretionary leave to remain in active status.

Section 7.3 Sick Leave Buyback Annual Incentive

Unexpected absence and the use of sick leave impacts productivity and cost effectiveness for each department. In some instances, overtime costs must be incurred to cover for sick employees. Therefore, an incentive is established to encourage employees to carefully consider the use of sick time. Employees who have used minimal sick time for the current year are eligible for up to three (3) days pay. Sick Leave Buyback Incentive will be paid annually on the pay day preceding Christmas. To be eligible, the employee must have been employed for one (1) full calendar year prior to November 17. Following is the procedure for pay out:

- A. Eligible employees may, at their option, decline inclusion in this annual incentive program.
- B. Payment shall be at the rate of pay for the position currently held by the employee.
- C. Sick leave usage will be evaluated during the twelve (12) month period from November 17 of the prior year to November 16 of the current year.

- D. The Number of Days Eligible for Buyback will be deducted from the unused sick leave earned during the twelve (12) month period from November 17 of the prior year to November 16 of the current year and any remaining days will accumulate with those of prior years until the Sick Leave Accrual Maximum (Section 7.4) is reached.
- E. The following schedule shall be used to determine the “up to three (3) days” eligibility for the buyback program:

<u>Number of Sick Leave Days Used</u>	<u>Number Days Eligible for Buyback</u>
Zero to One (0 -1)	3
Greater than 1 up to 2	2
More than 2	0

- F. Sworn Twenty-four (24) hour shift personnel in the Fire Department (not in the Collective Bargaining Unit) shall be eligible for the buyback program according to the following schedule:

<u>Number of Sick Leave Hours Used</u>	<u>Number of Hours Eligible for Buyback</u>
Zero	72
Greater than zero to 48 hours used	48
More than 48 hours used	0

Employees covered under collective bargaining agreement can find the terms of annual sick leave buyback incentive in their agreements.

Section 7.4 Sick Leave Annual Accrual Maximums

Sick Leave Accrual maximums shall be acknowledged and accounted for as follows:

- A. **Employees in the Illinois Municipal Retirement Fund (IMRF)**
1. **Collectively Bargained IMRF Employees:** Any days in excess of one hundred (100) days on November 16 (after any sick leave buyback is calculated per Section 7.3) of each calendar year shall be recorded for the purpose of service credit with IMRF. This service credit shall be reported to IMRF upon separation of employment with the Village of Palatine. Service Credit accrual will be subject to compliance with IMRF rules and regulations and modifications may be made for compliance. There shall be no additional cash value of these hours and the hours shall be removed from the accrued sick leave balance.
 2. **Non-bargained IMRF Employees:** Any days in excess of one hundred (100) days on November 16 (after any sick leave buyback is calculated per Section 7.3) of each calendar year shall be recorded for the purpose of service credit with IMRF. This service credit shall be reported to IMRF upon separation of employment with the Village of Palatine. Service Credit accrual will be subject to compliance with IMRF rules and regulations and modifications may be made for compliance. There shall be no additional cash value of these hours and the hours shall be removed from the accrued sick leave balance. If, at the time of separation of employment, the total sick

leave balance, including the recorded IMRF service credit, is in excess of 221 days, the excess of 221 days shall be deposited to a Retirement Health Savings Account in an amount equal to 50% of the employee's final rate of pay provided the employee has provided a minimum of 120 days notice of their retirement.

- B. **Employees governed by the rules of Palatine Fire Pension Plans** (but not covered by a collective bargaining agreement): such as Fire Division Chief, Fire Deputy Chief, and Fire Chief shall have fifty percent (50%) of the current value of any sick days in excess of one hundred (100) days that remain on November 16 (after any sick leave buyback is calculated per Section 7.3) paid to a Retirement Health Savings account in such manner as directed by the Village Manager. There shall be no additional cash value of these hours and the hours shall be removed from the accrued sick leave balance.
- C. **Employees governed by the rules of Palatine Police Pension Plans** (but not covered by a collective bargaining agreement): such as Police Sergeant, Police Commander, Police Deputy Chief and Police Chief: shall have fifty percent (50%) of the current value of any sick days in excess of one hundred (100) days that remain on November 16 (after any sick leave buyback is calculated per Section 7.3) paid to a Retirement Health Savings account in such manner as directed by the Village Manager. In addition, upon separation of employment, an employee who leaves employment with the Village voluntarily with at least twenty (20) years of service and has a minimum of 800 hours accumulated sick leave shall be reimbursed for all accumulated sick leave up to 800 hours at 20% (160 hours maximum reimbursement) at the rate of pay of the then current top step Patrol Officer. Said sum shall be deposited into the Retirement Health Savings Account. If within twelve (12) months of retirement, the Police Pension employee has a qualifying instance of FMLA, the sick leave reimbursement threshold shall be reduced from 800 hours, but in no event shall the buyback threshold fall below 700 hours. The reimbursement percentage remains at 20% and is calculated from the balance of sick leave with the FMLA time removed.
1. A Police Pension employee who used an average of four (4) days or less per year for the entirety of the employee's career shall be eligible for a 10% increase of reimbursable sick leave. Sick days that are bought back at the end of the year, or donated to others will not be included as used days in this calculation.
 2. Advanced Notice of Retirement: A Police Pension employee who provides a minimum of six (6) months advance written notice of retirement to the Village shall be eligible for a 10% increase of reimbursable sick leave at top patrol officer rate of pay. Said notice shall be irrevocable.

There shall be no additional cash value of sick leave hours and the hours shall be removed from the accrued sick leave balance.

- D. **Fire Battalion Chiefs:** shall have fifty percent (50%) of the current value of any sick days in excess of one thousand (1000) hours that remain on November 16 (after any sick leave buyback is calculated per Section 7.3) paid to a Retirement Health Savings account in such manner as directed by the Village Manager. There shall be no additional cash value of these hours and the hours shall be removed from the accrued sick leave balance.

At separation from employment, any new hours in excess of the annual maximum will be applied using these same practices.

Section 7.5 **Sick Leave Donation Program**

In the event that an ill or injured, full-time Village employee has exhausted all sick leave credits, all accumulated compensatory time, all vacation days and all personal days and floating holidays, employee may be eligible for a donation from any full-time employee of any department within the Village upon recommendation of the Department Head and approval of the Village Manager. The employee will initiate a written request for a sick leave donation to his or her Director.

- A. Both the ailing employee and the donating employee must have at least one (1) year of full-time service with the Village.
- B. Any donated sick leave day(s) must have been accrued in prior calendar years.
- C. The donating employee must sign a form, which would direct Human Resources to deduct one (1) or more sick days from prior accrued sick leave.
- D. Employees may donate to a fellow employee one (1) sick day for every five (5) available sick days the donating employee has accrued in prior calendar years.
- E. The employee receiving the donation will be credited with one (1) day's compensation at the employer's normal daily rate for the employee. Any days donated will be deducted from the sick leave time available to the donating employee.
- F. Any sick leave donated will not count as used sick leave for the purpose of sick leave buyback.
- G. For purposes of this section, sick leave may be donated between Sworn Fire Department Shift Personnel and all other Village employees on an hour for hour basis.

Section 7.6 **Discretionary Leave**

The Village Manager, upon recommendation by the Department Head, may grant a leave of absence to any employee when it is determined that there is good and sufficient reason and assuming it is not disruptive to the Village's business needs. The Village Manager shall set the terms and the conditions of the leave, including whether or not the leave is to be with pay and whether or not leave accruals will continue. During the leave period, accrued leave may be used; however, additional leave will not accrue unless otherwise specified by the Village Manager. Generally, discretionary leaves of absences will not exceed six (6) months, unless a further definitive period of leave may be appropriate as a reasonable accommodation. During the leave period, an employee may be required to report periodically to the Village on the status and their intention to return to work. No leave of absence will be granted to an employee for the purpose of accepting employment elsewhere.

Section 7.7 **Application for Leave**

Any request for leave of absence shall be submitted in writing by the employee to the Department Head or their designee as far in advance as practicable. The request shall state the reasons for the leave of absence and the approximate length of time-off the employee desires. Authorization for leave of absence shall, if granted, be furnished to the employee by their immediate supervisor and it shall be in writing.

Section 7.8 **Funeral Leave**

In the event of a death in the immediate family (as defined in Section 1.8), a full-time employee shall be granted up to three (3) paid work days as funeral leave if the employee attends the funeral. Leave beyond three (3) days may, upon approval of the Village Manager or Manager's designee, be classified as discretionary leave.

Sworn personnel in the Fire Department shall be provided with one twenty-four (24) hour shift absence as funeral leave in the event of a death in the immediate family.

In the event of the death of an extended family member, an employee may be granted up to one (1) day if the employee attends the funeral. Leave beyond one (1) day may, upon approval of the Village Manager, or his designee, be classified as discretionary leave.

Under no circumstances will an employee be allowed to use more than six (6) days in a year.

A part-time employee (regularly scheduled to work 20 hours per week or more) shall be granted up to one (1) paid pro-rated work day as funeral leave if the employee attends the funeral of an immediate family member.

The Village also follows the Illinois Family Bereavement Leave Act, as amended, 820 ILCS 154/1, et seq. Leave under the Illinois Family Bereavement Leave Act must be requested and approved in advance and will run concurrently with any other type of Funeral Leave set forth above.

Section 7.9 **Military Leave**

Military leave shall be granted in accordance with the requirements of applicable law. Written verification should be provided by the employee to his supervisor which states the specific dates, locations and anticipated length of the military assignment.

Section 7.10 **Jury Leave**

A full-time employee shall be granted a leave of absence with pay pursuant to a notice for jury duty. The employee must show the jury duty summons to his supervisor as soon as possible so that the supervisor may make arrangements to accommodate the absence. The employee shall present the jury duty pay check to the supervisor as demonstration of completed jury duty service. The employee shall keep the jury duty check in addition to receiving his regular pay. Employees are expected to report to work whenever the court schedule permits.

A part-time employee (regularly scheduled to work twenty (20) or more hours per week) shall be granted a leave of absence pursuant to a notice for jury duty. The employee must show the jury duty summons to his supervisor as soon as possible so that the supervisor may make arrangements

to accommodate the absence. The employee shall present the jury duty pay check to his supervisor as demonstration of completed jury duty service. The employee shall keep the jury duty check and receive pro-rated pay. Employees are expected to report to work whenever the court schedule permits.

Section 7.11 **Family and Medical Leave**

- A. If employee has been employed by the Village for at least twelve (12) months, has worked at least 1,250 hours during the twelve (12) month period preceding the start of the leave, employee is eligible for up to a total of twelve (12) work weeks of unpaid leave during a rolling twelve (12) month period measured backward from the start of leave for one or more of the following reasons:
1. Because of the birth of employee's child and in order to care for such child (within twelve (12) months after the birth of the child); or
 2. Because of the placement of a child with employee for adoption or foster care (within twelve (12) months of the placement of the child); or
 3. In order to care for employee's spouse, child, or parent if employee has a "serious health condition"; or
 4. Because of employee's own "serious health condition" that makes employee unable to perform the functions of the job; or
 5. For any qualifying emergency because the employee is the spouse, child, or parent of a military member on covered active duty or called to covered active duty status.

Leaves of absence under FMLA may be unpaid if no paid leave time is available. See "Coordination with Other Policies", below for a full explanation.

If employee's spouse or significant other also works for the Village and both employees become eligible for a leave under paragraphs 1 or 2 above, or for the care of a sick parent or child under paragraph 3 above, the two employees together will be limited to a combined total of twelve (12) workweeks of leave in any rolling twelve (12) month period.

An eligible employee who is the grandparent of a person called to military service lasting longer than thirty (30) days pursuant to a state or federal deployment order may also be entitled to up to fifteen (15) days of unpaid family military leave during the time the deployment order is in effect, if the employee has exhausted all available vacation and personal time.

B. Medical Certification

Any request for a leave under paragraphs 3 or 4 above, must be supported by certification issued by the applicable health care provider. Employees shall provide a

certification in support of leave on an annual basis if the need for leave continues for the same reason. You may obtain a certification form from Human Resources.

At its discretion, the Village may require a second medical opinion and periodic recertification to support the continuation of a leave. If the first and second opinions differ, a third opinion can be obtained from a health care provider jointly approved by both the employee and the Village.

The Village will also require certification in support of leave for a qualifying military exigency.

C. Serious Health Condition

For purposes of this policy, “serious health condition” means an illness, injury, impairment or physical or mental condition that involves one of the following:

1. Hospital Care
Inpatient care in a hospital, hospice or residential medical care facility, including any period of incapacity relating to the same condition;
2. Absence Plus Treatment
A period of incapacity of **more** than three (3) consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition), that also involves either:
 - a. treatment two (2) or more times by a health care provider, by a nurse or physician’s assistant under direct supervision of a health care provider, or by a provider of health care services under orders of, or on referral by, a health care provider; or
 - b. treatment by a health care provider on at least one (1) occasion, which results in a regimen of continuing treatment under the supervision of the health care provider.
3. Pregnancy
Any period of incapacity due to pregnancy, or for prenatal care;
4. Chronic Conditions Requiring Treatment
A chronic condition which requires periodic visits for treatment by a health care provider, or by a nurse or physician’s assistant under direct supervision of a health care provider, continues over an extended period of time; and may cause episodic rather than a continuing period of incapacity;
5. Permanent/Long-term Conditions Requiring Supervision
A period of incapacity, which is permanent or long-term due to a condition for which treatment may be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider;

6. Multiple Treatments (non-chronic conditions)

Any period of absence to receive multiple treatments (including any period of recovery) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for condition that would likely result in a period of incapacity of more than three (3) consecutive calendar days in the absence of medical intervention or treatment.

D. Intermittent Leave

If certified as medically necessary for the serious health condition of either the employee or spouse, child or parent, leave may be taken on an intermittent or reduced leave schedule. If leave is requested on the basis of a foreseeable, planned medical treatment, the Village may require a temporary transfer to an alternative position which better accommodates recurring periods of absence or to a part-time schedule, provided that the position offers equivalent pay and benefits.

E. Notification and Reporting Requirements

1. All requests for leave of absence must be submitted to the supervisor in writing at least thirty (30) days in advance of the start of the leave (except when the leave is due to an emergency or is otherwise not foreseeable, employee is expected to notify the Village as soon as practicable, generally within one to two (1 to 2) business days of learning of the need for leave). A delay in submitting this request could result in a delay of the start of leave. The supervisor will forward the request to Human Resources for approval. All leave requests will receive a Notice of Eligibility and Rights and Responsibilities. Employee must submit additional documents as requested. Once all documentation is submitted and reviewed, approved leaves will receive a Designation Notice. Employee must also make an effort to schedule a leave so as not to disrupt business operations. During the leave, employee may be required to report periodically on status and intention to return to work.
2. When an employee seeks leave for a FMLA-qualifying reason for the first time, the Village will designate the leave as covered by this policy when the Village has enough information to determine that leave is being taken for a FMLA-qualifying reason. When an employee seeks leave, however, due to a FMLA-qualifying reason for which the Village has previously provided the employee FMLA-protected leave, the employee must specifically reference either the qualifying reason for leave or the need for FMLA.
3. In all instances, the employee must answer questions and provide sufficient information to allow the Village to determine whether an absence is for a FMLA-qualifying reason. Failure to provide such information can result in a delay or denial of FMLA coverage.
4. The Village may also require recertification periodically during a leave. As part of the recertification, the Village may provide the employee's health care provider with the employee's attendance records and ask whether the need for leave is

consistent with the employee's serious health condition. In all instances, the Village requires recertification every six (6) weeks in connection with an FMLA medical leave.

5. Any extension of time for leave of absence must be requested in writing prior to the scheduled date of return to work, together with written documentation to support the extension. Any time beyond twelve (12) weeks in a rolling twelve (12) month period shall not be considered FMLA leave. Failure to either return to work on the scheduled date of return or to apply in writing for an extension prior to that date will be considered to be a resignation of employment effective as of the last date of the approved leave. Employees on leaves for their own serious health condition must provide fitness-for-duty releases from their health care provider before they will be permitted to return to work.
6. Extensions of a leave of absence beyond the date originally approved are at the sole discretion of the Village. The maximum time on a leave of absence, all types combined, and including all extensions, cannot exceed a total of twelve (12) weeks in a rolling twelve (12) month period (exceptions only as required by law to accommodate individuals with a disability).
7. A paid leave of absence will not affect the continuity of employment. The original date of employment remains the same for seniority purposes. The employee will accrue benefits in accordance with applicable laws while on Family and Medical Leave.

F. Employee Benefits During Family and Medical Leave of Absences

Employee will be permitted to maintain health insurance coverage for the duration of the leave under the same conditions coverage would have been provided if employee had remained actively at work. However, employee must make arrangements for the continuation of and payment of insurance premiums before going on leave status. If employee does not return to work after the leave, or if employee fails to pay employee's portion of the premiums, employee will be required to reimburse the Village for the costs and expenses of insurance during the leave.

G. Return from a Family and Medical Leave

1. Upon return from leave which has extended no longer than a total of twelve (12) workweeks in a rolling twelve (12) month period, employee will be restored to the same or to an equivalent position to the one employee held when the leave started. If the leave was due to employee's own serious health condition, employee will be required to submit a fitness for duty certification from their health care provider stating that employee is able to perform the essential functions of the job. If employee fails to return to work at the expiration of the approved Family and Medical Leave, it will be considered to be a resignation of employment with the Village.

2. Certain highly compensated “key” Employees may be denied reinstatement when necessary to prevent “substantial and grievous economic injury” to the Village’s operations. A “key” Employee is a salaried employee who is among the highest paid ten percent (10%) of employees at that location, or any location within a seventy-five (75) mile radius. Employees will be notified of their status as a key Employee, when applicable, after they request a Family and Medical Leave.
3. An employee shall not be granted a leave of absence for the purpose of seeking or taking employment elsewhere or operating a private business. Unauthorized work while on a leave of absence will result in disciplinary action, up to and including termination of employment.

H. Military Caregiver Leave

An eligible employee is entitled to a total of twenty-six (26) weeks of Military Caregiver Leave:

1. To care for a spouse, parent, child, or an individual for whom the employee is the nearest blood relative (or designated as next of kin for caregiving) who has a serious injury or illness that was incurred or aggravated in the line of duty while on active military duty overseas, who is undergoing medical treatment, recuperation, or therapy, is in outpatient status or is on temporary disability retirement.
2. To care for a spouse, parent, child or an individual for whom the employee is the nearest blood relative (or designated as next of kin for caregiving) to a veteran who is undergoing medical treatment, recuperation, or therapy for serious injury or illness that occurred any time during the five (5) years preceding the date of treatment while on active military duty overseas.

Leave to care for an injured or ill service member or covered veteran will begin on the first day of such leave and must be completed within twelve (12) months from that date. Leave for an injured service member may be taken only once per service member unless that service member has a subsequent injury or illness incurred or aggravated in overseas military duty. In addition, spouses employed by the Village who request caregiver leave may only take a combined aggregate total of twenty-six (26) weeks leave for such purpose.

Any FMLA leave taken by an employee for reasons other than an injured or ill service member or covered veteran will reduce the twenty-six (26) weeks of available leave to care for an injured service member or covered veteran. As a result, if an employee requests caregiver leave, the maximum leave allowed will be up to twenty-six (26) weeks, less any FMLA leave already used in the same twelve (12) month period for any other reason.

I. Coordination with Other Policies

Except as provided herein, below, an employee must substitute any accrued paid sick days, vacation days, personal time or compensatory time for unpaid leave under this policy, and any such paid time off must be taken concurrently with employee’s Family and Medical Leave. However, employees with more than two (2) weeks of sick leave available at the time of FMLA eligibility will be allowed to retain up to two (2) weeks of sick time on the books for future use. If employee otherwise qualifies for disability pay, employee will collect disability pay at the same time as Family and Medical Leave. Similarly, if employee otherwise qualifies for any other type of leave of absence, employee must take

that leave at the same time as Family and Medical Leave. All time missed from work due to personal injury, illness or work-related injury will be counted toward the Employee's twelve (12) weeks of Family and Medical Leave.

If an employee requests leave under Sections 7.11 A 1 or 2 (for bonding time) because of a birth, adoption or foster care placement of a child, the employee shall be permitted to use no more than ten (10) days of accrued sick leave, which shall run concurrently with FMLA leave. Paid vacation days, personal time, compensatory time may also be used, to the extent available.

Section 7.12 Failure to Return from Leave

An employee who fails to return to duty within three (3) work days of the time specified on the application for leave shall be considered to have resigned from such service in the absence of evidence of extenuating circumstances. See also Section 12.2 regarding Resignation/Loss of Seniority due to failure to work for extended periods of time.

Section 7.13 Benefits While on Discretionary Leave

While on a paid or unpaid leave of absence or layoff, the employee shall be entitled to coverage under applicable group health/dental and life insurance plans to the extent provided in such plan(s).

The Village of Palatine Employee Health Insurance Plan will require the employee's contribution to health insurance premiums for the remainder of the month in which such leave commenced. Thereafter, the employee will pay the COBRA premiums (102% of the full monthly medical premium), unless authorized in writing by the Village Manager. During an unpaid leave, seniority, vacation time, holiday time, sick leave and personal days shall not accrue except as required by law.

Section 7.14 Requalification After Leave

Unless otherwise stated in this handbook, or otherwise required by law, length of service or seniority shall not accrue for an employee who is on an approved unpaid leave status. Accumulated length of service shall remain in place during that leave and shall begin to accrue again when the employee returns to work on a paid status. Unless otherwise stated in this handbook, an employee returning from leave will have their seniority continued after the period of leave.

When an employee returns to work from an approved leave of absence, the Village will place the employee in the previous job if the job is vacant; if not vacant, the employee will be placed in the first available opening in employee's classification according to the employee's seniority, where skill and ability to perform the work without additional training is equal.

If, upon the expiration of a leave of absence, there is no work available for the employee or if the employee could have been laid off according to seniority except for the leave, employee shall go directly to layoff. If the employee is on layoff, recall procedures as stated in this handbook shall apply.

Section 7.15 **Non-Employment Elsewhere**

A leave of absence will not be granted to enable an employee to try for or accept employment elsewhere or for self-employment. Employees who engage in employment elsewhere during an approved leave, without the express written permission of the Village Manager may be subject to discipline up to and including termination of employment.

ARTICLE VIII. **EMPLOYEE SAFETY**

To provide a safe and healthful work environment for self, fellow employees and visitors, the Village of Palatine has established a Loss Prevention Safety Program (aka Safety Policy Manual). This program is a top priority for the Village. The Village Safety Coordinator has responsibility for implementing, administering, monitoring and evaluating the safety program. The program's success depends on the alertness and personal commitment of all employees.

The Village provides information to employees about workplace safety and health issues through regular internal communication channels such as safety meeting minutes, supervisor-employee meetings, employee newsletter, bulletin board postings, memos, and other written communications. Safety is also emphasized in the employee job description. A safety committee has been established to assist in these activities and to facilitate effective communication between employees and management about workplace safety and health issues.

Employees and supervisors receive periodic workplace safety training. The training covers potential safety and health hazards and safe work practices and procedures to eliminate or minimize hazards.

Section 8.1 **Employee Responsibility**

Each employee is expected to obey rules and to exercise caution in all work activities. Employees must immediately report any unsafe conditions to the appropriate supervisor. Employees who violate safety standards, cause hazardous or dangerous situations, or fail to report or remedy such situations (when appropriate) may be subject to disciplinary action, up to and including termination of employment.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, the employee must notify the appropriate supervisor and complete the proper reports. Immediate employee reports of injury are necessary to comply with applicable laws and to initiate insurance and worker's compensation benefit procedures. Reports shall be submitted to Human Resources within twenty-four (24) hours of the accident. Failure to report an accident on a timely basis could lead to disciplinary action under Section 10.1.

If the injury is severe, the supervisor or supervisor's designee should immediately call 911. Severity is based on judgment. No employee shall be disciplined for using reasonable judgement to call 911.

More detailed information regarding the Village's safety policies and loss prevention program can be found in the Village's Safety Policy Manual. Each employee is responsible to familiarize

themselves with the content of that manual and follow all safety procedures and policies described within it.

Section 8.2 Workplace Injuries/Accidents

- A. If an employee is injured during the performance of the employee's duties, the employee should **immediately** report this fact to the supervisor. The employee must insure that an Employee's Statement of Injury form is submitted to the supervisor for forwarding to Human Resources, so the employee's right to worker's compensation insurance benefits or reimbursements for medical expenses is not jeopardized. Even if the injury is so slight that no time is lost, a report must be made. This is necessary to protect the employee in case a future disability results because of the injury. Also, appropriate action can be initiated to prevent future, and possibly more serious accidents of a similar nature.
1. Neither the Village nor the worker's compensation insurance carrier will be liable for the payment of worker's compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social or athletic activity sponsored by the Village of Palatine, except as required by law. If it is determined that the employee should seek medical attention, the supervisor shall provide the doctor with a job description for doctor's use in determining the employees' ability to return to work. In addition, the supervisor will provide the doctor with the types of "light duty" which may be available.
 2. If the doctor determines that the employee cannot return to work, the employee is responsible for providing the Village with written confirmation within one (1) working day of the determination. In addition, the employee is also responsible to provide any status updates within one (1) working day of the appointment.
 3. If the doctor determines that the employee may return to work with restrictions, the employee will be provided a written statement indicating the terms of any approved light duty assignment (including the supervisor to report to, the length of the assignment, the type of work, and the restrictions).

For more information on Light Duty, see Section 3.6, Light Duty Policy.

- B. If an employee is involved in any accident while in performance of duties resulting in property damage or injury to any person, it must be reported **immediately** to the supervisor. The Police should be called to the scene immediately if the accident involves a vehicle. The employee should not discuss the accident with anyone except the Police, or admit to any liability. Direct any person seeking information to Human Resources.

Disciplinary action may be taken against employees if negligence is proven to be a factor contributing to the accident or causation of an unsafe condition.

Section 8.3 Safety Committees

In order to reduce the risk of work related injury and maximize safe working conditions, the Village has established several safety committees consisting of both supervisors and employees in the field. The duties of these committees include:

- A. Investigation of work related injuries or accidents for the purpose of providing feedback as to how such injury or accident can be prevented.
- B. Review of equipment, work areas and procedures for completing jobs to determine if unsafe conditions exist and what is necessary to correct such conditions.
- C. Review of accidents involving the operation of municipal vehicles and equipment to recommend if those employees involved should not earn their Safe Driving Day privileges. Employees involved in an accident shall have the right to present their case to their department safety committee.

A Village Safety Committee, consisting of management and non-management representatives from all departments, has been established by the Village to consider the recommendations of the department safety committees. The Village Manager's designee shall serve as Chair of the Village Safety Committee. This committee shall meet on a regular basis and follow guidelines as outlined in the Safety Policy Manual.

Section 8.4 Safe Driving Day

A safety incentive program has been established for those employees required to drive a vehicle or operate a heavy piece of equipment in the course of their daily assigned activities. Full-time employees are eligible for a Safe Driving Day if they are expected to drive a Village vehicle for at least one-hundred-sixty (160) days in a calendar year, (eighty (80) days for Fire Personnel). This program provides one additional personal day to a qualified employee if the qualified employee is determined to have had no preventable accidents or no preventable accidents have occurred in which an employee shares responsibility within the previous calendar year. The employee must have worked for the Village in a capacity requiring them to drive a vehicle or operate a heavy piece of equipment for at least nine (9) months during the previous year. If an employee, who is working part-time in another position/job/assignment for the Village, has a preventable accident while working in that capacity, they will not earn the full Safe Driving Day. The use of this Safe Driving Day is subject to the conditions of Section 6.3. If an employee is unsure if they qualify for the Safe Driving Program, employee should contact Human Resources.

Section 8.5 Workplace Violence

The Village of Palatine maintains a zero tolerance toward workplace violence, or the threat of violence, by any of its employees, residents, customers, or general public, and/or anyone who conducts business with the Village. It is the intent of the Village of Palatine to provide a workplace (which includes Village property and all other locations where a Village employee is properly performing duties) that is free from intimidation, threats or violent acts.

Workplace violence includes, but is not limited to, harassment, threats, physical attack, or property damage. A threat is the expression of the intent to cause physical or mental harm regardless of

whether the person communicating the threat has the present ability to carry out the threat and regardless of whether the threat is contingent, conditional, or future. Physical attack is unwanted or hostile physical contact with another person such as hitting, fighting, pushing, shoving, or throwing objects. Property damage is intentional damage to property which includes property owned by the Village, employees or others.

A. Prevention of Workplace Violence

The Village subscribes to the concept of a safe work environment and supports the prevention of workplace violence. Prevention efforts include, but are not limited to, informing employees of this policy, instructing employees regarding the dangers of workplace violence, communicating the sanctions imposed for violating this policy, and providing a reporting hierarchy within which to report incidents of violence without fear of reprisal.

B. Reporting Threats – Internal and External

All Village of Palatine employees are responsible for notifying their Supervisor or their Department Head of any threats which they have witnessed, received, or have been told that another person has witnessed or received. Even without an actual threat, employees should also report any behavior they have witnessed which they regard as threatening or violent, when that behavior is job related or might be carried out on a Village controlled site, or is connected to Village employment. Employees are responsible for making this report whether the incident is committed by another employee or an external individual such as a customer, vendor, or citizen. The Department Head will inform Human Resources of all reported incidents of workplace violence. Any employee who acts in good faith by reporting actual or potential violent behavior will not be subjected to any form of retaliation or harassment.

C. Identifying Dangerous Situations

While we do not expect employees to be skilled at identifying potentially dangerous persons, employees are expected to exercise good judgment and to inform their Supervisor or Department Head if any employee exhibits behavior that could be a sign of a potentially dangerous situation. Such behavior includes:

1. discussing weapons or bringing them to the workplace (other than Sworn law enforcement personnel); or
2. displaying overt signs of extreme stress, resentment, hostility or anger; or
3. making threatening remarks; or
4. sudden or significant deterioration of performance; or
5. displaying irrational or inappropriate behavior.

D. Prohibited Actions and Sanctions

It is a violation of this policy to engage in any act of workplace violence. Any person who makes substantial threats, exhibits threatening behavior, or engages in violent acts on Village property or which arise from their employment with the Village shall be removed from the premises (or work locations if not on site) as quickly as safety permits, and shall remain off Village premises pending the outcome of the investigation. Any employee who has been determined to be in violation may be subject to disciplinary action up to and including termination of employment and, depending upon the violent act, may be subject to criminal sanctions. Any other person who has been determined to be in violation will be subject to suspension and/or termination of any business relationship, and/or criminal prosecution.

Section 8.6 Driver Responsibilities

Employees who use a vehicle in the performance of their position will be required to maintain a valid driver's license as a condition of holding such a position.

Consistent with this obligation, the Village reserves the right to conduct periodic reports to verify that the employee's driver's license is current and valid. Employees may need to execute documents in order to authorize the Village to confirm the status of a driver's license.

Failure to cooperate with such periodic verification reports will result in ineligibility for employment in a position in which a valid driver's license is required.

To promote overall good driving habits, employees are expected to maintain a good driving record both on and off the job. Drivers with one (1) or more recorded high-risk driving violations will be subject to a verbal warning as future violations would impact the ability to perform job duties. Drivers shall notify their supervisor of driving violations that occurred on duty before the end of the shift. Off duty violations shall be reported at the beginning of the next day reporting to work; but no later than 72 hours after the violation.

High Risk driving violations are outlined in the "Fleet Safety Policy" Manual. These violations consist of licensing or registration offenses, felonies directly involving a motor vehicle, violations which indicate a disregard for public safety including driving under the influence, reckless driving resulting in bodily injury or property damage, reckless homicide, violations resulting in fatal accident, speeding in excess of fifteen (15) miles per hour over the limit, or following too closely.

ARTICLE IX. EMPLOYEE CONDUCT

Section 9.1 Outside Employment

Village employees shall not participate in outside employment that in any way interferes with the employees' regular duties, responsibilities or work performance with the Village, as determined by the Village Manager.

- A. Full-time and part-time Village employees may not engage in outside work or employment as defined in this section without the express written approval of their Department Head

and the Village Manager. Any employee who engages in outside work or employment without such express written approval is subject to discipline up to and including termination of employment. All requests to engage in outside employment must be submitted in writing to the Department Head who will forward it to the Village Manager. The “Outside Employment Request Form” is located at the end of the Employee Handbook.

1. Outside work is defined as any gainful employment other than the performance of official duties, including, but not limited to: self-employment, working for another employer, employment in the management, and operation or direction of a private business for profit, including any direct or indirect financial interest in any such business.
 2. Department Heads may set policies and guidelines regarding outside employment. Such policies and guidelines shall be approved or subject to change by the Village Manager.
- B. The Village generally will permit employees to engage in outside employment or work so long as, in the opinion of the Village Manager or the employee’s Department Head, the outside work or employment would not affect:
1. the quality of the employee’s work for the Village; or
 2. prevent the employee from devoting their primary interest to the accomplishment of their work for the Village; or
 3. tend to create conflict, or the appearance of a conflict, between the private interests of the employee and the employee’s official responsibility to the Village.
- C. An employee shall not perform outside work, which in the judgment of the Village Manager:
1. is of such nature that it may be reasonably construed by the public to be an official act of the Village, or Department thereof; or
 2. involves the use of Village facilities, equipment, and electronic devices; or
 3. involves the use of official information not available to the public; or
 4. might encourage, on the part of members of the general public, a reasonable belief of a conflict of interest.
- D. While an employee is not prohibited from performing outside work solely because the work is of the same general nature as the work the employee performs for the Village, no employee may perform the outside work if, in the judgment of the Village Manager:
1. the work is such that the employee would be expected to do it as part of his or her regular duties; or

2. the work involves management of a business closely related to the official work of the employee; or
3. the work would tend to influence the exercise of impartial judgment on any matter coming before the employee in the course of the employee's official duties.

During the time an employee is absent from work due to medical reasons, an employee shall be prohibited from working a secondary position.

Section 9.2 Use of Village Mail

Employees shall not on a regular basis use the address of the Village for receipt of personal mail without the approval of the Department Head.

Section 9.3 Use of Village Property

The Village may provide automobiles, machinery, equipment and tools for employees whose work requires frequent and extensive use. Such Village property is not for personal use and employees shall make every effort to use such property in a safe, non-abusive, efficient manner. Personal use of Village property without the expressed written consent of the Village Manager shall be subject to discipline up to and including termination of employment. Vehicles owned by the Village and used by employees, shall be subject to applicable federal tax requirements.

When using Village vehicles, employees should keep in mind that they are representatives of the Village government and that their conduct as drivers in adhering to the rules and regulations of the road is a reflection on the Village.

Section 9.4 Political Activity

Employees may not engage in political activity while at work or on duty. No employee, or compensated officer, other than an elected officer of the Village of Palatine shall campaign for, or make a contribution, either in cash or kind, to the campaign of any candidate for an elected office of the Village of Palatine. It shall be unlawful for any person to coerce or solicit an officer or employee of the Village to campaign for or contribute, either in cash or in kind, to the campaign of any candidate for an elected office for the Village of Palatine. No appointment to employment by the Village, or discharge or removal therefrom, or demotion or other unfavorable personnel action affecting an officer or employee of the Village of Palatine shall be conditioned upon a requirement that such officer or employee campaign for, support or contribute, either in cash or in kind, to the campaign of any candidate for an elected office of the Village of Palatine.

Section 9.5 Solicitation, Distribution of Printed Materials, Selling/Peddling Among Employees

A. Solicitation During Work Hours Prohibited

Unless authorized by the Department Head and approved by the Village Manager, all solicitation among Village employees during working hours for charitable, or any other purposes, and the selling of tickets, magazines, or merchandise of any kind are prohibited. In addition, solicitation by any Village employee is not permitted during non-working time in areas where it will disturb other employees who are working.

1. This restriction applies to all solicitations, distribution of printed materials, selling or peddling of every nature, whether by Village employees or non-employees.
2. Distribution or circulation of printed material for personal reasons by any Village employee is not permitted in any work area or during any work time.
3. Solicitation or distribution of any printed materials by non-employees on behalf of any individual, organization, group, or society will not be permitted at any time on any Village property.
4. The failure of any employee to comply with these rules will result in appropriate disciplinary action

B. Solicitation After Hours

Solicitation by Village employees after working hours shall be in accordance with the following guidelines:

1. Administrative and operational departments of the Village are precluded from initiating or promoting any type of solicitation or fund raising event.
2. Only auxiliary or supportive groups are allowed to sponsor a solicitation or fund raising activity. However, the name of the Village or the name of any Village department(s) shall not be used in such solicitation or fund raising.
3. Any such solicitation or fund raising program must be reviewed and approved by the Village Manager before it is initiated.

C. Bulletin Boards

Bulletin boards maintained by the Village of Palatine are to be used only for posting or distributing material of the following nature:

1. Notices containing matters directly concerning Village business.
2. Announcements which are equally applicable and of interest to employees.

All posted material must have authorization from the Department Head. All employees are expected to check these bulletin boards periodically for new and/or updated information and to follow the rules set forth in all posted notices. Employees are not to remove material from the bulletin boards.

Section 9.5 **Indoor Clean Air Policy**

In compliance with the State of Illinois' Indoor Clean Air Act, smoking is prohibited in any building or vehicle and prohibited on all Village premises except in designated smoking areas where authorized by the Village Manager. All types of tobacco products and electronic smoking devices are included in this policy. The property surrounding Village Hall (including parking lots, etc.) is considered a smoke-free campus.

Section 9.6 Drug-Free and Alcohol-Free Workplace Policies

It is the Village of Palatine's desire to provide and ensure that all employees work efficiently in a safe environment. Adherence to the terms of this policy shall be a condition of employment.

The unlawful use, manufacture, sale, distribution, dispensing, transportation or possession of a controlled substance, or illegal drug is prohibited at any time, except in accordance with duty requirements. The prohibitions in this policy encompass, but are not limited to: narcotics (heroin, morphine, opioids, etc.), cannabis (marijuana, hashish, cannabis-infused products), stimulants (cocaine, crack, diet pills, etc.), depressants (tranquilizers), and hallucinogens (PCP, LSD, "designer drugs," etc.). An illegal drug includes the use of prescription drugs in a manner other than lawfully prescribed. The consumption of alcohol at any time during the work day (except when drinking intoxicating beverages is required in accordance with duty requirements) is prohibited. No employee shall be on duty or on call while under the influence or effects of alcohol or drugs. This policy further prohibits the consumption, possession, sale, purchase or delivery of cannabis or cannabis-infused substances by law enforcement officers, paramedics or firefighters even when off duty. This policy also prohibits the use of medically prescribed marijuana in the workplace or being under the influence of marijuana as a "qualifying patient" under the Illinois Compassionate Use of Medical Cannabis Pilot Program Act during the work day or work activities.

An employee is considered to be under the influence of drugs if the employee has a confirmed positive test result for drug use or their metabolites pursuant to federal HHS-certified lab cutoff concentrations or has engaged in conduct evidencing apparent impairment.

In addition, all Village property and Village workplaces are subject to inspection, including, but not limited to, Village lockers assigned to employees and Village vehicles used by its employees. Failure to comply with this policy will result in disciplinary action up to and including termination of employment.

Village of Palatine employees must report for work in an appropriate mental and physical condition to perform their job and remain in that condition the entire time on duty. Failure to comply with this policy will result in disciplinary action up to and including termination of employment.

1. The legal use of prescribed drugs or commercially available over-the-counter drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner, that does not endanger the employee or other individuals in the workplace. Employees using a prescribed medication or an over-the-counter medication that may impair the performance of their job duties must immediately inform their supervisor of such use.
2. If the Village has reasonable suspicion to believe an employee is under the influence of alcohol or illegal drugs during the course of the employee's work day, the Village has the right to require the employee to submit to alcohol or drug testing. Any employee who refuses to take an alcohol and/or drug test shall be

subject to disciplinary action, up to and including termination of employment. The Village, in its sole discretion and in addition to any disciplinary action, may require an employee who has tested positive on any alcohol or drug test to participate in an approved alcohol or drug counseling or rehabilitation program as a condition to being allowed to return to work.

3. The Village will, to the extent required by law, protect the confidentiality of all drug and alcohol test results.
4. Employees with questions or concerns about substance dependency or abuse are encouraged to discuss these matters with their supervisor or Human Resources. Employees with drug or alcohol problems shall be responsible to seek and successfully complete treatment either through the Employee Assistance Program or an alternate form of treatment.
5. Employees shall be required to notify the Village administration of any criminal drug conviction for a violation occurring at the workplace no later than five (5) days after the conviction.
6. Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. The Village of Palatine will comply with all federal, state, and local laws and regulations concerning violations of drug and alcohol use in the workplace. The Village will comply with the applicable requirements of the Drug-Free Workplace Act of 1988, the Americans with Disabilities Act, the Family and Medical Leave Act, and any future new legislation. In addition, any employee convicted under a criminal drug statute for a violation occurring in the workplace must notify the Village Manager within five (5) days after such conviction. An employee who is convicted of such a crime will be subject to disciplinary action, up to and including immediate discharge.

Section 9.7 **Attendance, Punctuality and Dependability**

Because the Village depends heavily upon its employees, it is important that employees attend work as scheduled. Dependability, attendance, punctuality, and a commitment to do the job right are essential at all times. As such, employees are expected at work on all scheduled work days and during all scheduled work hours and to report to work on time. An employee must notify their supervisor as far in advance as possible, but not later than thirty (30) minutes before the scheduled starting time if employee expects to be late or absent. If a department policy requires a greater notice period, employees must adhere to that policy. This policy applies for each day of employee's absence. An employee who fails to contact the immediate supervisor may be considered as having voluntarily resigned. A careful record of absenteeism and lateness is kept by the employee's supervisor and becomes part of the personnel record. Absenteeism and lateness can lessen an employee's chances for advancement, except if approved in accordance with the Village's FMLA policy.

Section 9.8 **Disclosure of Confidential Information**

No current or former official or employee shall use or disclose, other than in the performance of their official duties and responsibilities, or as may be required by law, confidential information gained in the course of or by reason of their position or employment, including information about citizens and non-public information about operations and employees. Such confidential information includes personal or private information of employees, customers, citizens, and vendors, such as personal telephone numbers, personal email addresses, home addresses, personal license plates or other unique identifiers, personal financial information, medical information, information about minors, and other sensitive information. Other confidential information includes trade secrets, reports and analysis prepared by the Village or third parties that have not been released to the public, information provided for audit purposes that has not been released to the public, information related to other actions that remain under review or in a preliminary or draft state, attorney-client communications, or other information that is not subject to disclosure under state or federal law. Disclosures required for the performance of official duties must be compliant with HIPAA and other privacy laws.

Inquiries from the media should be referred to the proper Village contact, including the designated department contacts in Police and Fire, and the Village Manager's Office.

Records of the Village of Palatine are subject to retention periods as outlined by the Records Management Section of the Office of the Secretary of State. Records may be destroyed only upon prior authorization.

Section 9.9 **Employee Ethics Policy**

Employees shall not use their Village employment for private gain. Guidelines:

No Village employee shall engage in any act, which is in conflict with or creates the appearance of conflict with, the performance of official duties. An employee shall be deemed to have a conflict if the employee:

- A. Has any financial interest in any sale to the Village of any goods or services when such financial interest was received with prior knowledge that the Village intended to purchase the property, goods or services.
- B. Solicits, accepts or seeks an inappropriate gift, gratuity or favor from any person, firm or corporation involved in a contract or transaction, which is or may be the subject of official action by the Village. An inappropriate gift, gratuity or favor is one that has significant monetary value or is offered or accepted in expectation of preferential treatment instead of as an expression of appreciation or professional courtesy.
- C. Discloses or uses without authorization confidential information concerning property or affairs of the Village to advance a private interest with respect to any contract or transaction which is or may be the subject of official action of the Village.
- D. Violates any applicable provision of the Illinois State Gift Ban Act, 5ILCS425/1 et seq., as now or hereafter amended.

Section 9.10 **Post-Employment Restrictions**

No former official or employee shall assist or represent any person or entity other than the Village in any judicial or administrative proceeding involving the Village if the official or employee participated personally and substantively in the proceeding during their term of office or employment.

No former official or employee shall, for a period of one (1) year after the termination of the official's or employee's term of office or employment, be involved in, or assist or represent any person or entity in any business or land use transaction involving the Village. This shall not preclude a former official or employee from representing himself or herself or representing any business owned by former official or employee, regarding any matter or transaction involving the Village.

ARTICLE X. **EMPLOYEE DISCIPLINE**

Section 10.1 **Disciplinary Action**

It is only fair that employees should know what the Village expects of them so far as conduct at work, on Village property, and off duty (off duty applies if it impacts the ability of the employee to do their job or if the conduct impacts the Village's reputation in the community). Certain standards of conduct are necessary so the Village can operate in an orderly and efficient manner, and can provide for the safety and general welfare of all employees. While not all wrongful conduct can be listed, the Village sets forth the most common instances and the penalties which may be applied to them:

- A. Theft (taking without permission) property belonging to the Village, another employee, citizen or business.
- B. Refusal to comply with a work assignment or a direct instruction from a member of management.
- C. Reporting to work or working under the influence of alcohol or drugs, or using or having such in one's possession on working time, or other violation of the Village's published policy, Drug-Free and Alcohol-Free Workplace Policies, Section 9.6.
- D. Concealing evidence, interfering with an ongoing investigation, or failure to correct errors and omissions within a reasonable period of time.
- E. Restricting or encouraging others to refrain from the proper exercise of their duties, or engaging in any illegal work stoppage in violation of any collective bargaining agreement.
- F. Sabotage, destruction, misuse, or hiding of Village property, or that of a contractor or another employee, or a Village resident.
- G. Falsifying Department records, altering Village records without permission, or giving false information in preparation of any Village records, including employment applications and time tracking systems.
- H. Fighting on Village property, assaulting or attempting to assault any person or employee, or deliberately provoking another person to engage in an assault or fight, except as required and appropriate in proper exercise of their duties.

- I. Possession of any weapon not authorized by the Village (other than duty weapons properly displayed) or explosives on Village property.
- J. Being insubordinate or disobedient.
- K. Conviction of a serious misdemeanor (other than class b and c misdemeanors) or a felony.
- L. Failing to timely return from a leave of absence (except if granted extension).
- M. Violation of the Village's sexual harassment policy (depending on severity involved).
- N. Sleeping on the job (unless authorized, for example, twenty-four hour Fire Department Personnel).
- O. Refusal to work a reasonable amount of overtime when requested.
- P. Illegal gambling or participating in any illegal lottery or illegal game of chance on Village property.
- Q. Destruction of Village bulletin boards or marking or destroying any literature on such bulletin boards, or posting anything on Village bulletin boards without management permission.
- R. Failing to follow prescribed safety and health procedures, practices or policies, including smoking except where permitted, and including careless operation of any motorized equipment/vehicle.
- S. Incompetent or inefficient work performance.
- T. Failing to obtain supervisor's permission before leaving Village premises during working hours, except where it is reasonably necessary to leave the Village in the proper performance of duties.
- U. Not working during working time or engaging in personal business during working time, such as personal work, personal telephone calls, texting, playing games, reading, visiting other employees, etc., without supervisor's permission.
- V. Overstaying rest periods or lunch periods.
- W. Failing to call before your designated starting time, when not reporting for work.
- X. Failing to maintain satisfactory standards of dress, grooming, cleanliness, or personal conduct in accordance with guidelines set forth in rules and regulations of the Village.
- Y. Spreading malicious gossip or rumors, or making false, vicious or malicious statements concerning any employee, the Department, or its services, or the Village Administration.
- Z. Engaging in horseplay or disorderly conduct.
- AA. Failing to report immediately to a supervisor any accident or injury.
- BB. Excessive tardiness or absenteeism.
- CC. Violation of a Special Order or other published rules or regulations of the Department in which the employee works or such rules, regulations and ordinances adopted by the Village from time to time.
- DD. Any other behavior which brings discredit to the Village or the expected role or function of employee's Department or the Village or that the Village deems misconduct.

The Village may apply progressive discipline. However, an employee may still be immediately terminated, instead of receiving progressive discipline, for inappropriate conduct, including but not limited to: violation of work rules, general rules and regulations or policy violations, unacceptable behavior, misconduct, poor performance, or unacceptable attendance. Progressive

discipline may include any of the following steps: Documented Oral Reprimand; Written Warning; Suspension; Termination.

Section 10.2 **Appealing Disciplinary Actions**

Full-time employees (except Police Officers and Firefighters who are subject to the jurisdiction of the Fire and Police Commission) may appeal in the following manner disciplinary action other than an oral reprimand or termination:

- A. Any employee who wishes to appeal any disciplinary action must within three (3) business days after being notified of disciplinary action, submit to the Department Head a short written statement outlining the employee's reasons for appealing the action. If the employee takes no action within three (3) business days of being notified of the disciplinary action, then the employee forfeits the right to appeal the discipline and the disciplinary action shall stand.
- B. The employee's Department Head will forward any timely written appeal to the Village Manager. The Village Manager will review timely, written appeals and may meet with the employee. The employee will be notified of the Village Manager's decision. The Village Manager's decision in the matter is final.

Any appeal of discipline to the Village Manager shall be limited solely to presenting mitigating information which was not available to the employee prior to disciplinary decision. Any appeal considered by the Village Manager does not alter the employment at-will relationship or bind the Village to a specific standard in its decision-making.

Section 10.3 **Grievance Procedure**

The Village strives to treat employees fairly in all matters arising out of their employment with the Village. It is further recognized that it is in the best interests of the employees and the Village that each employee has the opportunity to be heard fully at any time that employee feels that this right to fair treatment has been violated. It is the Village's policy that there be at all times full and free discussion of employment matters between employees and supervisory personnel, since many grievances are the result of misunderstandings and lack of communication. However, the Village retains the rights in accordance with applicable law to do the following:

- A. Direct employees of the Village in performance of their duties;
- B. Hire, promote, transfer, assign, and retain employees in positions within the Village and to suspend, demote, terminate, or take disciplinary action;
- C. Take the necessary means to achieve the proper purposes of the Village in emergency situations.

In addition, a grievance filed by an employee must:

- A. Be clearly defined and within control of the Village Manager;

- B. Arise out of an act or failure to act by the management of the Village and be directly related to the working conditions or to the employment relationship;
- C. State the relief being sought and such relief must be within the authority of the Village to grant.

If an employee has any complaints or grievances that are within the criteria as stated above, the employee must act as follows:

Step 1:

The employee must submit a short written notice of grievance describing the complaint to the supervisor within three (3) business days of the time the employee first became aware or should have become aware of the incident or situation giving rise to the grievance. The employee's immediate supervisor will, within three (3) business days of receipt of the written notice of grievance, meet with the employee to discuss the problem. If the employee is satisfied with the solution offered by the immediate supervisor, the grievance is ended.

If a supervisor fails to meet with the employee, the employee then must, within ten (10) business days of originally submitting the grievance, proceed to Step 2 of the grievance procedure, or the grievance is ended.

Step 2:

If the employee is not satisfied with the solution offered by the supervisor, the employee must, within three (3) business days of meeting with the supervisor, make a written request to the employee's Department Head for a meeting to discuss the problem. The Department Head will attempt to meet with the employee within five (5) business days of receiving the written request. The Department Head generally will attempt to respond to the concerns expressed by the employee in this meeting within five (5) business days of the meeting. If the employee is satisfied with the response offered by the Department Head, the grievance is ended.

If a Department Head fails to meet with the employee, the employee then must, within ten (10) business days of submitting the written request for a meeting with the Department Head, proceed to Step 3 of the grievance procedure or the grievance is ended. If the Department Head fails to provide a response after meeting with the employee, the employee then must, within five (5) business days of meeting with the Department Head, proceed to Step 3 of the grievance procedure or the grievance is ended.

Step 3:

If the employee has completed Steps 1 and 2 of the grievance procedure and still is not satisfied, the employee must, within three (3) business days of receiving written notification of the Department Head's response, submit in writing a request for a meeting with the Village Manager. The request must briefly set forth the substance of the employee's grievance. The Village Manager or their designee, as soon as is practicable, meet with the employee and thoroughly discuss the grievance. The Village Manager or their designee then shall attempt to provide the employee with a written answer containing the Village Manager's decision concerning the disposition of the grievance within five (5) business days. The Village Manager's decision shall be final.

The Village reserves the right to deviate from the procedures and timelines set forth in this Section if it deems it appropriate.

The Fire Chief, with the concurrence of the Village Manager, may extend the time requirements of the grievance procedure for Fire Shift personnel not covered under the Collective Bargaining Unit due to the unique nature of the work shift and work period in the Fire Department.

ARTICLE XI. MISCELLANEOUS POLICIES

Section 11.1 Meet and Confer Sessions

In an attempt to address the needs and suggestions of all employees, it is the Village's policy to conduct "meet and confer" sessions with selected representatives from employee groups when appropriate. Those employees whose terms and conditions of employment are covered by a collective bargaining agreement or having professional, confidential, or supervisory status (except where the Illinois Labor Relations Board defines supervisors as eligible for representation by a Collective Bargaining Unit) are not allowed to participate in meet and confer sessions, but may submit requested changes in personnel policies, fringe benefits, wages and working conditions to their Department Heads for review by the Village Manager or Village Manager's representative.

- A. Meet and confer sessions should be completed in a timely manner in order to provide ample time for budget preparation. Each employee group may select a representative to meet with the Village's representative and to submit requests or suggestions.
- B. Meet and confer sessions allow employee groups to provide input on potential changes being made to the working conditions, wages, fringe benefits, and personnel policies affecting specific employee groups. These changes usually become effective or are approved in conjunction with the adoption of a new Village budget.
- C. Those employee groups wishing to participate in meet and confer discussions must submit a request in writing which specifies the selected representatives for the employee group. This request shall be submitted to the Village Manager.

Section 11.2 Tuition Assistance Program

The Tuition Assistance Program is intended to encourage continuous education by providing tuition assistance to the employee in his/her effort to complete continuing education but will not cover all costs. The Village funds a Tuition Assistance Program subject to the appropriation limits as established annually by the Village Council. Tuition Assistance is available to full-time employees in good standing who have been with the Village for at least twelve (12) months of active, continuous service. Employee must have an overall rating of "meets expectations" or better on their most recent performance evaluation at the time of application to qualify. Coursework and study are expected to be completed on the employee's own time.

Tuition Assistance is a discretionary program subject to the availability of funds and may be discontinued at any time by the Mayor and Village Council or the Village Manager. Past approval and participation in the tuition reimbursement program does not guarantee approval in subsequent

years and does not obligate the Village to pay coursework beyond the approved term. Reimbursements will not carry over from year to year if the program doesn't have enough funds in a given year.

Courses or degrees must be job related and must improve the employee's efficiency, knowledge and competency in the performance of existing or future job duties. The education program must be relevant to the employee's job as determined by the Village.

Course reimbursement shall be for tuition costs only. Costs for books, student fees, or other associated costs are not covered by the program. The amount of reimbursement for a course will depend on:

1. Whether it is undergraduate or graduate level.
2. The grade achieved in the course, and
3. Whether any other financial assistance is received by the employee.

Harper College rates will be used as a benchmark for establishing maximum reimbursement rates for community college coursework. Northern Illinois University will be used as a benchmark for establishing maximum reimbursement rates for undergraduate and graduate coursework.

Maximum reimbursement will be:

- 75% of the established reimbursement rate for a grade of A or B.
- 50% of the established reimbursement rate for a "Pass" in a Pass/Fail Course
- 25% of the established reimbursement rate for a grade of C
- No reimbursement for a grade of D, or F, or "Fail" in a Pass/Fail Course.

Reimbursement rates will be reconsidered from time-to-time, and shall be posted to the Employee Intranet.

The employee is expected to seek all other sources of assistance (Veteran's benefits, scholarships, and grants) with the exception of student loans. The Village's reimbursement shall not exceed the difference between a tuition invoice and tuition assistance from all other sources.

Advance Program Approval Procedure

Employees must be approved for coursework before they are eligible for reimbursement. Each learning period, an employee will submit a "Tuition Assistance Application" (form found at the end of the Employee Handbook) to their department director describing the course of study and its relevance to the employee's job and the Village of Palatine. The employee must include the cost of their tuition as well as any anticipated financial aid. The department director then considers preliminary approval and makes a recommendation to the Human Resources Director for final approval. Once a course is approved, the employee will receive acknowledgement of acceptance into the program for that period.

For an employee new to the program, the best opportunity to be accepted into the program is to submit a request to Human Resources by July 31 of the year prior to the coursework. This way, the Village can consider new individual education plans as part of the Tuition Assistance Program. Education expenses will be considered for advance approval when the actual budget year begins.

Reimbursement Procedure

Within sixty (60) days after the course is completed, the employee shall submit the initial approved request, final grade report, receipt showing tuition costs and a completed Tuition Assistance Agreement (form found at the end of the Employee Handbook). Human Resources will coordinate signatures on the Reimbursement Agreement and will process the reimbursement. The Village will make every effort to reimburse eligible costs for current approved courses (or those pending reimbursement). Failure to submit within 60 days will result in forfeiture of the reimbursement.

Reimbursement Limits

Annually, the limit for tuition assistance shall be the lesser of either eighteen (18) credit hours credit or the annual limit for non-taxable tuition assistance benefits as established by the IRS. This limit can be lifted at the express written authorization of the Village Manager in circumstances where the employee is continuing their education as part of a Village succession plan.

Employee Commitment to Village

Employees shall recognize the Village's commitment to supporting their education efforts with a commitment to three years of continued employment following completion of their course(s). In consideration for tuition assistance reimbursements, the employee agrees to a minimum three (3) year commitment to continued employment with the Village following completion of each course. Employees who voluntarily leave Village employment after receiving tuition assistance shall be required to reimburse the Village according to the following schedule:

<u>Time between course completion and terminating employment</u>	<u>Percent employee shall Reimburse the Village</u>
Less than one year	100%
One to two years	75%
Over two years to three years	50%
Over three years	0%

Section 11.3 Employee Suggestions

The Village management is always desirous of providing a more efficient Village service and actively solicits the suggestions of all Village officials and employees. Employee suggestions should be submitted in writing to the Department Head and/or Village Manager. All suggestions shall be acknowledged in writing and will be given thorough consideration. If an employee's idea or suggestion is implemented, the employee will receive written recognition and a copy of this recognition shall be placed in the employee's personnel file.

Section 11.4 Business Travel Expense Policy

The Village of Palatine will reimburse employees for reasonable business travel expenses incurred while on professional business away from the normal work location. All business travel must be approved in advance by the Department Head or Village Manager.

When approved, the actual costs of travel, meals, lodging, and other expenses directly related to accomplishing business travel objectives will be reimbursed by the Village. Employees are

expected to exercise good judgment and limit expenses to reasonable amounts, as if they were traveling at their own expense.

If employees are using their personal car for Village business, they are entitled to the per-mile rate of reimbursement according to the Internal Revenue Service. Mileage will be calculated from the employee's work location. To verify employees meet their obligation to have appropriate auto vehicle coverage while conducting village business, employees will be asked to demonstrate proof of insurance before receiving their mileage reimbursement check. Minimum insurance requirements are \$100,000 Bodily Injury Liability per person; \$300,000 Bodily Injury Liability per Occurrence; \$100,000 Property Damage Liability or \$300,000 Bodily Injury and Property Damage Liability Combined Single Limit.

If an employee receives an auto allowance as part of their job, they are entitled to reimbursement for travel outside of fifty (50) miles from Village Hall. Under no circumstances shall the mileage reimbursement exceed the cost of airfare to the destination.

If an employee has an auto accident as a result of conducting Village business using their personal vehicle, the Village may reimburse the employee's deductible up to \$500. The damage must be incurred performing tasks directly related to the job and must be documented through a Police Report. The Village will use discretion when considering reimbursement and will not make payment when, for example, the employee violated the law and/or caused the accident.

Employees may be entitled to a per diem meal allowance as defined by IRS Regulations, Publication 1542. Pursuant to IRS Publication 1542, receipts are not required when per diem allowances are authorized. Advance approval of the Village Manager is required to be eligible for a per diem meal allowance.

Travel cash advances to cover reasonable anticipated expenses may be made to employees, after travel has been approved. Employees should submit a written request to their supervisor when travel advances are needed. The amount of the travel expense should be sustainable in advance by an itemized estimate of the expenses.

When travel is completed, employees should submit a completed travel expense report within five (5) business days. Reports should be accompanied by receipts for all reimbursable expenses except those related to per diem allowances.

In any situation where extraordinary travel expenses are to be incurred, or where these regulations do not cover the situation, or place a significant financial hardship on the employee, the Village Manager may authorize exceptions. The employee must justify the additional expense via memo addressed to the Department Head.

Abuse of the Business Travel Expense policy, including falsifying expense reports to reflect costs not incurred by the employee, may be subject to disciplinary action, up to and including termination of employment.

Section 11.5 Uniforms and Appearance

Employees in certain departments are required to wear uniforms as assigned while on duty or acting as a representative of the Village. Departmental policy shall specify when uniforms and proper attire are necessary.

All employees are to maintain a neat appearance. It is particularly important that employees who meet the public make a neat, clean appearance at all times. Supervisors are directed to advise employees of improper appearance for the work in which they are engaged. Continued disregard of the Village's uniform and appearance policy may be subject to disciplinary action.

Section 11.6 Failure to Work Due to Exceptional Circumstances

During any type of exceptional natural emergency which occurs on a normal work day, as determined by the Village Manager, (i.e. snow, flood, etc.) a Village employee should report to work unless specifically directed by the Department Head not to report. If an employee does not report to work or is unable to report to work during such emergency without authorization from the Department Head, the hours lost will be deducted from authorized accrued time off of the employee. If no such time is available to the employee, the hours lost will be deducted as time without pay.

Section 11.7 Work Requirements During Inclement Weather

The Department Head may alter the employee's work assignments during *extreme* weather conditions to minimize employee exposure. However, if it is determined that the health, safety and welfare of the Village is threatened, employees shall perform assigned duties regardless of weather conditions.

Section 11.8 Work from Home Arrangements

Municipal employee work, by nature, occurs face-to-face and in-person. In rare circumstances, work-from-home arrangements will be considered on a temporary basis if there is an established business need and the means for the employee to meet the temporary project requirements. The Department Head must establish a clear benefit to the Village to justify work from home and must seek concurrence of the Village Manager before work-from-home arrangements are made.

Section 11.9 Internal Investigations and Searches

From time to time, the Village of Palatine may conduct internal investigations pertaining to security, auditing or work-related matters. The Village reserves the right to search lockers, desks, filing cabinets, computers, other electronic devices whether provided by the Village or a personal device, and other personal belongings located on Village property at any time. As part of such investigation, the Village reserves the right to search materials and possessions brought on site by the employee. Employees are required to cooperate fully with and assist in these investigations if requested to do so.

The Village will generally try to obtain an employee's consent before conducting a search of work areas or personal belongings, but may not always be able to do so. The Village will conduct such searches in a manner reasonably intended to address the legitimate operational and management reasons for the search.

Section 11.10 Firearm Restrictions

- A. All Village property is a “prohibited area” under Section 65 of the Illinois Firearm Concealed Carry Act and thus concealed carrying in or on any Village property is not authorized by Illinois law.

Except as provided under EXCEPTIONS, no employee may wear, carry, store, transport, or otherwise possess a Firearm at any time in or on Village property or while performing any duties for or on behalf of the Village.

Examples of prohibited times and places include, but are not limited to the following:

1. Performing work for the Village at any location including private residences and commercial establishments and other customer or client locations; or
2. Driving or riding as a passenger in a Village vehicle; or
3. Attending Village directed or sponsored activities or events.

Use of a private vehicle. No Village employee may use a privately owned vehicle for Village business if that vehicle contains a firearm of any type or size, whether loaded or unloaded.

- B. EXCEPTIONS

Police Officers and other Village employees specifically designated may possess their work-issued Weapons.

- C. Parking Lots

An employee may keep a firearm in his or her personal vehicle properly parked and locked in a Village parking area, so long as the weapon is kept in compliance with all applicable federal and state laws and regulations, is entirely out of sight, and, so long as the employee is properly licensed and the firearm is unloaded and locked in a glove box, trunk or other secured container.

ARTICLE XII. SEPARATION FROM VILLAGE EMPLOYMENT

Section 12.1 Layoffs and Recalls

- A. Whenever it becomes necessary to reduce the number of employees in any given class, the Department Head concerned shall prepare, for the Village Manager’s approval, a list of those employees to be laid off or reassigned.

The Village will endeavor, so far as it deems possible, to transfer qualified employees to any available vacant position rather than lay them off.

When the Village must lay off employees, Department Heads generally will, insofar as the Village deems appropriate, consider a number of factors. An evaluation of each employee will be made by the Department Head on the following criteria:

1. An employee’s qualifications, skills and abilities to perform relevant job duties;
2. Promotion potential and transferability of skills to other positions within the unit;

3. Demonstrated current and past performance; and
 4. The needs of the Village and specific projects.
- B. For a period of up to six (6) months following the date of a layoff, the Village will try, in so far as it deems possible and appropriate, to give preference to employees laid off due to a reduction in force in filling positions which subsequently open and for which the employee is qualified.
 - C. In order to assist in the orderly and easy transition into other employment, the Village will attempt, in so far as it deems possible and appropriate, to give employees advance notice of an impending reduction in the force.
 - D. Employees in a class by virtue of promotional appointment may request demotion to a class from which he was promoted in lieu of a layoff, but any such demotion shall be at the Village's discretion.

Section 12.2 Resignation/Loss of Seniority

- A. Employees absent without leave authorization for more than three (3) consecutive work days (or two (2) consecutive duty days for Fire Department shift personnel) shall be deemed to have voluntarily resigned from their job.
- B. Any employee wishing to resign from the Village service in good standing shall file with the Department Head a written resignation stating the reason or reasons for leaving and giving at least ten (10) working days' notice. For Fire Department employees, a written resignation stating the reason or reasons for leaving should be submitted with at least five (5) duty days' notice. Employee shall be in active, scheduled working status on the final date of employment unless otherwise authorized by the Village Manager.
- C. Failure to comply with these procedures may result in denial of future employment with the Village.
- D. Employees who have not performed work for a continuous period in excess of twelve (12) months (for any reason other than absence approved due to military service) shall lose their seniority and will be considered terminated from employment. Exceptions will be considered only on a case-by-case basis when required to comply with the law.

ARTICLE XIII. ELECTRONIC MEDIA POLICY AND PROCEDURES

Section 13.1 Purpose

This policy provides guidelines for the secure, effective, and efficient use of the electronic media system. It sets forth the Village's policy with regard to use, access to and disclosure of electronic messages sent or received by Village employees using the electronic media systems.

Section 13.2 System Components/Media Defined

This system provides technology tools and communications over various media for authorized users, to include, but not limited to:

- A. E-mail and messaging
- B. Internet communications
- C. Broadcast messages
- D. Voice-mail
- E. Mobile data terminals, desktop and laptop computers
- F. Telephones and cellular phones
- G. Tablets and other portable electronic devices
- H. Fax machines, modems and servers
- I. Software licensed to the Village of Palatine
- J. Video conference equipment
- K. Social Media

Violations of this policy may result in loss of privileges and/or disciplinary action no matter when such violations are discovered.

Section 13.3 Usage Guidelines and Procedures

- A. The electronic media systems are user friendly, privileged communications systems that electronically create, store, and forward communications and data from one person to other recipients.
- B. All data created, composed, sent, received, stored, accessed, viewed or transmitted with any of these systems are, and remain the property of, the Village of Palatine; as such, these messages are not the private property of any employee. Tools, messages and information are subject to inspection.
- C. Authorized users of the Village's Municipal Area Network (MAN) will be provided a login name, which allows access to the system. The user will then provide a personalized password. The confidentiality of this password will be the sole responsibility of each user. Any communications via this system will be attributed to, and therefore the responsibility of, the login name of the originating user. Users may wish to utilize any additional security features built into the system, i.e., passwords, encryption, etc. to further protect their individual messages.

- D. To maintain the security of the computer-based systems, each user shall be required to logout or secure the system (password required screen saver) if they are not in the physical presence of the computer. Employees are not permitted to modify the Village Standard Load (SL) computer configuration without express permission from the Information Technology Department (IT).
- E. Access for users will be authorized and recommended by the employee's Department Head. The appropriate information will be collected by Human Resources, reviewed for approval, and conveyed to IT.
- F. The Computer User Group (CUG) representative, or trained departmental staff shall provide initial training where possible.
- G. The maintenance of the master list used on the computer systems shall be IT's responsibility. Suggestions for changes should be forwarded to the employee's respective CUG representative for their recommendation.
- H. Users shall not divulge their password(s) to other users, except where it may be required in the best interest of the Village. This determination will be made by the Department Head and IT, with the approval of the Village Manager or his designee. In this rare exception, the security accountability policies apply to all parties involved. Any person with knowledge of any password not their own shall report this to their supervisor and the IT Department. Appropriate actions may then be taken to secure the system. The Village Manager's office reserves the right to require an employee(s) to reveal their password(s).
- I. No employee shall attempt any unauthorized access to any system.
- J. The Village reserves the right to control access to various Internet sites.
- K. Employees will adhere to guidelines of computer security awareness training including phishing, secure passwords, etc.

Section 13.4 **Acceptable Use**

Communication tools may be used to communicate internally with employees, or externally with citizens, consultants, suppliers, vendors and other business relationships and acquaintances. The Village provides electronic communication tools to facilitate business communications, enhance productivity and improve service to our customers. The Internet may be used for appropriate business uses such as, research, updates of business information or news, or for specifically approved projects.

Incidental and occasional personal messages and Internet usage will be permitted on the system as long as they do not interfere with regular duties of the user or any other employee or the availability of technology resources. To the extent it occurs, personal use should be reserved to non-work hours. Personal messages will be treated the same as all other messages sent via the system. They are and remain property of the Village as outlined in Section 13.3B. Internet usage, whether business related or occasional personal use, may

be monitored and reported on regularly and subject to the Unacceptable Use in Section 13.5.

Section 13.5 **Unacceptable Use**

These systems (as defined in Section 13.2) cannot be used to create, forward, or receive any offensive or disruptive messages, i.e., containing sexual implications; racial slurs; gender-specific comments; discriminations relating to age, sexual orientation, religious or political beliefs, national origin, disability, or any other basis protected by law. Access to Internet sites of this nature are prohibited unless deemed necessary to perform their Village-defined job function. Where that condition exists, approval by the Department Head and authorization from the Village Manager or their designee is required prior to access to such Internet sites.

No employee shall use the Village's communication systems for mass distribution or receipt of personal or non-business information. These messages include, but are not limited to, messages containing personal advertisements, personal opinions, or personal requests. These systems may not be used to solicit or proselytize for commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitations. Participation in, or originating chain letters may result in loss of privileges.

No electronic media system shall be used to send copies of any documents, or information that is copyrighted, trade secret, proprietary, or considered confidential by the Village Manager's office.

No employee with authorized access to a media system shall allow an unauthorized person, employed or not employed by the Village, to use the system for any reason.

Section 13.6 **Limits of Privacy**

The Village reserves the right to review, audit, intercept, access, and disclose the contents of any employee's use of the Village of Palatine communications systems. Therefore, it should not be expected that such communications are private. Any contents obtained under these guidelines may be disclosed without the consent of the employee. As with all other Village property, the Village will search, monitor, inspect, intercept, review, access and/or disclose all Village electronic media resources and all data created, entered, received, stored, viewed, accessed or transmitted via those resources for legitimate management reasons, at any time, and without further advance notice by persons designated by or acting at the direction of the Village, or as may be required by law or as necessary for, or incidental to, auditing, security and investigative activities, and to ensure effective technology resource administration and policy compliance. Users specifically consent to the access by and disclosure to the Village of information created, entered, received, stored, accessed, viewed or transmitted via the Village's electronic media resources that is stored by a third-party electronic communication service or remote computing service and have no expectation of privacy in such information. For example, authorized persons will inspect the Village's technology resources to investigate theft or other unlawful activity or workplace misconduct, the unauthorized disclosure of client confidences, attorney work product and proprietary information, misuse, to assess Internet use, and for other work-related purposes.

No employee may monitor or intercept any data without the authorization of the Village Manager or Human Resources.

Section 13.7 **Transmitting Confidential Information**

Communication tools, especially the e-mail system should not be used to transmit confidential communications.

Confidential information pertaining to the Village itself or to any of its employees shall not be sent by e-mail without the express authorization of the Department Head. In cases where confidential information may need to be transmitted electronically on a regular basis, the IT Department should be consulted regarding the availability of encryption software and other means for securing the communication.

Section 13.8 **Software Standardization**

To ensure long range, cost effective compatibility with Village computer software, purchases and installation of software must be approved by the Director of Information Technology.

Section 13.9 **Software Licensing**

To ensure that personnel abide by licensing agreements entered into with software manufacturers, the Village prohibits employees from making copies of software, downloading software from the Internet (commonly referred to as shareware or freeware), or bringing software from home or other sources without prior approval from the Director of Information Technology. This includes but is not limited to items like screen savers, wallpaper, and weather reporting installations.

Section 13.10 **Software Development**

Any software developed by an employee is the exclusive property of the Village and cannot be sold or used for profit ventures by anyone without the specific written agreement from the Village Manager.

Section 13.11 **Etiquette and Village of Palatine Representation**

E-mail and voicemail messages reflect the Village of Palatine's image. Such messages should always be composed in a professional manner that is no different than the manner used to compose letters or memoranda on letterhead. Users of the system must keep in mind that electronic files are subject to discovery and may subsequently be used in litigation. Inappropriate use of facilities may damage the Village's reputation and could give rise to Village and individual's liabilities. Accordingly, every effort must be made to be professional in all usage of communication tools.

Section 13.12 **Regulation and Enforcement**

The Director of Information Technology or their designee is responsible for monitoring the compliance with the provisions of these procedures. The Director of Information Technology

shall also be responsible for investigation of suspected non-compliance with the provisions of this procedure.

Misuse of the communication tools or violations of this policy may result in disciplinary action including suspension of privileges to user, or up to and including termination of employment. Criminal or civil action may be initiated in appropriate instances. Such discipline shall be in accordance with the Village's policies.

Section 13.1 **Global Positioning Systems**

Global Positioning System (GPS) devices are used for reporting items such as location, condition, or current operational state of Village assets. Some Village equipment, including, but not limited to, cell phones, mobile devices, computers, and vehicles may have GPS devices attached or built in and enabled for management and reporting purposes.

VILLAGE OF PALATINE TUITION ASSISTANCE APPLICATION

This form must be completed, signed and submitted to Human Resources for consideration of Tuition Assistance. Assistance is provided on a first come, first serve basis. There is no guarantee of benefits.

Employee Name: _____ Application Date: _____

Job Title: _____ Department: _____

Courses Requested: _____ Number of Hours: _____

Undergraduate _____ Graduate _____ Degree: _____

Name of Institution: _____

Tuition Rate Per Credit Hour:

In your opinion, how will this degree or course(s) improve your job performance?

Provide a written explanation on how this course will benefit you personally.

Employee Signature: _____ Date: _____

Department Head Approval: _____ Date: _____

Employee, upon course completion, submits:

_____ Transcript showing final grade
_____ Tuition statement for proof of payment
_____ Completed Tuition Assistance Agreement

Attachment: Final 2024 Employee Handbook (2024 Employee Handbook)

Village of Palatine
TUITION ASSISTANCE AGREEMENT

This Tuition Assistance Agreement is between Village of Palatine, (“Village”), and _____ (“Employee”). Both the Village and the Employee voluntarily agree to the following provisions:

- (1) The Village will give the Employee a Cash Advance or Loan following successful completion of coursework in accordance with the provisions of the Tuition Assistance Program as indicated in Section 11.2 of the Employee Handbook.
- (2) The Village agrees to Loan this amount to the Employee on the condition that the Employee agrees to repay the Village the entire amount of this Loan on or before his last day of employment unless he completes three years of active service following the Cash Advance.
- (3) The Village will excuse a portion of the Cash Advance for each 12-month period that Employee works for the Village following completion of the course according to the following schedule:
 - At least 12 months after completion of the course work, the Village will excuse 25% of the Loan.
 - At least 24 months after completion of the course work, the Village will excuse 50% of the Loan.
 - At least 36 months after completion of the course work, the Village will excuse 100% of the Loan.
- (4) If the employment relationship between the Employee and the Village is terminated for any reason before the Loan is paid in full, the Employee agrees that the unpaid balance of this Loan Amount shall immediately become due.
- (5) The Employee also agrees and voluntarily authorizes the Village to withhold from the Employee’s final paycheck deductions to satisfy the loan, even if the amount exceeds 15% of the total paycheck. If the final paycheck does not cover the entire unpaid balance, the remaining balance, (if any) may be recovered by the Village in a court of law, with the Employee being responsible for the Villages’ attorney’s fees and costs incurred if deemed appropriate by the court.
- (6) Nothing contained in this loan agreement constitutes a promise or guarantee of employment for a specific term, and the Village and Employee acknowledge that the Employee’s employment relationship remains an at-will employment.
- (7) This Agreement shall be construed and enforced pursuant to Illinois law.

 Employee Signature

 Village of Palatine

 Date

 Date

Class(es): _____

Employee, upon course completion please submit:

1. Completed Tuition Assistance Agreement
2. Transcript showing final grade
3. Statement from the Bursar's Office (Tuition Statement) for proof of payment.

OUTSIDE EMPLOYMENT REQUEST

Village employees may participate in outside employment with the prior approval of their Department Head and/or the Village Manager, subject to the following conditions:

1. All requests to engage in outside employment must be submitted in writing to the Department Head and/or Village Manager.
2. The Department Head and/or Village Manager may prohibit outside employment which may:
 - a. Affect the quality of the employee's work for the Village;
 - b. Prevent the employee from devoting their primary interest to the accomplishment of their work for the Village, or;
 - c. Create conflict, or appearance of a conflict, between the private interests of the employee and the employee's official responsibility to the Village.
3. Outside employment will generally be prohibited if the outside work is of such nature that it may be reasonably construed by the public to be an official act of the Village or Department thereof; involves the use of Village facilities, equipment and/or supplies of whatever kind; involves the use of official information not available to the public; might encourage, on the part of members of the general public, a reasonable belief of a conflict of interest.
4. No employee may perform outside work if, in the judgment of the Village Manager, the work is what the employee would be expected to do as part of employee's regular duties; the work involves management of a business closely related to the official work of the employee; the work would tend to influence the exercise of impartial judgment on any matter coming before the employee in the course of the employee's official duties.

EMPLOYEE NAME	POSITION	DATE
NAME/LOCATION OF BUSINESS		
TYPE OF BUSINESS		
TYPE OF WORK TO BE PERFORMED	() INDOORS	() OUTDOORS
TOTAL HOURS/WEEK	DAYS OF WEEK	HOURS OF DAY
() APPROVED () DISAPPROVED		() APPROVED () DISAPPROVED
VILLAGE MANAGER	DATE	DEPARTMENT HEAD DATE

Consider an Ordinance Amending Chapter 12 Offenses and Miscellaneous Provisions of the Palatine Code of Ordinances

BACKGROUND:

From time to time, it is necessary to review different sections and chapters of the Village's Code of Ordinances. Various Village Departments have completed such an analysis of Chapter 12 - Offenses and Miscellaneous Provisions and are recommending several minor revisions.

KEY ISSUES:

The following outlines the significant revisions included within the proposed amendments:

- Modernized language related to communications to include electronic means and social media;
- Removed outdated sections of the Code (ex: Sec 12-5 Profanity and Sec 12-22 Whistles);
- Referenced the Illinois Public Safety Firearm Concealed Carry Act as it relates to carrying concealed weapons (Sec 12-11);
- Removed language which the courts have ruled unenforceable, such as removing vagrants from public spaces (Sec 12-24);
- Removed references to incinerators as they're not allowed (Sec 12-41);
- Created permit fee for controlled open burns (Sec 12-42);
- Removed Article III Fireworks as it is addressed in Chapter 7;
- Removed NWHY & Rohlwing Road from permitted Tag Day intersections (Sec 12-93);
- Strike sections relating to Fire Prevention that are better covered under the reference International Fire Code (various Sections in Article VI and VII);
- Modified definition of Parade to match IL State law (Sec 12-215) and created permit fee for parade or motorcade (Fee Schedule);
- Updated allowed zoning for adult bookstores/movie theaters to B-5 Highway Business (Sec 12-231);
- Expanded definition of retail theft to mirror state statute (Sec 12-262);
- Updated the definition of Trespass to mirror state statute (Sec 12-276);
- Updated the timeline for the removal of an obstruction of an easement from 30 days to 10 days (Sec 12-284);
- Updated false alarm and permitting sections to simplify the fines and fee assessment (Section 12-289);
- Removal of Article XXV as it is in conflict with other sections;
- Addition of the recently approved Ordinance regarding conflicts with the Paid Leave for All Workers Act;
- Updated penalty amounts throughout the Chapter;
- General grammatical, spelling, punctuation and general errors and updates throughout.

ALTERNATIVES:

1. Approve ordinance amending Chapter 12.
2. Do not approve ordinance amending Chapter 12.

RECOMMENDATION:

Staff recommends approval of the ordinance amending Chapter 12 of the Code of Ordinances.

ACTION REQUIRED:

Motion to approve the ordinance amending Chapter 12 of the Code of Ordinances.

ATTACHMENTS:

- Ordinance Amending Chapter 12
- Chapter 12 Exhibit A
- Chapter 12 Exhibit B

ORDINANCE NO. _____

**AN ORDINANCE AMENDING
CHAPTER 12 – OFFENSES AND MISCELLANEOUS PROVISIONS
OF THE CODE OF ORDINANCES OF THE VILLAGE OF PALATINE**

WHEREAS, the Village of Palatine is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs; and

WHEREAS, the Mayor and Council desire to amend Chapter 12 of the Village Code to update procedures, remove duplicative sections and provide general clerical cleanup; and

WHEREAS, the Mayor and Council have determined that it will serve and be in the best interests of the Village and its residents to amend Chapter 12 of the Village Code pursuant to this Ordinance;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Village Council of the Village of Palatine, Cook County, Illinois, acting in the exercise of their home rule power, that:

SECTION 1: That the Code of Ordinances, of the Village of Palatine, Illinois is hereby amended by amending Chapter 12 Offenses and Miscellaneous Provisions, which shall be read as indicated on Exhibit “A”.

SECTION 2: That the Village Clerk is directed to maintain a record of the modifications to the existing Ordinance (a redlined version of the modifications approved pursuant to this Ordinance as indicated on Exhibit “B”).

SECTION 3: If any provision of this Ordinance or part thereof is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance are to remain in full force and effect, and are to be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

SECTION 4: That this ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PASSED: This _____ of _____, 2023

AYES: _____ NAYS: _____ ABSENT: _____ PASS: _____

APPROVED by me this _____ of _____, 2023

Mayor of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk

this _____ of _____, 2023

Village Clerk

**PALATINE CODE OF ORDINANCES – CHAPTER 12
OFFENSES AND MISCELLANEOUS PROVISIONS**

Chapter 12 OFFENSES AND MISCELLANEOUS PROVISIONS

Art. I.	In General, §§ 12-1--12-40
Art. II.	Fires, §§ 12-41--12-56
Art. III.	Explosives; Fireworks, §§ 12-57--12-69
Art. IV.	Plants and Weeds, §§ 12-70--12-90
Art. V.	Tag Days, §§ 12-91--12-100
Art. VI.	Public Gatherings, §§ 12-101--12-115
Art. VII.	Public Buildings, §§ 12-116--12-135
Art. VIII.	Sound Amplifiers, §§ 12-136--12-150
Art. IX.	State of Emergency, §§ 12-151--12-165
Art. X.	Dutch Elm Disease and Emerald Ash Borer Infestation, §§ 12-166--12-180
Art. XI.	Village Jail, §§ 12-181--12-190
Art. XII.	Antilitter Regulations, §§ 12-191--12-214
Art. XIII.	Regulation of Parades and Motorcades, §§ 12-215--12-229
Art. XIV.	Regulation of Adult Bookstores and Adult Movie Theaters, §§ 12-230--12-240
Art. XV.	Vandalism, §§ 12-241--12-249
Art. XVI.	Theft, §§ 12-250--12-259
Art. XVII.	Retail Theft (Shoplifting), §§ 12-260--12-267
Art. XVIII.	Parental Responsibility, §§ 12-268--12-275
Art. XIX.	Trespass, §§ 12-276--12-281
Art. XX.	Obstructing Public Easements, §§ 12-282--12-286
Art. XXI.	Burglary or Robbery Alarm Systems, §§ 12-287--12-291
Art. XXII.	Abatement of Nuisances, §§ 12-292, 12-293
Art. XXIII.	Penalty for Nuisance Violations, § 12-294
Art. XXIV.	Spray Paint, § 12-294.1
Art. XXV.	General Penalty; Citations, §§ 12-295--12-309
Art. XXVI.	Regulation of Lighting, §§ 12-310--12-316
Art. XXVII.	Graffiti, §§ 12-317--12-318
Art. XXVIII.	Drug Paraphernalia §§ 12-319--12-324
Art. XXIX.	Conflicts with Certain Home Rule County Ordinances

Editor's Note: Article XXIX Conflicts with Certain Home Rule County Ordinances, a new article, was adopted by Ordinance #O-50-17, passed on May 1, 2017.

Editor's Note: Article XXVIII Drug Paraphernalia, a new article, was adopted by Ordinance # 0-22-01 passed on March 12, 2001.

Editor's Note: Article X Dutch Elm Disease and Emerald Ash Borer Infestation, was replaced in its entirety by Ordinance 0-24-08, passed on February 19, 2008.

Editor's Note: Article IV Plants and Weeds was replaced in its entirety by Ord. #0-91-08, passed on 7/14/08

ARTICLE I. IN GENERAL

Sec. 12-1. Damage to public property.

It shall be unlawful to damage, deface or interfere with any property belonging to the Village without proper authority from the Village Council. (Code 1961, 8.604)

Cross reference(s)—Vandalism, 12.241 et seq.

**PALATINE CODE OF ORDINANCES – CHAPTER 12
OFFENSES AND MISCELLANEOUS PROVISIONS**

Sec. 12-2. Gambling.

Unless otherwise authorized by the Village, it shall be unlawful to gamble or attend any gambling resort or to make a bet, lottery (other than lawfully approved lotteries) or gambling hazard, or to buy or sell any chances or tickets in any gambling game, arrangement or device or use a video gaming terminal.

Unless otherwise authorized and licensed by the Village, it shall be unlawful to possess or expose for public use any video gaming terminal, slot machine, sweepstakes machine, or other coin-operated device designed for gambling or games of chance or any other gambling device, punch board or paraphernalia with the intent to use the same for an unlawful purpose; and any such gambling device or paraphernalia may be confiscated by any officer of the Police Department. (Ord. O-35-22, 04-11-2022)

It shall be unlawful to maintain or patronize any establishment maintained for illegal gambling.

It shall be unlawful to advertise any gambling establishment within the Village. (Code 1961, 25.001, O-35-22, 04-11-22)

Sec. 12-3. Disorderly conduct.

A person commits disorderly conduct when he or she knowingly:
(Ord No. O-91-20; 12-07-2020)

1. Breaches the peace by behaviors, actions or conduct which alarm or disturb another, or;
2. Starts a fight, or fights in public with another person so as to alarm or endanger other members of the public, or;
3. Disrupts a lawful assembly, or;
4. Starts or spreads any false alarm of fire in the Village

Sec. 12-3.1 Harassment by Telephone.

A person commits harassment by telephone when he or she uses telephone communication from or to a location in the Village for any of the following purposes:

1. Making any comment, request, suggestion or proposal which is obscene, lewd, lascivious, filthy or indecent with an intent to offend;
2. Making a telephone call, whether or not conversation ensues, with intent to abuse, threaten or harass any person at the called number;
3. Making or causing the telephone of another repeatedly to ring, with intent to harass any person at the called number;
4. Making repeated telephone calls, during which conversation ensues, solely to harass any person at the called number;
5. Knowingly permitting any telephone under one's control to be used for any of the purposes mentioned herein.

Sec. 12-3.2 Harassment by Electronic Communications.

A person commits harassment by electronic communications when he or she uses electronic communication, including social media or other electronic means, from or to a location in the Village for any of the following purposes:

1. Making any comment, request, suggestion or proposal which is obscene with an intent to offend;
2. Interrupting, with the intent to harass, the telephone service or the electronic communication service of any person;
3. Transmitting to any person, with the intent to harass and regardless of whether the communication is read in its entirety or at all, any file, document, or other communication which prevents that person from using his or her telephone service or electronic communications device;
4. Threatening injury to the person or to the property of the person to whom an electronic communication is directed or to any of his or her family or household members;
5. Knowingly permitting any electronic communications device to be used for any of the

**PALATINE CODE OF ORDINANCES – CHAPTER 12
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- purposes mentioned in this subsection;
6. Evidence that a defendant made additional telephone calls or engaged in additional electronic communications after having been requested by a named complainant or by a family or household member of the complainant to stop may be considered as evidence of an intent to harass unless disproved by evident to the contrary.

Sec. 12-4. Possession of alcoholic beverages in public places.

It shall be unlawful for any person to be in possession of an alcoholic beverage in a public street or public place unless such beverage is in its original container with the seal unbroken, or unless such possession is on the premises of an establishment licensed by the Village of Palatine to sell or serve alcoholic beverages. For purposes of this section, a public place shall include, but not be limited to, all Village-owned parking facilities and lots, and all parking lots serving commercial establishments and serving multi-family residential developments containing four or more dwelling units. Further, it shall be unlawful for any person to be in possession of an alcoholic beverage in a common area of: a property owners association serving a multi-family residential development containing four or more dwelling units, an apartment complex or a Common Element, as defined by the Illinois Condominium Property Act, 765 ILCS 605/2(e), except for patios and balconies. A common area does not include the interior, residential living unit. A common area includes, but is not limited to, parking lots, sidewalks, grass areas, open space areas, detention areas, stairways, hallways and storage rooms. Upon application by the owner, manager or property owners association (collectively, owner), the Village Council may, in its discretion, permit consumption of alcoholic beverages in certain defined areas agreed to by the Village and the Owner. (Code 1961, 25,003; Ord. No. O-78-76, 1, 9-13-76; Ord. No. O-113-90, 1, 9-24-90; Ord. No. 0-155-97 1, 9-8-97; Ord. No. 0-169-97, 1, 10-13-97, Ord. No. 0-149-00 1, 11-13-00)

Sec. 12-5. Reserved.

Sec. 12-6. Public indecency.

(a) *Definitions.* The following defined terms apply to this section:

- (1) *Nudity* means the displaying of the human male or female genitals, pubic area or buttocks with less than a fully opaque covering, the displaying of the female breasts with less than a fully opaque covering of any part of the nipple, or displaying covered male genitals in a discernibly turgid state.
- (2) *Public place* for the purpose of this section means any place where the conduct may reasonably be expected to be viewed by others.
- (3) *Sexual conduct* means any intentional or knowing touching or fondling by the person or other person, either directly or through clothing, of the sex organs, anus or breast of the person or other person, or any part of the body of a child under thirteen (13) years of age, for the purpose of sexual gratification or arousal of the person or other person.
- (4) *Sexual penetration* means any contact, however slight, between the sex organ of one person and the sex organ, mouth or anus of another person, or any intrusion, however slight, of any part of the body of one person or of any animal or object into the sex organ or anus of another person, including, but not limited to, cunnilingus, fellatio or anal penetration. Evidence of emission of semen is not required to prove sexual penetration.

(b) *Acts constituting public indecency.* Any person of the age of seventeen (17) years and upwards who performs any of the following acts in a public place commits a public indecency:

- (1) An act of sexual penetration or sexual conduct as defined herein;
- (2) A lewd exposure of the body done with intent to arouse or to satisfy the sexual desire of the person or of persons observing; or
- (3) Appearing or bathing in a state of nudity.

(c) *Penalty.* Any person found to have committed a public indecency shall be fined according to Sec.

**PALATINE CODE OF ORDINANCES – CHAPTER 12
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12-40 Penalty. (Code 1961, §25.005; Ord. No. O-163-91, §3, 11-25-91; Ord. No. 0-5-98, §15, 1-26-98)

Sec. 12-7. Assault and battery.

(a) Assault. It shall be unlawful for any person to, without lawful authority, engage in conduct which places another in reasonable apprehension of receiving a battery.

(b) Battery. It shall be unlawful for any person to intentionally or knowingly without legal justification and by any means, to (1) cause bodily harm to an individual or (2) to make physical contact of an insulting or provoking nature with an individual. (Code 1961, §25.006; Ord. No. 0-27-95 §7, 4-10-95)

Sec. 12-8. False fire alarms.

It shall be unlawful for any person to knowingly start or spread any false alarm of fire in the Village. (Code 1961, §25.007) **State law reference(s)**

Sec. 12-9. Disturbing assemblages.

It shall be unlawful for any person to disturb any lawful assemblage or gathering in the Village. (Code 1961, §25.008)

Sec. 12-10. Hunting.

It shall be unlawful for any person to engage in killing or to hunt any animal other than as prescribed by law in the Village. (Code 1961, §25.009)

Sec. 12-11. Weapons.

It shall be unlawful to carry any concealed weapons within the Village without having first secured a license to carry such concealed weapons issued under Illinois Public Safety Firearm Concealed Carry Act 430ILCS66/1-999. (Code 1961, §25.010)

Sec. 12-12. Discharge of firearms.

It shall be unlawful to discharge any firearms or air gun within the Village. This section shall not be construed to prohibit any officer of the law to discharge a firearm in the performance of his/her duty; nor to any citizen to discharge a firearm when lawfully defending his/her person or property. For purposes of this section, the term “air gun” shall include any air rifle, air pistol, spring gun, spring pistol, B-B gun, paint ball or water bead gun, pellet gun or a pellet constructed of hard plastic, steel, lead or other hard materials, with a force that reasonably is expected to cause bodily harm. (Code 1961, §25.016, Ord. # 0-118-13, §1, 10/14/13)

Sec. 12-13. Missiles.

It shall be unlawful to cast, throw, or propel any missile on any street, alley or public place; and it shall be unlawful to throw or deposit any glass, nails, tacks or other similar articles on any street, alley, sidewalk, or other public place in the Village. (Code 1961, §25.012)

Sec. 12-14. Advertising.

It shall be unlawful to advertise any unlawful business or article in the Village and it shall be unlawful to damage, destroy or deface any lawful advertisement or notice. (Code 1961, §25.013)

Sec. 12-15. Unlawful assemblages.

It shall be unlawful to collect, gather or be a member of any disorderly crowd, or any crowd gathered together for any unlawful purpose. (Code 1961, §25.014)

Sec. 12-16. Reserved.

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OFFENSES AND MISCELLANEOUS PROVISIONS**

Sec. 12-17. Posting bills.

It shall be unlawful to post any bills or advertisement on any public property without the authority of the Village Manager and it shall be unlawful to post any bill or advertisement on any property without the written consent of the owner thereof. (Code 1961, §25.020)

Sec. 12-18. Reserved.

Sec. 12-19. Reserved

Sec. 12-20. Scaffolds.

Any scaffold or ladders placed in such a position that they overhang or can fall onto any public street, alley or other public place in the Village, shall be prohibited without review and approval by the Village; and it shall be unlawful to place or leave any tools or article on any such place in such a manner that the same can fall into any such street, sidewalk, alley or other public way from a greater height than four (4) feet. (Code 1961, § 25.024)

Sec. 12-21. Articles on windows.

It shall be unlawful to place any movable article on any window ledge, or other place abutting a public street, alley or other place at a height above four (4) feet from the ground, in such a manner that the same can be or is in danger of falling onto such sidewalk, street, alley or other public place. (Code 1961, § 25.025)

Sec. 12-22. Reserved.

Sec. 12-23. Reserved

Sec. 12-24. Reserved.

Sec. 12-25. Reserved.

Sec. 12-26. Obstructing storm water flow.

It shall be unlawful for any person to place any obstruction, or deposit, or cause to be deposited any junk, debris, earthen fill, grass clippings, brush, tree limbs, yard waste or other foreign matter, in any drainage ditch or swale, into or along any branch or tributary of Salt Creek or Buffalo Creek and their floodplains, lake, pond, detention basin, drain tiles, storm sewers, roadside culverts, roadside ditches or other area that periodically collects or conveys storm water runoff within the boundaries of the Village. Any person who deposits any of the above, or is in control of such property where deposits exist, shall remove it or shall cause it to be removed therefrom immediately. The Director of Public Works or his/her duly authorized agents or employees upon proper identification to the owner or person in charge of the property shall be permitted to enter upon the property within the Village of Palatine for the purposes of inspection, observation, measurement and enforcement in accordance with the provisions of this section. (Code 1961, § 25.030, Ord. 0-59-03, §1, 3/10/03)

Sec. 12-27. Curfew for minors.

(a) It shall be unlawful for a person less than seventeen (17) years of age to be present at or upon any public assembly, building, place, street or highway at the following times, unless accompanied and supervised by a parent, legal guardian or other responsible companion at least eighteen (18) years of age approved by a parent or legal guardian, or unless engaged in a business or occupation which the laws of the state authorize a person less than seventeen (17) years of age to perform:

- (1) Between 12:01 a.m. and 6:00 a.m. Saturday;
- (2) Between 12:01 a.m. and 6:00 a.m. Sunday; and
- (3) Between 11:00 p.m. on Sunday to Thursday inclusive, and 6:00 a.m. on the following day.

(b) It shall be unlawful for a parent, legal guardian or other person to knowingly permit a person in

**PALATINE CODE OF ORDINANCES – CHAPTER 12
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his/her custody or control to violate this section.

(c) A person convicted of a violation of any provision of this section shall be guilty of a petty offense and shall be fined according to Sec. 12-40 Penalty.

Sec. 12-28. Rubbish, refuse, etc., on streets, alleys, public places; removal.

(a) It shall be unlawful for any person, firm or corporation to throw, deposit, place or cause, suffer or permit to be thrown, deposited or placed in any street, alley, public ground or place any rubbish, refuse, material, obstruction or encroachment of any kind.

(b) Any person, firm or corporation who violates this section by throwing, depositing, placing, or causing, suffering or permitting to be thrown, deposited or placed in any street, alley, public ground or place any rubbish, refuse, material, obstruction or encroachment of any kind shall, upon conviction, be fined according to Sec. 12-40 Penalty.

(c) It shall be the duty of any person, firm or corporation throwing, depositing, placing or causing, suffering or permitting to be thrown, deposited or placed in any street, alley, public ground or place any rubbish, refuse, material, obstruction or encroachment of any kind, contrary to the provisions of the foregoing subsection (a), to remove the same promptly and leave such street, alley, public ground or place in good condition after such removal.

(d) Upon the failure of any person, firm or corporation to remove the rubbish, refuse, material, obstruction or encroachment, the Village Manager shall cause the same to be removed from the street, alley, public ground or place and shall bill the responsible person, firm or corporation for all costs incurred.

(e) It shall be unlawful for any person who owns or occupies premises in the Village in industrial, multi-family residential, commercial districts, or in planned developments wherein industrial, multi-family residential, or commercial uses are authorized, which premises generate more than four (4) cubic yards of refuse, garbage or other waste material per week, to allow to be placed or remain on such premises refuse containers designed to hold one cubic yard or more of refuse, garbage, other waste material or materials for recycling unless such containers are firmly covered at all times and surrounded by wooden, masonry or metal fencing at least six (6) feet in height and in residential areas screened by landscaping approved by the department of Community Development unless excused by the Village Mayor and Council for good cause shown.

In any event, all refuse containers located on such properties which are designed to hold one cubic yard or more of refuse, garbage, other waste material, or materials for recycling which are visible from a public right-of-way shall be screened from view by wooden, masonry, other synthetic materials, or opaque metal fencing at least six (6) feet in height as approved by the Community Development Department.

Any refuse container not maintained in accordance with this section hereby is declared to be a nuisance detrimental to the public health and welfare and may be abated by the Village Manager or his/her designee pursuant to section 12-292 et seq of the Code of Ordinances of the Village of Palatine, Illinois.

Any existing refuse container not in compliance herewith on the date of adoption of this paragraph (e) or located on property newly annexed to the Village after the adoption of this paragraph (e) shall be brought into compliance within ninety (90) days following written notice to do so from the Village served upon the owner or occupier of the premises where such refuse container is located.

(f) All multi-family residential dwellings which have refuse collected in a bulk container shall meet the following minimum capacity and/or service requirements: One yard of container capacity or service for the first four (4) units and one additional yard of container capacity or service for each additional four (4) units or portion thereof per week. These capacity and/or service requirements shall be in effect unless the property owner has a written variance signed by the Environmental Health Field Director. (Ord. No. O-38-76, 1, 4-12-76; Ord. No. O-54-88, 1, 5-9-88; Ord. No. O-143-91, 1, 10-14-91; Ord. No. O-75-92, 1, 5-27-92)

Cross reference(s)--Deposits in streets prohibited, 8-5; streets and sidewalks, Ch. 16.

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Sec. 12-29. Possession, Consumption and Use of Cannabis.

It shall be unlawful for any person to knowingly grow, use, possess, or consume cannabis in a manner inconsistent with the Cannabis Control Act or the Cannabis Regulation and Tax Act.

Any person who violates this section shall be fined according to the fees listed in the Village Fee Schedule. (Ord. No. O-37-76, 1, 4-12-76; Ord. No. O-69-83, 1, 10-10-83; Ord. No. 0-5-98, 15, 1-26-98; Ord. No. O-103-19, 12/2/19)

Editor's note--Ord. No. O-37-76, 1, amended the 1961 Code by adding the provisions codified herein as 12.29.

Sec. 12-30. Betting messenger services prohibited.

(a) It shall be unlawful for any person to accept for placement, delivery or communication to or with another any wager on any horse race, game or other event, when such person receives payment of any kind to perform such service. Each such acceptance of a wager shall constitute a separate and distinct violation of this Code.

(b) It shall be unlawful for any person who owns, rents or leases property within the Village to knowingly permit the occupation of said premises or any building thereon by a person who engages in any act which violates section 12-30(a) above in said building or on said premises. Each day the owner, landlord or tenant knowingly permits the building or premises to be so occupied shall constitute a separate and distinct violation of this Code.

(c) Any person found guilty of violating any provision of this section shall be fined according to Sec. 12-40 Penalty. (Ord. No. O-11-77, 1, 3-14-77)

Sec. 12-31. Sale, display for sale, or distribution of items designed primarily for use with illegal drugs.

No person shall sell, display for sale, or distribute within the Village of Palatine any item, effect, paraphernalia, accessory or thing which is designed primarily for use with illegal drugs, except as a special use within a B-1 Shopping Center District or a B-2 General Service District, provided also that no such sales, display for sale, or distribution may take place in a B-1 or B-2 District within twenty-five hundred (2500) feet of any public or private school, day care center, nursery, church, synagogue or other place of worship, or any facility holding a liquor license. Violation of this section shall be considered cause for revocation of a business license in addition to any other penalty provided in this Code. (Ord. No. O-6-78, 3, 2-13-78)

Cross reference(s)--B-1 district regulations, App. A, 6.02; B-2 district regulations, App. A, 6.03.

Sec. 12-32. Persons responsible for premises.

It shall be unlawful for any person or persons who are the occupants of any premises to knowingly allow, initiate or maintain any gathering on that premises in which tenants, invitees, visitors or trespassers engage in any unlawful activity. Unlawful activity shall include, but not be limited to, drinking of alcoholic beverages by persons under twenty-one (21) years of age, disorderly conduct pursuant to section 12-3 of this Code, curfew violations in the immediate vicinity of the premises and littering pursuant to Article XII of this chapter of this Code. A person will be deemed to have permitted the gathering if that person is on the premises while the unlawful activity is occurring and has not informed the police thereof. For purposes of this section, a gathering shall consist of two (2) or more persons who are not occupants of the premises. (Ord. No. O-4-83, 1, 1-25-83)

Sec. 12-33. Knowingly providing false information.

(a) It shall be unlawful for any person to knowingly furnish false information to the Village's police department, fire department, health department or other code enforcement department. This section shall apply to all information furnished, whether by telephone, in person, in writing, by way of the filing or furnishing of information for a report or otherwise. (Ord. No. O-38-83, 1, 6-13-83; Ord. No. 0-31-95, 8, 4-10-95)

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Editor's note--Ord. No. O-38-83 added a 12-32 to the Code; in order to avoid duplicate section numbers, the editor has redesignated these provisions as 12-33.

Sec. 12-34. Reckless Conduct.

It shall be unlawful for any person to cause bodily harm to, or endanger the bodily safety of an individual, by any means by performing recklessly the acts which cause the harm or endanger safety, whether they otherwise are lawful or unlawful.

Sec. 12-35. Intimidation.

It shall be unlawful for any person to, with intent to cause another to perform or to omit the performance of any act, communicate to another, whether in person, by telephone, mail, social media, or by other electronic means, a threat to perform without lawful authority any of the following:

- (a) Infliction of physical harm on the person threatened or any other person or on property; or
- (b) Subjecting any person to physical confinement or restraint; or
- (c) Committing any criminal offense; or
- (d) Accusing any person of an offense; or
- (e) Exposing any person to hatred, contempt or ridicule.

Sec. 12-36. Mob Action.

It shall be unlawful for any person to engage in mob action which consists of any of the following:

- (a) The use of force or violence disturbing the public peace by 2 or more persons acting together and without authority of law; or
- (b) The assembly of 2 or more persons to do an unlawful act; or
- (c) The assembly of 2 or more persons, without authority of law, for the purpose of doing violence to the person or property of anyone supposed to have been guilty of a violation of the law, or for the purpose of exercising correctional powers or regulative powers over any person by violence; or
- (d) Being a participant in a mob action, who does not immediately withdraw on being commanded to do so by any peace officer.

Sec. 12-37. Resisting or obstructing a peace officer.

It shall be unlawful for any person to knowingly resist or obstruct the performance by one known to the person to be a peace officer of any authorized act within his/her official capacity. For the purposes of this section, failing to provide accurate information as to one's true identity, date of birth, and residence address when so requested by a peace officer shall constitute obstructing a peace officer.

Sec. 12-38. Truancy.

- (a) It shall be unlawful for any person, who is subject to the compulsory attendance requirement of the Illinois School Code and is enrolled in grades 1 through 12 in a public, private or parochial school within the incorporated limits of the Village of Palatine to absent himself or herself from attendance at school for a school day or portion thereof without a valid cause. A valid cause for absence shall include absence from school because of illness, observance of a religious holiday, death in the immediate family, family emergency, situations beyond the person's control as determined by the Board of Education, or such other circumstances which cause reasonable concern to the parent or custodian for the safety or the health of the person.
- (b) Any person, who is: (1) subject to the compulsory attendance requirement of the Illinois School Code, (2) enrolled in grades 1 through 12 in a public, private or parochial school located outside the incorporated limits of the Village of Palatine; and (3) present within the

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incorporated limits of the Village of Palatine, without a valid cause for absence from the school in which he or she is enrolled, shall be reported to the municipality having jurisdiction over the person. Jurisdiction shall be determined by the school at which the person is enrolled.

(Ord. 0-201-06, §1, 12/4/06)

Sec. 12-39. Motorized Equipment.

It shall be unlawful for any person to operate a lawn mower, leaf blower, edge trimmer, street cleaner, industrial vacuum, or any other motorized equipment between the hours of 9:00 p.m. and 7:00 a.m. on any weekday and between the hours of 9:00 p.m. and 8:00 a.m. on the weekend or holidays. (Ord. No. 0-83-16; 6/20/16)

None of the terms or prohibitions hereof shall apply to or be enforced against:

1. Village vehicles: Any vehicle of the Village while engaged upon necessary public business.
2. Emergency operations: The operation of motorized equipment in case of urgent necessity in the interest of public health and safety.
3. Snow removal equipment. (Ord.No.0-85-99; 1-3;6-28-99)
4. Park District Golf Courses: Any vehicle utilized and necessary for the maintenance of a park district owned and operated golf course. The prohibition exemption is between the hours of 4:00 a.m. to 7:00 a.m. on weekdays and 4:00 a.m. to 8:00 a.m. on weekends. (Ord. No. 0-101-16; 8/8/16)

Sec. 12-40. Penalty.

Any person found guilty of violating any provision of Sections 12-1 through 12-39 shall be fined not less than seventy-five dollars (\$75.00) nor more than one thousand five hundred dollars (\$1,500.00) and up to the full cost of abatement if performed by the Village. (Ord. No. 0-31-95, 9, 4-10-95; Ord.No.0-5-98, 15, 1-26-98; Ord.No.0-85-99; 1-3;6-28-99)

Editor's note--former 12-34 Sales by minors, Possession of tobacco products. added by Ord. No. O-109-94, subsequently deleted by Ord. No. 0-120-96, 7-08-96, 2)

ARTICLE II. FIRES*

*Cross reference(s)--Fire prevention and protection, Ch. 7.

Sec. 12-41. Prohibited except in an approved fireplace or fire pit.

It shall be unlawful to build or light any bonfire or to burn any rubbish, leaves or other combustible refuse, anywhere in the Village without an permit. (Code 1961, 25.015)

Cross reference(s)--Fire protection and protection generally, Ch. 7; burning of refuse, etc., prohibited, 8-5.

Sec. 12-42. Grass fires; permit required.

- (a) It shall be unlawful to start or maintain any grass fire or controlled open burn in the Village without first securing a permit from the Fire Marshal or their designee.
- (b) The Village shall charge a permit fee of \$50 for control open burn permits; this fee shall be submitted prior to the issuance of a permit.

Sec. 12-43. Regulations.

It shall be unlawful to burn refuse of any kind anywhere in the Village except as provided below:

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- (1) It shall be unlawful to burn leaves anywhere in the Village.
- (2) It shall be unlawful to burn off vegetation from any area in the Village without a permit issued by the Fire Prevention Division.
- (3) It shall be unlawful to light or maintain any outdoor fires to burn construction material, wood, papers, paper goods, cardboard and plastics except as provided in the adopted International Fire Code. Outdoor cooking shall be permitted in grills or other structures/appliances designed and listed for that purpose.

(Code 1961, 25.018)

Secs. 12-44--12-56. Reserved.

ARTICLE III. RESERVED

ARTICLE IV. PLANTS AND WEEDS

[Editor's Note: Article IV was replaced in its entirety by Ord. #0-91-08, passed on July 14, 2008]

Sec. 12-70. Definitions.

- (1) "Owner" means the legal or beneficial owner of an improved or unimproved parcel of real estate.
- (2) "Responsible party" means the occupant of any real estate or any person or entity charged with the care or management of any real estate.
- (3) "Growing season" means the period of time which weeds and grass are generally growing on the majority of real estate in the Village of Palatine, beginning no later than May 1 and ending no earlier than November 1.

Sec. 12-71. Enumeration of prohibited plants; declared a nuisance.

Any weeds such as jimson, burdock, ragweed, thistle, cocklebur, poison ivy, poison oak, poison sumac, or other weeds of a like kind or barberry bush found growing in any lot or tract of land in the Village are hereby declared to be nuisances, and it shall be unlawful to permit any such weeds to grow or remain in such places. (Code 1961, §§24.201, 24.203)

Sec. 12-72. Height limitation.

It shall be unlawful for any owner or responsible party of real estate located in the Village of Palatine to permit any weeds, grass or plants, other than trees, bushes, flowers, or other ornamental grasses and plants to grow to a height exceeding one (1) foot anywhere on the property and on the parkway abutting their property; and any such weeds, grass, or plants exceeding such heights are hereby declared to be a nuisance. (Code 1961, §24.202; Ord. No. O-124-79, §1, 11-13-79; Ord. No. 0-186-96, §1, 10-14-96)

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Sec. 12-73. Notice.

(1) It shall be the duty of the Village Manager or his/her designee to cause to be served a notice upon the owner and any responsible party of any such premises on which weeds, grass or plants are permitted to grow in violation of the provisions of this article, and to demand the abatement of the nuisance within three (3) days. Upon service of the notice, the owner and any responsible party shall be required to continuously maintain the premises in accordance with the provisions of this Article. Only one three (3) day notice shall be required to be served per growing season. (Code 1961, §24.204; Ord. No. O-124-79, §1, 11-13-79; Ord.No.0-78-98, §1, 6-8-98)

(2) The notice shall:

- a. Be in writing.
- b. Identify the property on which the nuisance violation was observed.
- c. Provide a description of the nuisance violation.
- d. Provide the date and time the violation was observed.
- e. State that the owner and any responsible party shall have three (3) days to abate the nuisance.

(3) Notice shall be served upon the owner and any responsible party of the property personally or by first class mail addressed to the owner and any responsible party. If the nuisance has not been abated four (4) days after the mailing of such notice by first class mail, service may be made upon such persons or entities by posting the notice in a prominent place on or about the property identified in the notice.

Sec. 12-74. Abatement.

If the owner so served with notice under Section 12-73 does not abate the nuisance within three (3) days after such notice, or fails to maintain the property during the growing season, the Village Manager or his/her designee may proceed to cause the abatement of such nuisance, pursuant to Section 12-292, at any time subsequent, keeping an account of the expense thereof, and such expense shall be charged to and paid by the owner. (Code 1961, §24.205; Ord. No. O-124-79, §1, 11/13/79; Ord.No.0-78-98, §2, 6/8/98)

Sec. 12-75. Lien--Procedure for filing.

Charges for weed, grass, or plant cutting shall be a lien upon the premises as provided by statute or collected as otherwise provided for in the Code of Ordinances. Whenever a bill for weed, grass or plant cutting remains unpaid sixty (60) days after it has been rendered, the clerk may file with the county recorder of deeds of Cook County, a statement of lien claim. This statement shall contain the legal description of the premises served, the amount of the unpaid bill, and a notice that the Village claims a lien for this amount.

After the nuisance has been abated, but prior to the filing of a lien, notice of the bill for weed, grass, or plant cutting shall be served personally on, or by certified mail to the person to whom was sent the tax bill for the general taxes on the property for the last preceding year. The notice shall contain a description of the property on which the abatement occurred and a description of the nuisance.
(Code 1961, §24.206; Ord. No. O-124-79, §1, 11/13/79)

State law reference(s)--Power of municipality to enforce lien for cutting weeds, 65ILCS5/11-20-7.

Sec. 12-76. Same--Foreclosure.

Property subject to a lien for unpaid weed, grass or plant cutting charges shall be sold for nonpayment of the same, and the proceeds of such sale shall be applied to pay the charges, after deducting costs, as is the case in the foreclosure of statutory liens. Such foreclosures shall be by bill in equity in the name of the

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Village.

The Village Manager or his/her designee is hereby authorized and directed to institute such proceedings, in the name of the Village, in any court having jurisdiction over such matters, against any property for which a bill for weed, grass or plant cutting has remained unpaid sixty (60) days after it has been rendered. (Code 1961, §24.207; Ord. No. O-124-79, §1, 11/13/79)

Secs. 12-77--12-90. Reserved.

ARTICLE V. TAG DAY

Sec. 12-91. Permit required.

It shall be unlawful for any person to go from house to house soliciting funds or subscriptions from the public or to publicly solicit either in person or by agent, upon the public streets, sidewalks, or any other public place in the Village, subscriptions for charitable or religious or educational or other organizations or purposes, whether presents or gifts or money or promises are sought, without having first secured a permit therefor. (Code 1961, §24.301)

Sec. 12-92. Application.

Applications for permits for tag day sales shall be made to the Village Manager who shall determine that the purposes for which such solicitations are proposed are consistent with the provisions of section 12-91. No such permit shall be issued except upon the order of the Village Manager. (Code 1961, §24.302; Ord. No. 0-15-16, §1, 2/16/16)

Sec. 12-93. Solicitation of charitable contributions on streets and highways within the Village.

(1) No person shall stand on any street or roadway within the Village, or on any right-of-way of same, for the purpose of peddling or soliciting except those persons soliciting for charitable contributions from the occupant of any vehicle and may do so only upon satisfying all of the requirements within Section 12-93 of this Code.

(2) The soliciting organization shall submit a completed Tag Day Permit Application and provide a Certificate of Insurance showing that the charitable organization is insured against any claims for injuries or damage to property which is causally related to an act or ordinary negligence of the soliciting agent acting on behalf of the organization. The submitted Tag Day Permit Application shall contain, at a minimum, the following information:

- a. The name, address, and telephone number of the soliciting organization, agency or project and proof that the organization, agency or project is registered with the attorney general as a charitable organization as provided by the Solicitation for Charity Act;
- b. A description of the fundraising activity in which the soliciting organization, agency or project is engaged;
- c. The intersections at which approval is being sought and the number of persons proposed to solicit at such intersections (there shall be no more than four (4) solicitors within an intersection at any time); and
- d. The dates and times at which such Tag Day event is proposed to take place (applications for solicitation may be submitted up to a maximum of one (1) year prior to the requested Tag Day event).

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(Ord. No. 0-15-16, §1, 2/16/16)

(3) Any person engaged in the solicitation of charitable contributions shall be at least sixteen (16) years of age and shall wear a highly visible vest and identification of the organization undertaking the solicitation. (Ord. No. 0-15-16, §1, 2/16/16)

(4) The Village Manager must find that the locations, times, and durations of the proposed Tag Day event, as well as the number of proposed solicitors, shall not result in interference with the flow of vehicular traffic. No permits shall be issued when street conditions, weather, or other factors, at the discretion of the Village Manager, pose significant safety concerns to either the solicitors or the general public. (Ord. No. 0-15-16, §1, 2/16/16)

(5) No Tag Day events will be permitted from November 1 through March 31.

(6) Solicitation shall only occur during daylight hours, as reasonably determined by the Village Manager. (Ord. No. 0-15-16, §1, 2/16/16)

(7) Solicitation shall only be permitted at the following intersections:
(Ord. No. 0-15-16, §1, 2/16/16; Ord. No. 0-45-16 4/11/16)

Baldwin Road and Rohlwing Road
Cunningham Drive and Hicks Road
North Court and First Bank Drive
Palatine Road and Plum Grove Road
Palatine Road and Quentin Road
Palatine Road and Roselle Road (south and east legs of intersection)
Palatine Road and Rohlwing Road
Palatine Road and Winston Drive
Plum Grove Road and Colfax Street
Plum Grove Road and Illinois Avenue
Plum Grove Road and Northwest Highway
Quentin Road and Dundee Road (north and east legs of intersection)
Quentin Road and Illinois Avenue
Quentin Road and Northwest Highway
Smith Street and Colfax Street
Smith Street and Northwest Highway

(8) Tag Day events shall not be permitted at the same intersection in consecutive weeks. The Village Manager may waive this limitation if the requested Tag Day event is in conjunction with a regional or national Tag Day event being held on a specific date(s). (Ord. No. 0-35-16, 4-4-16)

(9) No more than two Tag Day events in any calendar year are permitted within the Village by any qualifying solicitation organization and no approved Tag Day event shall continue for more than three (3) consecutive days.
(Ord. No. O-108-79, §1, 10/8/79; Ord. No. 0-17-11, §1, 2/22/11)

Sec. 12-94. Fines for violation of section 12-93.

Any person, corporation, unincorporated association or other entity violating any provision of section 12-93 shall upon a judicial finding of such violation, be fined not less than fifty dollars (\$50.00) and not more than seven hundred fifty dollars (\$750.00) for each such separate violation. (Ord. No. O-108-79, §1, 10/8/79; Ord.No.0-5-98, §15, 1/26/-98)

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Secs. 12-95--12-100. Reserved.

ARTICLE VI. PUBLIC GATHERINGS

Sec. 12-101. Regulations.

It shall be unlawful to hold, manage or conduct any meeting or entertainment of any kind in the Village, in any premises other than a building constructed in full compliance with the ordinances and laws pertaining thereto for assembly use, excepting in compliance with the provisions of the International Building and Fire Code, 2015 Edition with the following amendments: (Ord. 0-57-06, §2, 3/20/06, eff. 6/1/06, Ord. 0-70-11, §1, 6/20/11, Ord. O-94-18, 08/13/18-eff. 01/01/19). (Code 1961, §24.401)

Sec. 12-102. Inspections.

No public gathering or entertainment shall be held or presented in any premises other than a building as described in the preceding section, unless such premises has obtained approval from the Village Council; as a condition of approval an inspection may be required. (Code 1961, §24.402)

Sec. 12-103. Reserved.

Sec. 12-104. Reserved.

Sec. 12-105. Reserved.

Sec. 12-106. Notice.

It shall be the duty of any person conducting, calling for, or managing any gathering in any premises other than an approved assembly occupancy constructed as provided in section 12-101, without a Special Event Permit from the Village. Any permit issued for any such gathering shall be subject to the condition that this article be fully complied with, whether or not such condition is embodied in the permit. (Code 1961, §24.406)

Secs. 12-107--12-115. Reserved.

ARTICLE VII. PUBLIC BUILDINGS*

*Cross reference(s)--Fire prevention generally, Ch. 7, Art. III.

Sec. 12-116. Responsibility.

The owner, agent, occupant or person charged with the custody of any public building, or the person in charge thereof and owning the same, shall be held liable for the equipment and maintenance of such apparatus as is required in the current adopted version of the International Building and Fire Code, 2015 Edition, with the following amendments: (Ord. 0-57-06, §2, 3/20/06, eff. 6/1/06, Ord. 0-70-11, §1, 6/20/11, Ord. O-94-18, 08/13/18-eff. 01/01/19) for the maintenance and safety of all corridors, exits, stairs, doors, windows or passageways. (Code 1961, §24.501)

Sec. 12-117. Enforcement.

It shall be the duty of the Fire Marshal or their designee to inspect all apparatus to be installed, and their location, and to make or cause to be made periodic inspections concerning the operation and accessibility of regular and emergency exits in such public places. (Code 1961, §24.502)

Sec. 12-118--12-135. Reserved.

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ARTICLE VIII. SOUND AMPLIFIERS

[Editor's Note: Article VIII was replaced in its entirety by Ord. 0-71-06]

Sec. 12-136. Permit required.

It shall be unlawful to maintain or operate any loud speaker or amplifier connected with any radio, phonograph, microphone, or other device by which sounds are magnified and made heard over any public street or public place without first having secured a permit therefor.

Sec. 12-137. Applications.

Any person desiring a permit for the use or operation of such devices, shall file an application therefor with, no less than seven (7) days before the intend date of the event, to the Village Manager or his/her designee, upon a form provided by him/her, setting forth the name and address of the applicant, the name of the owner of such device, the date upon which it is intended to be used, and such other information as may be prescribed. School and Park District properties are exempt from the sound amplification regulations, for any school, park, or other established affiliate function, which is occurring on School or Park District property. (Ord. No. 0-155-16, 12/19/16)

Sec. 12-138. Restrictions.

All events for which a permit is granted will be subject to the following restrictions:

1. The permit shall be limited per the hours granted by the Village Manager.
2. A permit holder shall not operate or employ any such device within a radius of two (2) blocks from any hospital or within the radius of two (2) blocks from any church while services are being held there.
3. The only sounds permitted shall be either music or human speech, or both;
4. Speakers for sound amplification equipment shall be directed, to the extent feasible toward open or unoccupied space and away from residentially occupied property.
5. In any event, the volume of sound shall be so controlled that it will not be unreasonably loud, raucous, jarring, disturbing or a nuisance to reasonable persons of normal sensitiveness within the area of audibility.

The Village Manager or his/her designee may include additional restrictions or conditions to the permit.

This section shall not apply to radios in homes or in private pleasure vehicles, when the same are operated in such a manner as not to be audible at a distance of fifty (50) feet from such vehicle, nor to noise devices, bands or other musical devices used in any public parade, community event, or procession which is operated under a permit in accordance with the ordinances of the Village or approval of the Village Council.

No permit shall cause or permit to be emanated or emitted from any such device any lewd, obscene, profane, or indecent language or sounds, or any false representation of any matter, product, or project advertised thereby, the sale of which is prohibited by any provision of this Code or other ordinance or statute.

The Village Manager or his/her designee may revoke any permit if the sound is deemed to be in violation of any of the above restrictions.

Secs. 12-139--12-150. Reserved.

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ARTICLE IX. STATE OF EMERGENCY*

***Editor's note**--Ord. No. O-129-86, §1, adopted Sept. 29, 1986, repealed Art. IX, §§12-151--12-155, pertaining to civil emergencies and curfew which derived from Code 1961, §§24.701--24.705 and enacted new provisions designated as Art. IX, §§12-151--12-155, pertaining to state of emergency, to read as herein set out.

Cross reference(s)--Civil defense organization, §2-501 et seq.

Sec. 12-151. Definitions.

For the purposes of this article, the following words shall have the meanings indicated unless their context clearly requires otherwise:

State of emergency means the occurrence of:

- (1) 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
- (2) Any disaster which; shall mean an occurrence or threat from widespread or severe damage, injury or loss of life or property resulting from any natural or man-made cause, including but not limited to fire, flood, earthquake, wind, storm, oil spill or other water contamination requiring emergency action to avert danger or damage, epidemic, air contamination, blight, extended periods of severe and inclement weather, drought, infestation, critical shortages of essential fuels or energy, explosion, riot, or hostile military or paramilitary action. Disaster includes but is not limited to all occurrences and threats thereof which are contemplated by the concept of "emergency services and disaster operations."

Curfew means 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, excepting officials of any governmental unit and persons officially designated to duty with reference to said state of emergency. (Ord. No. O-129-86, §1, 9-29-86)

Sec. 12-152. Proclamation; contents; curfew.

Whenever a state of emergency exists, the Mayor shall proclaim its existence by means of a written declaration. Said declaration shall be signed by him or her, under oath and contain the following:

- (1) A statement to the effect that a state of emergency, as defined by this article, does exist.
- (2) Set forth the facts supporting such findings.
- (3) A declaration of the nature of the state of emergency and the reasons for the action.
- (4) A declaration that a state of emergency does exist. Such statement shall be promptly filed with the Village Clerk.

After proclaiming a state of emergency, the Mayor, by executive order, and after consultation with the Village Manager and Chief of Police, may establish a general curfew applicable to such geographical areas of the Village, including the Village as a whole, as he or she deems advisable, to be applicable during such hours of the day or night as he or she deems necessary in the interest of the public safety and welfare. (Ord. No. O-129-86, §1, 9-29-86)

Sec. 12-153. Enforcement.

After the proclamation of a state of emergency, the Mayor may also, in the interests of public safety and welfare, take any or all of the following actions by executive order:

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- (1) Order the closing of all liquor stores and establishments, including taverns and private clubs or portions thereof wherein the consumption of intoxicating liquor and beer is permitted.
 - (2) Order the discontinuance of the sale of alcoholic liquor by any wholesaler or retailer.
 - (3) Order 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.
 - (4) Order the discontinuance of selling, distributing, dispensing or giving away of any firearms or ammunition of any character whatsoever.
 - (5) Issue such other orders as are imminently necessary for the protection of life and property.
- (Ord. No. O-129-86, §1, 9-29-86)

Sec. 12-154. Effective period.

The proclamation shall be effective for a period of forty-eight (48) hours unless sooner terminated by the Mayor but, in no event, shall continue later than the adjournment of the first meeting of the Mayor and Council after the state of emergency is declared. The Mayor shall have the power to reproclaim the existence of a state of emergency at the end of each forty-eight- hour period during the time said state of emergency exists. (Ord. No. O-129-86, §1, 9-29-86)

Sec. 12-155. Notice; posting.

Upon issuance of the proclamation, the Village Manager or his/her designee shall notify the news media covering and serving the Village, and shall file the existence of the emergency in accordance with Illinois law. (Ord. No. O-129-86, §1, 9-29-86)

Secs. 12-156--12-165. Reserved.

ARTICLE X. DUTCH ELM DISEASE AND EMERALD ASH BORER INFESTATION

Editor's Note – Article X was replaced in its entirety by Ordinance #0-24-08, passed on February 19, 2008.

Sec. 12-166. Control of infected or infested trees.

It shall be unlawful for the owner of any premises in the Village to permit any tree or portion thereof infected with Dutch Elm disease or infested with the Emerald Ash Borer to remain on such premises. (Code 1961, §24.801)

Sec. 12-167. Inspection.

The officers, agents, servants, and employees of the Village are hereby authorized and directed to enter on and upon private property whereon there is located any Elm tree or Ash tree having the appearance of or suspected of being diseased with the Dutch Elm disease or infested with the Emerald Ash Borer, for the purpose of inspecting said suspected tree and removing there from samples or portions thereof to be tested to establish whether said tree is in fact diseased or infested. (Code 1961, §24.802)

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Sec. 12-168. Declared a nuisance.

Any tree or part thereof affected with the Dutch Elm disease or Emerald Ash Borer infestation is hereby declared to be a nuisance. (Code 1961, §24.803)

Sec. 12-169. Abatement--By owner.

The owner or occupant of the parcel of land on which said diseased Elm tree or infested Ash tree exists shall forthwith remove and destroy said Elm tree or Ash tree and properly dispose of all materials in accordance with guidelines established by the Illinois Department of Agriculture, within ten (10) days of notification to such owner, occupant, or agent that said Elm tree or Ash tree is in fact diseased or infested. (Code 1961, §24.804)

Sec. 12-170. Same--By Village.

In each case where the owner or occupant of the parcel of land on which said diseased Elm tree or infested Ash tree is located cannot be found, or if found and notified as aforesaid neglects or refuses to abate said nuisance, it shall be lawful for the Village to abate the same by the removal and proper dispose of all materials in accordance with guidelines established by the Illinois Department of Agriculture, of said diseased Elm tree or infested Ash tree and in that event the said owner, occupant or agent or any of them shall be charged with those expenses which may be incurred by the Village in the removal or abatement of the diseased Elm tree or Ash tree as aforesaid, which expenses shall be collected by the Village by suit or otherwise in addition to the fine for the violation. (Code 1961, §24.805)

Sec. 12-171. Penalties.

Any person who shall violate any provision of this chapter, upon conviction in a court of competent jurisdiction, will be subject to a fine not less than twenty-five dollars (\$25.00) nor more than seven hundred and fifty dollars (\$750.00) per offense. (Ord. No. 0-152-12, §1, 11/19/12)

Secs. 12-172-12-180. Reserved.

ARTICLE XI. VILLAGE JAIL

Sec. 12-181. Establishment.

The place in the Village heretofore established and used as the jail, or any other place which may be hereafter used for that purpose, is hereby declared to be the Village jail. (Code 1961, § 8.301)

Sec. 12-182. Keeper.

The Chief of Police shall be the keeper of the jail and shall have custody over all persons confined therein and of all property pertaining thereto.

Sec. 12-183. Prisoners.

The jail shall be used for the incarceration of all persons arrested for violating any laws of the state, the United States, or for violating any Village ordinance until such person shall be lawfully brought before a judge for a hearing or until such person shall be lawfully transferred to some other place of incarceration or otherwise lawfully released.

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Sec. 12-184. Escape.

It shall be unlawful for any person to escape or attempt to escape, or to assist any prisoner to escape or attempt to escape from jail. (Code 1961, §8.304)

Sec. 12-185. Communication with prisoners.

It shall be unlawful for any person to communicate with any prisoner held in the jail without the permission of the Chief of Police or the police officer in charge. (Code 1961, §8.305)

Secs. 12-186--12-190. Reserved.

ARTICLE XII. ANTILITTER REGULATIONS*

***Editor's note**--Ord. No. O-63-75, 1, adopted Aug. 11, 1975, amended the 1961 Code by adding the provisions codified herein as Art. XII, 12-191--12-205.

Sec. 12-191. Definitions.

For purposes of this article, the following terms, phrases, words and their derivations shall have the meaning given herein:

Aircraft is any contrivance now known or hereafter invented, used or designated for flight in the air. The word "aircraft" shall include helicopters and lighter-than-air dirigibles, balloons and drones.

Commercial handbill is any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet, or any other printed or otherwise reproduced original or copies of any matter of literature:

- (1) Which advertises for sale any merchandise, product, commodity, or thing; or
- (2) Which directs attention to any business or mercantile or commercial establishment, or other activity, for the purpose of either directly or indirectly promoting the interest thereof by sales; or
- (3) Which directs attention to or advertises any meeting, theatrical performance, exhibition, or event of any kind, for which an admission fee is charged for the purpose of private gain or profit; or
- (4) Which, while containing reading matter other than advertising matter, is predominantly and essentially an advertisement, and is distributed or circulated for advertising purposes, or for the private benefit and gain of any person so engaged as advertiser or distributor.

Garbage is putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

Litter is garbage, refuse and rubbish as defined herein and all other waste material.

Newspaper is any newspaper of general circulation or any newspaper duly entered with the post office department of the United States, in accordance with federal statute or regulation and, in addition thereto, shall mean and include any periodical or magazine regularly published with not less than four (4) issues per year, and sold to the public.

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Noncommercial handbill is any printed or written matter, any sample, or device, dodger, circular, leaflet, pamphlet, newspaper, magazine, paper, booklet, or any other printed or otherwise reproduced original or copies of any matter of literature not included in the definitions of a commercial handbill or newspaper.

Person is any person, firm, partnership, association, corporation, company or organization of any kind.

Private premises is any dwelling, house, building, or other structure designed or used either wholly or in part for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.

Public place is any and all streets, sidewalks, boulevards, alleys or other public ways and any and all public squares, spaces, grounds, public parks, tot lots and public buildings.

Refuse is all putrescible and nonputrescible solid wastes (except body wastes), including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, and solid market and industrial wastes.

Rubbish is nonputrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery and similar materials.

Vehicle is every device in, upon or by which any person or property is or may be transported or drawn upon a highway including devices used exclusively upon stationary rails or tracks.

Village is the Village of Palatine, Illinois.
(Ord. No. O-63-75, §2, 8-11-75)

Sec. 12-192. Litter in public places.

No person shall throw or deposit litter in or upon any street, sidewalk or other public place within the Village except in public receptacles, in authorized receptacles for collection, or in duly licensed landfills.

For special gatherings and events held on public property and approved in writing by the Village of Palatine, proper receptacles for litter must be provided by the person or organization authorized to use the public property. Within forty-eight (48) hours after any such gathering or event, all litter must be disposed of as provided herein by the responsible party. If inclement weather prevents such removal, additional time may be provided through direct request to the office of the Environmental Health Field Director. If said gathering or event is of a continuous nature, daily clearing of the litter must be provided, with the litter deposited in suitable receptacles for removal by the responsible party. (Ord. No. O-63-75, §1, 8-11-75)

Sec. 12-193. Private property to be kept free of litter; nuisance.

Persons owning or occupying property shall keep their property free of litter. The failure of persons owning or occupying property to properly dispose of litter located on such property is a public nuisance, and shall be subject to the abatement provisions of Article XXII of this chapter and the penalty provisions of Article XXIII of Chapter 12 of this Code. (Ord. No. O-63-75, §1, 8-11-75; Ord. No. O-1-84, §1, 1-9-84)

Sec. 12-194. Litter thrown by persons in vehicles.

No persons, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or other public place within the Village, or upon private property. (Ord. No. O-63-75, §1, 8-11-75)

Sec. 12-195. Litter in lakes and fountains.

No person shall throw or deposit litter in any fountain, pond, lake, stream, bay, creek, or any other body of water within the Village. (Ord. No. O-63-75, §1, 8-11-75)

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Sec. 12-196. Throwing or distributing handbills in public places.

No person shall throw or deposit any commercial or noncommercial handbill or any other advertisement in or upon any sidewalk, street or other public place within the Village. (Ord. No. O-63-75, §1, 8-11-75)

Sec. 12-197. Placing commercial and noncommercial handbills on vehicles.

No person shall throw or deposit any commercial or noncommercial handbill in or upon any vehicle. Provided, however, that it shall not be unlawful in any public place for a person to hand out or distribute, without charge, a noncommercial handbill to any occupant of a vehicle who is willing to accept it. (Ord. No. O-63-75, §1, 8-11-75)

Sec. 12-198. Depositing commercial and noncommercial handbills on uninhabited or vacant premises.

No person shall throw or deposit any commercial or noncommercial handbill in or upon any private premises which are continuously uninhabited or vacant. (Ord. No. O-63-75, §2, 8-11-75)

Sec. 12-199. Distributing commercial and noncommercial handbills at inhabited private premises.

No person shall throw, deposit or distribute any commercial or noncommercial handbill in or upon private premises which are inhabited, except by handing or transmitting any such handbill directly to the owner, occupant, or other person then present in or upon such private premises, or by placing or depositing the same in such manner as to secure or prevent such handbill from being blown or drifted about such premises of sidewalks, streets or other public places. Mailboxes may not be used for this purpose when prohibited by federal postal law or regulations. (Ord. No. O-63-75, §2, 8-11-75)

Sec. 12-200. Exemption for mail or newspapers.

The provisions of the foregoing section 12-199 shall not apply to the distribution of mail by the United States, nor to newspapers (as defined herein). (Ord. No. O-63-75, §2, 8-11-75)

Sec. 12-201. Dropping litter from aircraft.

No person in an aircraft shall throw out, drop or deposit any litter upon any property in the Village. (Ord. No. O-63-75, §2, 8-11-75)

Sec. 12-202. Reserved.

(Ord. No. O-63-75, §2, 8-11-75; Ord.No.0-82-98, §1,6-8-98; Ord.No.0-167-98, §1, 10-26-98; Ord. 0-127-06, §1, 7/17/06)

Sec. 12-203. Litter on vacant lots.

No person shall throw or deposit litter on any open or vacant private property within the Village. (Ord. No. O-63-75, §1, 8-11-75)

Sec. 12-204. Penalties.

Except as otherwise provided in section 12-193, any person violating any provision of this article shall be fined not less than fifty dollars (\$50.00) nor more than two hundred and fifty dollars (\$250.00) for the first such offense. Any person violating any provision of this article shall be subject to a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for the second such violation and a fine of not less than one hundred and fifty dollars (\$150.00) nor more than one thousand dollars (\$1,000.00) for the third and subsequent violations within a one-year period. (Ord. No. O-63-75, §1, 8-11-75; Ord. No. O-1-84, §3, 1-9-84; Ord .No. 0-5-98, §16,1-26-98))

Editor's note--Section 2 of Ord. No. O-1-84, adopted Jan. 9, 1984, repealed §12-204 as said section pertained to the notification to owners to properly dispose of litter on open private property and as derived from Ord. No. O-63-75, §1, adopted Aug. 11, 1975. Section 3 of Ord. No. O-1-84 then renumbered §12-205 as § 12-204 and amended said section as herein set out.

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Secs. 12-205--12-214. Reserved.

ARTICLE XIII. REGULATION OF PARADES AND MOTORCADES

Sec. 12-215. Definitions.

Parade "Parade" means a march, procession, or other similar activity consisting of persons, animals, vehicles, or things, or any combination thereof, upon a public street, sidewalk, alley, or other public place, which requires a street closing or otherwise requires stopping or rerouting vehicular traffic because the parade will not or cannot comply with normal and usual traffic regulations or controls. "Parade" does not include a political protest, march, demonstration, or other assembly protected by the First Amendment..

Motorcade: "Motorcade" means an organized procession containing twenty-five (25) or more vehicles, except funeral processions, upon any public street, sidewalk or alley. (Ord. No. O-56-77, §1, 6-13-77)

Sec. 12-216. Permit required.

It shall be unlawful for any person to conduct a parade or motorcade in or upon any public street, sidewalk or alley in the Village, or knowingly participate in any such parade unless and until a permit to conduct such a parade or motorcade has been obtained from the Village Manager, or, as hereinafter provided, from the Mayor and Council of the Village of Palatine. (Ord. No. O-56-77, §1, 6-13-77)

Sec. 12-217. Parade or motorcade for commercial purpose prohibited.

No permit shall be issued authorizing the conduct of a parade or motorcade which is to be held for the sole purpose of advertising any product, goods, wares, merchandise and is designed to be held purely for private profit. (Ord. No. O-56-77, §1, 6-13-77)

Sec. 12-218. Interference with parade or motorcade.

No person shall knowingly join or participate in any parade or motorcade conducted under permit from the Village of Palatine in violation of any of the terms of said permit or knowingly join or participate in any permitted parade or motorcade without the consent and over the objection of the permittee, nor in any manner interfere with its progress or orderly conduct. (Ord. No. O-56-77, §1, 6-13-77)

Sec. 12-219. Application for permit.

Any person who desires to conduct a parade or motorcade shall apply to the Village Manager for a permit at least ten (10) days in advance of the date of the proposed parade or motorcade. The application for such permit shall be in writing on a form approved by the Mayor and Council of the Village of Palatine or in a form acceptable to the Village Manager. The Village Manager may waive the ten-day requirement as provided herein. In order that adequate arrangements may be made for the proper policing of the parade or motorcade, the application shall contain the following information:

- (1) The name of the applicant, the sponsoring organization, the parade or motorcade chairman, and the addresses and telephone numbers of each.
- (2) The nature of the parade or motorcade, the date when it is proposed to be conducted, the location of the assembly area, the location of the disbanding area, route to be traveled and the approximate time when the parade or motorcade will assemble, start and terminate.
- (3) A general description of the units to be used.
- (4) A permit fee in the amount of one hundred dollars (\$100.00) must accompany each application. All applications shall be reviewed and approved prior to issuance of any permit. The Village Manager may waive or otherwise discount required fees when deemed to be in the best interest of the Village or community.

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The Village Manager shall immediately forward a copy of the application to the Chief of Police and the Fire Chief. (Ord. No. O-56-77, §1, 6-13-77)

Sec. 12-220. Issuance or denial of permit.

(a) *Standards of issuance.* The Village Manager shall issue a parade or motorcade permit conditioned upon the applicant's written agreement to comply with the contents of such a permit as hereinafter specified, unless it is found that:

- (1) The time, route and size of the parade or motorcade will disrupt to an unreasonable extent the movement of other traffic.
- (2) The parade or motorcade is of a size or nature that requires the diversion of so great a number of police officers of the Village to properly police the line of movement and the areas contiguous thereto that allowing the parade or motorcade would deny reasonable police protection to the Village.
- (3) Such parade or motorcade will interfere with another parade or motorcade for which a permit has been issued.

(b) *Standards for denial.* The Village Manager shall deny an application for a parade or motorcade permit and notify the applicant of such denial where:

- (1) The Village Manager makes any finding contrary to the findings required to be made for the issuance of a permit as above specified.
- (2) The information contained in the application is found to be false or nonexistent in any material detail.
- (3) The applicant refuses to agree to abide by or comply with all the contents of the permit.

(c) *Time for issuance or denial.* The applicant shall be informed of the issuance or denial of the permit within seven (7) days of the filing of the application for same. (Ord. No. O-56-77, §1, 6-13-77)

Sec. 12-221. Contents of permit.

In each permit, the following shall be specified:

- (1) The assembly area and time therefor.
- (2) The starting time.
- (3) The minimum and maximum speeds of any motor vehicles.
- (4) The route of the parade or motorcade.
- (5) What portions of streets to be traversed may be occupied by such parade or motorcade.
- (6) The maximum length of such parade or motorcade in miles or fractions thereof.
- (7) The disbanding area and disbanding time.
- (8) The permittee shall advise all participants in the parade or motorcade, either orally or by written notice, of the terms and conditions of the permit prior to the commencement of such parade or motorcade.
- (9) That the parade or motorcade continue to move at a fixed rate of speed and that any willful delay or willful stopping of said parade or motorcade except that which is reasonably required for the safe and orderly conduct of the parade or motorcade shall constitute a

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violation of the permit, all conditions of the permit shall be complied with so far as reasonably practical.
(Ord. No. O-56-77, §1, 6-13-77)

Sec. 12-222. Appeal procedure.

Upon a denial by the Village Manager of an application made pursuant to section 12-219 of this article, the applicant may appeal from the determination of the Village Manager within five (5) days thereafter to the Mayor and Council by filing a written notice of appeal at its next meeting. Upon such appeal, the Mayor and Council may reverse, affirm or modify in any regard the determination of the Village Manager. In the event the application is not filed within the required time as specified in section 12-219, the applicant may request a waiver of such requirement by the Mayor and Council at its next regular meeting, or at a special meeting which may be called prior thereto by said Mayor and Council to consider such a matter. The Mayor and Council, if they find unusual circumstances and in the exercise of their sound discretion, may waive such requirement. (Ord. No. O-56-77, §1, 6-13-77)

Sec. 12-223. Officials to be notified.

Immediately upon the granting of a permit for a parade or motorcade, the Village Manager shall send a copy thereof to:

- (1) The Mayor and Council.
 - (2) The Chief of Police.
 - (3) The Fire Chief.
- (Ord. No. O-56-77, §1, 6-13-77)

Secs. 12-224--12-229. Reserved.

ARTICLE XIV. REGULATION OF ADULT BOOKSTORES AND ADULT MOVIE THEATERS*

*Cross reference(s)--Indecent publications, §12-9.

Sec. 12-230. Definitions.

For purposes of this article, the following definitions shall apply:

- (1) *Adult bookstore*: An establishment having as a substantial or significant portion of its stock in trade explicit sexual material or an establishment with a segment or section devoted to the sale or display of such materials.
- (2) *Adult movie theater*: An enclosed building with the capacity of fifty (50) or more persons used for the presentation of explicit sexual material.
- (3) *Explicit sexual material*:
 - (a) Any picture, drawing, photograph, motion picture or other pictorial representation which depicts actual or simulated acts of human sexual intercourse, sodomy, bestiality, oral copulation, masturbation, excretory functions, torture in the context of sexual relationship or exhibition of the genitals in a state of sexual stimulation or arousal.
 - (b) Any artificial human penis or vagina or device primarily designed to stimulate genitals. Any description, advertisement or offer to sell or distribute such an artificial organ or device that presents either a pictorial representation or a detailed verbal description of such artificial organ or device or its manner of use.

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(d) Any book, magazine, newspaper or other printed or written material which is made up in whole or in dominant part of depictions or descriptions of human sexual intercourse, oral copulation, bestiality, sodomy, masturbation or torture in the context of the sexual relationship. (Ord. No. O-54-77, §2, 6-13-77)

Sec. 12-231. Regulations.

No adult bookstore or adult movie theater shall operate or do business within the Village of Palatine, except as a special use in a B-5 Highway Business District. Said adult bookstore or adult movie theater granted a special use shall be subject to the following restrictions:

- (1) No adult bookstore or adult movie theater:
 - (a) Shall be located within a one thousand-foot radius of any other adult bookstore or adult movie theater.
 - (b) Shall be located within a two thousand-foot radius of any public or private school, day care center or nursery.
 - (c) Shall be located within a thirteen hundred twenty-foot radius of any facility holding a liquor license.
 - (d) Shall be located within a thirteen hundred twenty-foot radius of a church, synagogue, or other place of worship.
 - (e) Shall be located within a two thousand-foot radius of any public park.
- (2) It shall be unlawful to sell or offer for sale, or to circulate, pass from one (1) 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 publication, printed or written picture or other representation.
- (3) 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 minors.

(Ord. No. O-54-77, §2, 6-13-77)

Secs. 12-232--12-240. Reserved.

ARTICLE XV. VANDALISM*

***Editor's note**--Ord. No. O-97-80, §§1, 2, enacted Dec. 8, 1980, amended Art. XV by repealing §§12-241, 12-243 and 12-244, renumbering § 12-242 as 12-241 and by adding a new § 12-242. Former §§12-241, 12-243 and 12-244 defined terms applicable to Art. XV and set forth the penalty and liability for violation of the article. Said former sections were derived from Ord. No. O-90-76, §1, adopted Oct. 11, 1976; Ord. No. O-94-77, §1, adopted Sept. 12, 1977; and Ord. No. O-96-80, §1, 2, adopted Dec. 8, 1980.

Cross reference(s)--Injury to public property, §12-1; see also Art. XVIII.

Sec. 12-241. Offenses.

No person shall commit any of the following acts within the corporate limits of the Village of Palatine:

- (1) Maliciously, recklessly, or knowingly damage, deface, or destroy any property of another person without his/her consent; or

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- (2) Maliciously, recklessly, or knowingly start a fire on the land of another person without his/her consent; or
- (3) Maliciously, recklessly, or knowingly deposit on the land or in a building of another person, without his/her consent, any stink bomb, or any offensive smelling compound and thereby interfere with the use and occupancy by another of the land or building.

(Ord. No. O-90-76, §1, 10-11-76; Ord. No. O-97-80, §1, 12-8-80)

Sec. 12-242. Penalty.

A person convicted of a violation of any provision of this article shall be fined not less than seventy-five dollars (\$75.00) or in excess of one thousand five hundred dollars (\$1,500.00) for each offense. (Ord. No. O-97-80, §2, 12-8-80; Ord.No.0-5-98, §15,1-26-98)

Secs. 12-243--12-249. Reserved.

ARTICLE XVI. THEFT*

*Cross reference(s)--See Art. XVIII.

Sec. 12-250. Elements of the offense.

A person commits theft when he/she knowingly:

- (1) Obtains or exerts unauthorized control over property of the owner; or
- (2) Obtains by deception control over property of the owner; or
- (3) Obtains by threat control over property of the owner; or
- (4) Obtains control over stolen property knowing the property to have been stolen by another or under such circumstances as would reasonably induce him/her to believe that the property was stolen, and:
 - (a) Intends to deprive the owner permanently of the use or benefit of the property; or
 - (b) Knowingly uses, conceals or abandons the property in such manner as to deprive the owner permanently of such use or benefit; or
 - (c) Uses, conceals, or abandons the property knowing such use, concealment or abandonment probably will deprive the owner permanently of such use or benefit.

(Ord. O-92-78, §1, 10-9-78)

Sec. 12-251. Value of goods.

This article shall apply only to goods or services having a value of five hundred dollars (\$500.00) or less. (Ord. No. O-92-78, §1, 10-9-78)

Sec. 12-252. Penalty.

A person convicted of a violation of any provision of this article shall be fined not less than seventy-five dollars (\$75.00) nor more than two hundred fifty dollars (\$250.00) for the initial conviction, and not less than five hundred dollars (\$500.00) nor more than one thousand five hundred dollars (\$1,500.00) for any

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subsequent conviction. (Ord. No. O-92-78, §1, 10-9-78; Ord.No. 0-5-98, §15,1-26-98)

Secs. 12-253--12-259. Reserved.

ARTICLE XVII. RETAIL THEFT (SHOPLIFTING)*

*Cross reference(s)--See Art. XVIII.

Sec. 12-260. Legislative declaration.

It is recognized by the Village that a substantial burden is placed upon the economy of the Village because of incidences of retail theft. This is a matter of great concern to the people of this Village who have a right to be protected in their safety and welfare from the effects of this offense. (Ord. No. O-93-78, §1, 10-9-78)

Sec. 12-261. Definitions.

For the purposes of this article, the words and phrases defined in this section have the meanings ascribed to them unless a contrary meaning is clear from the context:

Conceal: To "conceal" merchandise means that, although there may be some notice of its presence, that merchandise is not visible through ordinary observation.

Full retail value: "Full retail value" means the merchant's stated or advertised price of the merchandise.

Merchandise: "Merchandise" means any type of tangible personal property.

Merchant: "Merchant" means an owner or operator of any retail mercantile establishment or any agent, employee, lessee, consignee, officer, director, franchisee or independent contractor of such owner or operator.

Minor: "Minor" means a person who is less than nineteen (19) years of age, is unemancipated and resides with their parents or legal guardian.

Peace officer: "Peace officer" means any person who by virtue of his/her office or public employment is vested by law with a duty to maintain public order or to make arrests for offenses whether that duty extends to all offenses or is limited to specific offenses.

Person: "Person" means any natural person or individual.

Premises of a retail mercantile establishment: "Premises of a retail mercantile establishment" includes, but is not limited to, the retail mercantile establishment, any common use areas in shopping centers and all parking areas set aside by a merchant or on behalf of a merchant for the parking of vehicles for the convenience of the patrons of such retail mercantile establishment.

Retail mercantile establishment: "Retail mercantile establishment" means any place where merchandise is displayed.

Shopping cart: "Shopping cart" means those push carts of the type or types which are commonly provided by grocery stores, drugstores or other retail mercantile establishments for the use of the public in transporting commodities in stores and markets and, incidentally, from the stores to a place outside the store.

Under-ring: "Under-ring" means to cause the cash register or other sales recording device to reflect less than the full retail value of the merchandise. (Ord. No. O-93-78, §1, 10-9-78)

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Sec. 12-262. Offense of retail theft.

A person commits the offense of retail theft when he/she knowingly:

- (1) Takes possession of, carries away, transfers or causes to be carried away or transferred, any merchandise displayed, held, stored or offered for sale in a retail mercantile establishment with the intention of retaining such merchandise or with the intention of depriving the merchant permanently of the possession, use or benefit of such merchandise without paying the full retail value of such merchandise; or
- (2) Alters, transfers, or removes any label, price tag, marking, indicia of value or any other markings which aid in determining value affixed to any merchandise displayed, held, stored or offered for sale, in a retail mercantile establishment and attempts to purchase such merchandise personally or in consort with another at less than the full retail value with the intention of depriving the merchant of the full retail value of such merchandise; or
- (3) Transfers any merchandise displayed, held, stored or offered for sale, in a retail mercantile establishment from the container in or on which such merchandise is displayed to any other container with the intention of depriving the merchant of the full retail value of such merchandise; or
- (4) Under-rings with the intention of depriving the merchant of the full retail value of the merchandise; or
- (5) Removes a shopping cart from the premises of a retail mercantile establishment without the consent of the merchant given at the time of such removal with the intention of depriving the merchant permanently of the possession, use or benefit of such cart.
- (6) Represents to a merchant that he, she, or another is the lawful owner of property, knowing that such representation is false, and conveys or attempts to convey that property to a merchant who is the owner of the property in exchange for money, merchandise credit or other property of the merchant; or
- (7) Uses or possesses any theft detection shielding device or theft detection device remover with the intention of using such device to deprive the merchant permanently of the possession, use or benefit of any merchandise displayed, held, stored or offered for sale in a retail mercantile establishment without paying the full retail value of such merchandise; or
- (8) Obtains or exerts unauthorized control over property of the owner and thereby intends to deprive the owner permanently of the use or benefit of the property when a lessee of the personal property of another fails to return it to the owner, or if the lessee fails to pay the full retail value of such property to the lessor in satisfaction of any contractual provision requiring such.

(Ord. No. O-93-78, §1, 10-9-78)

Sec. 12-263. Presumptions.

If any person:

- (1) Conceals upon his/her person or among his/her belongings, unpurchased merchandise displayed, held, stored or offered for sale in a retail mercantile establishment; and
- (2) Removes that merchandise beyond the last-known station for receiving payments for that merchandise in that retail mercantile establishment;

such person shall be presumed to have possessed, carried away or transferred such merchandise with the intention of retaining it or with the intention of depriving the merchant permanently of the possession, use or benefit of such merchandise without paying the full retail value of such merchandise. (Ord. No. O-93-78,

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1, 10-9-78)

Sec. 12-264. Detention.

Any merchant who has reasonable grounds to believe that a person has committed retail theft may detain such person, on or off the premises of a retail mercantile establishment, in a reasonable manner and for a reasonable length of time for all or any of the following purposes:

- (1) To request identification;
- (2) To verify such identification;
- (3) To make reasonable inquiry as to whether such person has in his possession unpurchased merchandise and, to make reasonable investigation of the ownership of such merchandise;
- (4) To inform a peace officer of the detention of the person and surrender that person to the custody of a peace officer;
- (5) In the case of a minor, to inform a peace officer, the parents, guardian or other private person interested in the welfare of that minor of this detention and to surrender custody of such minor to such person.

A merchant may make a detention as permitted herein off the premises of a retail mercantile establishment only if such a detention is pursuant to an immediate pursuit of such person. (Ord. No. O-93-78, §1, 10-9-78)

Sec. 12-265. Affirmative defense.

A detention as permitted in this article does not constitute an arrest or an unlawful restraint, as defined in the Illinois Compiled Statutes, nor shall it render the merchant liable to the persons so detained. (Ord. No. O-93-78, §1, 10-9-78)

Sec. 12-266. Value of goods.

This article shall apply only to goods having a value or full retail value of three hundred dollars (\$300.00) or under. (Ord. No. O-93-78, §1, 10-9-78)

Sec. 12-267. Penalty.

A person convicted of a violation of any provision of this article shall be fined not less than seventy-five dollars (\$75.00) nor more than two hundred fifty dollars (\$250.00) for the initial conviction, and not less than five hundred dollars (\$500.00) nor more than one thousand five hundred dollars (\$1,500.00). (Ord. No. O-93-78, §1, 10-9-78; Ord. No. 0-5-98, §15,1-26-98)

ARTICLE XVIII. PARENTAL RESPONSIBILITY

Sec. 12-268. Definitions.

The following definitions shall apply to Articles XV, XVI, XVII and XVIII:

- (1) *Knowingly.* Having general knowledge of, or reason to know, or a belief or ground for belief which warrants further inquiry or inspection.
- (2) *Legal Guardian.* A person appointed guardian, or given custody, of, a minor by a Circuit Court of this State but does not include a person appointed guardian or given custody of a minor under the Juvenile Court Act.
- (3) *Parent.* A natural or adoptive parent or court designated guardian.

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- (4) *Person* shall include any individual, firm, partnership, association, corporation, company or organization of any kind.
- (5) *Property* shall include any real estate, including improvements thereon, and tangible personal property.
- (6) *Unemancipated Minor.* A person under the age of eighteen (18) years still under the care and custody of his or her parents.
- (7) *Willful.* Proceeding from a conscious and voluntary intentional motion of the will.
(Ord. No. O-97-80, §3, 12-8-80; Ord. No. 0-27-95, §10, 4-10-95)

Sec. 12-269. General Parental Responsibility.

It shall be unlawful for any parent or legal guardian of an unemancipated minor residing with said parent or legal guardian to knowingly allow or to knowingly permit said minor to violate or attempt to violate any state law or municipal ordinance or to knowingly or negligently act, or fail to act, in such a manner as to facilitate or contribute to any violation or attempted violation of any state law or municipal ordinance by said minor.

Sec. 12-270. Liability of Parent or Legal Guardian of Minor Offender.

Subject to the conditions contained in 12-269 the parent or legal guardian of an unemancipated minor who has custody of such minor shall be jointly and severally liable for any fine, condition or reparation imposed by a court and, for full restitution to any injured or damaged party or parties for the willful or malicious acts of said minor child provided that said amount shall not exceed \$1,000; provided however, that said parent or legal guardian has been served with a summons or notice to appear and written notice setting forth the charges against said minor child in the original cause as provided by law. Any person who willfully fails or refuses to answer said summons or notice to appear and to make payment in full of any amount found due to the court and to the injured or damaged party, as provided herein, or who violates any of the provisions of this section shall additionally be fined in accordance with the provisions of this Ordinance.

Sec. 12-271. Penalty.

Subject to the requirements contained in Section 12-269 and 12-270 any parent or legal guardian who fails or refuses to appear in court to answer a summons or notice to appear issued in conjunction with a charge or charges brought under this section against their unemancipated minor or who fails to make payment in full of any amount found due to the court and to the injured or damaged party (provided that said amounts shall not exceed \$1,000) shall be fined not less than seventy-five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00) for each such instance and shall be liable for said fine in addition to any fines, fees, costs, or restitution ordered to any injured or damaged party by the court. (Ord. No. 0-31-95, §10, 4-10-95; Ord. No. 0-5-98, §15, 1-26-98)

Secs. 12-272--12-275. Reserved.

ARTICLE XIX. TRESPASS

Sec. 12-276. Trespass prohibited.

It shall be unlawful for any person, firm or corporation to commit a trespass within this municipality upon either public or private property; or maliciously, recklessly, or knowingly and without authority enter into any building, house trailer, motor vehicle, aircraft or water craft or any part thereof of another person without his/her consent; provided, however, nothing herein shall prevent duly authorized representatives of the Village from being upon public or private property in the performance of their official duties and responsibilities under applicable statutes and ordinances. (Ord. No. O-91-79, §1, 7-9-79)

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Sec. 12-277. Specifically enumerated trespasses; suppression.

Without constituting any limitation upon the provisions of section 12-276, any of the following acts by any person, firm or corporation shall be deemed included among those that constitute trespasses in violation of the provisions of said section 12-276, and appropriate action may be taken hereunder at any time, or from time to time, to prevent or suppress any violation or violations of this article, the aforesaid enumerated acts so included, being as follows, to wit:

- (a) An entry upon the premises, or any part thereof, of another, including any public property in violation of a notice posted or exhibited at the main entrance to said premises or at any point of approach or entry or in violation of any notice, warning or protest given orally or in writing, by any owner or occupant thereof; or
- (b) The pursuit of a course of conduct or action incidental to the making of an entry upon the land of another in violation of a notice posted or exhibited at the main entrance to said premises or at any point of approach or entry, or in violation of any notice, warning or protest given orally or in writing by any owner or occupant thereof; or
- (c) A failure or refusal to depart from the premises of another in case of being requested, either orally or in writing, to leave by any owner or occupant thereof; or
- (d) An entry into or upon any vehicle, aircraft or watercraft made without the consent of the person having the right to the possession or control thereof, or a failure or refusal to leave any such vehicle, aircraft or watercraft after being requested to leave by the person having such right.
- (e) Maliciously, recklessly, or knowingly and without authority enter into any building, house trailer, motor vehicle, aircraft or water craft or any part thereof of another person without his/her consent.

(Ord. No. O-91-79, §1, 7-9-79)

Sec. 12-278. Penalties.

Any person, firm or corporation violating any of the provisions of this article shall, upon conviction thereof, be fined in an amount not exceeding seven hundred fifty dollars (\$750.00). (Ord. No. O-91-79, §1, 7-9-79; Ord. No. 0-5-98, §15, 1-26-98)

Secs. 12-279–12-281. Reserved.

ARTICLE XX. OBSTRUCTING PUBLIC EASEMENTS

Sec. 12-282. Blockage of easement or right-of-way.

It shall be unlawful for any owner or occupier of real property, under, over, upon or through which the Village owns an easement or right-of-way, to block or obstruct or knowingly permit the blockage or obstruction of said easement or right of way. This shall include, but not be limited to, sheds, dog houses, landscaping beds, trees and other miscellaneous obstructions that that would hinder or impact any potential maintenance or use of the easement. (Ord. No. O-81-80, §1, 10-27-80)

Sec. 12-283. Removal required; notice.

It shall be the duty of the Director of Public Works, upon discovery of any obstruction which blocks or obstructs a Village easement or right-of-way, to serve notice upon the owner or occupant of such premises and to demand the removal of said obstruction forthwith. (Ord. No. O-81-80, §1, 10-27-80)

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Sec. 12-284. Abatement.

If the person, firm or corporation so served with notice, as provided in section 12-283 above, does not cause removal of such obstruction or blockage within ten (10) days following receipt of said notice, the Director of Public Works may proceed to cause the same to be removed, keeping a true and correct account of the expenses thereof, and such expenses shall be charged to and paid to the Village by said owner or occupant; provided, however, that in the event, in the opinion of the Village Manager, it is urgently necessary for the health, safety and welfare of the public that such obstruction be removed immediately or at any time prior to the expiration of said ten-day period, the Village may forthwith remove the obstruction immediately following personal delivery of said notice to the owner or occupant, or if such premises are not occupied, by certified or registered mail to the record owner thereof.
(Ord. No. O-81-80, §1, 10-27-80)

Sec. 12-285. Lien--Procedure for filing.

The Village's reasonable expenses of removal of said obstruction, as provided in section 12-284 above, shall be and constitute a lien upon said premises. Whenever a bill or statement from the Village to the owner or occupant of such premises for such expenses remains unpaid sixty (60) days after it has been rendered, the Village Clerk may file with the county recorder of deeds of Cook County a statement of lien claim. This statement shall contain the legal description of the premises involved, the amount of the unpaid bill and a notice that the Village claims a lien for this amount.

A copy of the said lien claim shall be mailed to the owner of the premises; provided, however, that failure of the clerk to record such lien or to mail such notice or the failure of the owner to receive such notice shall not affect the right to foreclose the lien for such expenses as provided in the following section 12-286.
(Ord. No. O-81-80, §1, 10-27-80)

Sec. 12-286. Same--Foreclosure.

Property subject to a lien claim hereunder may be sold for nonpayment of the same upon foreclosure of said lien by the Village in any court of competent jurisdiction. Proceeds of such sale shall be applied to pay the Village's charges and expenses after deducting costs, as in the case of foreclosure of statutory liens.
(Ord. No. O-81-80, §1, 10-27-80)

ARTICLE XXI. BURGLARY OR ROBBERY ALARM SYSTEMS

Sec. 12-287. Alarm user permits required; fee; application.

It shall be unlawful for any person, firm or corporation to have or maintain on any premises any type of burglary or robbery alarm, calling for emergency response by the Palatine Police Department, without first having obtained a Village of Palatine permit for such alarm issued by the Palatine Police Department. An annual alarm permit fee shall be collected for each residential and commercial address with a burglary or robbery alarm as listed in the Village Fee Schedule. All applications shall be reviewed and approved by the Palatine Police Department prior to issuance of any permit. (Ord. No. O-59-81, §1, 6-9-81)

Sec. 12-288. Unlawful use prohibited.

It shall be unlawful for any user of any type of burglary or robbery alarm to fail to appear and turn off or reset any such alarm within one hour after being notified by the Police Department to do so. (Ord. No. O-59-81, §1, 6-9-81)

Sec. 12-289. False alarms prohibited; fees for response; suspension or revocation of permit.

(a) For the purposes of this section:

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- (1) *False alarm.* The term "false alarm" shall mean the activation of a burglary or robbery alarm at a time when no burglary or robbery is being committed or attempted on the premises, and when the person activating such alarm has no reasonable cause to believe a burglary or robbery is being committed.
- (2) *Police response.* The term "police response" shall mean the actual physical presence of one or more Village law enforcement officers at the premises of the alarm system in question in response to a report of activation of said alarm system.

(b) It shall be unlawful for any person to activate a false alarm or for any person to notify the police of the activation of an alarm having the knowledge that such activation was caused by an electrical or other malfunction of the alarm system without also notifying the police of such malfunction.

- (c) In the event the Palatine Police responds to three or more responses within a six-month rolling period, the Village of Palatine shall issue a ticket and assess a fine to the person having or maintaining such burglary and/or robbery or trespass, elevator emergency or fire alarm on premises owned or occupied by him/her, not less than one hundred (\$100.00) dollars and up to seven hundred and fifty (\$750.00) dollars per alarm occurrence.
- (d) The Village reserves the right to hold a Business Revocation Hearing for commercial properties in violation of this Article pursuant to Sec. 11-15. Suspension or revocation of license or permit.

Sec. 12-290. Automatic dialing of police department or fire department prohibited.

No person, firm or corporation shall use or cause or permit to be used, or engage in the business of providing any telephone device or telephone attachment that automatically selects a public trunk line of the police or fire department of the Village of Palatine and then reproduces any prerecorded message or sound to report any robbery, burglary, fire or other emergency. (Ord. No. O-59-81, §1, 6-9-81)

Sec. 12-291. Penalty for violations.

Any person who intentionally activates an alarm system for the purpose of summoning police, except in the event of an actual or attempted robbery, burglary or other bona fide police emergency, or notifying the police of the activation of an alarm having knowledge that such activation was caused by malfunction of the alarm system without also first notifying the police of such malfunction; or any person, firm or corporation that fails to:

- (a) Obtain an alarm system user permit as required in section 12-287;
- (b) File a written report as required by section 12-289;
- (c) Submit to inspection of the alarm system as required by section 12-289d
- (d) Pay the fee required by section 12-289;
- (e) Obey any lawful order of the Village Manager of suspension, revocation or disconnection of an alarm user permit;

shall be punished by a fine of not less than fifty dollars (\$50.00), nor more than seven hundred fifty dollars (\$750.00) for each offense, and each day that such violation continues shall be a separate offense. (Ord. No. O-59-81, §1, 6-9-81; Ord. No. 0-5-98, §15, 1-26-98)

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ARTICLE XXII. ABATEMENT OF NUISANCES

Sec. 12-292. Abatement procedure.

The following shall be the procedure for the abatement of nuisances within the jurisdiction of the Village of Palatine.

(1) Notice. Unless otherwise provided for in this Code, upon the determination that a nuisance exists, the Village authorities shall give notice as follows:

- (a) Notice shall be given to the owner of the nuisance or of the property on which the nuisance exists. For purposes of this section, the person to whom the last general tax bill on the property was sent shall be presumed the owner.
- (b) Notice shall be served upon the owner personally or by first class mail addressed to the owner. If the nuisance has not been abated four (4) days after the mailing of such notice by first class mail, notice may be served upon such owner by posting the notice in a prominent place on or about the property identified in the notice
- (c) Notice shall state the location and nature of the nuisance.
- (d) Notice may apprise the owner that if the nuisance is not abated within a specified number of days, the Village shall, at the expense of such owner, have such nuisance abated. Ten (10) days shall be such specified number unless otherwise stated in this code.

(2) Abatement. If upon the giving of notice, the owner fails to abate said nuisance within the time specified in the notice, the Village authorities are hereby authorized to effect the abatement of said nuisance, and to assess the cost thereof against the owner of the land upon which the nuisance exists. The amount of such costs shall be paid by such owner to the Village. No building permit shall be required for the Village authorities to abate a nuisance.

(3) If the nuisance is of such threat to the welfare and comfort of the community that it must be abated immediately, the Village Manager or his/her designee is hereby authorized to take whatever steps are necessary to effect the abatement of same.

(Ord. No. O-105-82, §1, 11-8-82; Ord. 0-91-08, §2, 7/14/08)

Sec. 12-293. Assessment of liens for the costs of nuisance abatement.

The cost of such abatement shall constitute a lien upon the real estate effected, superior to all subsequent liens and encumbrances, except tax liens, if within sixty (60) days after such cost or expense is incurred the Village, or the person performing the service by authority of the Village in his/her or the Village's name, files notice of lien in the office of the recorder of deeds of Cook County, or in the office of the Registrar of Titles if the real estate effected is registered under the Torrens System.

The notice shall consist of a sworn statement setting out:

- (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.
- (3) The date or dates when such cost and expense was incurred by the municipality.

However, the lien of the Village shall not be valid as to any purchaser whose rights in and to such real estate have arisen subsequent to the abatement and prior to the filing of such notice, and the lien of the Village shall not be valid as to any mortgages, judgment creditor, or other lien or whose rights in and to such real estate arise prior to the filing of such notice. Upon payment of the cost and expense by the owner or persons interested in such property after notice of lien has been filed, the lien shall be released by the Village of the person in whose name the lien was filed and such release may be filed of record as in the case of filing

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notice of lien.

The cost of such abatement shall not be a lien upon the real estate effected unless a notice shall be served according to 12-292, paragraph (1) of this chapter. (Ord. No. O-105-82, §1, 11-8-82)

ARTICLE XXIII. PENALTY FOR NUISANCE VIOLATIONS

Sec. 12-294. Penalty.

Any person, firm or corporation causing any nuisance enumerated in this Code shall be subject to a fine of not less than two hundred dollars (\$200.00) nor more than one thousand five hundred dollars (\$1,500.00). Each time such person shall continue or re-cause a nuisance after being found guilty for the same, a new cause of action shall immediately accrue; provided however that the offender shall be given notice for each offense as set forth in section 12-292 of this chapter, and shall be allowed a reasonable time to abate such additional nuisance unless it was willful or resulted in actual damage to another. (Ord. No. O-105-82, §1, 11-8-82; Ord. No. 0-5-98, §17, 1-26-98; Ord. No. 0-91-08, §3&4, 7/14/08)

ARTICLE XXIV. SPRAY PAINT

Sec. 12-294.1. Sale to minors.

It shall be unlawful for any person holding a retail business license to sell paint in spray cans to any person under the age of eighteen (18) years.

Any person holding a retail business license to sell paint in spray cans shall have posted in a conspicuous place, a sign which clearly states that "It is unlawful to sell spray paint to any person under the age of eighteen (18) years." (Ord. No. O-13-88, §1, 2-8-87)

ARTICLE XXV. RESERVED.

ARTICLE XXVI. REGULATION OF LIGHTING*

***Editor's note**--Ordinance No. O-109-89, adopted Aug. 14, 1989, amended Ch. 12 by adding a new Art. XXVI consisting of provisions numbered §§12-300--12-306. In order to conform to established Code format, and in order to provide possible future expansion of Art. XXV without the necessity of point-numbering, the editor has renumbered these new provisions as §§12-310--12-316. The original section numbers of these provisions have been preserved in the history notes following each section and in the Code Comparative Table at the back of this volume in order to aid the user in tracking.

Cross reference(s)--Streets and sidewalks, Ch. 16; street lighting requirements in subdivisions, App. B, §8.09.

Sec. 12-310. Definitions.

The following definitions shall apply in the interpretation and enforcement of this article:

Flood light. A luminaire designed so that at least ninety (90) percent of the emitted light is within an angle of thirty (30) degrees to the centerline of the light beam.

Foot lambert. One (1) foot lambert is the brightness of a perfectly diffusing surface uniformly

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emitting or reflecting one (1) lumen per square foot of surface.

Footcandle. One (1) footcandle is the amount of illumination provided by a light source of one (1) international candle at a distance of one (1) foot from the light source.

International candle or candle power. One (1) international candle is the unit of luminous intensity as established by standard light sources as maintained by the U.S. Bureau of Standards. This is more commonly called one (1) candle power.

Lumen. One (1) lumen is that quantity of luminous energy included in one (1) steradian unit solid angle from a uniform point source of one (1) candle power. It is also defined as the luminous flux intercepted by a surface of one (1) square foot, all points of which are one (1) foot from a uniform point source of one (1) candle power.

Luminare. A device or fixture containing a light source and means for directing and controlling the distribution of light emitted therefrom. (Ord. No. O-109-89, §1 (12-300), 8-14-89)

Sec. 12-311. Regulations of intensity of light.

It is unlawful for any person, association or other legal entity owning, occupying or controlling any property within the Village of Palatine to exceed the following light intensity regulations:

- (1) No lighting source shall cause more than one-tenth (0.1) footcandle of illumination to fall on adjoining R1, R1A, R1B, R1C and R2 residentially zoned property and any property zoned P or PUD which is improved with one (1) or more single-family detached dwellings.
- (2) No lighting source shall cause more than two-tenths (0.2) footcandle of illumination to fall on adjoining R3 or R3A residential property and any property zoned P or PUD which is improved multifamily property.
- (3) No lighting source shall cause more than two (2) footcandles of illumination to fall on any adjoining commercially zoned property and any property zoned P or PUD which is improved commercial property.
- (4) No lighting source shall cause more than five (5) footcandles of illumination to fall on any public way in commercially zoned property. (Ord. No. O-109-89, §1 (12-301), 8-14-89)

Sec. 12-312. Regulations on glare.

Regulations on glare shall be as follows:

- (1) No floodlight shall be mounted higher than twenty-five (25) feet above the ground nor shall any part of any floodlight's beam strike the ground at any angle of more than forty-five (45) degrees from vertical.
- (2) No light source shall present a surface brightness when viewed between horizontal and an angle of forty-five (45) degrees above horizontal from adjoining property in accordance with the following:
 - a. 750 foot lamberts from R1, R1A, R1B, R1C and R2 zoned property.
 - b. 1,500 foot lamberts from R3 and R3A zoned property.
 - c. 2,200 foot lamberts from any commercially zoned property.
 - d. 10,000 foot lamberts from any public way.

(Ord. No. O-109-89, §1 (12-302), 8-14-89)

Sec. 12-313. Standards of measurement.

(a) Light intensity shall be measured in foot-candles with a direct reading portable low range light meter having a range of zero to twenty (0--20) foot-candles. Values set forth in this article are maximum values measured at ninety (90) degrees to the incidence of light from the source.

(b) Measurement methods and techniques shall be those recommended by the Illuminating

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Engineering Society in their "Standard Methods for Measuring and Reporting Horizontal Foot-candle."

(c) Brightness measurement based on foot lambert must be governed by the definition of the foot lambert and lumen. Calculated values for source brightness may be obtained by using comparable measurement techniques. Calculations shall be in accordance with the following:

- (1) *Spherical bare sources (incandescent lamps).* The brightness shall be calculated as total lumens divided by one-tenth the square of the diameter of the source measured in inches.
- (2) *Cylindrical bare sources (fluorescent lamps).* The brightness shall be calculated as total lumens divided by one-fiftieth the product of length and diameter of the source in inches.
- (3) *Floodlight sources.* The brightness of floodlight sources shall be calculated as the eight-tenths of the total lumens divided by the area of the face of the floodlight in square feet.

If the light source is mounted in a diffuse luminaire, seven-tenths of the above values shall be used.

The values of lumens to be used shall be based on the following efficiencies:

Incandescent Filament Lamps	Gaseous Discharge Lamps
25 watt-- 250 lumens	40 watts-- 1,200 lumens
40 watt-- 500 lumens	100 watts-- 3,000 lumens
60 watt-- 800 lumens	250 watts--11,000 lumens
100 watt-- 1,600 lumens	400 watts--25,000 lumens
200 watt-- 3,300 lumens	1,000 watts--65,000 lumens
300 watt-- 5,000 lumens	
500 watt-- 9,000 lumens	
1,000 watt--20,000 lumens	

(Ord. No. O-109-89, §1 (12-303), 8-14-89)

Sec. 12-314. Enforcement.

Any existing lighting condition determined by the director of environmental health to be in violation of any of the provisions of this article shall, within the time determined on a written notice to the violator, be corrected. Service of notice may be made by personal service, publication in a local newspaper generally circulated within the Village, conspicuous posting on the premises where the violation occurs or by U.S. mail. (Ord. No. O-109-89, §1 (12-304), 8-14-89)

Sec. 12-315. Hearing of variations.

Where practical difficulties or particular hardship, not created by any person having interest in the property, prevents carrying out the strict letter of any of the provisions of this article, the Board of Health, on petition, may determine and vary the requirements of this article to the extent that they are still in harmony with its general purpose and intent. However, any such variation shall be made by the Board as specified only after a hearing before the Board, of which hearing there shall be notice of time and place of the hearing given by publication not less than fifteen (15) days nor more than thirty (30) days before said hearing, and also by United States mail addressed to the person(s) or entity seeking a variation from the requirements of this article and the owners of any adjacent property. (Ord. No. O-109-89, §1 (12-305), 8-14-89)

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Sec. 12-316. Violations declared a nuisance.

The failure of persons owning or occupying the property to abate any lighting violation(s), as stated in this article, is declared a public nuisance and shall be subject to the abatement provisions of Article XXII of this chapter and the penalty provisions of Article XXIII of chapter. (Ord. No. O-109-89, §1 (12-306), 8-14-89)

ARTICLE XXVII. GRAFFITI

Sec. 12-317. Graffiti Prohibited.

It shall be unlawful for the owner of any property to not remove or paint over any prohibited sign painted directly on an exterior wall of a building or on any structure upon that property. A prohibited sign includes but is not limited to any permanent display of any letter, numeral, figure, emblem, insignia, picture, outline, character, spectacle, delineation, announcement or any combination thereof which are painted of a color different from the color of the exterior of the structure on which it is painted and which are viable beyond the boundaries of the property including signs commonly known as graffiti. A painted area on the side of a structure used to cover a prohibited sign or graffiti which is of a different color or surface material than the remaining exterior surface of that side of the structure is unlawful.

Sec. 12-318. Failure to remove graffiti declared a nuisance.

The failure of an owner of property to remove from the exterior of structures upon the owner's property any permanent display of a prohibited sign or graffiti in compliance with the regulations of this Code, within fourteen (14) days of notification, is declared a public nuisance and shall be subject to the abatement provisions of Article XXII of this chapter and the penalty provisions of Article XXIII of this Chapter. (Ord. No. 0-60-93 6-14-93)

ARTICLE XXVIII. DRUG PARAPHERNALIA

Sec. 12-319. Definitions.

As used herein, unless the context requires otherwise.

Cannabis. The term "cannabis" is defined in 720 ILCS 550/3(a) of the Cannabis Control Act, and Section 1-10 of the Cannabis Regulation and Tax Act. (Ord. No. O-042-20, 06/22/20)

Controlled Substance. The term "controlled substance" shall have the meaning ascribed to it in Section 102 of the "Illinois Controlled Substances Act" (720 ILCS 570/102), as if that definition were incorporated herein.

Deliver or Delivery. The terms "deliver" or "delivery" mean the actual, constructive or attempted transfer of possession, with or without consideration, whether or not there is an agency relationship.

Drug Paraphernalia. The term "drug paraphernalia" means all equipment, products and materials of any kind which are peculiar to and marketed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body cannabis or a controlled substance in violation of the Cannabis Control Act and the Cannabis Regulation and Tax Act, or the Illinois Controlled Substances Act. Drug Paraphernalia includes, but is not limited to: (Ord. No. O-042-20, 06/22/20)

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1. Kits peculiar to and marketed for use in manufacturing, compounding, converting, producing, processing or preparing cannabis or a controlled substance.
2. Isomerization devices peculiar to and marketed for use in increasing the potency of any species of plant, which is cannabis or a controlled substance.
3. Testing equipment peculiar to and marketed for private home use in identifying or in analyzing the strength, effectiveness or purity of cannabis or controlled substance.
4. Diluents and adulterants peculiar to and marketed for cutting cannabis or a controlled substance by private persons.
5. Objects peculiar to and marketed for use in ingesting, inhaling, or otherwise introducing cannabis, cocaine, hashish, or hashish oil into the human body including, where applicable, the following items:
 - a. water pipes
 - b. carburetion tubes, pipes and devices
 - c. smoking and carburetion masks
 - d. miniature cocaine spoons and cocaine vials
 - e. electric pipes
 - f. air-driven pipes
 - g. chillums
 - h. bongs
 - I. ice pipes or chillers
 - j. roach clips
6. Any item whose purpose, as announced or described by the seller, is for use in violation of this Ordinance.

Sec. 12-320. Sale or Delivery of Drug Paraphernalia.

- (a) It is unlawful for any person to keep for sale, offer for sale, sell, or deliver for any commercial consideration any item of drug paraphernalia.
- (b) Any store, place, or premises from which or in which any item of drug paraphernalia is kept for sale, offered for sale, sold, or delivered for any commercial consideration is declared a public nuisance.

Sec. 12-321. Possession of drug paraphernalia.

- (a) It is unlawful for any person to knowingly possess an item of drug paraphernalia with the intent to use it in ingesting, inhaling, or otherwise introducing a controlled substance into the human body, or in preparing a controlled substance for that use.
- (b) In determining intent under subsection (a), the trier of fact may take into consideration the proximity of the controlled substance to drug paraphernalia or the presence of controlled substance on the drug paraphernalia.

Sec. 12-322. Exempt items.

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(a) Items marketed for use in lawful research, teaching or chemical analysis of cannabis and not for sale

(b) Items marketed for, or historically and customarily used in connection with the use of tobacco or any other lawful substance, to include, but not limited to, garden hoses, rakes, sickles, baggies, tobacco pipes, and cigarette rolling papers.

(c) Items used for decorative purposes providing such items have been rendered completely inoperable or incapable of being used for any illicit purposes prohibited in this Ordinance.

(d) Items used exclusively for the consumption of recreational cannabis by a person 21 years of age or older, or a person possessing a medical cannabis license. (Ord. No. O-042-20, 06/22/20)

Sec. 12-323. Forfeiture and seizure of prohibited property.

(a) All drug paraphernalia is subject to forfeiture when found in violation of Village ordinance.

(b) Property subject to forfeiture may be seized by any police officer upon process issued by a court having jurisdiction.

(c) Seizures may be made by police officers if there is probable cause to believe that the property has been used to introduce cannabis or a controlled substance into the human body, or has cannabis or a controlled substance on it, including its residue, or is dangerous to health or safety and existing circumstances do not allow reasonable time for the officer to obtain lawful process, in violation of the Cannabis Control Act and Cannabis Regulation and Tax Act. (Ord. No. O-042-20, 06/22/20)

(d) The presence of items which are deemed to be violations of this Ordinance or are otherwise subject to its forfeiture provisions in an inventory shall not subject the entire inventory to seizure or forfeiture.

(e) When property is seized under this Ordinance, the Chief of Police may have the property removed to a place designated by him/her.

(f) The Circuit Court shall determine the validity of any seizures made under this Ordinance and determine the disposition of all seized property.

(g) When property is forfeited under this Ordinance, the Chief of Police may retain the property for official use or have the property destroyed.

Sec. 12-324. Penalty.

Any person who is found guilty of violating this Article shall be fined according to the fees listed in the Village Fee Schedule. (Ord. No. O-103-19, 12/2/19, Ord. No. O-042-20, 06/22/20)

**PALATINE CODE OF ORDINANCES – CHAPTER 12
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**ARTICLE XXIX. CONFLICTS WITH CERTAIN HOME RULE
COUNTY ORDINANCES**

Editor's Note: Article XXIX was adopted by Ord. #O-50-17 on 5/1/17; Updated 12/04/2023

- A. Employers located within the Village shall comply with all applicable Federal and/or State laws and regulations as such laws and regulations may exist from time to time with regard to both the payment of minimum hourly wages and paid sick leave. Employee eligibility for paid sick leave and minimum hourly wages shall also be in compliance with all applicable Federal and/or State laws and regulations as such laws and regulations may exist from time to time.
- B. No additional obligations with regard to paid sick leave, minimum hourly wages, or other paid leave, including, without limitation, any additional obligations adopted by the County of Cook Board of Commissioners, shall apply to employers located within the Village or the Village.
- C. For the purposes of this Section, the term “employee” means an individual permitted to work by an employer regardless of the number of persons the employer employs, and the term “employer” means any person employing one or more employees, or seeking to employ one or more employees, if the person has its principal place of business within the Village or does business within the Village.
- D. For the purposes of this Section, the term “employer” does not mean:
 - (a) The government of the United States or a corporation wholly owned by the government of the United States;
 - (b) An Indian tribe or a corporation wholly owned by an Indian tribe;
 - (c) The government of the State or any agency or department thereof; or
 - (d) The Village.

Article XXX CONFLICTS WITH PAID LEAVE FOR ALL WORKERS ACT

Editor's Note: Article XXX was adopted by Ord. #O-121-23 on 10/16/23

- A. No additional obligations with regard to paid leave, including, without limitation, any additional obligations adopted by the State of Illinois under the Paid Leave for All Workers Act, 820 ILCS 192/1, et seq., as well as any subsequent amendments, or any such obligations with regard to Paid Leave, shall apply to employees of the Village of Palatine, Illinois, and the Village opts out and declares that it is exempt from any such regulations or requirements pursuant to the Village's Home Rule Authority of such regulations or requirements.

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Chapter 12 OFFENSES AND MISCELLANEOUS PROVISIONS

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- Art. XXVIII. Drug Paraphernalia §§ 12-319--12-324
- Art. XXIX. Conflicts with Certain Home Rule County Ordinances

Editor's Note: Article XXIX Conflicts with Certain Home Rule County Ordinances, a new article, was adopted by Ordinance #O-50-17, passed on May 1, 2017.

Editor's Note: Article XXVIII Drug Paraphernalia, a new article, was adopted by Ordinance # 0-22-01 passed on March 12, 2001.

Editor's Note: Article X Dutch Elm Disease and Emerald Ash Borer Infestation, was replaced in its entirety by Ordinance 0-24-08, passed on February 19, 2008.

Editor's Note: Article IV Plants and Weeds was replaced in its entirety by Ord. #0-91-08, passed on 7/14/08

ARTICLE I. IN GENERAL

Sec. 12-1. ~~Injury~~ Damage to public property.

It shall be unlawful to ~~injure~~ damage, deface or interfere with any property belonging to the ~~V~~illage without proper authority from the ~~Village board~~ Council. (Code 1961, § 8.604)

Cross reference(s) ~~—~~ Vandalism, 12.241 et seq.

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Sec. 12-2. Gambling.

Unless otherwise authorized by the Village, it shall be unlawful to gamble or attend any gambling resort or to make a bet, lottery (other than lawfully approved lotteries) or gambling hazard, or to buy or sell any chances or tickets in any gambling game, arrangement or device or use a video gaming terminal.

Unless otherwise authorized and ~~licenses~~ licensed by the Village, it shall be unlawful to possess or expose for public use any video gaming terminal, slot machine, sweepstakes machine, or other coin-operated device designed for gambling or games of chance or any other gambling device, punch board or paraphernalia with the intent to use the same for an unlawful purpose; and any such gambling device or paraphernalia ~~kept with such intent~~ may be confiscated by any ~~member~~ officer of the ~~P~~police ~~D~~department. (Ord. O-35-22, 04-11-2022)

It shall be unlawful to maintain or patronize any establishment maintained for ~~a~~ illegal 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 places~~ establishment within the ~~V~~village. (Code 1961, 25.001, O-35-22, 04-11-22)

Sec. 12-3. Disorderly conduct.

A person commits disorderly conduct when he or she knowingly:
(Ord No. O-91-20; 12-07-2020)

1. Breaches the peace by behaviors, actions or conduct which alarm or disturb another, or;
2. Starts a fight, or fights in public with another person so as to alarm or endanger other members of the public, or;
3. Disrupts a lawful assembly, or;
4. Starts or spreads any false alarm of fire in the Village

Sec. 12-3.1 Harassment by Telephone.

A person commits harassment by telephone when he or she uses telephone communication from or to a location in the Village for any of the following purposes:

1. Making any comment, request, suggestion or proposal which is obscene, lewd, lascivious, filthy or indecent with an intent to offend;
2. Making a telephone call, whether or not conversation ensues, with intent to abuse, threaten or harass any person at the called number;
3. Making or causing the telephone of another repeatedly to ring, with intent to harass any person at the called number;
4. Making repeated telephone calls, during which conversation ensues, solely to harass any person at the called number;
5. Knowingly permitting any telephone under one's control to be used for any of the purposes mentioned herein.

Sec. 12-3.2 Harassment by Electronic Communications.

A person commits harassment by electronic communications when he or she uses electronic communication, including social media or other electronic means, from or to a location in the Village for any of the following purposes:

1. Making any comment, request, suggestion or proposal which is obscene with an intent to offend;
2. Interrupting, with the intent to harass, the telephone service or the electronic communication service of any person;
3. Transmitting to any person, with the intent to harass and regardless of whether the communication is read in its entirety or at all, any file, document, or other communication which prevents that person from using his or her telephone service or electronic communications device;
4. Threatening injury to the person or to the property of the person to whom an electronic

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5. communication is directed or to any of his or her family or household members;
6. Knowingly permitting any electronic communications device to be used for any of the purposes mentioned in this subsection;
6. Evidence that a defendant made additional telephone calls or engaged in additional electronic communications after having been requested by a named complainant or by a family or household member of the complainant to stop may be considered as evidence of an intent to harass unless disproved by evident to the contrary.

Sec. 12-4. Possession of alcoholic beverages in public places.

It shall be unlawful for any person to be in possession of an alcoholic beverage in a public street or ~~other~~ public place unless such beverage is in its original container with the seal unbroken, or unless such possession is on the premises of an establishment licensed by the Village of Palatine to sell ~~or serve such~~ alcoholic beverages. For purposes of this section, a public place shall include, but not be limited to, all Village-owned parking facilities and lots, and all parking lots serving commercial establishments and serving ~~multiple-multi~~ family residential developments containing four or more dwelling units. Further, it shall be unlawful for any person to be in possession of an alcoholic beverage in a common area of: a property owners association serving a ~~multiple-multi~~ family residential development containing four or more dwelling units, an apartment complex or a Common Element, as defined by the Illinois Condominium Property Act, 765 ILCS 605/2(e), except for patios and balconies. ~~Said A Common common Area area does not includeincludes all the portions of the property except the interior, residential living unit.~~ A common area includes, but is not limited to, including but not limited to the parking lots, sidewalks, grass areas, open space areas, detention areas, stairways, hallways and storage rooms. ~~Provided that a~~ Upon the application of ~~by~~ the owner, manager or property owners association (collectively, ~~owner~~) ~~for a modification of this prohibition,~~ the Village Council may, ~~in its discretion, subject to conditions and restrictions, satisfactory to the Village council,~~ permit consumption of alcoholic beverages in certain defined areas agreed to by the Village and the Owner. (Code 1961, 25,003; Ord. No. O-78-76, 1, 9-13-76; Ord. No. O-113-90, 1, 9-24-90; Ord. No. O-155-97 1, 9-8-97; Ord. No. O-169-97, 1, 10-13-97, Ord. No. O-149-00 1, 11-13-00)

Sec. 12-5. ~~Profanity.~~

~~It shall be unlawful to use profanity in any street, alley or other public place in the village. (Code 1961, 25.004) Reserved.~~

Sec. 12-6. Public indecency.

(a) *Definitions.* The following defined terms apply to this section:

- (1) *Nudity* means the ~~showing displaying~~ of the human male or female genitals, pubic area or buttocks with less than a fully opaque covering, the ~~showing displaying~~ of the female breasts with less than a fully opaque covering of any part of the nipple, or ~~the showing of the displaying~~ covered male genitals in a discernibly turgid state.
- (2) *Public place* for the purpose of this section means any place where the conduct may reasonably be expected to be viewed by others.
- (3) *Sexual conduct* means any intentional or knowing touching or fondling by the person or other person, either directly or through clothing, of the sex organs, anus or breast of the person or other person, or any part of the body of a child under thirteen (13) years of age, for the purpose of sexual gratification or arousal of the person or other person.
- (4) *Sexual penetration* means any contact, however slight, between the sex organ of one person ~~and the sex organ, mouth or anus of another person, or any intrusion, however slight, of any part of the body of one person or of any animal or object into the sex organ or anus of another person, including, but not limited to, cunnilingus, fellatio or anal penetration.~~ Evidence of emission of semen is not required to prove sexual penetration.

(b) *Acts constituting public indecency.* Any person of the age of seventeen (17) years and upwards who performs any of the following acts in a public place commits a public indecency:

- (1) An act of sexual penetration or sexual conduct as defined herein;

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- (2) A lewd exposure of the body done with intent to arouse or to satisfy the sexual desire of the person or of persons observing; or
- (3) Appearing sing or bathing in a state of nudity.

(c) *Penalty.* Any person found to have committed a public indecency shall be fined according to Sec. 12-40 Penalty not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00). (Code 1961, §25.005; Ord. No. O-163-91, §3, 11-25-91; Ord. No. 0-5-98, §15, 1-26-98)

Sec. 12-7. Assault and battery.

(a) Assault. It shall be unlawful for any person to, without lawful authority, engage in conduct, which places another in reasonable apprehension of receiving a battery.

(b) Battery. ~~It shall be unlawful for any person to intentionally or knowingly without legal justification and by any means, to (1) cause bodily harm to an individual or (2) to make physical contact of an insulting or provoking nature with an individual. (Code 1961, §25.006; Ord. No. 0-27-95 §7, 4-10-95)~~

Sec. 12-8. False fire alarms.

It shall be unlawful for any person to knowingly start or spread any false alarm of fire in the Village. (Code 1961, §25.007) ~~State law reference(s) – Fire protection and prevention, Ch. 7.~~

Sec. 12-9. Disturbing assemblages.

It shall be unlawful for any person to disturb any lawful assemblage or gathering in the ~~village~~ Village. (Code 1961, §25.008)

Sec. 12-10. Hunting.

It shall be unlawful for any person to engage in killing or to hunt any animal other than as prescribed by law in the Village. (Code 1961, §25.009)

Sec. 12-11. Weapons.

It shall be unlawful to carry any concealed weapons within the Village without having first secured a license to carry such concealed weapons issued under Illinois Public Safety Firearm Concealed Carry Act 430ILCS66/1-999 ~~issued under the laws of this state.~~ (Code 1961, §25.010)

Sec. 12-12. Discharge of firearms.

It shall be unlawful to discharge any firearms or air gun within the Village. This section shall not be construed to prohibit any officer of the law to discharge a firearm in the performance of his/her duty; nor to any citizen to discharge a firearm when lawfully defending his/her person or property. For purposes of this section, the term "air gun" shall include any air rifle, air pistol, spring gun, spring pistol, B-B gun, paint ball or water bead gun, pellet gun or any implement that is not a firearm which impels a breakable paint ball containing washable marking colors or, a pellet constructed of hard plastic, steel, lead or other hard materials, with a force that reasonably is expected to cause bodily harm.); provided that this section shall not be construed to prohibit any officer of the law to discharge a firearm in the performance of his duty; nor to any citizen to discharge a firearm when lawfully defending his person or property. (Code 1961, §25.016, Ord. # 0-118-13, §1, 10/14/13)

Sec. 12-13. Missiles.

It shall be unlawful to cast, throw, or propel any missile on any street, alley or public place; and it shall be unlawful to throw or deposit any glass, nails, tacks or other similar articles on any street, alley, sidewalk, or other public place in the Village. (Code 1961, §25.012)

Sec. 12-14. Advertising.

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It shall be unlawful to advertise any unlawful business or article in the ~~V~~^Village and it shall be unlawful to ~~injure-damage, destroy~~ or deface any lawful advertisement or notice. (Code 1961, §25.013)

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Sec. 12-15. Unlawful assemblages.

It shall be unlawful to collect, gather or be a member of any disorderly crowd, or any crowd gathered together for any unlawful purpose. (Code 1961, §25.014)

Sec. 12-16. ~~Nude 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. (Code 1961, §25.019)~~**Reserved.**

Sec. 12-17. Posting bills.

It shall be unlawful to post any bills or advertisement on any public property without the authority of the ~~Village Manager~~**president and board** and it shall be unlawful to post any bill or advertisement on any property without the written consent of the owner thereof. (Code 1961, §25.020)

Sec. 12-18. ~~Medical advertisements.~~

~~It shall be unlawful for any person, by himself or by his agents or servants, to distribute, cast, throw or place or cause to be distributed, thrown, cast or placed in, upon or along any of the streets, alleys or other public places in the village, or upon the porches or yards of private residences therein or within any dwelling or building in the village, any samples of merchandise or medicinal preparations for the purpose or with the intent of advertising or making known in a general or promiscuous manner any business, occupation, proposition, medical treatment, medicine or any other article whatsoever, or to conduct any medicine show or entertainment to attract attention to any tonic, remedy, medicine or treatment for human ailments. (Code 1961, §25.022)~~**Reserved.**

Sec. 12-19. ~~Indecent publications.~~

~~It shall be unlawful to sell or offer for sale, or to circulate, pass from one (1) 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 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 minors. (Code 1961, §25.023)~~

~~**Cross reference(s)**—Adult bookstores, §12-30 et seq.~~**Reserved**

Sec. 12-20. Scaffolds.

Any scaffold or ladders placed in such a position that they overhang or can fall onto any public street, alley or other public place in the ~~V~~village, shall be ~~firmly and properly constructed and safeguarded~~**prohibited without review and approval by the Village**; and it shall be unlawful to place or leave any tools or article on any such place in such a manner that the same can fall into any such street, sidewalk, alley or other public way from a greater height than four (4) feet. (Code 1961, 25.024)

Sec. 12-21. Articles on windows.

It shall be unlawful to place any movable article on any window ledge, or other place abutting a public street, alley or other place at a height above four (4) feet from the ground, in such a manner that the same can be or is in danger of falling onto such sidewalk, street, alley or other public place. (Code 1961, 25.025)

Sec. 12-22. ~~Whistles.~~

~~It shall be unlawful to blow or cause to be sounded any steam whistles of any stationary engine or steam engine in the village except as a signal for starting or stopping work or in emergencies to avoid or to prevent injury to persons or property. (Code 1961, 25.026)~~**Reserved.**

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|

Attachment: Chapter 12 Exhibit B (Amendments to Ch 12 Code of Ordinances)

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Sec. 12-23. ~~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 manner that it interferes with the free use of such stairway, aisle, corridor or exit. (Code 1961, 25.027)~~**Reserved**

Sec. 12-24. ~~Mendicants or vagrants.~~

~~It shall be unlawful for any mendicant or vagrant to frequent any depot, store, theater, street, alley, sidewalk, park or other public place or any place frequented by the public in the village. (Code 1961, 25.028)~~**Reserved.**

Sec. 12-25. ~~Fuel tanks.~~

~~It shall be unlawful to install or maintain any fuel oil, gas or liquid gas tanks above ground. All such tanks must be placed below the ground surface. (Code 1961, 25.029)~~**Reserved.**

Sec. 12-26. Obstructing storm water flow.

It shall be unlawful for any person to place any obstruction, or deposit, or cause to be deposited any junk, debris, earthen fill, grass clippings, brush, tree limbs, yard waste or other foreign matter, in any drainage ditch or swale, into or along any branch or tributary of Salt Creek or Buffalo Creek and their floodplains, lake, pond, detention basin, drain tiles, storm sewers, roadside culverts, roadside ditches or other area that periodically collects or conveys storm water runoff within the boundaries of the Village. Any person who deposits any of the above, or is in control of such property where deposits exist, shall remove it or shall cause it to be removed therefrom immediately. The Director of Public Works or his/her duly authorized agents or employees upon proper identification to the owner or person in charge of the property shall be permitted to enter upon the property within the Village of Palatine for the purposes of inspection, observation, measurement and enforcement in accordance with the provisions of this section. (Code 1961, □ 25.030, Ord. 0-59-03, §1, 3/10/03)

Sec. 12-27. Curfew for minors.

(a) It shall be unlawful for a person less than seventeen (17) years of age to be present at or upon any public assembly, building, place, street or highway at the following times, unless accompanied and supervised by a parent, legal guardian or other responsible companion at least eighteen (18) years of age approved by a parent or legal guardian, or unless engaged in a business or occupation which the laws of the state authorize a person less than seventeen (17) years of age to perform:

- (1) Between 12:01 a.m. and 6:00 a.m. Saturday;
- (2) Between 12:01 a.m. and 6:00 a.m. Sunday; and
- (3) Between 11:00 p.m. on Sunday to Thursday inclusive, and 6:00 a.m. on the following day.

(b) It shall be unlawful for a parent, legal guardian or other person to knowingly permit a person in his/her custody or control to violate this section.

(c) A person convicted of a violation of any provision of this section shall be guilty of a petty offense and shall be fined ~~not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00)~~according to Sec. 12-40 Penalty.

Sec. 12-28. Rubbish, refuse, etc., on streets, alleys, public places; removal.

(a) It shall be unlawful for any person, firm or corporation to throw, deposit, place or cause, suffer or permit to be thrown, deposited or placed in any street, alley, public ground or place any rubbish, refuse, material, obstruction or encroachment of any kind.

(b) Any person, firm or corporation who violates this section by throwing, depositing, placing, or causing, suffering or permitting to be thrown, deposited or placed in any street, alley, public ground or place any rubbish, refuse, material, obstruction or encroachment of any kind shall, upon conviction, be fined

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~~according to Sec. 12-40 Penalty not less than fifty dollars (\$50.00), nor more than one hundred dollars (\$100.00).~~

(~~ce~~) It shall be the duty of any person, firm or corporation throwing, depositing, placing or causing, suffering or permitting to be thrown, deposited or placed in any street, alley, public ground or place any rubbish, refuse, material, obstruction or encroachment of any kind, contrary to the provisions of the foregoing subsection (a), to remove the same promptly and leave such street, alley, public ground or place in good condition after such removal.

(~~dd~~) Upon the failure of any person, firm or corporation to remove the rubbish, refuse, material, obstruction or encroachment, the ~~V~~village ~~M~~anager shall cause the same to be removed from the street, alley, public ground or place and shall bill the responsible person, firm or corporation for all costs incurred.

(~~ee~~) It shall be unlawful for any person who owns or occupies premises in the ~~V~~village in industrial, multi-family residential, ~~or~~ commercial districts, or in planned developments wherein industrial, multi-family residential, or commercial uses are authorized, which premises generate more than four (4) cubic yards of refuse, garbage or other waste material per week, to allow to be placed or remain on such premises refuse containers designed to hold one cubic yard or more of refuse, garbage, other waste material or materials for recycling unless such containers are firmly covered at all times and surrounded by wooden, masonry or metal fencing at least six (6) feet in height and in residential areas screened by landscaping approved by the department of ~~C~~ommunity ~~D~~evelopment unless excused by the ~~village~~ Village president Mayor and ~~board of trustees~~ Council for good cause shown.

In any event, all refuse containers located on such properties which are designed to hold one cubic yard or more of refuse, garbage, other waste material, or materials for recycling which are visible from a public right-of-way shall be screened from view by wooden, masonry, other synthetic materials, ~~or opaque metal fencing at least six (6) feet in height~~ as approved by the ~~d~~Department of community ~~Community development~~ Development ~~Department or opaque metal fencing at least six (6) feet in height~~.

Any refuse container not maintained in accordance with this section hereby is declared to be a nuisance detrimental to the public health and welfare and may be abated by the ~~village~~ Village manager Manager or his/her ~~designate designee~~ pursuant to section 12-292 et seq of the Code of Ordinances of the Village of Palatine, Illinois.

Any existing refuse container not in compliance herewith on the date of adoption of this paragraph (~~e~~) or located on property newly annexed to the ~~village~~ Village after the adoption of this paragraph (~~e~~) shall be brought into compliance within ninety (90) days following written notice to do so from the ~~V~~village served upon the owner or occupier of the premises where such refuse container is located.

(~~ff~~) All multi-family residential dwellings which have refuse collected in a bulk container shall meet the following minimum capacity and/or service requirements: One yard of container capacity or service for the first four (4) units and one additional yard of container capacity or service for each additional four (4) units or portion thereof per week. These capacity and/or service requirements shall be in effect unless the property owner has a written variance signed by the ~~Director of~~ Environmental Health ~~Field Director~~. (Ord. No. O-38-76, 1, 4-12-76; Ord. No. O-54-88, 1, 5-9-88; Ord. No. O-143-91, 1, 10-14-91; Ord. No. O-75-92, 1, 5-27-92)

Cross reference(s)--Deposits in streets prohibited, 8-5; streets and sidewalks, Ch. 16.

Sec. 12-29. Possession, Consumption and Use of Cannabis.

It shall be unlawful for any person to knowingly grow, use, possess, or consume cannabis in a manner inconsistent with the Cannabis Control Act or the Cannabis Regulation and Tax Act.

Any person who violates this section shall be fined according to the fees listed in the Village Fee Schedule. (Ord. No. O-37-76, 1, 4-12-76; Ord. No. O-69-83, 1, 10-10-83; Ord. No. O-5-98, 15, 1-26-98; Ord. No. O-103-19, 12/2/19)

Editor's note--Ord. No. O-37-76, 1, amended the 1961 Code by adding the provisions codified

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herein as 12.29.

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Attachment: Chapter 12 Exhibit B (Amendments to Ch 12 Code of Ordinances)

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Sec. 12-30. Betting messenger services prohibited.

(a) It shall be unlawful for any person to accept for placement, delivery or communication to or with another any wager on any horse race, game or other event, when such person receives payment of any kind to perform such service. Each such acceptance of a wager shall constitute a separate and distinct violation of this Code.

(b) It shall be unlawful for any person who owns, rents or leases property within the ~~V~~Village to knowingly permit the occupation of said premises or any building thereon by a person who engages in any act which violates section 12-30(a) above in said building or on said premises. Each day the owner, landlord or tenant knowingly permits the building or premises to be so occupied shall constitute a separate and distinct violation of this Code.

(c) Any person found guilty of violating any provision of this section shall be fined according to Sec. 12-40 Penalty~~not less than five hundred dollars (\$500.00) for each violation and not in excess of one thousand dollars (\$1,000.00) for each violation.~~ (Ord. No. O-11-77, 1, 3-14-77)

Sec. 12-31. Sale, display for sale, or distribution of items designed primarily for use with illegal drugs.

No person shall sell, display for sale, or distribute within the Village of Palatine any item, effect, paraphernalia, accessory or thing which is designed primarily for use with illegal drugs, except as a special use within a B-1 Shopping Center District or a B-2 General Service District, provided also that no such sales, display for sale, or distribution may take place in a B-1 or B-2 District within twenty-five hundred (2500) feet of any public or private school, day care center, nursery, church, synagogue or other place of worship, or any facility holding a liquor license. Violation of this section shall be considered cause for revocation of a business license in addition to any other penalty provided in this Code. (Ord. No. O-6-78, 3, 2-13-78)

Cross reference(s)--B-1 district regulations, App. A, 6.02; B-2 district regulations, App. A, 6.03.

Sec. 12-32. Persons responsible for premises.

It shall be unlawful for any person or persons who are the occupants of any premises to knowingly allow, initiate or maintain any gathering on that premises in which tenants, invitees, visitors or trespassers engage in any unlawful activity. Unlawful activity shall include, but not be limited to, drinking of alcoholic beverages by persons under twenty-one (21) years of age, disorderly conduct pursuant to section 12-3 of this Code, curfew violations in the immediate vicinity of the premises and littering pursuant to Article XII of this chapter of this Code. A person will be deemed to have permitted the gathering if that person is on the premises while the unlawful activity is occurring and has not informed the police thereof. For purposes of this section, a gathering shall consist of two (2) or more persons who are not occupants of the premises. (Ord. No. O-4-83, 1, 1-25-83)

Sec. 12-33. Knowingly providing false information.

(a) It shall be unlawful for any person to knowingly furnish false information to the ~~V~~Village's police department, fire department, health department or other code enforcement department. This section shall apply to all information furnished, whether by telephone, in person, in writing, by way of the filing or furnishing of information for a report or otherwise. (Ord. No. O-38-83, 1, 6-13-83; Ord. No. 0-31-95, 8, 4-10-95)

Editor's note--Ord. No. O-38-83 added a 12-32 to the Code; in order to avoid duplicate section numbers, the editor has redesignated these provisions as 12-33.

Sec. 12-34. Reckless Conduct.

It shall be unlawful for any person to cause bodily harm to, or endanger the bodily safety of an individual, by any means by performing recklessly the acts which cause the harm or endanger safety, whether they otherwise are lawful or unlawful.

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Sec. 12-35. Intimidation.

It shall be unlawful for any person to, with intent to cause another to perform or to omit the performance of any act, communicate to another, whether in person, by telephone, ~~or by mail,~~ social media, or by other electronic means, a threat to perform without lawful authority any of the following ~~acts~~:

- (a) Infliction of physical harm on the person threatened or any other person or on property; or
- (b) Subjecting any person to physical confinement or restraint; or
- (c) Committing any criminal offense; or
- (d) Accusing any person of an offense; or
- (e) Exposing any person to hatred, contempt or ridicule.

Sec. 12-36. Mob Action.

It shall be unlawful for any person to engage in mob action which consists of any of the following:

- (a) The use of force or violence disturbing the public peace by 2 or more persons acting together and without authority of law; or
- (b) The assembly of 2 or more persons to do an unlawful act; or
- (c) The assembly of 2 or more persons, without authority of law, for the purpose of doing violence to the person or property of any ~~one~~ supposed to have been guilty of a violation of the law, or for the purpose of exercising correctional powers or regulative powers over any person by violence; or
- (d) Being a participant in a mob action, who does not immediately withdraw on being commanded to do so by any peace officer.

Sec. 12-37. Resisting or obstructing a peace officer.

It shall be unlawful for any person to knowingly resist or obstruct the performance by one known to the person to be a peace officer of any authorized act within his/~~her~~ official capacity. For the purposes of this section, failing to provide accurate information as to one's true identity, date of birth, and residence address when so requested by a peace officer shall constitute obstructing a peace officer.

Sec. 12-38. Truancy.

- (a) It shall be unlawful for any person, who is subject to the compulsory attendance requirement of the Illinois School Code and is enrolled in grades 1 through 12 in a public, private or parochial school within the incorporated limits of the Village of Palatine to absent himself or herself from attendance at school for a school day or portion thereof without a valid cause. A valid cause for absence shall include absence from school because of illness, observance of a religious holiday, death in the immediate family, family emergency, situations beyond the person's control as determined by the Board of Education, or such other circumstances which cause reasonable concern to the parent or custodian for the safety or the health of the person.
- (b) Any person, who is: (1) subject to the compulsory attendance requirement of the Illinois School Code, (2) enrolled in grades 1 through 12 in a public, private or parochial school located outside the incorporated limits of the Village of Palatine; and (3) present within the incorporated limits of the Village of Palatine, without a valid cause for absence from the school in which he or she is enrolled, shall be reported to the municipality having jurisdiction over the person. Jurisdiction shall be determined by the school at which the person is enrolled.

~~(c) Any person who shall so absent himself or herself shall be guilty of the offense of truancy and be subject to penalties hereinafter set forth in this Chapter.~~

(Ord. 0-201-06, §1, 12/4/06)

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Sec. 12-39. Motorized Equipment.

It shall be unlawful for any person to operate a lawn mower, leaf blower, edge trimmer, street cleaner, industrial ~~vacuum~~vacuum, or any other motorized equipment between the hours of 9:00 p.m. and 7:00 a.m. on any weekday and between the hours of 9:00 p.m. and 8:00 a.m. on the weekend or holidays. (Ord. No. 0-83-16; 6/20/16)

None of the terms or prohibitions hereof shall apply to or be enforced against:

1. Village vehicles: Any vehicle of the Village while engaged upon necessary public business.
2. Emergency operations: The operation of motorized equipment in case of urgent necessity in the interest of public health and safety.
3. Snow removal equipment. (Ord.No.0-85-99; 1-3;6-28-99)
4. Park District Golf Courses: Any vehicle utilized and necessary for the maintenance of a park district owned and operated golf course. The prohibition exemption is between the hours of 4:00 a.m. to 7:00 a.m. on weekdays and 4:00 a.m. to 8:00 a.m. on weekends. (Ord. No. 0-101-16; 8/8/16)

Sec. 12-40. Penalty.

Any person found guilty of violating any provision of Sections 12-1 through 12-39 shall be fined not less than ~~seventy-five~~seventy-five dollars (\$75.00) nor more than ~~seven hundred one thousand five hundred fifty~~one thousand five hundred fifty dollars (\$~~7501,500.00~~1,500.00) and up to the full cost of abatement if performed by the Village. (Ord. No. 0-31-95, 9, 4-10-95; Ord.No.0-5-98, 15,1-26-98; Ord.No.0-85-99; 1-3;6-28-99)

Editor's note--former 12-34 Sales by minors, Possession of tobacco products. added by Ord. No. O-109-94, subsequently deleted by Ord. No. 0-120-96, 7-08-96, 2)

ARTICLE II. FIRES*

***Cross reference(s)**--Fire prevention and protection, Ch. 7.

Sec. 12-41. Prohibited except in ~~incinerator~~ an approved fireplace or fire pit.

It shall be unlawful to build or light any bonfire or to burn any rubbish, leaves or other combustible refuse, anywhere in the ~~village~~Village without an permit~~except in a properly constructed incinerator or fireplace.~~ (Code 1961, 25.015)

Cross reference(s)--Fire protection and protection generally, Ch. 7; burning of refuse, etc., prohibited, 8-~~45~~45.

Sec. 12-42. Grass fires; permit required.

(a) It shall be unlawful to start or maintain any grass fire or controlled open burn in the ~~village~~Village without first securing a permit from the Fire Marshal or their designee~~president and board of trustees.~~

(b) The Village shall charge a permit fee of \$50 for control open burn permits; this fee shall be submitted prior to the issuance of a permit.

~~The fire chief shall supervise any such grass fire and he shall be informed by the applicant of the issuance of a permit. (Code 1961, 25.017)~~

Sec. 12-43. Regulations.

It shall be unlawful to burn refuse of any kind anywhere in the ~~village~~Village except as provided below:

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- (1) It shall be unlawful to burn leaves anywhere in the Vvillage.
- (2) It shall be unlawful to burn off vegetation from any area in the ~~village~~ Village ~~except under the supervision of and subject to the direction of the fire department without a permit issued by the Fire Prevention Division.~~
- (3) It shall be unlawful to light or maintain any outdoor fires to burn construction material, wood, papers, paper goods, and cardboard and plastics except as provided in the adopted International Fire Code. ~~except in an approved incinerator as outlined in pamphlet #82 of the National Fire Protection Association, 1969 edition, and subject to the approval of the fire department; provided that the burning of charcoal or wood for outdoor cooking shall be permitted in grills or other structures/appliances designed and listed for that purpose.~~
- ~~(4) Trees found to be afflicted with Dutch Elm disease may be removed and burned in areas designated by the director of public works.~~
- ~~(5) Notwithstanding any other provisions of this section, it shall be lawful for structures to be removed by burning under the direct supervision and control of the fire department.~~

(Code 1961, 25.018)

Secs. 12-44--12-56. Reserved.

ARTICLE III. FIREWORKS

~~[Editor's Note: Sec. 12-56 was deleted in its entirety by Ord. 0-98-05, passed on May 16, 2005]~~

~~Sec. 12-57. Definitions.~~

~~“Fireworks” means and includes any explosive composition, or any substance or combination of substances, or article prepared for the purpose of producing a visible or audible effect of a temporary exhibitional nature by explosion, combustion, deflagration or detonation, and shall include blank cartridges, toy cannons in which explosives are used, the type of balloons which require fire underneath to propel the same, firecrackers, torpedoes, skyrockets, roman candles, bombs, sparklers or other fireworks of like construction and any fireworks containing any explosive compound, or any tablets or other device containing any explosive substances, or containing combustible substances producing visual effects; provided, however, that the term “fireworks” shall not include snake or glowworm pellets; smoke devices; trick noisemakers known as “party poppers”, “booby traps”, “snappers”, “trick matches”, “cigarette loads”, and “auto burglar alarms”; or toy pistols, toy canes, toy guns, or other devices in which paper caps containing twenty-five hundredths grains or less of explosive compound are used, providing they are so constructed that the hand cannot come in contact with the cap when in place for the explosion, and toy pistol paper caps which contain less than twenty hundredths grains of explosive mixture. (Code 1961, §24.102; Ord. 0-69-13 §2, 6/10/13)~~

~~Sec. 12-58. Prohibitions.~~

~~— No person shall have, keep, store, use, manufacture, assemble, mix, sell, discharge, handle, or transport any fireworks; provided, however, that nothing in this section shall be held to apply to the possession or use of signaling devices for current daily consumption by railroads, vessels and others requiring them or to the possession, sale or use of normal stocks of flashlight compositions by photographers or dealers in photographic supplies. (Code 1961, §24.103; Ord. 0-49-05, §1, 3/14/05; Ord. 0-69-13 §2, 6/10/13)~~

~~Sec. 12-59. Penalties.~~

~~— Any person who violates any provision of Section 12-58 shall be fined not less than seventy five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00). (Code 1961, §24.106; Ord. 0-49-05, §2, 3/14/05; Ord. 0-69-13 §2, 6/10/13; Ord. 0-124-17, 12/4/17)~~

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~~Sec. 12-60. Nitro-glycerine; T.N.T. prohibited; exception; storage limit.~~

~~It shall be unlawful to keep or store any nitro-glycerine or the explosive commonly known as T.N.T. in the village in any quantities, excepting for medicinal or laboratory purposes and for such purposes no more than one-quarter (1/4) ounce shall be stored in any one (1) building or premises. (Code 1961, §24.104)~~

~~Sec. 12-61. Rules of state fire marshal to govern.~~

~~All explosives must be kept or stored in accordance with the rules of the state fire marshal, subject to the provisions of this article. (Code 1961, §24.105)~~

~~Sec. 12-62. Outdoor pyrotechnical displays~~

~~———— All outdoor fireworks displays shall be electronically fired from an approved electronic firing unit, and all fireworks displays shall comply with the current NFPA 1123 standard.~~

~~Sec. 12-62.1 Deleted Articles.~~

~~———— The following articles in NFPA 1123, 2000 edition shall be deleted: ————~~

~~———— 5.1.6 — Delete the exception~~

~~———— 5.2.6 — Delete this article entirely~~

~~———— 5.2.9.2 — Delete this article and exception entirely
(Ord. 0-49-05, §3, 3/14/05)~~

~~Secs. 12-63-12-69. RESERVED.~~

ARTICLE IV. PLANTS AND WEEDS

[Editor's Note: Article IV was replaced in its entirety by Ord. #0-91-08, passed on July 14, 2008]

Sec. 12-70. Definitions.

- (1) "Owner" means the legal or beneficial owner of an improved or unimproved parcel of real estate.
- (2) "Responsible party" means the occupant of any real estate or any person or entity charged with the care or management of any real estate.
- (3) "Growing season" means the period of time which weeds and grass are generally growing on the majority of real estate in the Village of Palatine, beginning no later than May 1 and ending no earlier than November 1.

Sec. 12-71. Enumeration of prohibited plants; declared a nuisance.

Any weeds such as jimson, burdock, ragweed, thistle, cocklebur, poison ivy, poison oak, poison sumac, or other weeds of a like kind or barberry bush found growing in any lot or tract of land in the ~~village~~ Village are hereby declared to be nuisances, and it shall be unlawful to permit any such weeds to grow or remain in such places. (Code 1961, §§24.201, 24.203)

Sec. 12-72. Height limitation.

It shall be unlawful for any owner or responsible party of real estate located in the Village of Palatine

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to permit any weeds, grass or plants, other than trees, bushes, flowers, or other ornamental grasses and plants to grow to a height exceeding one (1) foot anywhere on the property and on the parkway abutting their property; and any such weeds, grass, or plants exceeding such heights are hereby declared to be a nuisance. (Code 1961, §24.202; Ord. No. O-124-79, §1, 11-13-79; Ord. No. 0-186-96, §1, 10-14-96)

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Sec. 12-73. Notice.

(1) It shall be the duty of the ~~V~~Village ~~M~~anager or his/~~her~~ designee to cause to be served a notice upon the owner and any responsible party of any such premises on which weeds, grass or plants are permitted to grow in violation of the provisions of this article, and to demand the abatement of the nuisance within three (3) days. Upon service of the notice, the owner and any responsible party shall be required to continuously maintain the premises in accordance with the provisions of this Article. Only one three (3) day notice shall be required to be served per growing season. (Code 1961, §24.204; Ord. No. O-124-79, §1, 11-13-79; Ord.No.0-78-98, §1, 6-8-98)

(2) The notice shall:

- a. Be in writing.
- b. Identify the property on which the nuisance violation was observed.
- c. Provide a description of the nuisance violation.
- d. Provide the date and time the violation was observed.
- e. State that the owner and any responsible party shall have three (3) days to abate the nuisance.

(3) Notice shall be served upon the owner and any responsible party of the property personally or by first class mail addressed to the owner and any responsible party. If the nuisance has not been abated four (4) days after the mailing of such notice by first class mail, service may be made upon such persons or entities by posting the notice in a prominent place on or about the property identified in the notice.

Sec. 12-74. Abatement.

If the owner so served with notice under Section 12-73 does not abate the nuisance within three (3) days after such notice, or fails to maintain the property during the growing season, the Village Manager or his/~~her~~ designee may proceed to cause the abatement of such nuisance, pursuant to Section 12-292, at any time subsequent, keeping an account of the expense thereof, and such expense shall be charged to and paid by the owner. (Code 1961, §24.205; Ord. No. O-124-79, §1, 11/13/79; Ord.No.0-78-98, §2, 6/8/98)

Sec. 12-75. Lien--Procedure for filing.

Charges for weed, grass, or plant cutting shall be a lien upon the premises as provided by statute ~~or collected as otherwise provided for in the Code of Ordinances~~. Whenever a bill for weed, grass or plant cutting remains unpaid sixty (60) days after it has been rendered, the clerk may file with the county recorder of deeds of Cook County, a statement of lien claim. This statement shall contain the legal description of the premises served, the amount of the unpaid bill, and a notice that the ~~village-Village~~ claims a lien for this amount.

After the nuisance has been abated, but prior to the filing of a lien, notice of the bill for weed, grass, or plant cutting shall be served personally on, or by certified mail to the person to whom was sent the tax bill for the general taxes on the property for the last preceding year. The notice shall contain a description of the property on which the abatement occurred and a description of the nuisance.
(Code 1961, §24.206; Ord. No. O-124-79, §1, 11/13/79)

State law reference(s)--Power of municipality to enforce lien for cutting weeds, 65ILCS5/11-20-7.

Sec. 12-76. Same--Foreclosure.

Property subject to a lien for unpaid weed, grass or plant cutting charges shall be sold for nonpayment of the same, and the proceeds of such sale shall be applied to pay the charges, after deducting costs, as is the

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case in the foreclosure of statutory liens. Such foreclosures shall be by bill in equity in the name of the ~~V~~village.

The ~~manager for the village~~Village Manager or his/her designee is hereby authorized and directed to institute such proceedings, in the name of the ~~V~~village, in any court having jurisdiction over such matters, against any property for which a bill for weed, grass or plant cutting has remained unpaid sixty (60) days after it has been rendered. (Code 1961, §24.207; Ord. No. O-124-79, §1, 11/13/79)

Secs. 12-77--12-90. Reserved.

ARTICLE V. TAG DAY

Sec. 12-91. Permit required.

It shall be unlawful for any person to go from house to house soliciting funds or subscriptions from the public or to publicly solicit either in person or by agent, upon the public streets, sidewalks, or any other public place in the ~~village~~Village, subscriptions for charitable or religious or educational or other organizations or purposes, whether presents or gifts or money or promises are sought, without having first secured a permit therefor. (Code 1961, §24.301)

Sec. 12-92. Application.

Applications for permits for tag day sales shall be made to the Village Manager who shall determine that the purposes for which such solicitations are proposed are consistent with the provisions of section 12-91. No such permit shall be issued except upon the order of the Village Manager. (Code 1961, §24.302; Ord. No. 0-15-16, §1, 2/16/16)

Sec. 12-93. Solicitation of charitable contributions on streets and highways within the Village.

(1) No person shall stand on any street or roadway within the Village, or on any right-of-way of same, for the purpose of peddling or soliciting except those persons soliciting for charitable contributions from the occupant of any vehicle and may do so only upon satisfying all of the requirements within Section 12-93 of this Code.

(2) The soliciting organization shall submit a completed Tag Day Permit Application and provide a Certificate of Insurance showing that the charitable organization is insured against any claims for injuries or damage to property which is causally related to an act or ordinary negligence of the soliciting agent acting on behalf of the organization. The submitted Tag Day Permit Application shall contain, at a minimum, the following information:

- a. The name, address, and telephone number of the soliciting organization, agency or project and proof that the organization, agency or project is registered with the attorney general as a charitable organization as provided by the Solicitation for Charity Act;
- b. A description of the fundraising activity in which the soliciting organization, agency or project is engaged;
- c. The intersections at which approval is being sought and the number of persons proposed to solicit at such intersections (there shall be no more than four (4) solicitors within an intersection at any time); and
- d. The dates and times at which such Tag Day event is proposed to take place (applications for solicitation may be submitted up to a maximum of one (1) year prior to the requested Tag

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Day event).

(Ord. No. 0-15-16, §1, 2/16/16)

(3) Any person engaged in the solicitation of charitable contributions shall be at least sixteen (16) years of age and shall wear a highly visible vest and identification of the organization undertaking the solicitation. (Ord. No. 0-15-16, §1, 2/16/16)

(4) The Village Manager must find that the locations, times, and durations of the proposed Tag Day event, as well as the number of proposed solicitors, shall not result in interference with the flow of vehicular traffic. No permits shall be issued when street conditions, weather, or other factors, at the discretion of the Village Manager, pose significant safety concerns to either the solicitors or the general public. (Ord. No. 0-15-16, §1, 2/16/16)

(5) No Tag Day events will be permitted from November 1 through March 31.

(6) Solicitation shall only occur during daylight hours, as reasonably determined by the Village Manager. (Ord. No. 0-15-16, §1, 2/16/16)

(7) Solicitation shall only be permitted at the following intersections:
(Ord. No. 0-15-16, §1, 2/16/16; Ord. No. 0-45-16 4/11/16)

Baldwin Road and Rohlwing Road
Cunningham Drive and Hicks Road
North Court and First Bank Drive
~~Northwest Highway and Rohlwing Road~~
Palatine Road and Plum Grove Road
Palatine Road and Quentin Road
Palatine Road and Roselle Road (south and east legs of intersection)
Palatine Road and Rohlwing Road
Palatine Road and Winston Drive
Plum Grove Road and Colfax Street
Plum Grove Road and Illinois Avenue
Plum Grove Road and Northwest Highway
Quentin Road and Dundee Road (north and east legs of intersection)
Quentin Road and Illinois Avenue
Quentin Road and Northwest Highway
Smith Street and Colfax Street
Smith Street and Northwest Highway

(8) Tag Day events shall not be permitted at the same intersection in consecutive weeks. The Village Manager may waive this limitation if the requested Tag Day event is in conjunction with a regional or national Tag Day event being held on a specific date(s). (Ord. No. 0-35-16, 4-4-16)

(9) No more than two Tag Day events in any calendar year are permitted within the Village by any qualifying solicitation organization and no approved Tag Day event shall continue for more than three (3) consecutive days.
(Ord. No. O-108-79, §1, 10/8/79; Ord. No. 0-17-11, §1, 2/22/11)

Sec. 12-94. Fines for violation of section 12-93.

Any person, corporation, unincorporated association or other entity violating any provision of section

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12-93 shall upon a judicial finding of such violation, be fined not less than fifty dollars (\$50.00) and not more than seven hundred fifty dollars (\$750.00) for each such separate violation. (Ord. No. O-108-79, §1, 10/8/79; Ord.No.0-5-98, §15, 1/26/-98)

Secs. 12-95--12-100. Reserved.

ARTICLE VI. PUBLIC GATHERINGS

Sec. 12-101. Regulations.

It shall be unlawful to hold, manage or conduct any meeting or entertainment of any kind in the ~~V~~village, in any premises other than a building constructed in full compliance with the ordinances and laws pertaining thereto for ~~assembly use auditorium, theater or lodge room purposes~~, excepting in compliance with the provisions of ~~the International Building and Fire Code, 2015 Edition with the following amendments: (Ord. 0-57-06, §2, 3/20/06, eff. 6/1/06, Ord. 0-70-11, §1, 6/20/11, Ord. O-94-18, 08/13/18-eff. 01/01/19) this article.~~ (Code 1961, §24.401)

Sec. 12-102. Inspections.

No public gathering or entertainment shall be held or presented in any premises other than a building as described in the preceding section, unless such premises ~~has obtained approval from the Village Council; as a condition of approval an inspection may be required.~~ have been examined by the fire marshal or building commissioner not more than three (3) days before the date of such gathering and found to be free from any fire hazard and found to be suitable for the purpose. No structure enclosed by a roof shall be used for such purposes unless the same is constructed of nonflammable materials. Provided that tents or structures covered by canvas or similar materials may be so used if such canvas or other material have been properly treated so as to be rendered fire resistive. (Code 1961, §24.402)

Sec. 12-103. Exits.

~~Adequate unobstructed exits shall be provided in all premises and used for such purposes to permit rapid egress of all persons attending, and there shall be at least two (2) separate exits located at least thirty (30) feet from each other. There shall be two (2) lineal feet of doorway or exit space for each one hundred (100) people accommodated.~~ (Code 1961, §24.403) **Reserved.**

Sec. 12-104. Seats.

~~Any stands or rows of seats used in such premises shall be so constructed as to be safe for the use designed, and shall be sufficiently strong to carry the same weight and stress as is required for the construction of the auditorium floors of theater buildings, not less than one hundred (100) pound per square foot.~~

~~It shall be unlawful to admit to any such premises a number of persons to exceed the number of actual seats maintained for their accommodation.~~ (Code 1961, §24.404) **Reserved.**

Sec. 12-105. Doors.

~~All doors or gates on exits from premises used for such purposes shall open outward and no such exits shall be so constructed or locked that egress from inside the premises is blocked.~~ (Code 1961, §24.405) **Reserved.**

Sec. 12-106. Notice.

It shall be the duty of any person conducting, calling for, or managing any gathering in any premises other than ~~a theater, lodge or auditorium building~~ an approved assembly occupancy constructed as provided in section 12-101, ~~without a Special Event Permit from the Village.~~ to notify the clerk of the date of such intended use at least ten (10) days before such meeting is to take place; upon such notice the fire marshal ~~and/or the building inspector shall inspect the premises to determine whether or not they comply with the provisions hereof.~~ Any permit issued for any such gathering shall be subject to the condition that this article be fully complied with, whether or not such condition is embodied in the permit. (Code 1961, §24.406)

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Secs. 12-107--12-115. Reserved.

|

Attachment: Chapter 12 Exhibit B (Amendments to Ch 12 Code of Ordinances)

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ARTICLE VII. PUBLIC BUILDINGS*

*Cross reference(s)--Fire prevention generally, Ch. 7, Art. III.

Sec. 12-116. Responsibility.

The owner, agent, occupant or person charged with the custody of any public building, ~~auditorium, hotel, theater, lodge hall, or church and in the case of schools, the president of the board of education~~, or the person in charge thereof and owning the same, shall be held liable for the equipment and maintenance of such apparatus as is required ~~in this article in the current adopted version of the International Building and Fire Code, 2015 Edition, with the following amendments: (Ord. 0-57-06, §2, 3/20/06, eff. 6/1/06, Ord. 0-70-11, §1, 6/20/11, Ord. O-94-18, 08/13/18-eff. 01/01/19)~~ for the maintenance and safety of all corridors, exits, stairs, doors, windows or passageways. (Code 1961, §24.501)

Sec. 12-117. Enforcement.

It shall be the duty of the ~~F~~fire ~~M~~marshal or ~~his assistant~~their designee to inspect all apparatus to be installed, and their location, and to make or cause to be made periodic inspections concerning the operation and accessibility of regular and emergency exits in such public places. (Code 1961, §24.502)

Sec. 12-118. ~~Fire drills.~~

~~It shall be the duty of the principal or other person in charge of pupils in every school in the village to establish and maintain a good and efficient fire drill which shall be practiced at least once a month during the time the building is used for school purposes. A written report shall be made by the principal or person in charge of such building on each fire drill held, and of the time elapsed from the first fire signal until the last person was out. (Code 1961, §24.504)~~

Sec. 12-119. ~~Removal of apparatus prohibited except in emergency.~~

~~It shall be unlawful to remove from its proper place any fire apparatus or appliances except for inspection or in case of emergency. (Code 1961, §24.505)~~

~~Secs. 12-120--12-135. Reserved.~~

ARTICLE VIII. SOUND AMPLIFIERS

[Editor's Note: Article VIII was replaced in its entirety by Ord. 0-71-06]

Sec. 12-136. Permit required.

It shall be unlawful to maintain or operate any loud speaker or amplifier connected with any radio, phonograph, microphone, or other device by which sounds are magnified and made heard over any public street or public place without first having secured a permit therefor.

Sec. 12-137. Applications.

Any person desiring a permit for the use or operation of such devices, shall file an application therefor with, no less than seven (7) days before the intend date of the event, to the Village Manager or his/her designee, upon a form provided by him/her, setting forth the name and address of the applicant, the name of the owner of such device, the date upon which it is intended to be used, and such other information as may be prescribed. School and Park District properties are exempt from the sound amplification regulations, for any school, park, or other established affiliate function, which is occurring on School or Park District property. (Ord. No. 0-155-16, 12/19/16)

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Sec. 12-138. Restrictions.

All events for which a permit is granted will be subject to the following restrictions:

1. The permit shall be limited per the hours granted by the Village Manager.
2. A permit holder shall not operate or employ any such device within a radius of two (2) blocks from any hospital or within the radius of two (2) blocks from any church while services are being held there.
3. The only sounds permitted shall be either music or human speech, or both;
4. Speakers for sound amplification equipment shall be directed, to the extent feasible toward open or unoccupied space and away from residentially occupied property.
5. In any event, the volume of sound shall be so controlled that it will not be unreasonably loud, raucous, jarring, disturbing or a nuisance to reasonable persons of normal sensitiveness within the area of audibility.

The Village Manager or his/her designee may include additional restrictions or conditions to the permit.

This section shall not apply to radios in homes or in private pleasure vehicles, when the same are operated in such a manner as not to be audible at a distance of fifty (50) feet from such vehicle, nor to noise devices, bands or other musical devices used in any public parade, community event, or procession which is operated under a permit in accordance with the ordinances of the Village or approval of the Village Council.

No permit shall cause or permit to be emanated or emitted from any such device any lewd, obscene, profane, or indecent language or sounds, or any false representation of any matter, product, or project advertised thereby, the sale of which is prohibited by any provision of this Code or other ordinance or statute.

The Village Manager or his/her designee may revoke any permit if the sound is deemed to be in violation of any of the above restrictions.

Secs. 12-139--12-150. Reserved.

ARTICLE IX. STATE OF EMERGENCY*

***Editor's note**--Ord. No. O-129-86, §1, adopted Sept. 29, 1986, repealed Art. IX, §§12-151--12-155, pertaining to civil emergencies and curfew which derived from Code 1961, §§24.701--24.705 and enacted new provisions designated as Art. IX, §§12-151--12-155, pertaining to state of emergency, to read as herein set out.

Cross reference(s)--Civil defense organization, §2-501 et seq.

Sec. 12-151. Definitions.

For the purposes of this article, the following words shall have the meanings indicated unless their context clearly requires otherwise:

State of emergency means the occurrence of:

- (1) 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

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- (2) Any disaster which; shall mean an occurrence or threat from widespread or severe damage, injury or loss of life or property resulting from any natural or man-made cause, including but not limited to fire, flood, earthquake, wind, storm, oil spill or other water contamination requiring emergency action to avert danger or damage, epidemic, air contamination, blight, extended periods of severe and inclement weather, drought, infestation, critical shortages of essential fuels or energy, explosion, riot, or hostile military or paramilitary action. Disaster includes but is not limited to all occurrences and threats thereof which are contemplated by the concept of "emergency services and disaster operations."

Curfew means 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 Vvillage, excepting officials of any governmental unit and persons officially designated to duty with reference to said state of emergency. (Ord. No. O-129-86, §1, 9-29-86)

Sec. 12-152. Proclamation; contents; curfew.

Whenever a state of emergency exists, the ~~president~~Mayor shall proclaim its existence by means of a written declaration. Said declaration shall be signed by him or her, under oath and contain the following:

- (1) A statement to the effect that a state of emergency, as defined by this article, does exist.
- (2) Set forth the facts supporting such findings.
- (3) A declaration of the nature of the state of emergency and ~~his-the~~ reasons for ~~his-the~~ action.
- (4) A declaration that a state of emergency does exist. Such statement shall be promptly filed with the Village C-lerk.

After proclaiming a state of emergency, the ~~president~~Mayor, by executive order, and after consultation with the ~~village Village manager Manager~~ and ~~e~~Chief of ~~p~~Police, may establish a general curfew applicable to such geographical areas of the Vvillage, including the Vvillage as a whole, as he or she deems advisable, to be applicable during such hours of the day or night as he or she deems necessary in the interest of the public safety and welfare. (Ord. No. O-129-86, §1, 9-29-86)

Sec. 12-153. Enforcement.

After the proclamation of a state of emergency, the ~~president~~Mayor may also, in the interests of public safety and welfare, take any or all of the following actions by executive order:

- (1) Order the closing of all liquor stores and establishments, including taverns and private clubs or portions thereof wherein the consumption of intoxicating liquor and beer is permitted.
- (2) Order the discontinuance of the sale of alcoholic liquor by any wholesaler or retailer.
- (3) Order 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.
- (4) Order the discontinuance of selling, distributing, dispensing or giving away of any firearms or ammunition of any character whatsoever.
- ~~(5) Call into service the village's emergency services and disaster agency (ESDA) pursuant to section 2-501 et. seq. of this Code.~~
- ~~(6)~~ Issue such other orders as are imminently necessary for the protection of life and property. (Ord. No. O-129-86, §1, 9-29-86)

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Sec. 12-154. Effective period.

The proclamation shall be effective for a period of forty-eight (48) hours unless sooner terminated by the ~~president Mayor~~ but, in no event, shall continue later than the adjournment of the first meeting of the ~~president Mayor~~ and ~~board Council~~ after the state of emergency is declared. The ~~president Mayor~~ shall have the power to reproclaim the existence of a state of emergency at the end of each forty-eight- hour period during the time said state of emergency exists. (Ord. No. O-129-86, §1, 9-29-86)

Sec. 12-155. Notice; posting.

Upon issuance of the proclamation, the ~~V~~village ~~M~~anager or his/~~her~~ designee shall notify the news media covering and serving the ~~V~~village, and shall file the existence of the emergency in accordance with Illinois law. ~~cause three (3) copies of the proclamation, declaring the existence of the emergency to be posted in not less than three (3) prominent places in the village.~~ (Ord. No. O-129-86, §1, 9-29-86)

Secs. 12-156--12-165. Reserved.

ARTICLE X. DUTCH ELM DISEASE AND EMERALD ASH BORER INFESTATION

Editor's Note – Article X was replaced in ~~it's~~sits entirety by Ordinance #0-24-08, passed on February 19, 2008.

Sec. 12-166. Control of infected or infested trees.

It shall be unlawful for the owner of any premises in the ~~V~~village to permit any tree or portion thereof infected with Dutch Elm disease or infested with the Emerald Ash Borer to remain on such premises. (Code 1961, §24.801)

Sec. 12-167. Inspection.

The officers, agents, servants, and employees of the Village are hereby authorized and directed to enter on and upon private property whereon there is located any Elm tree or Ash tree having the appearance of or suspected of being diseased with the Dutch Elm disease or infested with the Emerald Ash Borer, for the purpose of inspecting said suspected tree and removing there from samples or portions thereof to be tested to establish whether said tree is in fact diseased or infested. (Code 1961, §24.802)

Sec. 12-168. Declared a nuisance.

Any tree or part thereof affected with the Dutch Elm disease or Emerald Ash Borer infestation is hereby declared to be a nuisance. (Code 1961, §24.803)

Sec. 12-169. Abatement--By owner.

The owner or occupant of the parcel of land on which said diseased Elm tree or infested Ash tree exists shall forthwith remove and destroy said Elm tree or Ash tree and properly dispose of all materials in accordance with guidelines established by the Illinois Department of Agriculture, within ten (10) days of

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notification to such owner, occupant, or agent that said Elm tree or Ash tree is in fact diseased or infested.
(Code 1961, §24.804)

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Sec. 12-170. Same--By ~~village~~Village.

In each case where the owner or occupant of the parcel of land on which said diseased Elm tree or infested Ash tree is located cannot be found, or if found and notified as aforesaid neglects or refuses to abate said nuisance, it shall be lawful for the Village to abate the same by the removal and proper dispose of all materials in accordance with guidelines established by the Illinois Department of Agriculture, of said diseased Elm tree or infested Ash tree and in that event the said owner, occupant or agent or any of them shall be charged with those expenses which may be incurred by the V~~v~~illage in the removal or abatement of the diseased Elm tree or Ash tree as aforesaid, which expenses shall be collected by the V~~v~~illage by suit or otherwise in addition to the fine for the violation. (Code 1961, §24.805)

Sec. 12-171. ~~Permit Required~~nalties.

Any person who shall violate any provision of this chapter, ~~or who commences any work prior to obtaining said permit shall be subject,~~ upon conviction in a court of competent jurisdiction, will be subject to a fine not less than twenty-five dollars (\$25.00) nor more than seven hundred and fifty dollars (\$750.00) per offense. (Ord. No. 0-152-12, §1, 11/19/12)

Secs. 12-172-12-180. Reserved.

ARTICLE XI. VILLAGE JAIL

Sec. 12-181. Establishment.

The place in the V~~v~~illage heretofore established and used as the jail, or any other place which may be hereafter used for that purpose, is hereby declared to be the V~~v~~illage jail. (Code 1961, §8.301)

Sec. 12-182. Keeper.

The C~~C~~hief of P~~P~~olice shall be the keeper of the jail and shall have custody over all persons confined therein and of all property pertaining thereto.

~~Whenever a female is confined in the village jail, the chief of police is authorized to employ, on a part-time basis, a female to have charge of such female prisoner during the time of incarceration. In addition, the chief of police may employ a female, on a part-time basis, whenever deemed necessary for the arrest, custody or detention of a female. (Code 1961, §8.302)~~

Sec. 12-183. Prisoners.

The jail shall be used for the incarceration of all persons arrested for violating any laws of the state, the United States, or for violating any V~~v~~illage ordinance until such person shall be lawfully brought before a judge for a hearing or until such person shall be lawfully transferred to some other place of incarceration or otherwise lawfully released.

Sec. 12-184. Escape.

It shall be unlawful for any person to escape or attempt to escape, or to assist any prisoner to escape or attempt to escape from jail. (Code 1961, §8.304)

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Sec. 12-185. Communication with prisoners.

It shall be unlawful for any person to communicate with any prisoner held in the jail without the permission of the Cehief of Ppolice or the police officer in charge. (Code 1961, §8.305)

Secs. 12-186--12-190. Reserved.

ARTICLE XII. ANTILITTER REGULATIONS*

***Editor's note**--Ord. No. O-63-75, 1, adopted Aug. 11, 1975, amended the 1961 Code by adding the provisions codified herein as Art. XII, 12-191--12-205.

Sec. 12-191. Definitions.

For purposes of this article, the following terms, phrases, words and their derivations shall have the meaning given herein:

Aircraft is any contrivance now known or hereafter invented, used or designated for flight in the air. The word "aircraft" shall include helicopters and lighter-than-air dirigibles, ~~and~~ balloons and drones.

Commercial handbill is any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet, or any other printed or otherwise reproduced original or copies of any matter of literature:

- (1) Which advertises for sale any merchandise, product, commodity, or thing; or
- (2) Which directs attention to any business or mercantile or commercial establishment, or other activity, for the purpose of either directly or indirectly promoting the interest thereof by sales; or
- (3) Which directs attention to or advertises any meeting, theatrical performance, exhibition, or event of any kind, for which an admission fee is charged for the purpose of private gain or profit; or
- (4) Which, while containing reading matter other than advertising matter, is predominantly and essentially an advertisement, and is distributed or circulated for advertising purposes, or for the private benefit and gain of any person so engaged as advertiser or distributor.

Garbage is putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

Litter is garbage, refuse and rubbish as defined herein and all other waste material.

Newspaper is any newspaper of general circulation or any newspaper duly entered with the post office department of the United States, in accordance with federal statute or regulation and, in addition thereto, shall mean and include any periodical or magazine regularly published with not less than four (4) issues per year, and sold to the public.

Noncommercial handbill is any printed or written matter, any sample, or device, dodger, circular, leaflet, pamphlet, newspaper, magazine, paper, booklet, or any other printed or otherwise reproduced original or copies of any matter of literature not included in the definitions of a commercial handbill or newspaper.

Person is any person, firm, partnership, association, corporation, company or organization of any kind.

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Private premises is any dwelling, house, building, or other structure designed or used either wholly or in part for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.

Public place is any and all streets, sidewalks, boulevards, alleys or other public ways and any and all public squares, spaces, grounds, public parks, tot lots and public buildings.

Refuse is all putrescible and nonputrescible solid wastes (except body wastes), including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, and solid market and industrial wastes.

Rubbish is nonputrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery and similar materials.

Vehicle is every device in, upon or by which any person or property is or may be transported or drawn upon a highway including devices used exclusively upon stationary rails or tracks.

Village is the Village of Palatine, Illinois.
(Ord. No. O-63-75, §2, 8-11-75)

Sec. 12-192. Litter in public places.

No person shall throw or deposit litter in or upon any street, sidewalk or other public place within the ~~V~~illage except in public receptacles, in authorized receptacles for collection, or in duly licensed landfills.

For special gatherings and events held on public property and approved in writing by the Village of Palatine, proper receptacles for litter must be provided by the person or organization authorized to use the public property. Within forty-eight (48) hours after any such gathering or event, all litter must be disposed of as provided herein by the responsible party. If inclement weather prevents such removal, additional time may be provided through direct request to the office of the ~~director of environmental health~~ Environmental Health Field Director. If said gathering or event is of a continuous nature, daily clearing of the litter must be provided, with the litter deposited in suitable receptacles for removal by the responsible party. (Ord. No. O-63-75, §1, 8-11-75)

Sec. 12-193. Private property to be kept free of litter; nuisance.

Persons owning or occupying property shall keep their property free of litter. The failure of persons owning or occupying property to properly dispose of litter located on such property is a public nuisance, and shall be subject to the abatement provisions of Article XXII of this chapter and the penalty provisions of Article XXIII of Chapter 12 of this Code. (Ord. No. O-63-75, §1, 8-11-75; Ord. No. O-1-84, §1, 1-9-84)

Sec. 12-194. Litter thrown by persons in vehicles.

No persons, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or other public place within the ~~V~~illage, or upon private property. (Ord. No. O-63-75, §1, 8-11-75)

Sec. 12-195. Litter in lakes and fountains.

No person shall throw or deposit litter in any fountain, pond, lake, stream, bay, creek, or any other body of water within the ~~V~~illage. (Ord. No. O-63-75, §1, 8-11-75)

Sec. 12-196. Throwing or distributing handbills in public places.

No person shall throw or deposit any commercial or noncommercial handbill or any other advertisement in or upon any sidewalk, street or other public place within the ~~V~~illage. (Ord. No. O-63-75,

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§1, 8-11-75)

Sec. 12-197. Placing commercial and noncommercial handbills on vehicles.

No person shall throw or deposit any commercial or noncommercial handbill in or upon any vehicle. Provided, however, that it shall not be unlawful in any public place for a person to hand out or distribute, without charge, a noncommercial handbill to any occupant of a vehicle who is willing to accept it. (Ord. No. O-63-75, §1, 8-11-75)

Sec. 12-198. Depositing commercial and noncommercial handbills on uninhabited or vacant premises.

No person shall throw or deposit any commercial or noncommercial handbill in or upon any private premises which are continuously uninhabited or vacant. (Ord. No. O-63-75, §2, 8-11-75)

Sec. 12-199. Distributing commercial and noncommercial handbills at inhabited private premises.

No person shall throw, deposit or distribute any commercial or noncommercial handbill in or upon private premises which are inhabited, except by handing or transmitting any such handbill directly to the owner, occupant, or other person then present in or upon such private premises, or by placing or depositing the same in such manner as to secure or prevent such handbill from being blown or drifted about such premises of sidewalks, streets or other public places. Mailboxes may not be used for this purpose when prohibited by federal postal law or regulations. (Ord. No. O-63-75, §2, 8-11-75)

Sec. 12-200. Exemption for mail or newspapers.

The provisions of the foregoing section 12-199 shall not apply to the distribution of mail by the United States, nor to newspapers (as defined herein). (Ord. No. O-63-75, §2, 8-11-75)

Sec. 12-201. Dropping litter from aircraft.

No person in an aircraft shall throw out, drop or deposit any litter upon any property in the Village. (Ord. No. O-63-75, §2, 8-11-75)

Sec. 12-202. Reserved.

(Ord. No. O-63-75, §2, 8-11-75; Ord.No.0-82-98, §1,6-8-98; Ord.No.0-167-98, §1, 10-26-98; Ord. 0-127-06, §1, 7/17/06)

Sec. 12-203. Litter on vacant lots.

No person shall throw or deposit litter on any open or vacant private property within the Village. (Ord. No. O-63-75, §1, 8-11-75)

Sec. 12-204. Penalties.

Except as otherwise provided in section 12-193, any person violating any provision of this article shall be fined not less than ~~twenty-five~~fifty dollars (\$~~50~~25.00) nor more than two hundred and fifty dollars (\$~~200~~250.00) for the first such offense. Any person violating any provision of this article shall be subject to a fine of not less than ~~fifty-one hundred~~ dollars (\$~~50~~100.00) nor more than ~~two-five~~ hundred dollars (\$~~200~~500.00) for the second such violation and a fine of not less than one hundred and fifty~~seventy-five~~ dollars (\$150~~75~~.00) nor more than ~~seven hundred fifty~~one thousand dollars (\$1,00~~750~~.00) for the third and subsequent violations within a ~~one-year~~one-year period. (Ord. No. O-63-75, §1, 8-11-75; Ord. No. O-1-84, §3, 1-9-84; Ord. No. 0-5-98, §16,1-26-98))

Editor's note--Section 2 of Ord. No. O-1-84, adopted Jan. 9, 1984, repealed §12-204 as said section pertained to the notification to owners to properly dispose of litter on open private property and as derived from Ord. No. O-63-75, §1, adopted Aug. 11, 1975. Section 3 of Ord. No. O-1-84 then renumbered §12-205 as § 12-204 and amended said section as herein set out.

Secs. 12-205--12-214. Reserved.

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ARTICLE XIII. REGULATION OF PARADES AND MOTORCADES

Sec. 12-215. Definitions.

Parade "Parade" ~~means a march, procession, or other similar activity consisting of persons, animals, vehicles, or things, or any combination thereof, upon a public street, sidewalk, alley, or other public place, which requires a street closing or otherwise requires stopping or rerouting vehicular traffic because the parade will not or cannot comply with normal and usual traffic regulations or controls. "Parade" does not include a political protest, march, demonstration, or other assembly protected by the First Amendment.~~ ~~means any march or procession consisting of people, animals or vehicles or a combination thereof, except funeral processions, upon any public street, sidewalk or alley, which does not comply with normal and usual traffic regulations or controls.~~

Motorcade: "Motorcade" means an organized procession containing twenty-five (25) or more vehicles, except funeral processions, upon any public street, sidewalk or alley. (Ord. No. O-56-77, §1, 6-13-77)

Sec. 12-216. Permit required.

It shall be unlawful for any person to conduct a parade or motorcade in or upon any public street, sidewalk or alley in the ~~V~~village, or knowingly participate in any such parade unless and until a permit to conduct such a parade or motorcade has been obtained from the ~~V~~village ~~M~~anager, or, as hereinafter provided, from the ~~president~~ Mayor and ~~board of trustees~~ Council of the Village of Palatine. (Ord. No. O-56-77, §1, 6-13-77)

Sec. 12-217. Parade or motorcade for commercial purpose prohibited.

No permit shall be issued authorizing the conduct of a parade or motorcade which is to be held for the sole purpose of advertising any product, goods, wares, merchandise and is designed to be held purely for private profit. (Ord. No. O-56-77, §1, 6-13-77)

Sec. 12-218. Interference with parade or motorcade.

No person shall knowingly join or participate in any parade or motorcade conducted under permit from the Village of Palatine in violation of any of the terms of said permit or knowingly join or participate in any permitted parade or motorcade without the consent and over the objection of the permittee, nor in any manner interfere with its progress or orderly conduct. (Ord. No. O-56-77, §1, 6-13-77)

Sec. 12-219. Application for permit.

Any person who desires to conduct a parade or motorcade shall apply to the ~~V~~village ~~M~~anager for a permit at least ten (10) days in advance of the date of the proposed parade or motorcade. The application for such permit shall be in writing on a form approved by the ~~president and board of trustee~~ Mayor and Councils of the Village of Palatine or in a form acceptable to the ~~V~~village ~~M~~anager. The ~~V~~village ~~M~~anager may waive the ten-day requirement as provided herein. In order that adequate arrangements may be made for the proper policing of the parade or motorcade, the application shall contain the following information:

- (1) The name of the applicant, the sponsoring organization, the parade or motorcade chairman, and the addresses and telephone numbers of each.
- (2) The nature of the parade or motorcade, the date when it is proposed to be conducted, the location of the assembly area, the location of the disbanding area, route to be traveled and the approximate time when the parade or motorcade will assemble, start and terminate.
- (3) A general description of the units to be used.
- (4) A permit fee in the amount of one hundred dollars (\$100.00) must accompany each application. All applications shall be reviewed and approved prior to issuance of any permit.

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The Village Manager may waive or otherwise discount required fees when deemed to be in the best interest of the Village or community.

The ~~V~~village ~~M~~anager shall immediately forward a copy of the application to the ~~chief~~ ~~Police~~ Chief of ~~Police~~ and the ~~F~~ire ~~C~~hief. (Ord. No. O-56-77, §1, 6-13-77)

Sec. 12-220. Issuance or denial of permit.

(a) *Standards of issuance.* The ~~V~~village ~~M~~anager shall issue a parade or motorcade permit conditioned upon the applicant's written agreement to comply with the contents of such a permit as hereinafter specified, unless it is found that:

- (1) The time, route and size of the parade or motorcade will disrupt to an unreasonable extent the movement of other traffic.
- (2) The parade or motorcade is of a size or nature that requires the diversion of so great a number of police officers of the ~~v~~Village to properly police the line of movement and the areas contiguous thereto that allowing the parade or motorcade would deny reasonable police protection to the ~~V~~village.
- (3) Such parade or motorcade will interfere with another parade or motorcade for which a permit has been issued.

(b) *Standards for denial.* The ~~V~~village ~~M~~anager shall deny an application for a parade or motorcade permit and notify the applicant of such denial where:

- (1) The ~~v~~Village ~~M~~anager makes any finding contrary to the findings required to be made for the issuance of a permit as above specified.
- (2) The information contained in the application is found to be false or nonexistent in any material detail.
- (3) The applicant refuses to agree to abide by or comply with all the contents of the permit.

(c) *Time for issuance or denial.* The applicant shall be informed of the issuance or denial of the permit within seven (7) days of the filing of the application for same. (Ord. No. O-56-77, §1, 6-13-77)

Sec. 12-221. Contents of permit.

In each permit, the following shall be specified:

- (1) The assembly area and time therefor.
- (2) The starting time.
- (3) The minimum and maximum speeds of any motor vehicles.
- (4) The route of the parade or motorcade.
- (5) What portions of streets to be traversed may be occupied by such parade or motorcade.
- (6) The maximum length of such parade or motorcade in miles or fractions thereof.
- (7) The disbanding area and disbanding time.
- (8) The permittee shall advise all participants in the parade or motorcade, either orally or by written notice, of the terms and conditions of the permit prior to the commencement of such parade or motorcade.
- (9) That the parade or motorcade continue to move at a fixed rate of speed and that any willful

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delay or willful stopping of said parade or motorcade except that which is reasonably required for the safe and orderly conduct of the parade or motorcade shall constitute a violation of the permit, all conditions of the permit shall be complied with so far as reasonably practical.

(Ord. No. O-56-77, §1, 6-13-77)

Sec. 12-222. Appeal procedure.

Upon a denial by the ~~V~~village ~~M~~anager of an application made pursuant to section 12-219 of this article, the applicant may appeal from the determination of the ~~V~~village ~~M~~anager within five (5) days thereafter to the ~~village president and board of trustees~~ Mayor and Council by filing a written notice of appeal at its next meeting. Upon such appeal, the ~~president and board of trustees~~ Mayor and Council may reverse, affirm or modify in any regard the determination of the ~~V~~village ~~M~~anager. In the event the application is not filed within the required time as specified in section 12-219, the applicant may request a waiver of such requirement by the ~~Mayor and Council~~ president and board of trustees at its next regular meeting, or at a special meeting which may be called prior thereto by said ~~president and board of trustees~~ Mayor and Council to consider such a matter. The ~~president and board of trustees~~ Mayor and Council, if they find unusual circumstances and in the exercise of their sound discretion, may waive such requirement. (Ord. No. O-56-77, §1, 6-13-77)

Sec. 12-223. Officials to be notified.

Immediately upon the granting of a permit for a parade or motorcade, the ~~V~~village ~~M~~anager shall send a copy thereof to:

- (1) The ~~Mayor and Council~~ president and board of trustees.
- (2) The ~~C~~hief of ~~P~~police.
- (3) The ~~F~~ire ~~C~~hief.

(Ord. No. O-56-77, §1, 6-13-77)

Secs. 12-224--12-229. Reserved.

ARTICLE XIV. REGULATION OF ADULT BOOKSTORES AND ADULT MOVIE THEATERS*

*Cross reference(s)--Indecent publications, §12-9.

Sec. 12-230. Definitions.

For purposes of this article, the following definitions shall apply:

- (1) *Adult bookstore*: An establishment having as a substantial or significant portion of its stock in trade explicit sexual material or an establishment with a segment or section devoted to the sale or display of such materials.
- (2) *Adult movie theater*: An enclosed building with the capacity of fifty (50) or more persons used for the presentation of explicit sexual material.
- (3) *Explicit sexual material*:

(a) Any picture, drawing, photograph, motion picture or other pictorial representation which depicts actual or simulated acts of human sexual intercourse, sodomy, bestiality, oral copulation, masturbation, excretory functions, torture in the context of sexual relationship or exhibition of the genitals in a state of sexual stimulation or arousal.

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(b) Any artificial human penis or vagina or device primarily designed to stimulate genitals. Any description, advertisement or offer to sell or distribute such an artificial organ or device that presents either a pictorial representation or a detailed verbal description of such artificial organ or device or its manner of use.

(d) Any book, magazine, newspaper or other printed or written material which is made up in whole or in dominant part of depictions or descriptions of human sexual intercourse, oral copulation, bestiality, sodomy, masturbation or torture in the context of the sexual relationship. (Ord. No. O-54-77, §2, 6-13-77)

Sec. 12-231. Regulations.

No adult bookstore or adult movie theater shall operate or do business within the Village of Palatine, except as a special use in a B-~~5 Highway Business 2 General Service~~ District. Said adult bookstore or adult movie theater granted a special use shall be subject to the following restrictions:

- (1) No adult bookstore or adult movie theater:
 - (a) Shall be located within a one thousand-foot radius of any other adult bookstore or adult movie theater.
 - (b) Shall be located within a two thousand-foot radius of any public or private school, day care center or nursery.
 - (c) Shall be located within a thirteen hundred twenty-foot radius of any facility holding a liquor license.
 - (d) Shall be located within a thirteen hundred twenty-foot radius of a church, synagogue, or other place of worship.
 - (e) Shall be located within a two thousand-foot radius of any public park.
- (2) It shall be unlawful to sell or offer for sale, or to circulate, pass from one (1) 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 publication, printed or written picture or other representation.
- (3) 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 minors.

(Ord. No. O-54-77, §2, 6-13-77)

Secs. 12-232--12-240. Reserved.

ARTICLE XV. VANDALISM*

***Editor's note**--Ord. No. O-97-80, §§1, 2, enacted Dec. 8, 1980, amended Art. XV by repealing §§12-241, 12-243 and 12-244, renumbering § 12-242 as 12-241 and by adding a new § 12-242. Former §§12-241, 12-243 and 12-244 defined terms applicable to Art. XV and set forth the penalty and liability for violation of the article. Said former sections were derived from Ord. No. O-90-76, §1, adopted Oct. 11, 1976; Ord. No. O-94-77, §1, adopted Sept. 12, 1977; and Ord. No. O-96-80, §1, 2, adopted Dec. 8, 1980.

Cross reference(s)--Injury to public property, §12-1; see also Art. XVIII.

Sec. 12-241. Offenses.

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No person shall commit any of the following acts within the corporate limits of the Village of Palatine:

- (1) Maliciously, recklessly, or knowingly damage, deface, or destroy any property of another person without his/her consent; or
- (2) Maliciously, recklessly, or knowingly start a fire on the land of another person without his/her consent; or
- (3) Maliciously, recklessly, or knowingly deposit on the land or in a building of another person, without his/her consent, any stink bomb, or any offensive smelling compound and thereby interfere with the use and occupancy by another of the land or building; ~~or.~~
- ~~(4) Maliciously, recklessly, or knowingly and without authority enter into any building, house trailer, motor vehicle, aircraft or water craft or any part thereof of another person without his consent.~~

(Ord. No. O-90-76, §1, 10-11-76; Ord. No. O-97-80, §1, 12-8-80)

Sec. 12-242. Penalty.

A person convicted of a violation of any provision of this article shall be fined not less than ~~twentyseventy-five~~ dollars (\$~~2575~~.00) or in excess of ~~seven one thousand five hundred fifty~~ dollars (\$~~7501,500~~.00) for each offense. (Ord. No. O-97-80, §2, 12-8-80; Ord.No.0-5-98, §15,1-26-98)

Secs. 12-243--12-249. Reserved.

ARTICLE XVI. THEFT*

*Cross reference(s)--See Art. XVIII.

Sec. 12-250. Elements of the offense.

A person commits theft when he/she knowingly:

- (1) Obtains or exerts unauthorized control over property of the owner; or
- (2) Obtains by deception control over property of the owner; or
- (3) Obtains by threat control over property of the owner; or
- (4) Obtains control over stolen property knowing the property to have been stolen by another or under such circumstances as would reasonably induce him/her to believe that the property was stolen, and:
 - (a) Intends to deprive the owner permanently of the use or benefit of the property; or
 - (b) Knowingly uses, conceals or abandons the property in such manner as to deprive the owner permanently of such use or benefit; or
- (c) Uses, conceals, or abandons the property knowing such use, concealment or abandonment probably will deprive the owner permanently of such use or benefit.

(Ord. O-92-78, §1, 10-9-78)

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Sec. 12-251. Value of goods.

This article shall apply only to goods or services having a value of ~~one hundred fifty~~ one hundred fifty dollars (~~\$150~~50.00) or ~~underless~~. (Ord. No. O-92-78, §1, 10-9-78)

Sec. 12-252. Penalty.

A person convicted of a violation of any provision of this article shall be fined not less than ~~thirtyseven~~thirtyseven-five dollars (~~\$35~~75.00) nor more than two hundred fifty dollars (~~\$200~~250.00) for the initial conviction, and not less than ~~two~~two-five hundred dollars (~~\$200~~500.00) nor more than ~~seven one thousand five~~ seven one thousand five hundred fifty dollars (~~\$750~~1,500.00) for any subsequent conviction. (Ord. No. O-92-78, §1, 10-9-78; Ord.No. 0-5-98, §15,1-26-98)

Secs. 12-253--12-259. Reserved.

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ARTICLE XVII. RETAIL THEFT (SHOPLIFTING)*

*Cross reference(s)--See Art. XVIII.

Sec. 12-260. Legislative declaration.

It is recognized by the ~~V~~Village that a substantial burden is placed upon the economy of the ~~village~~Village because of ~~the rising~~ incidences of retail theft. This is a matter of great concern to the people of this ~~village-Village~~ who have a right to be protected in their safety and welfare from the effects of this offense. (Ord. No. O-93-78, §1, 10-9-78)

Sec. 12-261. Definitions.

For the purposes of this article, the words and phrases defined in this section have the meanings ascribed to them unless a contrary meaning is clear from the context:

Conceal: To "conceal" merchandise means that, although there may be some notice of its presence, that merchandise is not visible through ordinary observation.

Full retail value: "Full retail value" means the merchant's stated or advertised price of the merchandise.

Merchandise: "Merchandise" means any type of tangible personal property.

Merchant: "Merchant" means an owner or operator of any retail mercantile establishment or any agent, employee, lessee, consignee, officer, director, franchisee or independent contractor of such owner or operator.

Minor: "Minor" means a person who is less than nineteen (19) years of age, is unemancipated and resides with ~~their-his~~ parents or legal guardian.

Peace officer: "Peace officer" means any person who by virtue of his/her office or public employment is vested by law with a duty to maintain public order or to make arrests for offenses whether that duty extends to all offenses or is limited to specific offenses.

Person: "Person" means any natural person or individual.

Premises of a retail mercantile establishment: "Premises of a retail mercantile establishment" includes, but is not limited to, the retail mercantile establishment, any common use areas in shopping centers and all parking areas set aside by a merchant or on behalf of a merchant for the parking of vehicles for the convenience of the patrons of such retail mercantile establishment.

Retail mercantile establishment: "Retail mercantile establishment" means any place where merchandise is displayed.

Shopping cart: "Shopping cart" means those push carts of the type or types which are commonly provided by grocery stores, drugstores or other retail mercantile establishments for the use of the public in transporting commodities in stores and markets and, incidentally, from the stores to a place outside the store.

Under-ring: "Under-ring" means to cause the cash register or other sales recording device to reflect less than the full retail value of the merchandise. (Ord. No. O-93-78, §1, 10-9-78)

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Sec. 12-262. Offense of retail theft.

A person commits the offense of retail theft when he/she knowingly:

- (1) Takes possession of, carries away, transfers or causes to be carried away or transferred, any merchandise displayed, held, stored or offered for sale in a retail mercantile establishment with the intention of retaining such merchandise or with the intention of depriving the merchant permanently of the possession, use or benefit of such merchandise without paying the full retail value of such merchandise; or
- (2) Alters, transfers, or removes any label, price tag, marking, indicia of value or any other markings which aid in determining value affixed to any merchandise displayed, held, stored or offered for sale, in a retail mercantile establishment and attempts to purchase such merchandise personally or in consort with another at less than the full retail value with the intention of depriving the merchant of the full retail value of such merchandise; or
- (3) Transfers any merchandise displayed, held, stored or offered for sale, in a retail mercantile establishment from the container in or on which such merchandise is displayed to any other container with the intention of depriving the merchant of the full retail value of such merchandise; or
- (4) Under-rings with the intention of depriving the merchant of the full retail value of the merchandise; or
- (5) Removes a shopping cart from the premises of a retail mercantile establishment without the consent of the merchant given at the time of such removal with the intention of depriving the merchant permanently of the possession, use or benefit of such cart.
- (6) Represents to a merchant that he, she, or another is the lawful owner of property, knowing that such representation is false, and conveys or attempts to convey that property to a merchant who is the owner of the property in exchange for money, merchandise credit or other property of the merchant; or
- (7) Uses or possesses any theft detection shielding device or theft detection device remover with the intention of using such device to deprive the merchant permanently of the possession, use or benefit of any merchandise displayed, held, stored or offered for sale in a retail mercantile establishment without paying the full retail value of such merchandise; or
- (8) Obtains or exerts unauthorized control over property of the owner and thereby intends to deprive the owner permanently of the use or benefit of the property when a lessee of the personal property of another fails to return it to the owner, or if the lessee fails to pay the full retail value of such property to the lessor in satisfaction of any contractual provision requiring such.

(Ord. No. O-93-78, §1, 10-9-78)

Sec. 12-263. Presumptions.

If any person:

- (1) Conceals upon his/her person or among his/her belongings, unpurchased merchandise displayed, held, stored or offered for sale in a retail mercantile establishment; and
- (2) Removes that merchandise beyond the last-known station for receiving payments for that merchandise in that retail mercantile establishment;

such person shall be presumed to have possessed, carried away or transferred such merchandise with the intention of retaining it or with the intention of depriving the merchant permanently of the possession, use or benefit of such merchandise without paying the full retail value of such merchandise. (Ord. No. O-93-78,

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1, 10-9-78)

Sec. 12-264. Detention.

Any merchant who has reasonable grounds to believe that a person has committed retail theft may detain such person, on or off the premises of a retail mercantile establishment, in a reasonable manner and for a reasonable length of time for all or any of the following purposes:

- (1) To request identification;
- (2) To verify such identification;
- (3) To make reasonable inquiry as to whether such person has in his possession unpurchased merchandise and, to make reasonable investigation of the ownership of such merchandise;

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- (4) To inform a peace officer of the detention of the person and surrender that person to the custody of a peace officer;
- (5) In the case of a minor, to inform a peace officer, the parents, guardian or other private person interested in the welfare of that minor of this detention and to surrender custody of such minor to such person.

A merchant may make a detention as permitted herein off the premises of a retail mercantile establishment only if such a detention is pursuant to an immediate pursuit of such person. (Ord. No. O-93-78, §1, 10-9-78)

Sec. 12-265. Affirmative defense.

A detention as permitted in this article does not constitute an arrest or an unlawful restraint, as defined in ~~Section 10-3 of Chapter 38 of the Illinois Revised Statutes~~ the Illinois Compiled Statutes, nor shall it render the merchant liable to the persons so detained. (Ord. No. O-93-78, §1, 10-9-78)

Sec. 12-266. Value of goods.

This article shall apply only to goods having a value or full retail value of ~~one hundred fifty-three~~ hundred dollars (~~\$150~~300.00) or under. (Ord. No. O-93-78, §1, 10-9-78)

Sec. 12-267. Penalty.

A person convicted of a violation of any provision of this article shall be fined not less than ~~thirtyseven~~thirty-five dollars (~~\$35~~75.00) nor more than two hundred fifty dollars (~~\$200~~250.00) for the initial conviction, and not less than ~~two~~five hundred dollars (~~\$200~~500.00) nor more than ~~seven one thousand five~~ hundred fifty dollars (~~\$750~~1,500.00) ~~for any subsequent conviction.~~ (Ord. No. O-93-78, §1, 10-9-78; Ord. No. 0-5-98, §15, 1-26-98)

ARTICLE XVIII. PARENTAL RESPONSIBILITY

Sec. 12-268. Definitions.

The following definitions shall apply to Articles XV, XVI, XVII and XVIII:

- (1) *Knowingly.* Having general knowledge of, or reason to know, or a belief or ground for belief which warrants further inquiry or inspection.
- (2) *Legal Guardian.* A person appointed guardian, or given custody, of, a minor by a Circuit Court of this State but does not include a person appointed guardian or given custody of a minor under the Juvenile Court Act.
- (3) *Parent.* A natural or adoptive parent or court designated guardian.
- (4) *Person* shall include any individual, firm, partnership, association, corporation, company or organization of any kind.
- (5) *Property* shall include any real estate, including improvements thereon, and tangible personal property.
- (6) *Unemancipated Minor.* A person under the age of eighteen (18) years still under the care and custody of his or her parents.
- (7) *Willful.* Proceeding from a conscious and voluntary intentional motion of the will. (Ord. No. O-97-80, §3, 12-8-80; Ord. No. 0-27-95, §10, 4-10-95)

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Sec. 12-269. General Parental Responsibility.

It shall be unlawful for any parent or legal guardian of an unemancipated minor residing with said parent or legal guardian to knowingly allow or to knowingly permit said minor to violate or attempt to violate any state law or municipal ordinance or to knowingly or negligently act, or fail to act, in such a manner as to facilitate or contribute to any violation or attempted violation of any state law or municipal ordinance by said minor.

Sec. 12-270. Liability of Parent or Legal Guardian of Minor Offender.

Subject to the conditions contained in 12-269 the parent or legal guardian of an unemancipated minor who has custody of such minor shall be jointly and severally liable for any fine, condition or reparation imposed by a court and, for full restitution to any injured or damaged party or parties for the willful or malicious acts of said minor child provided that said amount shall not exceed \$1,000; provided however, that said parent or legal guardian has been served with a summons or notice to appear and written notice setting forth the charges against said minor child in the original cause as provided by law. Any person who willfully fails or refuses to answer said summons or notice to appear and to make payment in full of any amount found due to the court and to the injured or damaged party, as provided herein, or who violates any of the provisions of this section shall additionally be fined in accordance with the provisions of this Ordinance.

Sec. 12-271. Penalty.

Subject to the requirements contained in Section 12-269 and 12-270 any parent or legal guardian who fails or refuses to appear in court to answer a summons or notice to appear issued in conjunction with a charge or charges brought under this section against their unemancipated minor or who fails to make payment in full of any amount found due to the court and to the injured or damaged party (provided that said amounts shall not exceed \$1,000) shall be fined not less than seventy-five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00) for each such instance and shall be liable for said fine in addition to any fines, fees, costs, or restitution ordered to any injured or damaged party by the court. (Ord. No. 0-31-95, §10, 4-10-95; Ord. No. 0-5-98, §15, 1-26-98)

Secs. 12-272--12-275. Reserved.

ARTICLE XIX. TRESPASS

Sec. 12-276. Trespass prohibited.

It shall be unlawful for any person, firm or corporation to commit a trespass within this municipality upon either public or private property; or maliciously, recklessly, or knowingly and without authority enter into any building, house trailer, motor vehicle, aircraft or water craft or any part thereof of another person without his/her consent; provided, however, nothing herein shall prevent duly authorized representatives of the Village from being upon public or private property in the performance of their official duties and responsibilities under applicable statutes and ordinances. (Ord. No. O-91-79, §1, 7-9-79)

Sec. 12-277. Specifically enumerated trespasses; suppression.

Without constituting any limitation upon the provisions of section 12-276, any of the following acts by any person, firm or corporation shall be deemed included among those that constitute trespasses in violation of the provisions of said section 12-276, and appropriate action may be taken hereunder at any time, or from time to time, to prevent or suppress any violation or violations of this article, the aforesaid enumerated acts so included, being as follows, to wit:

- (a) An entry upon the premises, or any part thereof, of another, including any public property in violation of a notice posted or exhibited at the main entrance to said premises or at any point of approach or entry or in violation of any notice, warning or protest given orally or in writing, by any owner or occupant thereof; or

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- (b) The pursuit of a course of conduct or action incidental to the making of an entry upon the land of another in violation of a notice posted or exhibited at the main entrance to said premises or at any point of approach or entry, or in violation of any notice, warning or protest given orally or in writing by any owner or occupant thereof; or
- (c) A failure or refusal to depart from the premises of another in case of being requested, either orally or in writing, to leave by any owner or occupant thereof; or
- (d) An entry into or upon any vehicle, aircraft or watercraft made without the consent of the person having the right to the possession or control thereof, or a failure or refusal to leave any such vehicle, aircraft or watercraft after being requested to leave by the person having such right.
- (e) Maliciously, recklessly, or knowingly and without authority enter into any building, house trailer, motor vehicle, aircraft or water craft or any part thereof of another person without his/her consent.

(Ord. No. O-91-79, §1, 7-9-79)

Sec. 12-278. Penalties.

Any person, firm or corporation violating any of the provisions of this article shall, upon conviction thereof, be fined in an amount not exceeding seven hundred fifty dollars (\$750.00). (Ord. No. O-91-79, §1, 7-9-79; Ord. No. 0-5-98, §15, 1-26-98)

Secs. 12-279--12-281. Reserved.

ARTICLE XX. OBSTRUCTING PUBLIC EASEMENTS

Sec. 12-282. Blockage of easement or right-of-way.

It shall be unlawful for any owner or occupier of real property, under, over, upon or through which the ~~Village~~ owns an easement or right-of-way, to block or obstruct or knowingly permit the blockage or obstruction of said easement or right of way. This shall include, but not be limited to, sheds, dog houses, landscaping beds, trees and other miscellaneous obstructions that that would hinder or impact any potential maintenance or use of the easement. (Ord. No. O-81-80, §1, 10-27-80)

Sec. 12-283. Removal required; notice.

It shall be the duty of the ~~director~~ Director of ~~Public Works~~ the department ~~Department of community development~~ Community development, upon discovery of any obstruction which blocks or obstructs a ~~village~~ Village easement or right-of-way, to serve notice upon the owner or occupant of such premises and to demand the removal of said obstruction forthwith. (Ord. No. O-81-80, §1, 10-27-80)

Sec. 12-284. Abatement.

If the person, firm or corporation so served with notice, as provided in section 12-283 above, does not cause removal of such obstruction or blockage within ~~thirty ten~~ (30)10 days following receipt of said notice, the ~~director~~ Director of ~~Public Works~~ the department ~~Department of community development~~ Community development may proceed to cause the same to be removed, keeping a true and correct account of the expenses thereof, and such expenses shall be charged to and paid to the ~~village~~ Village by said owner or occupant; provided, however, that in the event, in the opinion of the ~~Village~~ manager ~~Manager~~, it is urgently

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necessary for the health, safety, ~~morals~~ and welfare of the public that such obstruction be removed immediately or at any time prior to the expiration of said ~~thirtyten~~-day period, the ~~village~~-Village may forthwith remove the obstruction immediately following personal delivery of said notice to the owner or occupant, or if such premises are not occupied, by certified or registered mail to the record owner thereof. (Ord. No. O-81-80, §1, 10-27-80)

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Sec. 12-285. Lien--Procedure for filing.

The ~~V~~village's reasonable expenses of removal of said obstruction, as provided in section 12-284 above, shall be and constitute a lien upon said premises. Whenever a bill or statement from the ~~V~~village to the owner or occupant of such premises for such expenses remains unpaid sixty (60) days after it has been rendered, the ~~village-Village~~Clerk may file with the county recorder of deeds of Cook County a statement of lien claim. This statement shall contain the legal description of the premises involved, the amount of the unpaid bill and a notice that the ~~V~~village claims a lien for this amount.

A copy of the said lien claim shall be mailed to the owner of the premises; provided, however, that failure of the clerk to record such lien or to mail such notice or the failure of the owner to receive such notice shall not affect the right to foreclose the lien for such expenses as provided in the following section 12-286. (Ord. No. O-81-80, §1, 10-27-80)

Sec. 12-286. Same--Foreclosure.

Property subject to a lien claim hereunder may be sold for nonpayment of the same upon foreclosure of said lien by the ~~V~~village in any court of competent jurisdiction. Proceeds of such sale shall be applied to pay the ~~village's-Village's~~ charges and expenses after deducting costs, as in the case of foreclosure of statutory liens. (Ord. No. O-81-80, §1, 10-27-80)

ARTICLE XXI. BURGLARY OR ROBBERY ALARM SYSTEMS

Sec. 12-287. Alarm user permits required; fee; application.

It shall be unlawful for any person, firm or corporation to have or maintain on any premises any type of burglary or robbery alarm, calling for emergency response by the Palatine Police Department, without first having obtained a Village of Palatine permit for such alarm issued by the Palatine ~~village-Police Department~~manager. ~~An annual alarm applications for alarm permit fees shall be collected for each residential and commercial address with a burglary or robbery alarm as listed in the Village Fee Schedule on forms furnished by the village. A permit fee in the amount of twenty-five dollars (\$25.00) must accompany each application.~~ All applications shall be reviewed and approved by the Palatine Police Department prior to issuance of any ~~license~~permit. ~~There shall be an annual permit renewal fee of fifteen dollars (\$15.00).~~ (Ord. No. O-59-81, §1, 6-9-81)

Sec. 12-288. Unlawful use prohibited.

It shall be unlawful for any user of any type ~~of~~ burglary or robbery alarm to fail to appear and turn off or reset any such alarm within one hour after being notified by the ~~p~~Police ~~Department~~ to do so. (Ord. No. O-59-81, §1, 6-9-81)

Sec. 12-289. False alarms prohibited; fees for response; suspension or revocation of permit.

(a) For the purposes of this section:

- (1) *False alarm.* The term "false alarm" shall mean the activation of a burglary or robbery alarm at a time when no burglary or robbery is being committed or attempted on the premises, and when the person activating such alarm has no reasonable cause to believe a burglary or robbery is being committed.
- (2) *Police response.* The term "police response" shall mean the actual physical presence of one or more ~~V~~village law enforcement officers at the premises of the alarm system in question in response to a report of activation of said alarm system.

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(b) It shall be unlawful for any person to activate a false alarm or for any person to notify the police of the activation of an alarm having the knowledge that such activation was caused by an electrical or other malfunction of the alarm system without also notifying the police of such malfunction.

~~(e) In the event the Palatine Police responds to any false alarm, the following reports shall be required and fees imposed:~~

~~(c) (1) — three or more responses within a six-month rolling period, the Village of Palatine shall issue a ticket and assess a fine to the person having or maintaining such burglary and/or robbery or trespass, elevator emergency or fire alarm on premises owned or occupied by him/her, not less than one hundred (\$100.00) dollars and up to seven hundred and fifty (\$750.00) dollars per alarm occurrence.~~

~~(d) The Village reserves the right to hold a Business Revocation Hearing for commercial properties in violation of this Article pursuant to Sec. 11-15. Suspension or revocation of license or permit.~~

~~First response. For a response to premises at which no other false alarm has occurred within the preceding six (6) months' period, no fee shall be charged, but the person having or maintaining such burglary or robbery alarm shall, within three (3) working days after notice to do so, make a written report to the chief of police on forms prescribed by him setting forth the cause of such false alarm, the corrective action taken, whether such alarm has been inspected by an authorized serviceman, and such other information as the chief of police may reasonably require to determine the cause of such false alarm and prescribe corrective action.~~

~~(2) Second response. For a second response to premises within six (6) months after the first response, no fee shall be charged, but a written report shall be required as for a first response and the chief of police shall be authorized to inspect or cause to be inspected the alarm system at such premises, prescribe necessary corrective action, and shall give notice to the person having or maintaining such alarm system of the conditions and requirements of this section.~~

~~(3) Third and succeeding response. For a third response to premises within six (6) months after such a second response, and for all succeeding responses within six (6) months of the last response, a fee of fifty dollars (\$50.00) shall be charged.~~

~~(4) Revocation or suspension of permit; disconnection of alarm. If a third response to a false alarm or any succeeding false alarm is as a result of failure to take necessary corrective action prescribed by the chief of police, the village manager, following written notice, may revoke or suspend the alarm permit of the person maintaining such burglary or robbery alarm, and disconnect or cause to be disconnected or order the disconnection of such alarm system. It shall be unlawful to reconnect, or operate such alarm system until the village manager is satisfied that the cause or causes of the false alarms have been eliminated and authorizes the reissuance of the alarm permit therefor. (Ord. No. O-59-81, §1, 6-9-81)~~

Sec. 12-290. Automatic dialing of police department or fire department prohibited.

No person, firm or corporation shall use or cause or permit to be used, or engage in the business of providing any telephone device or telephone attachment that automatically selects a public trunk line of the police or fire department of the Village of Palatine and then reproduces any prerecorded message or sound to report any robbery, burglary, fire or other emergency. (Ord. No. O-59-81, §1, 6-9-81)

Sec. 12-291. Penalty for violations.

Any person who intentionally activates an alarm system for the purpose of summoning police, except in the event of an actual or attempted robbery, burglary or other bona fide police emergency, or notifying the police of the activation of an alarm having knowledge that such activation was caused by malfunction of the alarm system without also first notifying the police of such malfunction; or any person, firm or corporation that fails to:

~~(a)~~ (a) — Obtain an alarm system user permit as required in section 12-287;

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(b) ~~(b)~~ File a written report as required by section 12-289;

(c) ~~(c)~~ Submit to inspection of the alarm system as required by section 12-289;

~~(d)~~

(d) Pay the fee required by section 12-289;

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- (e) Obey any lawful order of the ~~V~~village ~~M~~anager of suspension, revocation or disconnection of an alarm user permit;

shall be punished by a fine of not less than fifty dollars (\$50.00), nor more than seven hundred fifty dollars (\$750.00) for each offense, and each day that such violation continues shall be a separate offense. (Ord. No. O-59-81, §1, 6-9-81; Ord. No. 0-5-98, §15, 1-26-98)

ARTICLE XXII. ABATEMENT OF NUISANCES

Sec. 12-292. Abatement procedure.

 The following shall be the procedure for the abatement of nuisances within the jurisdiction of the Village of Palatine:

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 (1) Notice. Unless otherwise provided for in this Code, upon the determination that a nuisance exists, the ~~V~~Village authorities shall give notice as follows:

- (a) Notice shall be given to the owner of the nuisance or of the property on which the nuisance exists. For purposes of this section, the person to whom the last general tax bill on the property was sent shall be presumed the owner.
- (b) Notice shall be served upon the owner personally or by first class mail addressed to the owner. If the nuisance has not been abated four (4) days after the mailing of such notice by first class mail, notice may be served upon such owner by posting the notice in a prominent place on or about the property identified in the notice.
- e
- (c) Notice shall state the location and nature of the nuisance.
- (d) Notice may apprise the owner that if the nuisance is not abated within a specified number of days, the ~~V~~village shall, at the expense of such owner, have such nuisance abated. Ten (10) days shall be such specified number unless otherwise stated in this code.

(2) Abatement. If upon the giving of notice, the owner fails to abate said nuisance within the time specified in the notice, the ~~V~~village authorities are hereby authorized to effect the abatement of said nuisance, and to assess the cost thereof against the owner of the land upon which the nuisance exists. The amount of such costs shall be paid by such owner to the ~~V~~village. No building permit shall be required for the ~~V~~village authorities to abate a nuisance.

(3) If the nuisance is of such threat to the welfare and comfort of the community that it must be abated immediately, the ~~V~~village ~~M~~anager or his/her designee is hereby authorized to take whatever steps are necessary to effect the abatement of same.

(Ord. No. O-105-82, §1, 11-8-82; Ord. 0-91-08, §2, 7/14/08)

Sec. 12-293. Assessment of liens for the costs of nuisance abatement.

The cost of such abatement shall constitute a lien upon the real estate effected, superior to all subsequent liens and encumbrances, except tax liens, if within sixty (60) days after such cost or expense is

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incurred the ~~V~~village, or the person performing the service by authority of the ~~V~~village in his/~~her~~ or the ~~village's~~ Village's name, files notice of lien in the office of the recorder of deeds of Cook County, or in the office of the Registrar of Titles if the real estate effected is registered under the Torrens System.

The notice shall consist of a sworn statement setting out:

- (1) A description of the real estate sufficient for identification thereof.

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- (2) The amount of money representing the cost and expense incurred or payable for the service.
- (3) The date or dates when such cost and expense was incurred by the municipality.

However, the lien of the ~~V~~village shall not be valid as to any purchaser whose rights in and to such real estate have arisen subsequent to the abatement and prior to the filing of such notice, and the lien of the ~~V~~village shall not be valid as to any mortgages, judgment creditor, or other lien or whose rights in and to such real estate arise prior to the filing of such notice. Upon payment of the cost and expense by the owner of or persons interested in such property after notice of lien has been filed, the lien shall be released by the ~~V~~village of the person in whose name the lien was filed and such release may be filed of record as in the case of filing notice of lien.

The cost of such abatement shall not be a lien upon the real estate effected unless a notice shall be served according to 12-292, paragraph (1) of this chapter. (Ord. No. O-105-82, §1, 11-8-82)

ARTICLE XXIII. PENALTY FOR NUISANCE VIOLATIONS

Sec. 12-294. Penalty.

Any person, firm or corporation causing any nuisance enumerated in this Code shall be subject to a fine of not less than ~~fifty-two hundred~~ dollars (\$~~50~~200.00) nor more than ~~seven-one thousand five~~ hundred ~~fifty~~ dollars (\$~~750~~1,500.00). Each time such person shall continue or re-cause a nuisance after being found guilty for the same, a new cause of action shall immediately accrue; provided however that the offender shall be given notice for each offense as set forth in section 12-292 of this chapter, and shall be allowed a reasonable time to abate such additional nuisance unless it was willful or resulted in actual damage to another. (Ord. No. O-105-82, §1, 11-8-82; Ord. No. 0-5-98, §17, 1-26-98; Ord. No. 0-91-08, §3&4, 7/14/08)

ARTICLE XXIV. SPRAY PAINT

Sec. 12-294.1. Sale to minors.

It shall be unlawful for any person holding a retail business license to sell paint in spray cans to any person under the age of ~~seventeen-eighteen~~ (178) years.

Any person holding a retail business license to sell paint in spray cans shall have posted in a conspicuous place, a sign which clearly states that "It is unlawful to sell spray paint to any person under the age of ~~seventeen-eighteen~~ (1718) years." (Ord. No. O-13-88, §1, 2-8-87)

ARTICLE XXV. ~~GENERAL PENALTY; CITATIONS*~~

~~*Editor's note—Ord. No. O-13-88, §2, adopted Feb. 8, 1987, renumbered Ch. 12, Art. XXIV as Art. XXV.~~

~~Sec. 12-295. Definitions.~~

~~(a) The word "officer" shall mean the health officer and inspectors or agents of the health officer.~~

~~(b) The word "person" includes a natural person, firm, partnership, association, sole~~

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~~proprietorship, or corporation, as well as any agents, representatives or employees thereof upon whom responsibility or liability is imposed by this code for the violation cited. (Ord. No. O-173-86, §1, 12-22-86)~~

~~Sec. 12-296. Citation and settlement in lieu of prosecution for certain offenses.~~

~~Whenever an officer observes a violation of certain provisions of this code as specified in section 12-299 of this chapter or has probable cause to believe that such a violation has occurred and that a particular person is responsible, said officer may, in lieu of the filing of a complaint in court, issue the alleged violator a citation which shall:~~

- ~~(1) — Advise said person that the same has violated a specified ordinance.~~
- ~~(2) — Request said person to make payment in an amount applicable to said alleged violation as set forth in section 12-299 as settlement of said claim.~~
- ~~(3) — Advise said person, where applicable, to cease and/or abate said violation forthwith and to refrain from like violations in the future.~~
- ~~(4) — Inform said person that, upon failure to settle the claim and to cease and/or abate said violations, a complaint will be filed with the Circuit Court of Cook County.~~
~~(Ord. No. O-173-86, §1, 12-22-86)~~

~~Sec. 12-297. Service of citation.~~

~~Citations as provided by section 12-296 of this chapter shall be personally served upon the person responsible for the violation, his agent, representative, independent contractor, or employee. In the event the owner, occupant, contractor, or other person responsible for the violation cannot be located, the citation may be served by posting a copy at the property, structure or vehicle where the violation has occurred and sending a copy certified mail, return receipt requested, to the last known address of such person. (Ord. No. O-173-86, §1, 12-22-86)~~

~~Sec. 12-298. Settlement of claim.~~

~~(a) Any person served with a citation pursuant to section 12-297 may settle and compromise the violation claim in respect of such ordinance violation and paying to the village the applicable amount as shown and within the time period set forth in the schedule set forth in section 12-299 of this chapter.~~

~~(b) In the event that payment is not made within the time prescribed and a complaint has been filed in the Circuit Court of Cook County, payment of any fine and costs shall be in such amounts as may be determined by and established by the Circuit Court of Cook County within the limits established by this Code. (Ord. No. O-173-86, §1, 12-22-86)~~

~~Sec. 12-299. Violation and settlement schedule.~~

~~(a) Citations may be issued, pursuant to section 12-297 for violations of the following provisions of the Palatine Municipal Code:~~

~~Chapter 4. — Ambulances and Mobile Intensive Care Units All sections~~

~~Chapter 5. — Animals All sections~~

~~Chapter 8. — Garbage and Refuse All sections~~

~~Chapter 10. — Housing All sections~~

~~Chapter 11. — Licenses, Permits, and Business Regulations All sections~~

~~Chapter 12. — Offenses and Miscellaneous Provisions~~

~~Art. IV. — Plants and Weeds~~

~~Art. VII. — Sound Amplifiers~~

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~~Art. XII. Anti-litter Regulations
Art. XX. Obstructing Public Easements~~

~~Chapter 16. Streets and Sidewalks
Art. V. Trees and Shrubs~~

~~(b) Citations issued for violation of those sections of the code specified above may be settled and compromised by payment of the sum of twenty-five dollars (\$25.00) if paid within seven (7) days of service of the citation and fifty dollars (\$50.00) if paid after such seven-day period, but before filing of a complaint in the Circuit Court of Cook County. (Ord. No. O-173-86, §1, 12-22-6)~~

~~Sees. 12-300-12-309. RESERVED.~~

ARTICLE XXVI. REGULATION OF LIGHTING*

***Editor's note**--Ordinance No. O-109-89, adopted Aug. 14, 1989, amended Ch. 12 by adding a new Art. XXVI consisting of provisions numbered §§12-300--12-306. In order to conform to established Code format, and in order to provide possible future expansion of Art. XXV without the necessity of point-numbering, the editor has renumbered these new provisions as §§12-310--12-316. The original section numbers of these provisions have been preserved in the history notes following each section and in the Code Comparative Table at the back of this volume in order to aid the user in tracking.

Cross reference(s)--Streets and sidewalks, Ch. 16; street lighting requirements in subdivisions, App. B, §8.09.

Sec. 12-310. Definitions.

The following definitions shall apply in the interpretation and enforcement of this article:

Flood light. A luminaire designed so that at least ninety (90) percent of the emitted light is within an angle of thirty (30) degrees to the centerline of the light beam.

Foot lambert. One (1) foot lambert is the brightness of a perfectly diffusing surface uniformly emitting or reflecting one (1) lumen per square foot of surface.

Footcandle. One (1) footcandle is the amount of illumination provided by a light source of one (1) international candle at a distance of one (1) foot from the light source.

International candle or candle power. One (1) international candle is the unit of luminous intensity as established by standard light sources as maintained by the U.S. Bureau of Standards. This is more commonly called one (1) candle power.

Lumen. One (1) lumen is that quantity of luminous energy included in one (1) steradian unit solid angle from a uniform point source of one (1) candle power. It is also defined as the luminous flux intercepted by a surface of one (1) square foot, all points of which are one (1) foot from a uniform point source of one (1) candle power.

Luminaire. A device or fixture containing a light source and means for directing and controlling the distribution of light emitted therefrom. (Ord. No. O-109-89, §1 (12-300), 8-14-89)

Sec. 12-311. Regulations of intensity of light.

It is unlawful for any person, association or other legal entity owning, occupying or controlling any property within the Village of Palatine to exceed the following light intensity regulations:

- (1) No lighting source shall cause more than one-tenth (0.1) footcandle of illumination to fall on adjoining R1, R1A, R1B, R1C and R2 residentially zoned property and any property zoned P

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- or PUD which is improved with one (1) or more single-family detached dwellings.
- (2) No lighting source shall cause more than two-tenths (0.2) footcandle of illumination to fall on adjoining R3 or R3A residential property and any property zoned P or PUD which is improved multifamily property.
- (3) No lighting source shall cause more than two (2) footcandles of illumination to fall on any adjoining commercially zoned property and any property zoned P or PUD which is improved commercial property.
- (4) No lighting source shall cause more than five (5) footcandles of illumination to fall on any public way in commercially zoned property. (Ord. No. O-109-89, §1 (12-301), 8-14-89)

Sec. 12-312. Regulations on glare.

Regulations on glare shall be as follows:

- (1) No floodlight shall be mounted higher than twenty-five (25) feet above the ground nor shall any part of any floodlight's beam strike the ground at any angle of more than forty-five (45) degrees from vertical.
- (2) No light source shall present a surface brightness when viewed between horizontal and an angle of forty-five (45) degrees above horizontal from adjoining property in accordance with the following:
 - a. 750 foot lamberts from R1, R1A, R1B, R1C and R2 zoned property.
 - b. 1,500 foot lamberts from R3 and R3A zoned property.
 - c. 2,200 foot lamberts from any commercially zoned property.
 - d. 10,000 foot lamberts from any public way.

(Ord. No. O-109-89, §1 (12-302), 8-14-89)

Sec. 12-313. Standards of measurement.

(a) Light intensity shall be measured in foot-candles with a direct reading portable low range light meter having a range of zero to twenty (0--20) foot-candles. Values set forth in this article are maximum values measured at ninety (90) degrees to the incidence of light from the source.

(b) Measurement methods and techniques shall be those recommended by the Illuminating Engineering Society in their "Standard Methods for Measuring and Reporting Horizontal Foot-candle."

(c) Brightness measurement based on foot lambert must be governed by the definition of the foot lambert and lumen. Calculated values for source brightness may be obtained by using comparable measurement techniques. Calculations shall be in accordance with the following:

- (1) *Spherical bare sources (incandescent lamps).* The brightness shall be calculated as total lumens divided by one-tenth the square of the diameter of the source measured in inches.
- (2) *Cylindrical bare sources (fluorescent lamps).* The brightness shall be calculated as total lumens divided by one-fiftieth the product of length and diameter of the source in inches.
- (3) *Floodlight sources.* The brightness of floodlight sources shall be calculated as the eight-tenths of the total lumens divided by the area of the face of the floodlight in square feet.

If the light source is mounted in a diffuse luminaire, seven-tenths of the above values shall be used.

The values of lumens to be used shall be based on the following efficiencies:

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Incandescent Filament Lamps	Gaseous Discharge Lamps
25 watt-- 250 lumens	40 watts-- 1,200 lumens
40 watt-- 500 lumens	100 watts-- 3,000 lumens
60 watt-- 800 lumens	250 watts--11,000 lumens
100 watt-- 1,600 lumens	400 watts--25,000 lumens
200 watt-- 3,300 lumens	1,000 watts--65,000 lumens
300 watt-- 5,000 lumens	
500 watt-- 9,000 lumens	
1,000 watt—20,000 lumens	

(Ord. No. O-109-89, §1 (12-303), 8-14-89)

Sec. 12-314. Enforcement.

Any existing lighting condition determined by the director of environmental health to be in violation of any of the provisions of this article shall, within the time determined on a written notice to the violator, be corrected. Service of notice may be made by personal service, publication in a local newspaper generally circulated within the Vvillage, conspicuous posting on the premises where the violation occurs or by U.S. mail.

(Ord. No. O-109-89, §1 (12-304), 8-14-89)

Sec. 12-315. Hearing of variations.

Where practical difficulties or particular hardship, not created by any person having interest in the property, prevents carrying out the strict letter of any of the provisions of this article, the ~~board~~Board of ~~health~~Health, on petition, may determine and vary the requirements of this article to the extent that they are still in harmony with its general purpose and intent. However, any such variation shall be made by the ~~board~~Board as specified only after a hearing before the ~~board~~Board, of which hearing there shall be notice of time and place of the hearing given by publication not less than fifteen (15) days nor more than thirty (30) days before said hearing, and also by United States mail addressed to the person(s) or entity seeking a variation from the requirements of this article and the owners of any adjacent property. (Ord. No. O-109-89, §1 (12-305), 8-14-89)

Sec. 12-316. Violations declared a nuisance.

The failure of persons owning or occupying the property to abate any lighting violation(s), as stated in this article, is declared a public nuisance and shall be subject to the abatement provisions of Article XXII of this chapter and the penalty provisions of Article XXIII of chapter. (Ord. No. O-109-89, §1 (12-306), 8-14-89)

ARTICLE XXVII. GRAFFITI

Sec. 12-317. Graffiti Prohibited.

It shall be unlawful for the owner of any property to not remove or paint over any prohibited sign painted directly on an exterior wall of a building or on any structure upon that property. A prohibited sign includes but is not limited to any permanent display of any letter, numeral, figure, emblem, insignia, picture, outline, character, spectacle, delineation, announcement or any combination thereof which are painted of a color different from the color of the exterior of the structure on which it is painted and which are viable beyond the boundaries of the property including signs commonly known as graffiti. A painted area on the side of a

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structure used to cover a prohibited sign or graffiti which is of a different color or surface material than the remaining exterior surface of that side of the structure is unlawful.

Sec. 12-318. Failure to remove graffiti declared a nuisance.

The failure of an owner of property to remove from the exterior of structures upon the owner's property any permanent display of a prohibited sign or graffiti in compliance with the regulations of this Code, within fourteen (14) days of notification, is declared a public nuisance and shall be subject to the abatement provisions of Article XXII of this chapter and the penalty provisions of Article XXIII of this Chapter. (Ord. No. 0-60-93 6-14-93)

ARTICLE XXVIII. DRUG PARAPHERNALIA

Sec. 12-319. Definitions.

As used herein, unless the context requires otherwise.

Cannabis. The term "cannabis" is defined in 720 ILCS 550/3(a) of the Cannabis Control Act, and Section 1-10 of the Cannabis Regulation and Tax Act. (Ord. No. O-042-20, 06/22/20)

Controlled Substance. The term "controlled substance" shall have the meaning ascribed to it in Section 102 of the "Illinois Controlled Substances Act" (720 ILCS 570/102), as if that definition were incorporated herein.

Deliver or Delivery. The terms "deliver" or "delivery" mean the actual, constructive or attempted transfer of possession, with or without consideration, whether or not there is an agency relationship.

Drug Paraphernalia. The term "drug paraphernalia" means all equipment, products and materials of any kind which are peculiar to and marketed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body cannabis or a controlled substance in violation of the Cannabis Control Act and the Cannabis Regulation and Tax Act, or the Illinois Controlled Substances Act. Drug Paraphernalia includes, but is not limited to: (Ord. No. O-042-20, 06/22/20)

1. Kits peculiar to and marketed for use in manufacturing, compounding, converting, producing, processing or preparing cannabis or a controlled substance.
2. Isomerization devices peculiar to and marketed for use in increasing the potency of any species of plant, which is cannabis or a controlled substance.
3. Testing equipment peculiar to and marketed for private home use in identifying or in analyzing the strength, effectiveness or purity of cannabis or controlled substance.
4. Diluents and adulterants peculiar to and marketed for cutting cannabis or a controlled substance by private persons.
5. Objects peculiar to and marketed for use in ingesting, inhaling, or otherwise introducing cannabis, cocaine, hashish, or hashish oil into the human body including, where applicable, the following items:

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- a. water pipes
- b. carburetion tubes, pipes and devices
- c. smoking and carburetion masks
- d. miniature cocaine spoons and cocaine vials
- e. electric pipes
- f. air-driven pipes
- g. chillums
- h. bongs
- I. ice pipes or chillers
- j. roach clips

6. Any item whose purpose, as announced or described by the seller, is for use in violation of this Ordinance.

Sec. 12-320. Sale or Delivery of Drug Paraphernalia.

(a) It is unlawful for any person to keep for sale, offer for sale, sell, or deliver for any commercial consideration any item of drug paraphernalia.

(b) Any store, place, or premises from which or in which any item of drug paraphernalia is kept for sale, offered for sale, sold, or delivered for any commercial consideration is declared a public nuisance.

Sec. 12-321. Possession of drug paraphernalia.

(a) It is unlawful for any person to knowingly possess an item of drug paraphernalia with the intent to use it in ingesting, inhaling, or otherwise introducing a controlled substance into the human body, or in preparing a controlled substance for that use.

(b) In determining intent under subsection (a), the trier of fact may take into consideration the proximity of the controlled substance to drug paraphernalia or the presence of controlled substance on the drug paraphernalia.

Sec. 12-322. Exempt items.

(a) Items marketed for use in lawful research, teaching or chemical analysis of cannabis and not for sale

(b) Items marketed for, or historically and customarily used in connection with the use of tobacco or any other lawful substance, to include, but not limited to, garden hoses, rakes, sickles, baggies, tobacco pipes, and cigarette rolling papers.

(c) Items used for decorative purposes providing such items have been rendered completely inoperable or incapable of being used for any illicit purposes prohibited in this Ordinance.

(d) Items used exclusively for the consumption of recreational cannabis by a person 21 years of age or older, or a person possessing a medical cannabis license. (Ord. No. O-042-20, 06/22/20)

Sec. 12-323. Forfeiture and seizure of prohibited property.

- (a) All drug paraphernalia is subject to forfeiture when found in violation of Village ordinance.

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(b) Property subject to forfeiture may be seized by any police officer upon process issued by a court having jurisdiction.

(c) Seizures may be made by police officers if there is probable cause to believe that the property has been used to introduce cannabis or a controlled substance into the human body, or has cannabis or a controlled substance on it, including its residue, or is dangerous to health or safety and existing circumstances do not allow reasonable time for the officer to obtain lawful process, in violation of the Cannabis Control Act and Cannabis Regulation and Tax Act. (Ord. No. O-042-20, 06/22/20)

(d) The presence of items which are deemed to be violations of this Ordinance or are otherwise subject to its forfeiture provisions in an inventory shall not subject the entire inventory to seizure or forfeiture.

(e) When property is seized under this Ordinance, the Chief of Police may have the property removed to a place designated by him/her.

(f) The Circuit Court shall determine the validity of any seizures made under this Ordinance and determine the disposition of all seized property.

(g) When property is forfeited under this Ordinance, the Chief of Police may retain the property for official use or have the property destroyed.

Sec. 12-324. Penalty.

Any person who is found guilty of violating this Article shall be fined according to the fees listed in the Village Fee Schedule. (Ord. No. O-103-19, 12/2/19, Ord. No. O-042-20, 06/22/20)

**ARTICLE XXIX. CONFLICTS WITH CERTAIN HOME RULE
COUNTY ORDINANCES**

Editor's Note: Article XXIX was adopted by Ord. #O-50-17 on 5/1/17; Updated 12/04/2023

- A. Employers located within the Village shall comply with all applicable Federal and/or State laws and regulations as such laws and regulations may exist from time to time with regard to both the payment of minimum hourly wages and paid sick leave. Employee eligibility for paid sick leave and minimum hourly wages shall also be in compliance with all applicable Federal and/or State laws and regulations as such laws and regulations may exist from time to time.
- B. No additional obligations with regard to paid sick leave, ~~or~~ minimum hourly wages, or other paid leave, including, without limitation, any additional obligations ~~by Ordinances~~ adopted by the County of Cook Board of Commissioners, ~~including but not limited to file numbers 16-4229 and 16-5768,~~ shall apply to employers located within the Village or the Village.

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~~except those required by Federal and/or State laws and regulations as such laws and regulations may exist from time to time.~~

- C. For the purposes of this Section, the term “employee” means an individual permitted to work by an employer regardless of the number of persons the employer employs, and the term “employer” means any person employing one or more employees, or seeking to employ one or more employees, if the person has its principal place of business within the Village or does business within the Village.
- D. For the purposes of this Section, the term “employer” does not mean:
- (a) The government of the United States or a corporation wholly owned by the government of the United States;
 - (b) An Indian tribe or a corporation wholly owned by an Indian tribe;
 - (c) The government of the State or any agency or department thereof; or
 - (d) The ~~government of any municipality~~ Village.

—Article XXX CONFLICTS WITH PAID LEAVE FOR ALL WORKERS ACT

Editor’s Note: Article XXX was adopted by Ord. #O-121-23 on 10/16/23

- A. No additional obligations with regard to paid leave, including, without limitation, any additional obligations adopted by the State of Illinois under the Paid Leave for All Workers Act, 820 ILCS 192/1, et seq., as well as any subsequent amendments, or any such obligations with regard to Paid Leave, shall apply to employees of the Village of Palatine, Illinois, and the Village opts out and declares that it is exempt from any such regulations or requirements pursuant to the Village’s Home Rule Authority of such regulations or requirements.

Consider an Ordinance Amending Chapter 18 Traffic of the Palatine Code of Ordinances

BACKGROUND:

From time to time, it is necessary to review different sections and chapters of the Village's Code of Ordinances. Various Village Departments have completed such an analysis of Chapter 18 - Traffic and are recommending several minor revisions.

KEY ISSUES:

The following outlines the significant revisions included within the proposed amendments:

- Changed references of “policeman” to “Police Officer”;
- All references to the “police chief” now read “Chief of Police”;
- Removed all ordinances for moving violations (red lights, stops signs, speeding) that can only be enforced under reference (18-1) to state statute (*Ryan v Hanover Park, 1999*);
- Removed the DUI language based on the language being out of date. Like moving violations, the Police Department may choose to prosecute DUIs under 18-1 in the future;
- Removed all specific fines and fee amounts, and inserted language to reference the Village Fee Schedule;
- Further clarified definition of “motorized scooter” to include “propelled without physical peddling” to differentiate it from a bicycle;
- Other grammatical, spelling and punctuation errors.

ALTERNATIVES:

1. Approve an Ordinance amending Chapter 18.
2. Do not approve an Ordinance amending Chapter 18.

RECOMMENDATION:

Staff recommends approval of the Ordinance amending Chapter 18 of the Code of Ordinances.

ACTION REQUIRED:

Motion to approve the Ordinance amending Chapter 18 of the Code of Ordinances.

ATTACHMENTS:

- Ordinance Amending Chapter 18
- Exhibit A (Final Version)
- Exhibit B (Redline Version)

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 18 – TRAFFIC OF THE
CODE OF ORDINANCES OF THE VILLAGE OF PALATINE**

WHEREAS, the Village of Palatine is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs; and

WHEREAS, the Mayor and Council desire to amend Chapter 18 of the Village Code to update procedures and provide general clerical cleanup; and

WHEREAS, the Mayor and Council have determined that it will serve and be in the best interests of the Village and its residents to amend Chapter 18 of the Village Code pursuant to this Ordinance;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Village Council of the Village of Palatine, Cook County, Illinois, acting in the exercise of their home rule power, that:

SECTION 1: That the Code of Ordinances, of the Village of Palatine, Illinois is hereby amended by amending Chapter 18 Traffic, which shall be read as indicated on Exhibit “A”.

SECTION 2: That the Village Clerk is directed to maintain a record of the modifications to the existing ordinance (a redlined version of the modifications approved pursuant to this Ordinance as indicated on Exhibit “B”).

SECTION 3: If any provision of this Ordinance or part thereof is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance are to remain in full force and effect, and are to be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

SECTION 4: That this ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Attachment: Ordinance Amending Chapter 18 (Amendments to Cht 18 of Code of Ordinances)

PASSED: This _____ of _____, 2023

AYES:_____ **NAYS:**_____ **ABSENT:**_____ **PASS:**_____

APPROVED by me this _____ of _____, 2023

Mayor of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk

this _____ of _____, 2023

Village Clerk

Attachment: Ordinance Amending Chapter 18 (Amendments to Cht 18 of Code of Ordinances)

PALATINE CODE OF ORDINANCES – CHAPTER 18 - TRAFFIC

Chapter 18 TRAFFIC

- Art. I. In General, §§ 18-1 - 18-40
 Art. II. Designation of Intersections and Streets, §§ 18-61 - 18-80
 Art. III. Parking, §§ 18-81 - 18-120
 Div. 1. Generally, §§ 18-81 - 18-100
 Div. 2. Meters, §§ 18-101 - 18-120
 Art. IV. Inoperable Motor Vehicles, §§ 18-121 - 18-140
 Art. V. Bicycles, §§ 18-141 - 18-170
 Art. VI. Violations, §§ 18-171 - 18-175
 Art. VII. Overweight and Oversized Vehicle §§ 18-176 - 18-184
 Art. VIII. Motor Driven Scooters §§ 18-184 – 18-188
 Art. IX. Automated Traffic Enforcement System §§ 18-200 – 18-212

 Editor's Note: Article VII Overweight and Oversized Vehicles was added by Ordinance #-0-3-01, passed January 8, 2001.

Editor's Note: Article IX Automated Traffic Enforcement System was added by Ordinance 0-122-07, passed July 16, 2007

Editor's Note: Article II Traffic – Vehicle Licenses was deleted in its entirety by Ordinance #O-87-22, September 6, 2022

ARTICLE I. IN GENERAL

Sec. 18-1. Illinois vehicle code.

The provisions of the Illinois Vehicle Code, 625ILCS5/1-100 through 5/20-402, inclusive, as in effect on January 1, 1994, and as may thereafter be amended, except where applicable to matters not within the jurisdiction of the village, are hereby adopted by reference pursuant to the authority granted in 625ILCS5/20-204. Any section of the Illinois Vehicle Code adopted pursuant to this section 18-1 may be cited by placing "18-1" before the appropriate Illinois Vehicle Code number. (Ord. No. O-4-82, §1, 1-11-82)

Sec. 18-2. Definitions.

All terms used in this chapter shall have the meanings ascribed to them in the Illinois Vehicle Code, unless otherwise provided.

Sec. 18-3. Classification of vehicles.

For the purpose of this chapter, motor vehicles shall be divided into two (2) divisions, to wit: first and second division vehicles as defined in 625 ILCS 5/1-217. (Code 1961, §19.102; Ord. No. 0-86-13, §1, 7/8/13)

Sec. 18-4. Obedience to police.

Members of the Police Department are hereby authorized to direct all traffic in accordance with the provisions of this chapter, 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 direction of a police officer. Except in case of emergency, it shall be unlawful for any person not authorized by the Chief of Police to direct or attempt to direct traffic on a highway within the Village. (Code 1961, §19.103)

Sec. 18-5. Scene of fire.

The Fire Department officer in command, or any fireman designated by him or her, may exercise the powers and authority of a police officer in directing traffic at the scene of any fire or where the Fire Department has responded to any emergency call for so long as Fire Department equipment is on the scene, in the absence of or in assisting the police. (Code 1961, §19.104)

Sec. 18-6. 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 the authority of the board or in accordance with the laws of the state. All signs established by direction of the governing body shall conform to the United States Department of Transportation Manual on Uniform Traffic Control Devices. (Code 1961, §19.105; Ord. No. 0-86-13, §1, 7/8/13)

Sec. 18-7. Light signals.

Whenever traffic at an intersection is regulated by the type of signal commonly known as a stop and go signal, the following colors shall indicate the following:

Red requires that the traffic faced by this color shall stop and remain standing.

Green requires that the traffic faced by this color shall move and continue in motion, except when stopped for the purpose of avoiding an accident or when stopped at the command of a police officer.

Amber or yellow indicates preparation for a change in direction of traffic movement.

When a red lens is illuminated by rapid intermittent flashes, drivers of vehicles shall stop before entering the intersection.

When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed into the intersection only with extra caution. (Code 1961, §19.106)

Sec. 18-8. Unauthorized signs; interference with signs.

It shall be unlawful for any person to place, maintain or display any device other than an official warning or direction sign or signal authorized by statute or ordinance, upon or in view of any street, if such device purports to be, or is in imitation of, an official warning or direction sign or signal, or directs or purports to direct the movement of traffic. Any such unauthorized device is hereby declared to be a nuisance and may be removed by any police officer.

It shall be unlawful for any person to deface, injure, move or interfere with any official traffic sign or signal. (Code 1961, §19.107)

Sec. 18-8.1. Unlawful possession of traffic-control signs, signals and markers.

Evidence of ownership shall be clearly marked on the back of all traffic-control signs, signals and markers owned by the Village of Palatine in letters not less than three-eighth (3/8) inches nor more than three-fourth (3/4) inches in height by use of a metal stamp, etching or other permanent means. It shall be unlawful for any person, except employees of the Village, police officers, or contractors and their employees engaged in a highway construction contract or work on a highway approved by the Village, to possess such sign, signal or marker so identified. (Ord. No. O-66-76, §1, 7-26-76)

Editor's note--Ord. No. O-66-76, §1, amended the 1961 Code by adding the provisions included herein as §18-8.1.

Sec. 18-9. 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 article applicable to the driver of the vehicle, except those provisions which can have no application to one riding a bicycle or driving or riding an animal; provided that, except in business districts, bicycles may be ridden on sidewalks. (Code 1961, §19.108)

Sec. 18-10. Clear vision.

It shall be unlawful to operate any vehicle which is so 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. If view of the roadway to the rear is obstructed, said vehicle shall be equipped with a mirror so attached as to give him or her a view of the roadway behind him or her. (Code 1961, §19.701)

Sec. 18-11. Unnecessary noise.

It shall be unlawful to operate a vehicle which makes unusually loud or unnecessary noise. (Code 1961, §19.702)

Sec. 18-12. 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 device 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. (Code 1961, §19.703)

Sec. 18-13. 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. (Code 1961, §19.704)

Sec. 18-14. Projecting loads

No part of the load of a vehicle shall project from the extreme front portion of the vehicle or from the extreme rear of the vehicle except as provided in the Illinois Vehicle Code. (Code 1961, §19.705)

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Sec. 18-15. Reserved. (Ord. No. 0-86-13, §1, 7/8/13)

Sec. 18-16. Brakes.

It shall be unlawful to drive any motor vehicle upon any street unless such vehicle is equipped with good and sufficient brakes in good working condition, as required by the state traffic law, or to operate any vehicle, which is so loaded that the operator does not have ready access to the mechanism operating the brakes of the vehicle. (Code 1961, §19.707)

Sec. 18-17. 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. (Code 1961, §19.708)

Sec. 18-18. 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 law. (Code 1961, §19.709)

Sec. 18-19. Reserved.

Sec. 18-20. Non-skid devices.

It shall be unlawful to operate any motor vehicle upon any street equipped with any non-skid device so constructed that any rigid or non-flexible portion thereof comes into contact with the pavement of the roadway. (Code 1961, §19.711)

Sec. 18-21. 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 law. (Code 1961, § 19.712)

Sec. 18-22. Reserved.

Sec. 18-23. Local weight restricted highways.

Pursuant to the authority granted on 625 ILCS 5/15-316, it shall be unlawful to operate any vehicle or combinations of vehicles which exceed then thousand (10,000) pounds in actual weight, registered weight, manufacturer suggested gross vehicle rating (GVWR), or the gross combined manufacturer suggested weight rating (GCWR) on any Village highway or portion thereof. These highways shall be known as local weight restricted highways and enforceable when properly signed as a “no truck route”. “No Truck Routes” may be designated from time to time by Village Ordinance, a complete listing shall be maintained at all times by the Police Department and at the Village Hall in the custody of the Village Clerk. Any vehicle(s) may exceed this weight restriction provided the vehicle(s) are using the highway as a direct route for access to a point of loading or unloading, and there is no other access available. At no time may any vehicle(s) exceed this weight restriction use the highway as a thoroughfare between other non-restricted highways. (Code 1961, §19.714; Ord. No. O-64-86, §1, 6/23/86; Ord. No. O-147-88, §1, 11/14/88; Ord. 0-102-05, §1, 6/6/06; Ord. No. 0-86-13, §1, 7/8/13)

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Sec. 18-24. Spilling loads.

No vehicle shall be so loaded that any part of its load spills or drops on any street or alley in the Village. (Code 1961, §19.715)

Sec. 18-25. Reserved.**Sec. 18-26. Signal device.**

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 limit of the body, cab, or load of such motor vehicle exceeds twenty-four (24) inches, 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 (14) feet. The latter measurement shall apply to any single vehicle, also to any combination of vehicles. (Code 1961, §19.717)

Sec. 18-27. Reserved.**Sec. 18-27.1 Speed restrictions – parking decks.**

It shall be unlawful to drive any motor vehicle in any Parking Deck at a speed in excess of 5 mph. (Ord. No. 0-197-02, §1, 11/11/02)

Sec. 18-28. Reserved.**Sec. 18-29. Reserved.****Sec. 18-30. Exemptions.**

The provisions of this chapter regulating the movement or parking of vehicles shall not apply to authorized emergency vehicles while the driver thereof is engaged in the performance of emergency duties. (Code 1961, §19.109; Ord. No. O-53-79, §1, 5/29/79)

Sec. 18-31. Painting, decorating vehicle to resemble police car or other official vehicle prohibited.

It shall be unlawful for any owner or operator of a motor vehicle in the Village of Palatine to cause or knowingly permit such vehicle to be painted or otherwise decorated in a manner identical to a Palatine police car or other official vehicle of the Village of Palatine, or to so closely resemble a Palatine police car or other official vehicle that in the normal course of events such vehicle would reasonably appear to be a Palatine police car or other official vehicle of the Village of Palatine. (Ord. No. O-25-80, §1, 3/10/80)

Sec. 18-32. Penalties for violation of Chapter 18.

Unless otherwise specified, any person violating any of the provisions of this Chapter 18 shall be subject to a penalty of not less than twenty-five dollars (\$25.00) nor more than seven hundred fifty dollars (\$750.00), exclusive of costs. (Ord. No. O-32-82, §2, 4/12/82; Ord.No.O-5-98)

Sec. 18-33. Vehicle impoundment.

[Editor's Note: New Section 18-33 was added by Ordinance # 0-182-08, approved December 8, 2008]

[Editor's Note: Ordinance #0-31-12, approved March 12, 2012, replaced Sec. 18-33 in its entirety.]

PALATINE CODE OF ORDINANCES – CHAPTER 18 - TRAFFIC

A. *Violations authorizing impoundment.* A motor vehicle, operated with the permission, express or implied, of the owner of record, that is used in connection with the following violations, shall be subject to impoundment by the Village, and the owner of record of said vehicle shall be liable to the Village for an administrative fee of five hundred (\$500) dollars in addition to any towing and storage fees as hereinafter provided.

1. Driving under the influence, 625 ILCS 5/11-501(a) (Ord. #0137-09, §1, 12/14/09, effect. 1/1/10; Ord O-79-20, 10/5/2020)
2. Drug offenses: Violations of the Cannabis Control Act, 720 ILCS 550 (Ord. #0137-09, §1, 12/14/09, effect. 1/1/10; Ord. O-47-17, 4/10/17; Ord. O-86-19, 10/7/19; Ord O-79-20, 10/5/2020)
3. Drug offenses: Unauthorized possession of controlled substances, 720 ILCS 570/402 (except if the suspension for an unpaid citation (parking or moving) or due to failure to comply with emission testing). (Ord. #0137-09, §1, 12/14/09, effect. 1/1/10; Ord O-79-20, 10/5/2020)
4. Suspended/Revoked Driver's License, Driving with a suspended or revoked driver's license, 625 ILCS 5/6-303 et seq., except if the suspension is for unpaid citations or failure to comply with emissions testing. (Ord. No. 0-33-10, §1, 4/12/10; Ord O-79-20, 10/5/2020)
5. No Valid Driver's License, Driving without a valid driver's license (no license ever issued), 625 ILCS 5/6-101 (Ord. No. 0-33-10, §1, 4/12/10; Ord O-79-20, 10/5/2020)
6. Operation or use of a motor vehicle by a person against whom a warrant has been issued by a circuit clerk in Illinois for failing to answer charges that the driver violated, Section 6-101, 6-303 or 11-501 of the Illinois Vehicle Code.
7. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, any misdemeanor or felony offense in violation of the Criminal Code of 1961.

B. *General Regulations*

1. This section shall not replace or otherwise abrogate any existing state or federal laws or Village ordinances pertaining to vehicle impoundment, and these fees and penalties shall be in addition to any penalties that may be assessed by a court for any criminal charges. (Ord. O-86-19, 10/7/19)
2. This section shall not apply if the vehicle used in the violation was stolen at that time and the theft was reported to the appropriate police authorities within 24 hours after the theft was discovered.
3. Fees for towing and storage of a vehicle under this section shall be those approved by the Chief of Police for a tower authorized to tow for the Police Department.
4. For situations involving an impoundment pursuant to Section 18.33A(4) or (5) above, a vehicle may be released prior to impoundment to an unimpaired passenger with the consent of the owner of record on scene and proof of valid motor vehicle insurance. (Ord. O-86-19, 10/7/19)

C. *Notice.* Whenever a police officer has probable cause to believe that a vehicle is subject to

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impoundment pursuant to this section, the police officer shall provide for the towing of the vehicle to a facility authorized by the Village. The police officer shall notify any person, identifying himself/herself as the owner of the vehicle or any person who is found to be in control of the vehicle at the time of the alleged violation, of the fact of the impoundment and of the vehicle and of owner's right to request a preliminary vehicle impoundment hearing to be conducted under this section. Said vehicle shall be impounded pending the completion of the hearings provided for in subsection (D) herein, unless the owner of the vehicle posts with the Village a cash bond in the amount of \$500.00 and pays the towing and storage charges. (Ord. No. 0-33-10, §2, 4/12/10; Ord. O-86-19, 10/7/19)

D. *Preliminary hearing.* If the owner of record of a vehicle impoundment pursuant to this section desires to appeal the impoundment, said owner must make a request for said hearing within 24 hours of the impoundment. Said request shall be in writing and filed with the Chief of Police or his or her designee who shall conduct such preliminary hearing within 24 hours after receipt of the request excluding Saturdays, Sundays, or Village holidays. All interested persons shall be given a reasonable opportunity to be heard at the preliminary vehicle impoundment hearing. The formal rules of evidence will not apply at the hearing and hearsay evidence shall be admissible only if it is the type commonly relied upon by reasonably prudent persons in the conduct of their affairs. If, after the hearing, the Chief of Police or his or her designee determines there is probable cause to believe that the vehicle is subject to impoundment pursuant to this section, he or she shall order the continued impoundment of the vehicle as provided in this section, unless the owner of the vehicle posts with the Village a cash bond in the amount of \$500.00, and pays the tower any applicable towing and storage fees. If the Chief of Police or his or her designee determines that there is no such probable cause, the vehicle will be returned without penalty or other fees. (Ord. No. 0-33-10, §2, 4/12/10) Ord. O-86-19, 10/7/19)

E. *Hearing*

1. The owner of a vehicle towed by or pursuant to the authority of the Palatine Police Department as set forth in this Section shall be provided the opportunity for a post-tow hearing to determine the validity of such tow and any tow or storage charges. This hearing will not be determinative of, or adjudicate, any citation issued relative to any towed vehicle.
2. The Village Manager shall designate one or more hearing officers to conduct post-tow hearings. The hearing officer shall have the authority to require the presence of the enforcement officer issuing the citation or any other Village personnel or witnesses at such hearing. The hearing officer shall be an attorney licensed to practice law in the State of Illinois for a minimum of three years.
3. After a vehicle is impounded pursuant to this section, the Village shall notify the owner of record by personal service or by first class mail, of a right to a hearing that will be conducted as soon as practicable but no later than 45 days after the vehicle was impounded. All interested persons shall be given a reasonable opportunity to be heard at the hearing. At any time prior to the hearing date, the hearing officer may, at the request of either party, direct witnesses to appear and give testimony at the hearing. The formal rules of evidence will not apply at the hearing and hearsay evidence shall be admissible only if it is the type commonly relied upon by reasonably-prudent persons in the conduct of their affairs. (Ord. No. 0-33-10, §3, 4/12/10 Ord. O-86-19, 10/7/19)
4. The hearing officer shall review all evidence presented and make a written finding as to whether there was lawful authority for the tow and storage of the vehicle. The Village must establish said authority by the preponderance of the evidence. The Village shall establish a prima facie case upon a showing of the documents related to the tow; i.e. the police citation or the police report and/or the tow report. The Chief of Police, through special order, shall

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establish procedures to authenticate and present the above documents at a tow hearing.

5. The hearing officer shall advise the owner of his or her findings at the conclusion of the hearing:
 - a. If the tow and storage is determined to be lawfully under authority pursuant to this Section and the owner shall be so informed and further advised of the amount owed, if any, for tow and storage.
 - b. If the tow and storage is determined to be not pursuant to this Section, the hearing officer shall so inform the owner; and
 - 1) If the vehicle is impounded at the time of hearing, shall order the vehicle be immediately released;
 - 2) If the vehicle has been released, advise the owner that a refund of the cash bond will be made within seven (7) days.

F. *Administrative fee.* The imposition of an administrative fee is relative to the administrative and processing costs associated with the investigation, arrest, and detention of an offender, or the removal, impoundment, storage, and release of the vehicle. If an administrative fee is imposed pursuant to this section, such fee shall constitute a debt due and owing to the Village. If a cash bond has been posted pursuant to this section, the bond shall be applied to the fee. If a vehicle has been impounded when such a fee is imposed, the Village may seek to obtain a judgment on the debt and enforce such judgment against the vehicle as provided by law. Except as provided otherwise in this section, a vehicle shall continue to be impounded until the fee is paid to the Village and any applicable towing and storage fees are paid to the tower, in which case possession of the vehicle shall be given to the person who is legally entitled to possess the vehicle or the vehicle is sold or otherwise disposed of to satisfy a judgment to enforce a lien as provided by law. If the administrative fee and other applicable fees are not paid within 45 days after, an administrative fee is imposed against an owner of record who defaults by failing to appear at the hearing, the vehicle shall be deemed unclaimed and shall be disposed of in the manner provided by law for the disposition of unclaimed vehicles. In all other cases, if the administrative fee and applicable fees are not paid within 35 days after the expiration of time at which administrative review of the hearing officer's determination may be sought, or within 35 days after an action seeking administrative review has been resolved in favor of the Village, whichever is applicable, the vehicle shall be deemed unclaimed and shall be disposed of in the manner provided by law for the disposition of unclaimed vehicles under the Illinois Vehicle Code. (Ord O-79-20, 10/5/2020)

G. *Vehicle possession.*

1. Except as otherwise specifically provided by law, no owner, lien holder, or other person shall be legally entitled to take possession of a vehicle impounded under this section until the administrative penalty and fees applicable under this section have been paid.
2. For purposes of this section, the "owner of record" of a vehicle is the record title holder as registered with the Secretary of State, State of Illinois.

(Ord. No. 0-182-08, §1, 12/8/08)

Secs. 18-34--18-60. Reserved.

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ARTICLE II. DESIGNATION OF INTERSECTIONS AND STREETS

Sec. 18-61. Posting signs.

The Public Works Director shall post or cause to be posted suitable signs for all such through streets, one-way streets or alleys, and stop intersections. (Code 1961, 19.204)

Sec. 18-62. Controlled intersections.

(a) Streets and intersections wherein stop signs shall be erected shall be designated from time to time by Village ordinance, as follows:

- (1) All-way stops;
- (2) Other stop intersections;

a complete listing of which shall be maintained at all times by the Village Clerk at the Village Hall.

(b) Nothing in this Code or the ordinance adopting this Code shall affect any ordinance referred to in subsections (a) and (b) above and all such ordinances are hereby recognized as continuing in full force and effect to the same extent as if set out at length in this Code.

(Ord. No. O-86-76, §1, 9-27-76; Ord. No. 0-25-11, §§1-5, 3/7/11)

Sec. 18-63. One-way streets.

One-way streets shall be designated from time to time by Village ordinance, a complete listing of which shall be maintained at all times at the Village Hall in the custody of the Village Clerk. Nothing in this Code or the ordinance adopting this Code shall affect any such ordinance and all such ordinances are hereby recognized as continuing in full force and effect to the same extent as if set out at length in this Code.

Sec. 18-64. Reserved. (Ord. No. 0-56-10, §1, 5/17/10)

Sec. 18-65. Reserved. (Ord. No. 0-56-10, §1, 5/17/10)

Sec. 18-66. Reserved.

Secs. 18-67--18-80. Reserved.

ARTICLE III. PARKING

DIVISION 1. GENERALLY

Sec. 18-81. Prohibited 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 direction of a police officer or traffic signal:

- (1) In any intersection;

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- (2) In any crosswalk;
- (3) Upon any bridge or viaduct, or any approach thereto; (Ord. No. 0-56-10, §2, 5/17/10)
- (4) Between a safety zone and the adjacent curb or within thirty (30) feet of a point on the curb immediately opposite the end of a safety zone;
- (5) Within thirty (30) feet of a traffic signal or a through street sign on the approaching side;
- (6) Within twenty (20) feet of any intersection;
- (7) At any place where the standing of a vehicle will reduce the usable width of the roadway for moving traffic to less than eighteen (18) feet;
- (8) At any curb within fifteen (15) feet of a fire hydrant;
- (9) Within five (5) feet of the sideline of a driveway or at any place where the vehicle would block the use of a driveway;
- (10) Within fifty (50) feet of the nearest rail of a railroad crossing;
- (11) Within twenty (20) feet of the driveway entrance to any fire department station and on the side of the street opposite the entrance to any such station within seventy-five (75) feet of such entrance, when properly sign posted;
- (12) On any sidewalk, except that vehicles parked on private driveways will be permitted to overhang a sidewalk between the hours of 10:00 p.m. and 7:00 a.m. and on those days when the snow removal ordinance is in effect, provided both axles of any such vehicle are located on private property;
- (13) On any parkway;
- (14) At any place where official signs prohibit parking;
- (15) In addition, it shall be unlawful to permit any vehicle to stand in any place designated from time to time as a no parking place or zone by Village ordinance, a complete listing of which shall be maintained at all times at the Village Hall in the custody of the Village Clerk. Nothing in this Code or the ordinance adopting this Code shall affect any such ordinance and all such ordinances are hereby recognized as continuing in full force and effect to the same extent as if set out at length in this Code.
- (16) It shall be unlawful for any person, excepting a handicapped person or a person transporting a handicapped person with limited mobility, to park a motor vehicle in any public parking lot where there is posted a sign reading "Handicapped Parking Only," or "No Parking Except Handicapped Persons," or bearing the international symbol indicating a handicapped parking restriction. Any vehicle used by a handicapped person shall, when parked in a handicapped parking zone, at all times display a handicapped parking identification card which shall be available upon request from the township clerk, or state registration plates issued to the physically handicapped.
- (17) It shall be unlawful to park any vehicle other than a compact car in places designated as

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parking for compact cars only.

- (18) At any place where signs or other official notices provided or confirmed by the Village, limit parking to vehicles displaying a parking permit issued by the Village or other units of government, unless such vehicle displays the required permit or otherwise demonstrates said permit. Permit parking areas may be designated from time to time by Village ordinance or by the direction of the Village Manager and/or Chief of Police.
- (19) On any driveway apron parallel to the street centerline between the hours of 7:00 AM and 10:00 PM.

(Code 1961, § 19.501; Ord. No. O-107-79, §1, 10/8/79; Ord. No. O-14-81, § 1, 2, 2/9/81; Ord. No. O-83-86, §1, 8/11/86; Ord. No. O-80-87, § 1, 7/13/87, Ord. No. O-23-22, 3/7/22)

Editor's note--Ord. No. O-80-87, §1, adopted July 13, 1987, purported to amend the Code by adding provisions designated as §18-81(17). Inasmuch as there already exists provisions so designated, the provisions of Ord. No. O-80-87 have been renumbered as §18-81(18) at the discretion of the editor.

Sec. 18-82. At curb.

Except on one-way streets where specifically authorized, no vehicle shall be parked with the left side of such vehicle next to the curb, and it shall be unlawful to stand or park any vehicle on a street other than parallel with the curb and with the two (2) right wheels of the vehicle within twelve (12) inches of the regularly established curb line, except that upon those streets that have been marked for angle parking, vehicles shall be parked at the angle to the curb indicated by such marks. (Code 1961, _19.502; Ord. No. 0-56-10, §3, 5/17/10)

Sec. 18-83. Marked parking areas.

Markings shall be painted or placed on the ground for the purposes of designating a parking space. It shall be unlawful for any person to park any vehicle in an area marked for parking in any manner or position other than designated by such markings. (Code 1961, _19.503; Ord. No. O-70-82, §1, 8-9-82; Ord. No. 0-56-10, §4, 5/17/10)

Sec. 18-84. Vehicles for sale.

It shall be unlawful to park any vehicle upon any street for the purpose of displaying it for sale. (Code 1961, 19.504; Ord. No. 0-56-10, §5, 5/17/10)

Sec. 18-85. Loading zone.

During the times specified herein it shall be unlawful for the driver of a vehicle to stand a passenger vehicle for a period of time longer than is necessary for the loading or unloading of passengers, not to exceed three (3) minutes, and for the driver to stand any freight carrying vehicle for a period of time longer than is necessary to load, unload, and deliver materials, not to exceed thirty (30) minutes, in any of the following places:

- (1) In any public alley, during any hour of the day or night.
- (2) At any place not to exceed seventy-five (75) feet along the curb before the entrance to any hospital or hotel at any time.

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- (3) At any place not to exceed seventy-five (75) feet along the curb before the entrance to a public building between 8:00 a.m. and 6:00 p.m., except on Sunday.
- (4) Directly in front of the entrance to any theater at any time the theater is open for business.
- (5) Truck deliveries to any retail or food establishment use when made at any designated on-site loading zone, loading dock or loading area (except for a grocery store) shall be between 7:00 a.m. and 8:00 p.m. No trucks, except those making deliveries to a grocery store, shall be present in the rear loading areas during hours when deliveries are not permitted. Trucks making deliveries to the grocery store shall not be allowed to run their engines while unloading or waiting to be unloaded, except between 7:00 a.m. and 8:00 p.m. and except for air conditioning units where food may spoil, in which case such unloading shall be done in an expeditious manner. Additional sound proofing shall be provided at these loading docks. Signs regarding this prohibition shall be posted in the rear delivery area to the satisfaction of the Village administration, prior to the issuance of occupancy permits and business licenses.

(Ord. No. O-12-20, 2/18/20)

It also shall be unlawful for the driver of the vehicle to stand a passenger vehicle for a period of time longer than is necessary for the loading or unloading of passengers, not to exceed three (3) minutes, and for the driver to stand any freight carrying vehicle for a period of time longer than is necessary to load, unload and deliver materials, not to exceed thirty (30) minutes, in any place designated from time to time by Village ordinance, a complete listing of which shall be maintained at all times at the Village Hall in the custody of the Village Clerk. Nothing in this Code or the ordinance adopting this Code shall affect any such ordinance and all such ordinances are hereby recognized as continuing in full force and effect to the same extent as if set out at length in this Code. (Code 1961, 19.505; Ord. No. 0-178-98, 1,11-9-98)

Sec. 18-86. All-night.

Except as permitted within Section 18-81 and 18-109, or authorized by the Village Manager or his or her designee, it shall be unlawful for any person to park a vehicle on any street, alley, driveway apron between the street and sidewalk or parkway for a period of time longer than fifteen (15) minutes between the hours of 1:00 a.m. and 6:00 a.m. (Ord. No. 0-56-10, §6, 5/17/10)

Provided further that any police officer may move or cause to be moved any vehicle left standing in violation of this section. (Code 1961, 19.506; Ord. No. 0-174-07, §1. 10/8/07; Ord. O-49-18, 5/7/18)

Sec. 18-87. Time limit.

It shall be unlawful to park any vehicle for a longer period than the posted time restrictions on any day except Sundays and holidays in any of the places designated from time to time by Village ordinance, a complete listing of which shall be maintained at all times at the Village Hall in the custody of the Village Clerk. Nothing in this Code or the ordinance adopting this Code shall affect any such ordinance and all such ordinances are hereby recognized as continuing in full force and effect to the same extent as if set out at length in this Code. (Code 1961, 19.507; Ord. No. O-72-78, §1, 8-28-78; Ord. No. 0-56-10, §7. 5/17/10))

Sec. 18-88. Designated passenger pick-up areas.

No vehicle other than a licensed taxicab or designated ride-share vehicle shall be parked in any area designated by ordinance as a taxicab stand or ride-share stand; and no vehicle other than a bus shall be parked in a place so designated as a bus loading zone. A complete record of such Designated Passenger Pick-Up Areas shall be maintained at all times by the Village Clerk at the Village Hall. (Code 1961, §19.509; Ord. No.

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0-21-11, §1, 3/7/11; Ord. No. O-12-20, 2/18/20)

Sec. 18-89. Signs.

The Director of Public Works shall cause signs to be posted in all areas where parking is limited or prohibited, indicating such limitations or prohibitions, including tow-away zones. (Code 1961, 19.510; Ord. No. O-99-87, §1, 8-24-87)

Sec. 18-90. Towing.

Any vehicle parked in such a manner or under such conditions as to be in violation of sections 18-81 through 18-89, both inclusive, or section 18-105 of this Code may be towed from the illegal parking place upon the issuance of a citation by the Police Department. Vehicles so towed away, shall be taken to an impounding area to be designated by the Village Manager. Vehicles shall not be released from the impounding area except to the owner of said vehicle or his or her authorized representative upon the payment of the total towing cost incurred in addition to the fine due for the illegal parking. (Code 1961, 19.511; Ord. No. O-71-78, 1, 8-28-78)

Sec. 18-91. Snow removal.

(a) *Unlawful to park.* It shall be unlawful for any person, firm or corporation to park or cause to be parked any vehicle on any public street within the corporate limits of the Village at any time within a twenty-four-hour period after an accumulation of two (2) inches or more of snow.

(b) *Emergency towing.* It shall be deemed an emergency for any car or other vehicle to be in violation of paragraph (a) above or for any parked vehicle to otherwise prevent or obstruct the plowing or removal of snow from public streets and the Village Manager, or Chief of Police, is hereby authorized to remove and tow away or cause the removal and towing by a commercial towing service of any such car or other vehicle. Cars or vehicles so towed shall be taken to and stored in designated locations and shall be restored to the owner or operator upon the payment of all towage and storage fees in such amounts as hereinafter provided. The Police Department shall notify the owner of any such vehicle removed of its location as soon as is reasonably possible in accordance with Police Department procedures established therefor.

(c) *Fees.* The towage fee for the removal of cars or vehicles whether by commercial service or by Village-operated vehicles shall be for the total costs incurred. In addition thereto, the owner or operator may be subject to an additional charges as established in the Fee Schedule Supplement to the Palatine Code of Ordinances. Such fees shall be in addition to any fines, penalties or court costs which may be assessed for the violations of any of the provisions of this section 18-91 or any other ordinance violation.

Payment of towing, preparation and storage fees shall be paid directly to the commercial establishment which rendered the service, or in the case of the Village's operated vehicles, directly to the Village.

The Village shall not be liable for any damages which may occur to any car or vehicle as a result of any towing, preparation or storage as provided herein.

(d) *Unlawful removal.* It shall be unlawful for any person, firm or corporation to remove, cause the removal of, or be in the possession of any car or vehicle taken from a designated storage location without first having paid all towing, preparation and storage fees as above provided. Any person, firm or corporation violating this paragraph (d) shall be subject to an additional penalty as established in the Fee Schedule Supplement to the Palatine Code of Ordinances. (Ord.No.O-5-98; 18;1-26-98)

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(e) *Obstruction of snow removal.* It shall be unlawful for any person, firm or corporation and/or for any agent of any person, firm or corporation to:

- (1) Plow or otherwise remove accumulated snow from a private parking lot and deposit same on a Village street or right-of-way.
- (2) Plow or otherwise remove accumulated snow from a private driveway and deposit same on a Village street in such a manner so as to decrease the drivable width of any such street, or to impede the drainage of any such street or right-of-way.
- (3) Plow or otherwise remove accumulated snow from a private driveway and deposit same on a Village right-of-way not adjacent to the property where said snow was removed.
- (4) Obstruct, harass, prevent or otherwise interfere with any employee or agent of the Village engaged in snow removal service or to obstruct, cause damage to or otherwise interfere with any Village-owned or leased vehicles used in conjunction with snow removal services.

Any person, firm and/or corporation violating any of the provisions of this paragraph (e) shall be subject to a fine as established in the Fee Schedule Supplement to the Palatine Code of Ordinances. Citations for violations of this section may be issued to the owner of the property involved and also to any industry or firm which acts as an agent for any such owner. (Ord.No.O-5-98; 18;1-26-98)

(f) *Penalty.* Unless otherwise specifically provided, any person, firm or corporation violating any of the provisions of this section shall be subject to a penalty as established in the Fee Schedule Supplement to the Palatine Code of Ordinances. (Ord. No. O-17-79, 1, 3-12-79;(Ord.No.O-5-98; 19;1-26-98)

Sec. 18-92. Reserved. (Ord. No. 0-197-02, § 2, 11-11-02; Ord. No. 0-56-10 §8, 5/17/10)

Sec. 18-93. Reserved. (Ord. No. 0-174-07, §2, 10/8/07, Ord. No. 0-56-10 §8, 5/17/10)

Secs. 18-94--18-100. Reserved.

DIVISION 2. VILLAGE PARKING AREAS (Ord. No. 0-56-10, §9, 5/17/10)

Sec. 18-101. Definitions.

The following terms shall be given the meaning designated:

Parking payment device means a device located upon a public street, sidewalk, parking lot, or parking area which shall accept payment for the applicable parking fee. (Ord. No. 0-56-10, §12, 5/17/10)

Sec. 18-102. Public parking areas

Public parking areas, including but not limited to on-street, off-street, Daily Fee, Commuter Permit, Downtown Business Employee Permit, and Neighborhood Permit parking areas, may be established from time to time in designated areas by Village Ordinance, except as set forth in Sec. 18-109, a complete record of which shall be maintained at all times at the Village Hall in the custody of the Village Clerk. (Ord. No. 0-141-11, §1, 11/21/11; Ord. No. 0-66-14, §1, 05/19/14)

Daily Fee: The cost for the Daily Fee parking spaces shall be two dollars (\$2), not including any

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associated transaction fees, for each 12-hour period, from 5:00 AM to 5:00 PM on any weekday. Payment of the daily fee shall not be required on Memorial Day, Labor Day, Thanksgiving Day, the day following Thanksgiving Day, as well as New Year's Day, July 4th Independence Day, and Christmas Day when they fall on a weekday. Any vehicle parked in any Daily Fee parking space without paying the required fee shall be in violation of this Article. The Village Manager shall cause to be erected parking payment devices for the payment of the required fee for parking in such area. (Ord. No. O-102-19, 12/02/19)

Commuter Permit: The cost for a Commuter Permit shall be forty dollars (\$40) per month. Monthly, quarterly, and/or annual Commuter Permits shall be sold only to residents of the Village of Palatine up to the fifteenth of each month, at which time if space is available, the Village Manager may grant permission to sell monthly permits for that month to nonresidents of the Village of Palatine. All Commuter Permit parking fees shall be payable in advance to the Village of Palatine.

Downtown Business Employee Permit: The cost for a Downtown Business Employee Permit shall be thirty dollars (\$30) per year and may be issued only to actual employees of businesses located within the downtown area as defined in Section 18-109. All Downtown Business Employee Permit fees shall be payable in advance to the Village of Palatine. Upon receipt of payment, the Village shall issue a Downtown Business Employee Permit which shall be properly displayed in the vehicle while parked in a designated Downtown Business Employee parking area and any vehicle parked in a designated Downtown Business Employee Permit area which does not properly display such permit shall be in violation of this Article and subject to the applicable parking regulations.

The number of Commuter Permits and Downtown Business Employee Permits issued shall not exceed the number of parking spaces actually available for parking, unless the Village Manager determines, on a basis of surveys of parking space vacancy rates and other relevant criteria, that the sale of an additional number of permits is justified, in which event, an additional number of permits may be sold at the direction of the Village Manager.

(Ord. No. 0-56-10, §13, 5/17/10)

Sec. 18-103. Time limits.

It shall be unlawful to park any vehicle or permit a vehicle to remain parked in any on-street or off-street public parking space, for a period of more than that designated for the area, or to park any vehicle without the fee hereinafter provided for in the manner herein designated, or to permit a vehicle to be parked therein for a period longer than that for which the fee was paid. It shall also be unlawful to park any vehicle or permit any vehicle to remain in any on-street or off-street public parking space continually for a period longer than seven (7) consecutive days regardless if the applicable fee has been paid or permit obtained.

(Code 1961, _ 19.603; Ord. No. 0-56-10, §14, 5/17/10; Ord. No. O-102-19, 12/02/10; Ord. No. O-102-19, 12/2/19))

Sec. 18-104. Reserved.

(Code 1961, _ 19.604; Ord. No. 0-56-10, §15, 5/17/10)

Sec. 18-105. Marking public parking places.

The Village shall have markings painted or placed upon public streets and parking lots for the purpose of designating a parking space. It shall be unlawful to park any vehicle across any such marking, to park any-vehicle in such position that the same shall not be entirely within the area so designated by such marking, or in a manner or position other than designated by such marking. Obliteration or obscuring of such lines shall not invalidate the provisions of this section. (Code 1961, _ 19.605; Ord. No. 0-56-10, §16, 5/17/10)

Sec. 18-106. Reserved.

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(Code 1961, 19.606; Ord. No. O-46-81, §1, 5-11-81; Ord. No. O-97-82, §1, 10-11-82; Ord. No. O-53-88, §1, 5-9-88; Ord. No. 0-134-96, §1, 7-22-96; Ord.No.0-106-98, §1, 7-27-98, Ord. No. 0-238-02, §1, 12-16-02, and Ord. 0-1-03, §1, 1-13-03, effect. Jan.1, 2003; Ord. No. 0-56-10, §17, 5/17/10)

Sec. 18-107. Tampering with parking payment devices.

It shall be unlawful for any person not authorized by the Village Manager to deface, injure, tamper with, open or willfully break, destroy, or impair the usefulness of any parking payment device installed under the provisions of this article. (Code 1961, 19.607, Ord. No. 0-56-10, §18, 5/17/10)

Sec. 18-108. Depositing slugs.

It shall be unlawful to deposit or cause to be deposited in any parking payment device any slug, device or metallic substitute, or any other substitute for any coin except authorized substitutes. (Code 1961, 19.608; Ord. No. 0-56-10, §19, 5/17/10)

Sec. 18-109. Downtown parking restrictions.

The Village Manager shall be authorized to assign applicable restrictions for all public parking spaces, both on-street and off-street, within the downtown area. For the purposes of this Section, the downtown area shall include all public parking spaces and lots that are located adjacent to, lie within, or are bordered by the area bound by Johnson Street, Smith Street, Wood Street, and Plum Grove Road and their corresponding right-of-ways, as well as the parking deck located within the Gateway Center (southwest corner of Smith Street and Colfax Street) and Wood Street, between Smith Street and Quentin Road. The parking restrictions that may be applied under this Section shall include time limitations (15 minute, 1 hour, 2 hour, 3 hour, and 4 hour) and usage (public, employee, and commuter). All restrictions shall be properly posted and a complete listing shall be maintained at all times by the Village Clerk. (Ord. No. 0-66-14, §2, 5/19/14; Ord. No. 0-56-15, §1, 6/1/15)

Within the downtown area, as defined above, it shall be unlawful for any person to park a vehicle on any street, alley or parkway for a period of time longer than fifteen (15) minutes between the hours of 1:30 a.m. and 6:00 a.m. on Monday through Thursday, and between the hours of 2:30 a.m. and 6:00 a.m. on Friday through Sunday.

Within the downtown area, as defined above, it shall be unlawful for any person to park any vehicle other than passenger vehicles, trucks 8,000 pounds or less (B or B truck license plates), motorcycles, motor bikes, or mopeds within any on-street or off-street public parking space, including those areas designated as Daily Fee, Commuter Permit, and Downtown Business Employee Permit parking areas, except when temporarily authorized by the Village Manager. (Code 1961, 19.609; Ord. No. O-55-74, 7-8-74; Ord. No. O-27-75, §1, 3-24-75; Ord. No. O-42-80, §1, 5-12-80; Ord. No. O-46-81, §2, 5-11-81; Ord. No. O-53-88, §2, 5-9-88; Ord. No. 0-134-96, §2, 7-22-96; Ord.No.O-106-98, §2, 7-27-98, Ord. No. 0-36-04, §1, 3-1-04; Ord. No. 0-56-10, §20, 5/17/10)

Sec. 18-110. Parking deck restrictions.

It shall be unlawful to back in vehicles into any parking spaces in the Gateway Center Parking Deck. (Ord. No. 0-56-10, §21, 5/17/10)

Secs. 18-111—18-120. Reserved.

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ARTICLE IV. INOPERABLE MOTOR VEHICLES

Sec. 18-121. Definition.

Inoperable motor vehicle means any motor vehicle from which, for a period of at least seven (7) days, the engine, wheels, or other parts have been removed, or on which 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. “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. (Code 1961, 19.1001; Ord. No. O-55-87, 1, 5-26-87)

Sec. 18-122. Declared a nuisance.

Every inoperable motor vehicle, whether public or private property, found within the Village hereby is declared to be a nuisance, excepting any motor vehicle that is kept within a building when not in use, historic vehicles over twenty-five (25) years of age, or motor vehicles on the premises of a place of business engaged in wrecking or junking motor vehicles. (Code 1961, 19.1002)

Sec. 18-123. Notice.

The Village shall send a notice, to be personally delivered or mailed by certified or registered mail, to any person having under his or her control an inoperable motor vehicle declared hereinabove to be a nuisance, directing that such person dispose of said vehicle within fifteen (15) days from the date of said such notice and further notifying such person of the penalty authorized hereunder. (Code 1961, 19.1003)

Sec. 18-124. Abatement.

All inoperable motor vehicles which constitute a nuisance hereunder and which are not disposed of in accordance with the terms of any notice given pursuant to section 18-123, shall be abated in accordance with section 18-126 of this Code. (Code 1961, 19.1004)

Sec. 18-125. Penalty.

Any person violating any provision of this article shall be fined as established in the Fee Schedule Supplement to the Palatine Code of Ordinances. (Code 1961, 19.1005; Ord. No. O-5-98; 20;1-26-98)

Sec. 18-126. Disposition of inoperable motor vehicles.

Any inoperable motor vehicle which is not disposed of pursuant to the provisions of this article may be disposed of by the Police Department pursuant to the provisions of 625 ILCS 5/4-201, 625 ILCS 5/4-214, both inclusive. (Code 1961, 19.1005)

Secs. 18-127—18-140. Reserved.

ARTICLE V. BICYCLES*

***Editor’s note**—Ord. No. O-57-77, 1, adopted June 13, 1977, repealed former Art. VI, 18-141—18-157, relative to bicycles, and enacted in lieu thereof a new Art. VI, 18-141—18-147, as herein set out. Formerly Art. VI was derived from Code 1961, 19.901—19.917.

Sec. 18-141. “Bicycle” defined.

A “bicycle” is hereby defined as a two-wheeled vehicle propelled by human power, having tandem arrangement of wheels equipped with tires either of which is over eighteen (18) inches in diameter. (Ord. No. O-57-77, 1, 6-13-77)

Sec. 18-142. Reserved.**Sec. 18-143. Regulations for the operation of bicycles.**

(a) Any person operating a bicycle shall obey all official traffic-control signals, signs and other control devices applicable to vehicles unless otherwise directed by a police officer.

(b) No person shall ride a bicycle upon a sidewalk, street, business plaza, or upon any public way on which official signs have been erected by the authority of the Village Council prohibiting such bicycle riding.

(c) Persons riding bicycles upon a street or sidewalk shall ride in a single file and not abreast.

(d) When a bicycle is operated on a street, it shall be operated as near to the right hand curb or edge of the roadway as conditions will permit, so as not to interfere with motor vehicle traffic. The operator shall exercise due care when passing a standing or parked vehicle or other obstruction in the path of a bicycle.

(e) Persons operating bicycles shall exercise due caution at intersections, and shall be required to yield to motor vehicle traffic turning right.

(f) When a bicycle is operated on a street, the operator shall give hand signals before turning, changing lanes, or stopping. All signals herein required by hand and arm shall be given from the left side of the bicycle in the following manner, and such signals shall indicate:

- (1) Left turn. Hand and arm extended horizontally.
- (2) Right turn. Hand and arm extended upward.
- (3) Stop or decrease in speed. Hand and arm extended downward.

(g) Any person operating a bicycle shall exercise due care to avoid colliding with any person or vehicle on any roadway, sidewalk, or other public way, or endangering the life, limb or property of any person.

(h) Whenever a person operating a bicycle upon a sidewalk approaches a pedestrian carrying a white cane, the operator shall dismount the bicycle and overtake and pass the pedestrian on foot.

(n) Whenever a person is operating a bicycle upon a sidewalk or street, that person shall yield the right-of-way to any pedestrian and shall give an audible signal before attempting to overtake and pass a pedestrian or other bicycle.

(j) A person operating a bicycle shall not ride other than astride a permanent seat attached thereto, nor carry any other person upon such bicycle other than upon a permanently attached seat thereon, nor shall any person ride a bicycle other than upon such a firmly attached and regular seat.

(k) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

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(l) No person operating a bicycle shall carry any package, bundle, or article in such a manner as to take either hand from the handlebars.

(m) No person shall operate a bicycle under the influence of intoxicating liquor or drugs.

(n) No minor bicyclist shall practice or perform any stunt, trick, or fancy or acrobatic riding on any street, sidewalk or public way, except under the supervision of his or her parents or legal guardian and shall do so in a safe and reasonable manner.

(o) No person shall operate a bicycle at a speed greater than is reasonable and proper under the conditions then existing.

(p) The operator of a bicycle emerging from an alley, driveway, or building shall, upon approaching a sidewalk or the sidewalk area extending across any alley or driveway, yield the right-of-way to all pedestrians approaching upon such sidewalk area and upon entering the street shall yield the right-of-way to all vehicles approaching on such street.

(q) Every bicyclist attempting to cross a street shall dismount and walk his or her bicycle across the street.

(r) No person operating any bicycle shall attach the same or himself/herself to any vehicle upon a street, sidewalk, or public way, nor shall any person operating a bicycle tow or draw any coaster, sled, or other vehicle, or person on roller skates, a skateboard, or other similar vehicle, upon any street, sidewalk, or public way.

(s) Every bicycle, when operated during the period from sunset to sunrise, shall be equipped with the following:

- (1) At least one lighted lamp exhibiting a white light or light of an amber tint, visible from a distance of five hundred (500) feet to the front of the bicycle.
- (2) At least one red reflector visible from a distance of one hundred (100) feet to the rear.
- (3) Side reflectors which are essentially colorless or red to the rear of the center of the bicycle and essentially colorless or amber to the front of the center of the bicycle and which are visible from each side of the bicycle from a distance of five hundred (500) feet.

(t) No bicycle shall be equipped with a siren or whistle.

(u) No bicycle shall be parked other than against a curb or upon a sidewalk in an upright manner, supported by a kickstand or rack, provided that such parking does not interfere with vehicular or pedestrian traffic or damage the property of another. (Ord. No. O-57-77, 1, 6-13-77)

Sec. 18-144. Impoundment of bicycles.

Members of the Police Department shall have the authority to impound all bicycles parked other than as provided in this article, or which have been abandoned for more than twenty-four (24) hours, or which have been located in such a place as to reasonably assume they have been abandoned. (Ord. No. O-57-77, 1, 6-13-77)

Sec. 18-145. Operation of bicycle without consent of owner; buying, concealing stolen bicycle or parts of bicycles.

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No person shall knowingly operate any bicycle without the consent of the owner, or buy or conceal any bicycle or parts of bicycles known by him or her to have been stolen. (Ord. No. O-57-77, 1, 6-13-77)

Sec. 18-146. Duty of parents or guardians.

The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any provision of this article. (Ord. No. O-57-77, 1, 6-13-77)

Sec. 18-147. Penalties.

(a) Any person convicted of a violation of any provision of this article shall be punished by a fine as established in the Fee Schedule Supplement to the Palatine Code of Ordinances; or shall

(b) Attend a lecture, bicycle safety class, view a safety film, or fulfill any other penalty imposed by the Chief of Police or person(s) so designated by him or her. (Ord. No. O-57-77, 1, 6-13-77)

Secs. 18-148—18-170. Reserved.

ARTICLE VI. VIOLATIONS

Sec. 18-171. Reserved.

Sec. 18-172. Tickets.

For offenses other than driving while intoxicated or reckless driving, police officers after making note of the license number of the vehicle (and the 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. (Code 1961, 19.1103)

Sec. 18-173. Minor violations.

(a) Any person accused of the violation of a provision of this chapter prohibiting parking of a vehicle in a “no parking zone,” prohibiting parking of a vehicle in a metered area without paying to cover the period of time the vehicle is parked, restricting the length of time the vehicle may be parked in a given area, or otherwise violating the parking regulations of this chapter, may settle and compromise the claim against him or her for such illegal parking by paying to the municipality the amount reflected in the Fee Schedule Supplement to the Palatine Code of Ordinances. (Ord. No. 0-160-10, §1, 12/13/10; Ord. No. O-92-20, 12/07/2020)

Provided, however, that if any vehicle stands at any curb within fifteen (15) feet of a fire hydrant, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic signal, then the Fee Schedule Supplement to the Palatine Code of Ordinances shall be in effect. (Ord. No. 0-160-10, §1, 12/13/10)

This provision shall not apply to persons parking a vehicle so as to obstruct the entrance or exit of any place where Police or Fire Department apparatus are kept or housed, or so as to block an emergency entrance to a hospital. Nor shall this provision apply to any person charged with parking a vehicle so as to entirely obstruct traffic in any street, or alley, or parking in such a way as to reduce traffic on an arterial street to one-way traffic only; nor to any person who refused to move a vehicle illegally parked at the request of any member of the Police Department.

The fines as detailed in this sub-paragraph (a) shall not apply to vehicles with a manufacturer’s gross

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vehicle weight rating, or the registered weight, of 16,001 pounds or more. (Ord. No. 0-20-93 3-8-93, Ord. 0-213-99 1 12/13/99)

(b) Any person, pursuant to the issuance of a compliance citation, who is accused of violating certain sections of the Illinois Vehicle Code, as adopted in its entirety by section 18-1 of this chapter, hereinafter described in paragraph (d), may settle and compromise the claim against him or her by paying to the Village the amount reflected in the Fee Schedule Supplement to the Palatine Code of Ordinances. (. (Ord. 0-92-03, §1, 4/21/03); Ord. No. 0-160-10, §2, 12/13/10)

(c) A receipt shall be issued for all money received in compromise and settlement of a claim, and such money shall be promptly turned over to the Village Treasurer to be used in the manner provided for the disposition of fines for traffic violations. The members of the Police Department are hereby authorized to refrain from instituting a court action for the alleged offense involved.

(d)The following violations of 625 ILCS 5, of the Illinois Vehicle Code, already adopted in its entirety by section 18-1 of this chapter, shall be subject to the procedures described herein:

(Ord. No.O-92-20, 12-07-2020)

(1) Chapter 3:

Article I. Certificate of Title.

Sec. 5/3-112 Failure to transfer title.

Article IV. Registration.

Sec. 5/3-401 No valid registration.

Sec. 5/3-404 No bill of lading, manifest or dispatch record.

Sec. 5/3-411 Failure to carry registration card or reciprocity permit.

Sec. 5/3-413(a) Only one license plate displayed. (Ord. 0-92-03, §2, 4/21/03)

Sec. 5/3-413(b) Improper display of license plates.

Sec. 5/3-413(f) Operation of vehicle with expired registration plates or registration sticker.

Sec. 5/3-416 Failure to ratify Secretary of State of change of address/name.

Sec. 5/3-417 Failure to apply for lost, stolen or damaged card, plates or registration sticker.

Article VII. Other Offenses Against Registration.

Sec. 5/3-701 No valid registration.

Sec. 5/3-701(1) No reciprocity, prorate or apportionment registration.

Sec. 5/3-701(2) Inoperable odometer--Mileage tax plates.

Sec. 5/3-706 Failure to surrender canceled suspended or revoked registration.

(2) Chapter 5:

Article II. Transporters.

Sec. 5/5-202(e) Failure to display 3rd tow truck plate on towed vehicle.

(3) Chapter 6:

Article I. Issuance of Licenses--Expiration and Renewal.

Sec. 5/6-101 No valid drivers license, expired less than six months.

Sec. 5/6-112 No valid driver's license on person

Sec. 5/6-116 Failure to notify Secretary of State of change of address.

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(4) Chapter 11:

Article XIV. Miscellaneous.

- Sec. 5/11-1003 Failure to Yield – Pedestrian crossing, other than crosswalks.
(Ord. No. 0-135-10, §1, 11/8/10)
- Sec. 5/11-1011 Disobeying railroad signals when activated (pedestrians) (Ord. No. 0-11-07, §1, 2/5/07)
- Sec. 5/11-1304.5 Valid registration required for vehicle parked on public highways
(Ord. No.O-92-20, 12-07-2020)
- Sec. 5/11-1401 Unattended motor vehicle left illegally.
- Sec. 5/11-1403 Improper riding on motorcycle.
- Sec. 5/11-1403(c) Illegal handlebars on motorcycle.
- Sec. 5/11-1403.1 Improper riding on motorized pedal cycle.
- Sec. 5/11-1404 Riding motorcycle without special equipment.
- Sec. 5/11-1405 No passenger footrests on motorcycle.
- Sec. 5/11-1406 Driver's view or driving mechanism obstructed.
- Sec. 5/11-1413 Depositing injurious material on highway.
- Sec. 5/11-1419.01 Failure to display motor fuel tax identification card. (IFTA)
- Sec. 5/11-1419.02 Failure to display external motor fuel tax identification. (IFTA)
- Sec. 5/11-1429 Excessive idling- diesel engine

Article XV. Bicycles.

- Sec. 5/11-1507.1 Operation of bicycles without light and reflector.

(5) Chapter 12:

Article II. Lights and Lamps.

- Sec. 5/12-201(a) Driving without lighted lamp--Motorcycle.
- Sec. 5/12-201(b) Driving without lights when required.
- Sec. 5/12-201(b) Taillights--Less than two (2) taillights when required.
- Sec. 5/12-201(c) No rear registration plate light.
- Sec. 5/12-202 Insufficient clearance, identification or side marker lamps.
- Sec. 5/12-203 Insufficient lighting on parked vehicle.
- Sec. 5/12-204 Improper lamp or flag on projected load.
- Sec. 5/12-205.1 No amber signal on implements of husbandry or slow moving vehicle.
- Sec. 5/12-207(a) Improper use of more than one spot lamp.
- Sec. 5/12-207(b) Improper use of more than three auxiliary driving lamps.
- Sec. 5/12-208 No signal lamp or signal device--No stop lamp.
- Sec. 5/12-209(c) Defective backup lights.
- Sec. 5/12-210 Failure to dim headlights.
- Sec. 5/12-211 Improper lighting--One headlamp.
- Sec. 5/12-212 Illegal lights--Red or flashing.
- Sec. 5/12-212 Any lighting with smoked or tinted lens or cover
- Sec. 5/12-215(a) Illegal use of oscillating, rotating or flashing red lights.
- Sec. 5/12-215(c) Illegal use of oscillating, rotating or flashing blue lights.

Article III. Brakes.

- Sec. 5/12-301 Defective or no brakes.

Article IV. Tires.

- Sec. 5/12-401 Use of illegal tires (studs).

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Sec. 5/12-405(c) Use of unsafe tire.

Article V. Glass, Windshields and Mirrors.

Sec. 5/12-501 No safety glass.
 Sec. 5/12-502 Mirrors.
 Sec. 5/12-503(a) Obstructed windshield or front side windows.
 Sec. 5/12-503(a)(5) Illegal Window Tint.
 Sec. 5/12-503(c) Obstructed windshield and/or rear window.
 Sec. 5/12-503(d) No windshield-cleaning device.
 Sec. 5/12-503(e) Defective windshield, side and/or rear window.

Article VI. Miscellaneous Requirements.

Sec. 5/12-601 Defective horn.
 Sec. 5/12-601(b) Unlawful possession or use of siren.
 Sec. 5/12-602 Muffler--Loud, excessive noise, no muffler.
 Sec. 5/12-603 No seat belts.
 Sec. 5/12-603.1 Failure to wear a properly adjusted and fastened seat safety belt (driver/ front seat passenger) specifically excludes violations of the Child Restraint Act.
 Sec. 5/12-604.1 Unlawful Operation of a Vehicle with Video Devices.
 Sec. 5/12-606 Tow trucks--Identification--Equipment--insurance.
 Sec. 5/12-606(a) No sign/name attached on each side.
 Sec. 5/12-606(b) Required equipment--Broom, shovel, trashcan, fire extinguisher.
 Sec. 5/12-606(c) Removing debris, spreading dirt or oil absorbing material on roadway.
 Sec. 5/12-607 Vehicle suspension system.
 Sec. 5/12-607.1 Unlawful frame or floor height.
 Sec. 5/12-608(a) No bumper.
 Sec. 5/12-608(a) Unlawful bumper height.
 Sec. 5/12-610 Wearing headset receiver while driving.
 Sec. 5/12-611 Illegal operation of sound amplification system.

Article VII. Special Requirements for Vehicles of the Second Division.

Sec. 5/12-702(a) No flags, flares or warning device carried.
 Sec. 5/12-702(c) No flags, flares or warning devices used.
 Sec. 5/12-703 Dripping road oil on roadway.
 Sec. 5/12-707 Overloaded--School bus, commuter van or passenger vehicle.
 Sec. 5/12-709 Slow-moving vehicle emblem--Violation.
 Sec. 5/12-710 Inadequate or no splash guards.

Article VIII. Special Requirements for School Buses.

Sec. 5/12-806 Failure to cover "School Bus" sign.
 Sec. 5/12-807 No seat belt for school bus driver.
 Sec. 5/12-808 No fire extinguisher.
 Sec. 5/12-809 No first aid kit on school bus.
 Sec. 5/12-810 No restraining device for handicapped passengers.

(6) Chapter 13:

Sec. 5/13-111 No valid safety test.

(7) Chapter 15:

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Article I. Size, Weight and Load.

- Sec. 5/15-105 Improper projecting load.
- Sec. 5/15-106 Loose protruding member--All vehicles.
- Sec. 5/15-109 Spilling load on highway or load not secure.
- Sec. 5/15-109.1 Failure to cover load when required.
- Sec. 5/15-110(b) No safety chains or illegal hitch.
- Sec. 5/15-316 Violating a local weight restricted highway. (Ord No. 0-86-13,

7/8/13)

(8) 625ILCS40, Snowmobile Registration and Safety Act:

Article III. Registration of Snowmobiles.

- Sec. 40/3-1. Operation of unnumbered snowmobiles.

Article IV. Snowmobiles Equipment.

- Sec. 40/4-1. Equipment--Lights, etc.

Article V. Control Provisions.

- Sec. 40/5-1(D). No lighted headlamp or lighted tail lamp.
- Sec. 40/5-1(H). On private property without permission--Failure to stop and identify.
- Sec. 40/5-1(K). On frozen surface of public waters within 100 feet of a person not on a snowmobile or within 100 feet of a person engaged in fishing.
- Sec. 40/5-1(L). Within 100 feet of a dwelling between midnight and 6:00 a.m. at a speed greater than the minimum to maintain forward movement.
- Sec. 40/5-2. Illegal operation on a roadway.
- Sec. 40/5-3. Operation without a valid safety certificate.

(9) 625 ILCS 5/11 All-Terrain Vehicles:

- Sec. 5/11-1426.1 Operation of non-highway vehicles on streets, roads and highways.
- Sec. 5/11-1427 Illegal driving or operation of all-terrain vehicle or off-highway motorcycle.

(e) The issuance of a compliance citation shall be a courtesy in lieu of instituting a prosecution in court for the alleged offense. Any compliance citation which remains unpaid or in which the alleged violator has not appeared within a thirty-day period from the date of issuance to request a court date will be converted to a uniform traffic complaint and a court date will be issued for the alleged offense or the citation will be processed to accordingly for civil action. (Code 1961, §19.1104; Ord. No. O-76-80, §1, 9-22-80; Ord. No. O-115-82, §2, 12-13-82; Ord. No. O-43-83, §1, 6-27-83; Ord. No. O-44-87, §1, 2, 5-11-87; Ord. No. O-102-91, §1, 3, 7-8-91, Ord. No. 0-20-93, 3-8-93; Ord. No. O-46-96, §1, 4-8-96, Ord. No. O-92-20, 12/07/2020)

***Editor's Note:** Ch.95.5, Secs. 1203-1 through 1206-1, All--Terrain vehicles, of the State Statutes was repealed and replaced with 625 ILCS 5/11-1426 and 1427)

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Sec. 18-173.1 Minor Violations - Class "C" and above vehicles.

Vehicles with a manufacturer's gross vehicle weight rating or registered weight of 16,001 pounds or more shall be known as Class "C" vehicles. Any Class "C" vehicle violating the parking regulations of this Chapter may settle and compromise the claim against him or her for such illegal parking by paying the municipality a fine as established in the Fee Schedule Supplement to the Palatine Code of Ordinances. (Ord. No. 0-20-93 3-8-93; Ord. No. 0-86-13, §1, 7/8/13)

Sec. 18-174. Liability for parking violations.

Whenever any vehicle shall have been parked in violation of the provisions of any ordinance prohibiting or restricting parking, the person in whose name such vehicle is registered shall be prima facie responsible for such violation and subject to the penalty therefor.

For the purposes of this section, it is the intent of the Mayor and Village Council of the Village of Palatine that vicarious liability shall be imposed upon the registered owner of the vehicle and it shall not be a defense that someone other than the registered owner was in control of the vehicle when the violation occurred. (Code 1961, §19.1105; Ord. No. O-27-78, §1, 5-8-78)

Sec. 18-175. Impoundment of vehicles.

(a) *Violation.* Any vehicle, the owner or owners of which have a total of three (3) or more unpaid citations for parking violations, issued within an eighteen-month period, charging that such vehicle was parked or stopped in violation of any ordinance of the Village, shall be deemed a public nuisance, and the Police Department or any other agents of the Village assigned to traffic duty are hereby authorized to remove, cause to be removed or impound in place the offending vehicle at the sole cost and expense of the owner or owners.

(b) *Disposition of removed vehicle.* The disposition of removed vehicles shall be according to section 13-9 of this Code, entitled "Abandoned Property."

(c) *Owner's responsibility.* The registered owner of the vehicle having against it three (3) or more citations for parking violations shall be presumed to be the owner at the time the citations were issued and shall be severally responsible for the offense and the impoundment except where the use of the vehicle was secured by the operator without the owner's consent.

(d) *Release of vehicle.* Any vehicle removed or impounded in place pursuant to this section will be released to its lawful owner upon the showing of adequate evidence of the right to possession and upon the payment of all accrued fines and costs for each outstanding unpaid citation and judgment against a person or persons registered as the owner of the vehicle, and upon payment of an additional administrative fee as established in the Fee Schedule Supplement to the Palatine Code of Ordinances. In lieu of payment of the amount due on any unpaid citation, the person may deposit a bond in the amount as established in the Fee Schedule Supplement to the Palatine Code of Ordinances per violation for his or her appearance in the circuit court of Cook County to answer said violation. A release must be signed by an officer of the Police Department of the Village. (Ord.No.O-17-80, §1, 2-11-80; Ord.No.O-81-84, §1, 9-10-84; Ord .No. 0-142-98, §1,9-28-98; Ord. 0-147-00 §1, 11-13-00)

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ARTICLE VII. OVERWEIGHT AND OVERSIZED VEHICLE ORDINANCE

[Editor's Note: Art. VIII was replaced in its entirety by Ord. No. 0-151-09, 12/21/09]

Sec. 18-176. Definitions.

For purposes of this article, the following definitions apply:

- (a) *One-way or single trip permit*: One move from the point of origin to the point of destination. Any additional stops between the point of origin and the point of destination are expressly prohibited. Single trip permits are valid for 5 consecutive days from the effective date of the permit.
- (b) *Round-trip movement*: Two trips over the same route in opposite directions. Round-trip permits are valid for 10 consecutive days from the effective date of the permit.
- (c) *Non-divisible*: As defined in 625 ILCS 5.0/1-148.
- (d) *Police Department*: The Village of Palatine Police Department
- (e) *Village*: The Village of Palatine

Ord. No. O-92-20, 12-07-20

Sec. 18-177. Permits.

(a) A permit shall be required for the movement of any vehicle or combinations of vehicles that is non-divisible or is carrying a load that is non-divisible, while operating on roadways and bridges within the jurisdiction of the Village, which exceeds the following limits:

- (1) Weight, as defined in 625 ILCS 5.0/15-111
- (2) Width, as defined in 625 ILCS 5.0/15-102
- (3) Height, as defined in 625 ILCS 5.0/15-103
- (4) Length, as defined in 625 ILCS 5.0/15-107

Exempt from permits are the following:

- (1) Fire Department vehicles;
 - (2) Those vehicles operating under an emergency declaration;
 - (3) Village owned vehicles engaged in emergency utility repair;
 - (4) Equipment used for snow and ice removal, owned or operated by any governmental body.
- (b) Permits are non-transferable and apply only to the permittee.
- (c) The Village may issue revisions to permits. The Chief of Police or his or her designee may assign a fee for a revision as his discretion in the following circumstances:
- (1) To correct an error attributed to the Village;
 - (2) To correct an error attributed to the applicant;
 - (3) To adjust weights, dimension or routes as issued on the permit, before the move is made.
- (d) The permit, when issued, constitutes an agreement between the permittee and the Village that the move described in the application will take place only as described. The permittee has the responsibility to report to the Police Department any inaccuracies or errors on the part of either the Village or the permittee before starting any move. Undertaking the move is prima facie evidence of acceptance of the permit as issued

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and its terms.

(e) The routing prescribed in the permit constitutes the sole extent of the authority granted by the permit for the use of roads within the jurisdiction of the Village, and any vehicle and/or load found to be off route will be considered off route and without a permit. Permits, whether in paper or electronic form, shall be in the driver's possession at all times unless otherwise directed by the Police Department and presented upon demand to any and all police officers for the purpose of inspection.

(f) Any vehicle(s) and/or load found to be divisible will render the permit null and void. The entire gross weight and axles weights of the vehicle(s) with the load are subject to legal weights. It is the duty of the applicant to verify the non-divisibility of the vehicle(s) before making application for the permit. The permit application itself is prima facie evidence that the applicant confirmed the vehicle(s) and/or load were non-divisible.

(g) If required, arrangement shall be made by the permittee to have the proper utilities notified, property moved, bridge or highway analysis performed and completed in advance of any permit movement.

(h) All movements under the permit shall be made in accordance with all applicable federal, State and local laws, ordinances, rules and regulations.

(i) Permits are null and void if altered for the purpose of deception. The permits issued under this section constitute the grant of a privilege by the Village and may be denied or suspended for such reasons as the Village may deem rationally related to its governmental interests including, but not limited to:

- (1) A permittee knowingly providing incorrect information in an application for a permit;
- (2) A permittee, its agents, or employees operating on a permit which has been altered for purposes of deception;
- (3) Non-compliance by permittee, its agents or employees with federal, State, or local ordinances pertaining to the transport of goods or operation of a vehicle engaged in the transport of goods;
- (4) Moving on Village streets without a valid permit as required under this section.

(j) All single-trip or round-trip permits are limited to movements on assigned routes only.

Ord. No. O-92-20, 12-07-20

Sec. 18-178. Applications for Permit.

(a) All applications for permits shall be given full consideration. Permits for proposed moves may be issued:

- (1) When the Village roadways and bridges will not be unduly damaged; and
- (2) When the safety of the traveling public will be adequately protected.

(b) Applications for a permit to move an oversize and/or overweight vehicle, and/or load, must be made to the Police Department. The Chief of Police or his or her designee will determine the appropriate fields of information which should be required on the permit application.

Ord. No. O-92-20, 12-07-20

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Sec. 18-179. Police escorts.

Police escorts are required for certain vehicles and loads as determined by the Chief of Police or his or her designee. The total number of officers necessary to provide for a safe move shall be determined by the Police Department, based upon the size and weight of the permit move. Fees for escorts shall be in addition to the permit fees set forth herein. Escort fees shall provide for a minimum of two (2) hours of service calculated by the most current overtime rate established by the Police Department.

Sec. 18-180. Indemnification.

(a) The permittee shall assume total liability for any and all damages to streets, bridges, Village owned appurtenances and private or public property while engaged in a permit move. The measure of liability is the cost for all repairs or replacement of property damaged by the permittee.

(b) The permittee shall indemnify and hold harmless the Village or members of the Police Department from any costs, judgments or settlements, including attorney's fees, arising from physical injuries, including loss of life, or damage to or loss of property related to acts or omissions by permittee, its officers, agents, or employees pursuant to the permit.

Ord. No. O-92-20, 12-07-20

Sec. 18-181. Suspension and reinstatement.

- (a) Suspension of a current permit shall be for the time determined appropriate by the Police Department; however, reinstatement may be made upon conditions determined by the Village and payment of all outstanding settlements or judgments.
- (b) The Chief of Police or his or her designee shall administer and enforce this section and shall have the authority to grant, deny, suspend, or reinstate Permits. Any applicant or permittee denied a permit or who has had a permit suspended, upon request, shall be given a hearing before the Chief of Police first, then the Village Manager if the permittee is still unsatisfied.
- (c) No permits shall be issued an applicant or company who has outstanding fees or payments due to the Village.

Sec. 18-182. Permit fee schedules.

(a) The Village, with respect to highways under its jurisdiction, shall collect a permit fee as described in the Village Fee schedule. Any axle weight, gross weight or dimension requiring a route study and investigation are subject to special assessment by the Chief of Police or his or her designee to determine appropriate fees.

(b) The Village Finance Department is responsible for the billing, invoicing, and collection of permit fees. The Finance Department, in their discretion, may make rules and regulations as to acceptable methods of payment and due dates. Any unpaid permit fees will be turned over to a collection agency under contract of the Village. The Village may choose to employ an electronic internet service for the administration of the Article, including fee collection.

Ord. No. O-92-20, 12-07-20

Sec. 18-183. Reserved

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ARTICLE IX MOTOR DRIVEN SCOOTERS

[Editor's Note: A New Article IX was added by Ordinance 0-95-05, passed on May 9, 2005]

Sec. 18-184. Definitions:

For the purposes of this Article, a “motor driven scooter, minibike, pocket bike, go-cart, golf cart” are defined as any electric or gas driven wheeled scooter, cycle or other vehicle which is operated by a rider in either a sitting or standing position, propelled without physical peddling, for which the State of Illinois does not issue a title document or issue license plates or registration documents.

Sec. 18-185. Operation of motor driven scooters restricted.

No person shall operate a motor driven scooter upon any public street, sidewalk, public parking lot, bike path, park, reservoir or any other public property.

Sec. 18-186. Exemptions.

The following shall be exempt from the prohibitions contained in this Article:

1. Any police vehicle, fire vehicle, special district vehicle, County vehicle or Forest Preserve District vehicle operated by an employee in the course of his or her duties.
2. Motorized wheelchairs. For the purpose of this Article, a Motorized Wheelchair means any motorized vehicle designated for and used by a person with disabilities.
3. Electric personal assistance mobility devices, as defined in section 5/1-117.7 of the Illinois Vehicle Code (625 ILCS 5-100 et. Seq.).

Sec. 18-187. Applicability of this article.

Without limitation, this Article applies to all public property in the Village of Palatine.

Sec. 18-188. Violations.

Any person found guilty of violating any provision of Sections 18-184 through 18-187 shall be fined as established in the Fee Schedule Supplement to the Palatine Code of Ordinances. An offense committed by a minor under the direct control or with the consent of a parent or guardian may be subject the parent or guardian to the penalties provided in this Section. The Police Department shall have the authority to either impound or immediately release the motor driven scooter to a parent or guardian.

Sec. 18-189—18-199. Reserved.

ARTICLE X - AUTOMATED TRAFFIC LAW ENFORCEMENT SYSTEM

[Editor's Note: A New Article X was added by Ordinance 0-122-07, passed on July 16, 2007]

[Editor's Note: Article X was replaced in its entirety by Ordinance #0-14-08, passed on January 21, 2008]

Sec. 18-200. Definitions.

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Automated traffic law enforcement system means a device within the Village with one or more motor vehicle sensors working in conjunction with a red-light signal to produce recorded images of motor vehicles entering an intersection against a steady or flashing red signal indication in violation of Section 11-306 of the Illinois Vehicle Code (“Code”), 625 ILCS 5/11-306, or similar violation of the Village Code of Ordinances.

Disregarding a traffic control device means failure to stop and remain stopped before an intersection that is controlled by a red signal as provided for in Section 11-306 of the Code or Section 18-7 of the Village Code of Ordinances.

No turn on red means failure to come to a complete stop and does not enter the intersection, as defined by Section 1-132 of the Code, during the cycle of the red signal indication unless one or more pedestrians or bicyclists are present, even if the motor vehicle stops at a point past a stop line or crosswalk where a driver is required to stop, as specified in subsection (c) of Section 11-306 of the Code or the Village Code of Ordinances. (Ord. 0-161-10, §1, 12/13/10)

Recorded images mean images produced by the automated traffic law enforcement system, which consist of either 2 or more photographs; 2 or more microphotographs; 2 or more electronic images; or, a video recording showing the motor vehicle and, on at least one image or portion of the recording, clearly identifying the registration plate number of the motor vehicle.

Traffic Compliance Administrator means the person appointed as such through Article 25 of the Code and shall have the following additional powers: adopt, distribute and process automated traffic law violation notices and other notices required by this Article, collect money paid as fines and penalties, operate the automated traffic law enforcement system, and make certified reports to the Secretary of State as required by this Article.

18-201. Violations.

It shall be a violation of this Article for a vehicle to disregard a traffic control device or turn on red in violation of Section 11-306 of the Code or Section 18-7 of the Village Code of Ordinances.

18-202. Defenses.

The following may be considered defenses by the Hearing Officer for a violation of Section 18-201:

1. That the motor vehicle or registration plates of the motor vehicle were stolen before the violation occurred, and not under the control of or in the possession of the owner at the time of the violation;
2. That the driver of the vehicle passed through the intersection when the light was red either (i) in order to yield the right-of-way to an emergency vehicle or (ii) as part of a funeral procession.
3. Any other evidence or issues deemed as a defense by the Hearing Officer. (Ord. 0-161-10, §2, 12/13/10)

To demonstrate that the motor vehicle or the registration plates were stolen before the violation occurred and were not under the control or possession of the owner at the time of the violation, the owner must submit proof that a report concerning the stolen motor vehicle or registration plates was filed with a law enforcement agency in a timely manner.

18-203. Notice of Violation.

When the automated traffic law enforcement system records a motor vehicle entering an intersection in violation of Section 18-201, the Village shall issue a written Notice of Violation to the registered owner or lessee of the vehicle, which shall be delivered by U.S. mail within 30 days after the Illinois Secretary of State notifies the Village of the identity of the registered owner or lessee of the vehicle, and in no event later than 90 days following the violation. The Village shall only be required to notify a lessee if the leasing company/lessor provides the lessee's name by an affidavit and a copy of the lease within 60 days of the notice's issuance. If the driver information is not provided within 60 days, the leasing company/lessor may be found liable. If any notice to an address is returned as undeliverable, a second notice shall be sent to the last known address recorded in a United States Post Office approved database of the owner or lessee of the cited vehicle. The second notice shall be made by first class mail postage prepaid.

A Notice of Violation associated with an automated traffic law violation shall require a review of the associated recorded image by a law enforcement officer or retired law enforcement of the municipality or county issuing the violation, who shall inspect the image and determine whether the motor vehicle was being operated in violation of Section 18-201, or whether one of the defenses enumerated in Section 18-202 is visibly applicable upon inspection. Upon determination that the recorded image captures a violation and that no defense applies, the notice of violation shall be served upon the registered vehicle owner in the manner provided for above. The Traffic Compliance Administrator shall retain a copy of all violation notices, recorded images and other correspondence mailed to the owner of the vehicle. Each Notice of Violation shall constitute evidence of the facts contained in the notice and is admissible in any proceeding alleging a violation of the above-noted statutory and local provisions and shall be *prima facie* evidence of a violation, subject to rebuttal on the basis of the defenses established in this Article. (Ord. No. 0-161-10, §3, 12/13/10)

The Notice of Violation shall include the following information:

1. The name and address of the registered owner or lessee of the vehicle, as indicated by the records of the Secretary of State, or, if such information is outdated or unattainable, then the last known address recorded in a United States Post Office approved database;
2. The make (only if discernable) and registration number of the motor vehicle involved in the violation;
3. The violation charged;
4. The location where the violation occurred;
5. The date and time of the violation;
6. A copy of the recorded images;
7. The amount of the civil penalty and the date by which the penalty should be paid (21 days from the date of issuance), if a hearing is not requested, and a statement that the payment of the fine shall operate as a final disposition of the violation;
8. A statement that a failure to pay the civil penalty by the date noted may result in an additional late fee being assessed against the owner or lessee;
9. The amount of the late fee;

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10. A statement that the failure to pay by the date specified will result in a final determination of liability and may result in the suspension of driving privileges for the registered owner of the vehicle;
11. A statement that the recorded images constitute *prima facie* evidence of a violation;
12. A statement that the person may elect to proceed by paying the fine or challenging the charge in court, by mail or by administrative hearing; and
13. a statement of how an administrative hearing may be requested.

18-204. Hearing.

The owner of a vehicle being operated in violation of Section 18-201 may request a hearing by the respond-by date on the Notice of Violation (14 days from the date of issuance), to challenge the evidence or set forth an applicable defense. The Notice of Violation shall constitute evidence of the facts contained in the notice and is admissible in any proceeding alleging a violation of Section 18-201. The Notice of Violation shall be *prima facie* evidence of a violation, subject to rebuttal on the basis of the defenses established in Section 18-202. (Or. No. 0161-10, §4, 12/13/10)

The owner's failure to appear at the hearing will result in a finding of liability. In the event of a failure to appear, a "Findings, Decision and Order" letter will be sent to the owner. The owner's failure to pay the amount by the date specified in that letter will result in a final determination.

No additional fee shall be charged for the request for a hearing. (Ord. No. 0-161-10, §5, 12/13/10)

18-205. Mail-In Hearing.

Where the registered owner or lessee of the cited vehicle seeks to contest the merits of the alleged violation, such person may contest the charges using the same available defenses as stated above, but rather than attend the administrative hearing, they may submit any and all documentary evidence to the Traffic Compliance Administrator no later than the respond-by-date on the Notice of Violation (14 days from the date of issuance). The Traffic Compliance Administrator shall forward all timely-submitted materials to the Hearing Officer for review and determination.

No additional fee shall be charged for the request for a Mail-In Hearing.
(Ord. No. 0-161-10, §6, 12/13/10)

18-206. Final determination.

A Final Determination of violation liability shall occur following failure to pay the fine, a failure to request a hearing by the respond-by date, after a hearing officer's determination of violation liability and the exhaustion of or failure to exhaust any administrative review procedures provided by the Village Code of Ordinances. Where a person fails to appear at a hearing to contest the alleged violation in the time and manner specified in a prior mailed notice, the Hearing Officer's determination shall become final upon a failure to pay the amount owed on date provided in the "Findings, Decision and Order" letter. Appeal may be made to the Circuit Court of Cook County on any final determination as provided for by the Administrative Review Act.

18-207. Notice of determination of liability.

If the registered owner fails to pay or contest the Notice of Violation within 14 days a Notice of

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Determination of Liability will be sent to the owner indicating that a fine in the amount of \$100 is due to the Village. The notice will also state that the owner can petition the Village to set aside the determination of liability before it becomes final. If the owner does not pay the \$100 as specified in the notice or petition the Village to set aside the determination, within 35 days, a Notice of Final Determination will be sent to the owner indicating that the owner has exhausted all challenge options and the \$100 fine is a debt due and owing to the Village and must be paid within 14 days. The owner will also be notified that the failure to pay the \$100 fine within 14 days will result in a late fee of \$100 added to the original fine. (Ord. No. 0-161-10, §7, 12/13/10)

18-208. Notice of final determination.

A Notice of Final Determination shall be sent following the final determination of automated traffic law violation liability and the conclusion of judicial review. The Notice of Final Determination shall include the following information:

1. A statement that the unpaid fine is a debt due and owing to the Village.
2. A warning that a failure to pay any fine due and owing to the Village of Palatine within 14 days may result in a petition to the Circuit Court of Cook County to have the unpaid fine rendered as a judgment or may result in the suspension of the person's drivers license for failure to pay fines or penalties for 5 or more violation under this Article.

18-209. Petitions to set aside determination.

A Petition to Set Aside Determination of an automated traffic law violation must be filed with or mailed to the Traffic Control Administrator within 14 days of the date of mailing of the Notice of Determination of Liability. The grounds for the petition are limited to:

1. The person was not the owner or lessee of the cited vehicle on the date of the violation notice was issued;
2. The person having already paid the fine for the violation in question; and
3. Excusable failure to appear at or request a new date for a hearing.

Upon receipt of a timely petition to set aside the determination of liability, the Hearing Officer shall review the petition to determine if cause has been shown to set aside the determination. If cause has been shown, the Village shall forward the petitioner a new hearing date on which the petitioner must appear to present his or her case. The Village shall notify the petitioner of the Hearing Officer's decision to grant a hearing or deny the petition within 14 days of the Village's receipt.

18-210. Notice of impending driver's license suspension.

A Notice of Impending Drivers License Suspension shall be sent to the person liable for any fine or penalty that remains due and owing on 5 or more violations of this Article. The Notice of Impending Drivers License Suspension shall state the following information:

1. The failure to pay the fine owing within 45 days of the notice's date will result in the

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Village notifying the Secretary of State that the person is eligible for initiation of suspension proceedings under Section 6-306.5 of the Code;

2. A statement that the person may obtain a copy of the original ticket imposing a fine by sending a self-addressed, stamped envelope to the Village along with a request for the copy.

The Notice of Impending Drivers License Suspension shall be sent by first class mail, postage prepaid, to the address recorded with the Secretary of State or, if any notice to that address is returned as undeliverable, to the last known address recorded in a United States Post Office approved database.

18-211. Drivers license suspension.

The Traffic Compliance Administrator, by certified report, may request that the Secretary of State suspend the driving privileges of an owner of a registered vehicle who has failed to pay any fine or penalty due and owing as a result of 5 automated traffic violations. The report shall be certified and contain the following:

1. The name, last known address as recorded with the Secretary of State, as provided by the lessor of the cited vehicle at the time of lease, or as recorded in a United States post office approved database if any notice sent under this Article is returned as undeliverable, and driver's license number of the person who failed to pay the fine or penalty and the registration number of any vehicle known to be registered to such person in a state;
2. The name of the municipality making the report pursuant to this section; and
3. A statement that a Notice of Impending Driver's License Suspension has been sent to the person named in the report at the address recorded with the Secretary of State or at the last address known to the lessor of the cited vehicle at the time of the lease or, if any notice sent under this Article is returned as undeliverable at the last known address recorded at a United States Post office approved database; the date on which such notice was sent; and address to which such notice was sent.

The Traffic Compliance Administrator shall notify the Secretary of State whenever a person named in the certified report has paid the previously recorded fine or penalty or whenever the municipality determines that the original report was in error. A certified copy of such notification shall also be given upon request and at no additional charge to the person named therein.

Any person receiving notice from the Secretary of State that their driving privileges may be suspended at the end of a specified period may challenge the accuracy of the certified report prepared by the Traffic Compliance Administrator. The person shall, within 7 days after having received notice from the Secretary of State, request an opportunity to speak with the Traffic Compliance Administrator to challenge the accuracy of the certified report. If the Traffic Compliance Administrator determines that the original report was in error due to the fact that the person challenging the report was not the owner or lessee of the vehicle or that the person has already paid their fine for the 5 or more automated traffic violations, the Traffic Compliance Administrator shall immediately notify the Secretary of State of such error in a subsequent certified report.

18-212. Penalty.

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Any person violating Section 18-201 shall be fined \$100 for each offense. Failure to pay the original fine within 14 days of the issuance of the Notice of Final Determination shall result in an additional \$100 late payment fine.

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Chapter 18 TRAFFIC

- Art. I. In General, §§ 18-1 - 18-40
 Art. II. Designation of Intersections and Streets, §§ 18-61 - 18-80
 Art. III. Parking, §§ 18-81 - 18-120
 Div. 1. Generally, §§ 18-81 - 18-100
 Div. 2. Meters, §§ 18-101 - 18-120
 Art. IV. Inoperable Motor Vehicles, §§ 18-121 - 18-140
 Art. V. Bicycles, §§ 18-141 - 18-170
 Art. VI. Violations, §§ 18-171 - 18-175
 Art. VII. Overweight and Oversized Vehicle §§ 18-176 - 18-184
 Art. VIII. Motor Driven Scooters §§ 18-184 – 18-188
 Art. IX. Automated Traffic Enforcement System §§ 18-200 – 18-212

 Editor's Note: Article VII Overweight and Oversized Vehicles was added by Ordinance #-0-3-01, passed January 8, 2001.

Editor's Note: Article IX Automated Traffic Enforcement System was added by Ordinance 0-122-07, passed July 16, 2007

Editor's Note: Article II Traffic – Vehicle Licenses was deleted in its entirety by Ordinance #O-87-22, September 6, 2022

ARTICLE I. IN GENERAL

Sec. 18-1. Illinois vehicle code.

The provisions of the Illinois Vehicle Code, 625ILCS5/1-100 through 5/20-402, inclusive, as in effect on January 1, 1994, and as may thereafter be amended, except where applicable to matters not within the jurisdiction of the village, are hereby adopted by reference pursuant to the authority granted in 625ILCS5/20-204. Any section of the Illinois Vehicle Code adopted pursuant to this section 18-1 may be cited by placing "18-1" before the appropriate Illinois Vehicle Code number. (Ord. No. O-4-82, §1, 1-11-82)

Sec. 18-2. Definitions.

All terms used in this chapter shall have the meanings ascribed to them in the Illinois Vehicle Code, unless otherwise provided.

Sec. 18-3. Classification of vehicles.

For the purpose of this chapter, motor vehicles shall be divided into two (2) divisions, to wit: first and second- division vehicles ~~which are designed for the carrying of not more than ten (10) persons as defined in 625 ILCS 5/1-217; second, those vehicles which are designed and used for pulling or carrying freight and also vehicles designed and used for carrying more than ten (10) persons.~~ (Code 1961, §19.102; Ord. No. 0-86-13, §1, 7/8/13)

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Sec. 18-4. Obedience to police.

Members of the ~~P~~olice ~~d~~Department are hereby authorized to direct all traffic in accordance with the provisions of this chapter, 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 direction of a ~~police~~man~~police officer~~. Except in case of emergency, it shall be unlawful for any person not authorized by the ~~chief~~Chief of ~~police~~Police to direct or attempt to direct traffic on a highway within the Village. (Code 1961, §19.103)

Sec. 18-5. Scene of fire.

The ~~F~~ire ~~d~~Department officer in command, or any fireman designated by him or her, may exercise the powers and authority of a ~~police~~man~~police officer~~ in directing traffic at the scene of any fire or where the ~~fire~~Fire ~~D~~epartment has responded to any emergency call for so long as ~~F~~ire ~~d~~Department equipment is on the scene, in the absence of or in assisting the police. (Code 1961, §19.104)

Sec. 18-6. 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 the authority of the board or in accordance with the laws of the state. All signs established by direction of the governing body shall conform to the United States Department of Transportation Manual on Uniform Traffic Control Devices. (Code 1961, §19.105; Ord. No. 0-86-13, §1, 7/8/13)

Sec. 18-7. Light signals.

Whenever traffic at an intersection is regulated by the type of signal commonly known as a stop and go signal, the following colors shall indicate the following:

Red requires that the traffic faced by this color shall stop and remain standing.

Green requires that the traffic faced by this color shall move and continue in motion, except when stopped for the purpose of avoiding an accident or when stopped at the command of a ~~police~~man~~police officer~~.

Amber or yellow indicates preparation for a change in direction of traffic movement.

When a red lens is illuminated by rapid intermittent flashes, drivers of vehicles shall stop before entering the intersection.

When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed into the intersection only with extra caution. (Code 1961, §19.106)

Sec. 18-8. Unauthorized signs; interference with signs.

It shall be unlawful for any person to place, maintain or display any device other than an official warning or direction sign or signal authorized by statute or ordinance, upon or in view of any street, if such device purports to be, or is in imitation of, an official warning or direction sign or signal, or directs or purports to direct the movement of traffic. Any such unauthorized device is hereby declared to be a ~~nuisance~~, ~~and nuisance and~~ may be removed by any ~~police~~man~~police officer~~.

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It shall be unlawful for any person to deface, injure, move or interfere with any official traffic sign or signal. (Code 1961, §19.107)

Sec. 18-8.1. Unlawful possession of traffic-control signs, signals and markers.

Evidence of ownership shall be clearly marked on the back of all traffic-control signs, signals and markers owned by the Village of Palatine in letters not less than three-eighth (3/8) inches nor more than three-fourth (3/4) inches in height by use of a metal stamp, etching or other permanent means. It shall be unlawful for any person, except employees of the ~~village~~Village, police officers, or contractors and their employees engaged in a highway construction contract or work on a highway approved by the ~~village~~Village, to possess such sign, signal or marker so identified. (Ord. No. O-66-76, §1, 7-26-76)

Editor's note--Ord. No. O-66-76, §1, amended the 1961 Code by adding the provisions included herein as §18-8.1.

Sec. 18-9. Animals or bicycles.

Every person riding a bicycle or an animal, ~~r~~ or driving any animal drawing a vehicle upon any street, shall be subject to the provisions of this article applicable to the driver of the vehicle, except those provisions which can have no application to one riding a bicycle or driving or riding an animal; provided that, except in business districts, bicycles may be ridden on sidewalks. (Code 1961, §19.108)

Sec. 18-10. Clear vision.

It shall be unlawful to operate any vehicle which is so 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. If view of the roadway to the rear is obstructed, said vehicle shall be equipped with a mirror so attached as to give him ~~or her~~ a view of the roadway behind him ~~or her~~. (Code 1961, §19.701)

Sec. 18-11. Unnecessary noise.

It shall be unlawful to operate a vehicle which makes unusually loud or unnecessary noise. (Code 1961, §19.702)

Sec. 18-12. 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 device 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. (Code 1961, §19.703)

Sec. 18-13. Gas and smoke.

It shall be unlawful to operate any vehicle, ~~r~~ 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. (Code 1961, §19.704)

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Sec. 18-14. Projecting loads; ~~width and height.~~

~~The maximum width and height of any vehicle and its load shall not exceed the limits set in the state traffic law.~~

~~No passenger type vehicle shall be operated on the streets with a load extending beyond the line of the fenders on the left side of the vehicle nor extending more than six (6) inches beyond the line of the fenders of the right side thereof.~~

No part of the load of a vehicle shall ~~extend project more than three (3) feet in from the front of the~~ extreme front portion of the vehicle or from the extreme rear of the vehicle except as provided in the Illinois Vehicle Code. (Code 1961, §19.705)

Sec. 18-15. Reserved. (Ord. No. 0-86-13, §1, 7/8/13)**Sec. 18-16. Brakes.**

It shall be unlawful to drive any motor vehicle upon any street unless such vehicle is equipped with good and sufficient brakes in good working condition, as required by the state traffic law, or to operate any vehicle, which is so loaded that the operator does not have ready access to the mechanism operating the brakes of the vehicle. (Code 1961, §19.707)

Sec. 18-17. 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. (Code 1961, §19.708)

Sec. 18-18. 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 law. (Code 1961, §19.709)

Sec. 18-19. Sec. 18-19. Volunteer firemen; lights. Reserved.

~~Any motor vehicle owned or usually operated by a volunteer fireman may be equipped with not to exceed two (2) lamps which shall emit a blue light without glare. One such lamp may be mounted on the front and one may be mounted on the rear of any such vehicle. Except that a flashing blue light may be used only when such fireman is responding to a fire call. (Code 1961, §19.710)~~

Sec. 18-20. Non-skid devices.

It shall be unlawful to operate any motor vehicle upon any street equipped with any non-skid device so constructed that any rigid or non-flexible portion thereof comes into contact with the pavement of the roadway. (Code 1961, §19.711)

Sec. 18-21. Tires.

It shall be unlawful to operate on any street any motor ~~vehicle, which~~ vehicle which is not equipped

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with tires conforming to the requirements of the state traffic law. (Code 1961, § 19.712)

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Sec. 18-22. ~~Weight.~~Reserved.

~~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 law for driving on improved highways, or with weight distributed in a manner not conforming to such law. (Code 1961, §19.713)~~

Sec. 18-23. Local weight restricted highways.

Pursuant to the authority granted on 625 ILCS 5/15-316, it shall be unlawful to operate any vehicle or combinations of vehicles which exceed then thousand (10,000) pounds in actual weight, registered weight, manufacturer suggested gross vehicle rating (GVWR), or the gross combined manufacturer suggested weight rating (GCWR) on any Village highway or portion thereof. These highways shall be known as local weight restricted highways and enforceable when properly signed as a “no truck route”. “No Truck Routes” may be designated from time to time by Village Ordinance, a complete listing shall be maintained at all times by the Police Department and at the Village Hall in the custody of the Village Clerk. Any vehicle(s) may exceed this weight restriction provided the vehicle(s) are using the highway as a direct route for access to a point of loading or unloading, and there is no other access available. At no time may any vehicle(s) exceed this weight restriction use the highway as a thoroughfare between other non-restricted highways. (Code 1961, §19.714; Ord. No. O-64-86, §1, 6/23/86; Ord. No. O-147-88, §1, 11/14/88; Ord. 0-102-05, §1, 6/6/06; Ord. No. 0-86-13, §1, 7/8/13)

Sec. 18-24. Spilling loads.

No vehicle shall be so loaded that any part of its load spills or drops on any street or alley in the ~~V~~village. (Code 1961, §19.715)

Sec. 18-25. ~~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 (500) feet to the front and with a red reflector on the rear of a type which shall be visible from all distances from fifty (50) feet to three hundred (300) feet 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 (500) feet to the rear may be used in addition to the red reflector.~~

~~(b) No person shall operate a bicycle not equipped with a bell or other device capable of giving a signal audible for a distance of at least one hundred (100) feet, 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 good and adequate brakes. (Code 1961, §19.716)~~Reserved.

Sec. 18-26. Signal device.

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 limit of the body, cab, or load of such motor vehicle exceeds twenty-four (24) inches, 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 (14) feet. The latter measurement shall apply to any single vehicle, also to any combination of vehicles. (Code 1961, §19.717)

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Sec. 18-27. ~~Speed restrictions-Reserved.~~

~~It shall be unlawful to drive any motor vehicle on any alley in the village at a speed in excess of fifteen (15) miles per hour, or on any local street in the village at a speed in excess of twenty-five (25) miles per hour, except on those streets as otherwise designated by ordinance and a record of which shall be on file in the office of the village clerk and the police department. (Ord. No. O 71-76, §1, 8/9/76; Ord. No. O 29-78, §1, 5/8/78; Ord. No. O 34-78, §1, 5/22/78; Ord. No. O 103-82, §1, 11/8/82; Ord. No. O 46-85, §1, 6/10/85; Ord. No. O 23-11, §1, 3/7/11)~~

Sec. 18-27.1 Speed restrictions – parking decks.

It shall be unlawful to drive any motor vehicle in any Parking Deck at a speed in excess of 5 mph. (Ord. No. 0-197-02, §1, 11/11/02)

Sec. 18-28. ~~Driving while under the influence of alcohol, other drug, or combination thereof – generally. Reserved.~~

~~(a) A person shall not drive or be in actual physical control of any vehicle within this village while:~~

~~(1) — The alcohol concentration in such person's blood or breath is 0.10 or more based on the definition of blood and breath units in section 18-28.2;~~

~~(2) — Under the influence of alcohol;~~

~~(3) — Under the influence of any other drug or combination of drugs to a degree which renders such person incapable of safely driving; or~~

~~(4) — Under the combined influence of alcohol and any other drug or drugs to a degree which renders such person incapable of safely driving.~~

~~(b) The fact that any person charged with violating this section is or has been legally entitled to use alcohol, or other drugs, or any combination of both, shall not constitute a defense against any charge of violating this section. (Ord. No. O-53-79, § 1, 5/29/79; Ord. No. O 4-82, §2, 1/11/82; Ord. No. O-33-82, § 1, 4/12/82)~~

~~Sec. 18-28.1. Same—Suspension of driver's license; implied consent.~~

~~(a) Any person who drives or is in actual physical control of a motor vehicle upon the public highways of this village shall be deemed to have given consent, subject to the provisions of section 18-28.2, to a chemical test or tests of blood, breath, or urine for the purpose of determining the alcohol, other drug, or combination thereof content of such person's blood, if arrested, as evidenced by the issuance of a uniform traffic ticket, for any offense as defined in section 18-28 of this Code. The test or tests shall be administered at the direction of the arresting officer. The chief of police of the village shall designate which of the aforesaid tests shall be administered by their enforcement personnel.~~

~~(b) Any person who is dead, unconscious or who is otherwise in a condition rendering such person incapable of refusal, shall be deemed not to have withdrawn the consent provided by paragraph (a) of this section and the test or tests may be administered subject to the provisions of section 18-28.2.~~

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~~(c) Paragraphs (c) through (i) of Section 11-501.1 of the Illinois Vehicle Code (Illinois Revised Statutes, Ch. 95 1/2) as in effect on January 1, 1988 and as may be thereafter amended are hereby adopted by reference pursuant to authority granted in Illinois Revised Statutes, Ch. 95 1/2, — 20-204. All references in Section 11-501.1 of the Illinois Vehicle Code to other specific sections or to "this code" shall be to sections of the Illinois Vehicle Code. Whenever a complaint or uniform traffic ticket is brought under section 18-1(11-501) or 18-28 of this Code, the provisions of this section shall apply. When this section is in effect, it shall be specifically referred to in the officer's sworn report. (Ord. No. O-33-82, §1, 4/12/82; Ord. No. O-9-88, §1, 2/8/88)~~

~~**Sec. 18-28.2. Same—Chemical and other tests.**~~

~~(a) On the trial of any civil or criminal action or proceeding arising out of an arrest for an offense as defined in section 18-28, evidence of the concentration of alcohol, other drug or combination thereof in a person's blood or breath at the time alleged, as determined by analysis of the person's blood, urine, breath or bodily substance should be submitted to the court for admission.~~

~~(b) Paragraphs (a) through (c) of Section 11-501.2 of the Illinois Vehicle Code and Illinois Revised Statutes, ch. 95 1/2 are in effect on January 1, 1988 and as may be thereafter amended, are hereby adopted by reference pursuant to the authority granted by Illinois Revised Statutes, Ch. 95 1/2, section 20-204. All references in Section 11-501.2 of the Illinois Vehicle Code to any specific sections shall be sections of the Illinois Vehicle Code. Whenever a complaint or uniform traffic ticket is brought under section 18-1 (11-501) or section 18-28 of this Code, the provisions of this section shall apply. (Ord. No. O-33-82, §1, 4/12/82; Ord. No. O-9-88, §2, 2/8/88)~~

~~**Sec. 18-28.3. Same—Penalties.**~~

~~Every person who is convicted of a violation of section 18-28 shall be guilty of a Class A misdemeanor as provided in Chapter 38 of the Illinois Revised Statutes, and shall be subject to a fine of up to one thousand dollars (\$1,000.00) and/or imprisonment for any term less than one year. In addition to such penalty herein or any other administrative action provided in this Code or by statute, for any second or subsequent conviction of violating this section, such person shall be mandatorily sentenced to a minimum of forty-eight (48) consecutive hours of imprisonment or assigned to a minimum of ten (10) days of community service as may be determined by the court. Such imprisonment or assignment shall not be subject to suspension nor shall the person be eligible for probation in order to reduce the sentence or assignment. (Ord. No. O-33-82, §1, 4/12/82; Ord. No. O-88-84, §1, 10/8/84; Ord. No. O-80-86, §1, 7/28/86)~~

~~**Sec. 18-28.4. Revocation of driving privileges; notification to secretary of state.**~~

~~Every person who is convicted of a violation of section 18-28 shall have his driving privileges revoked by the secretary of state pursuant to the provisions of Section 11-501 of the Illinois Vehicle Code. The chief of police shall be responsible for determining that the secretary of state is promptly notified of all such convictions under section 18-28. (Ord. No. O-88-84, §1, 10/8/84)~~

~~**Sec. 18-29. Reckless driving—Reserved.**~~

~~(a) Any person who drives any vehicle with a willful or wanton disregard for the safety of persons or property is guilty of reckless driving.~~

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~~(b) Any person who is convicted of reckless driving shall be fined in an amount not less than one hundred dollars (\$100.00) nor more than one thousand five hundred dollars (\$1,500.00). (Ord. No. O-53-79, §1, 5/29/79; Ord. No. O-33-82, §2, 4/12/82)~~

Sec. 18-30. Exemptions.

The provisions of this chapter regulating the movement or parking of vehicles shall not apply to authorized emergency vehicles while the driver thereof is engaged in the performance of emergency duties. ~~Nor shall such provisions apply to persons actually engaged in repairing or otherwise improving the street under authority of the board or the state.~~ (Code 1961, §19.109; Ord. No. O-53-79, §1, 5/29/79)

Sec. 18-31. Painting, decorating vehicle to resemble police car or other official vehicle prohibited.

It shall be unlawful for any owner or operator of a motor vehicle in the Village of Palatine to cause or knowingly permit such vehicle to be painted or otherwise decorated in a manner identical to a Palatine police car or other official vehicle of the Village of Palatine, or to so closely resemble a Palatine police car or other official vehicle that in the normal course of events such vehicle would reasonably appear to be a Palatine police car or other official vehicle of the Village of Palatine. (Ord. No. O-25-80, §1, 3/10/80)

Sec. 18-32. Penalties for violation of Chapter 18.

Unless otherwise specified, any person violating any of the provisions of this Chapter 18 shall be subject to a penalty of not less than twenty-five dollars (\$25.00) nor more than seven hundred fifty dollars (\$750.00), exclusive of costs. (Ord. No. O-32-82, §2, 4/12/82; Ord.No.O-5-98)

Sec. 18-33. Vehicle impoundment.

[Editor's Note: New Section 18-33 was added by Ordinance # 0-182-08, approved December 8, 2008]

[Editor's Note: Ordinance #0-31-12, approved March 12, 2012, replaced Sec. 18-33 in its entirety.]

A. *Violations authorizing impoundment.* A motor vehicle, operated with the permission, express or implied, of the owner of record, that is used in connection with the following violations, shall be subject to impoundment by the Village, and the owner of record of said vehicle shall be liable to the Village for an administrative fee of five hundred (\$500) dollars in addition to any towing and storage fees as hereinafter provided.

1. Driving under the influence, 625 ILCS 5/11-501(a) (Ord. #0137-09, §1, 12/14/09, effect. 1/1/10; Ord O-79-20, 10/5/2020)
2. Drug offenses: Violations of the Cannabis Control Act, 720 ILCS 550 (Ord. #0137-09, §1, 12/14/09, effect. 1/1/10; Ord. O-47-17, 4/10/17; Ord. O-86-19, 10/7/19; Ord O-79-20, 10/5/2020)
3. Drug offenses: Unauthorized possession of controlled substances, 720 ILCS 570/402 (except if the suspension for an unpaid citation (parking or moving) or due to failure to comply with emission testing). (Ord. #0137-09, §1, 12/14/09, effect. 1/1/10; Ord O-79-20, 10/5/2020)
4. Suspended/Revoked Driver's License, Driving with a suspended or revoked driver's license, 625 ILCS 5/6-303 et seq. ~~except if the suspension is for unpaid citations or failure to comply with emissions testing.~~ (Ord. No. 0-33-10, §1, 4/12/10; Ord O-79-20, 10/5/202)

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5. No Valid Driver's License, Driving without a valid driver's license (no license ever issued), 625 ILCS 5/6-101 (Ord. No. 0-33-10, §1, 4/12/10; Ord O-79-20, 10/5/2020)
6. Operation or use of a motor vehicle by a person against whom a warrant has been issued by a circuit clerk in Illinois for failing to answer charges that the driver violated, Section 6-101, 6-303 or 11-501 of the Illinois Vehicle Code.
7. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, any misdemeanor or felony offense in violation of the Criminal Code of 1961.

B. *General Regulations*

1. This section shall not replace or otherwise abrogate any existing state or federal laws or Village ordinances pertaining to vehicle impoundment, and these fees and penalties shall be in addition to any penalties that may be assessed by a court for any criminal charges. (Ord. O-86-19, 10/7/19)
2. This section shall not apply if the vehicle used in the violation was stolen at that time and the theft was reported to the appropriate police authorities within 24 hours after the theft was discovered.
3. Fees for towing and storage of a vehicle under this section shall be those approved by the Chief of Police for a tower authorized to tow for the Police Department.
4. For situations involving an impoundment pursuant to Section 18.33A(4) or (5) above, a vehicle may be released prior to impoundment to an unimpaired passenger with the consent of the owner of record on scene and proof of valid motor vehicle insurance. (Ord. O-86-19, 10/7/19)

C. *Notice.* Whenever a police officer has probable cause to believe that a vehicle is subject to impoundment pursuant to this section, the police officer shall provide for the towing of the vehicle to a facility authorized by the Village. The police officer shall notify any person, identifying himself/herself as the owner of the vehicle or any person who is found to be in control of the vehicle at the time of the alleged violation, of the fact of the impoundment and of the vehicle and of owner's right to request a preliminary vehicle impoundment hearing to be conducted under this section. Said vehicle shall be impounded pending the completion of the hearings provided for in subsection (D) herein, unless the owner of the vehicle posts with the Village a cash bond in the amount of \$500.00 and pays the towing and storage charges. (Ord. No. 0-33-10, §2, 4/12/10; Ord. O-86-19, 10/7/19)

D. *Preliminary hearing.* If the owner of record of a vehicle impoundment pursuant to this section desires to appeal the impoundment, said owner must make a request for said hearing within 24 hours of the impoundment. Said request shall be in writing and filed with the Chief of Police or his or her designee who shall conduct such preliminary hearing within 24 hours after receipt of the request excluding Saturdays, Sundays, or Village holidays. All interested persons shall be given a reasonable opportunity to be heard at the preliminary vehicle impoundment hearing. The formal rules of evidence will not apply at the hearing and hearsay evidence shall be admissible only if it is the type commonly relied upon by reasonably prudent persons in the conduct of their affairs. If, after the hearing, the Chief of Police or his or her designee determines there is probable cause to believe that the vehicle is subject to impoundment pursuant to this section, he or she shall order the continued impoundment of the vehicle as provided in this section, unless the owner of the vehicle posts with the Village a cash bond in the amount of \$500.00, and pays the tower any

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applicable towing and storage fees. If the Chief of Police or his or her designee determines that there is no such probable cause, the vehicle will be returned without penalty or other fees. (Ord. No. 0-33-10, §2, 4/12/10) Ord. O-86-19, 10/7/19)

E. *Hearing*

1. The owner of a vehicle towed by or pursuant to the authority of the Palatine Police Department as set forth in this Section shall be provided the opportunity for a post-tow hearing to determine the validity of such tow and any tow or storage charges. This hearing will not be determinative of, or adjudicate, any citation issued relative to any towed vehicle.
2. The Village Manager shall designate one or more hearing officers to conduct post-tow hearings. The hearing officer shall have the authority to require the presence of the enforcement officer issuing the citation or any other Village personnel or witnesses at such hearing. The hearing officer shall be an attorney licensed to practice law in the State of Illinois for a minimum of three years.
3. After a vehicle is impounded pursuant to this section, the Village shall notify the owner of record by personal service or by first class mail, of a right to a hearing that will be conducted as soon as practicable but no later than 45 days after the vehicle was impounded. All interested persons shall be given a reasonable opportunity to be heard at the hearing. At any time prior to the hearing date, the hearing officer may, at the request of either party, direct witnesses to appear and give testimony at the hearing. The formal rules of evidence will not apply at the hearing and hearsay evidence shall be admissible only if it is the type commonly relied upon by reasonably-prudent persons in the conduct of their affairs. (Ord. No. 0-33-10, §3, 4/12/10 Ord. O-86-19, 10/7/19)
4. The hearing officer shall review all evidence presented and make a written finding as to whether there was lawful authority for the tow and storage of the vehicle. The Village must establish said authority by the preponderance of the evidence. The Village shall establish a prima facie case upon a showing of the documents related to the tow; i.e. the police citation or the police report and/or the tow report. The Chief of Police, through special order, shall establish procedures to authenticate and present the above documents at a tow hearing.
5. The hearing officer shall advise the owner of his or her findings at the conclusion of the hearing:
 - a. If the tow and storage is determined to be lawfully under authority pursuant to this Section and the owner shall be so informed and further advised of the amount owed, if any, for tow and storage.
 - b. If the tow and storage is determined to be not pursuant to this Section, the hearing officer shall so inform the owner; and
 - 1) If the vehicle is impounded at the time of hearing, shall order the vehicle be immediately released;
 - 2) If the vehicle has been released, advise the owner that a refund of the cash bond will be made within seven (7) days.

F. *Administrative fee.* The imposition of an administrative fee is relative to the administrative and processing costs associated with the investigation, arrest, and detention of an offender, or the removal, impoundment, storage, and release of the vehicle. If an administrative fee is imposed pursuant to this section, such fee shall constitute a debt due and owing to the Village. If a cash bond has been posted pursuant to this

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section, the bond shall be applied to the fee. If a vehicle has been impounded when such a fee is imposed, the Village may seek to obtain a judgment on the debt and enforce such judgment against the vehicle as provided by law. Except as provided otherwise in this section, a vehicle shall continue to be impounded until the fee is paid to the Village and any applicable towing and storage fees are paid to the tower, in which case possession of the vehicle shall be given to the person who is legally entitled to possess the vehicle or the vehicle is sold or otherwise disposed of to satisfy a judgment to enforce a lien as provided by law. If the administrative fee and other applicable fees are not paid within 45 days after, an administrative fee is imposed against an owner of record who defaults by failing to appear at the hearing, the vehicle shall be deemed unclaimed and shall be disposed of in the manner provided by law for the disposition of unclaimed vehicles. In all other cases, if the administrative fee and applicable fees are not paid within 35 days after the expiration of time at which administrative review of the hearing officer's determination may be sought, or within 35 days after an action seeking administrative review has been resolved in favor of the Village, whichever is applicable, the vehicle shall be deemed unclaimed and shall be disposed of in the manner provided by law for the disposition of unclaimed vehicles under the Illinois Vehicle Code. (Ord O-79-20, 10/5/2020)

G. *Vehicle possession.*

1. Except as otherwise specifically provided by law, no owner, lien holder, or other person shall be legally entitled to take possession of a vehicle impounded under this section until the administrative penalty and fees applicable under this section have been paid.
2. For purposes of this section, the "owner of record" of a vehicle is the record title holder as registered with the Secretary of State, State of Illinois.

(Ord. No. 0-182-08, §1, 12/8/08)

Secs. 18-34--18-60. Reserved.

ARTICLE II. DESIGNATION OF INTERSECTIONS AND STREETS

Sec. 18-61. Posting signs.

The ~~chief of police~~Chief of PolicePublic Works Director shall post or cause to be posted suitable signs for all such through streets, one-way streets or alleys, and stop intersections. (Code 1961, 19.204)

Sec. 18-62. Controlled intersections.

(a) ~~It shall be unlawful to drive any vehicle into an intersection without first bringing such vehicle to a complete stop when the street upon which such vehicle is traveling is controlled by a stop sign at said intersection. The s~~Streets and intersections wherein such stop signs shall be erected shall be designated from time to time by village-Village ordinance, as follows:

- (1) All-way stops;
- (2) Other stop intersections;

a complete listing of which shall be maintained at all times by the ~~village-Village clerk-Clerk~~ at the ~~V-village Hall-and by the police department.~~

(b) Nothing in this Code or the ordinance adopting this Code shall affect any ordinance referred to in

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subsections (a) and (b) above and all such ordinances are hereby recognized as continuing in full force and effect to the same extent as if set out at length in this Code.
(Ord. No. O-86-76, §1, 9-27-76; Ord. No. 0-25-11, §§1-5, 3/7/11)

Sec. 18-63. One-way streets.

One-way streets shall be designated from time to time by ~~V~~village ordinance, a complete listing of which shall be maintained at all times ~~by the police department and~~ at the Village Hall in the custody of the ~~V~~village ~~C~~lerk. Nothing in this Code or the ordinance adopting this Code shall affect any such ordinance and all such ordinances are hereby recognized as continuing in full force and effect to the same extent as if set out at length in this Code.

Sec. 18-64. Reserved. (Ord. No. 0-56-10, §1, 5/17/10)

Sec. 18-65. Reserved. (Ord. No. 0-56-10, §1, 5/17/10)

Sec. 18-66. ~~Illegal turns.~~ Reserved.

~~It shall be unlawful for the driver of any vehicle to make a turn in violation of any traffic sign or signal placed in view by the authority of the board. Illegal turn areas may be designated from time to time by village ordinance, a complete listing of which shall be maintained at all times by the police department and at the Village Hall in the custody of the village clerk. (Ord. No. O-15-91, §1, 2/25/91)~~

Secs. 18-67--18-80. Reserved.

ARTICLE III. PARKING

DIVISION 1. GENERALLY

Sec. 18-81. Prohibited 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 direction of a ~~police~~police officer or traffic signal:

- (1) In any intersection;
- (2) In any crosswalk;
- (3) Upon any bridge or viaduct, or any approach thereto; (Ord. No. 0-56-10, §2, 5/17/10)
- (4) Between a safety zone and the adjacent curb or within thirty (30) feet of a point on the curb immediately opposite the end of a safety zone;
- (5) Within thirty (30) feet of a traffic signal or a through street sign on the approaching side;
- (6) Within twenty (20) feet of any intersection;

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- (7) At any place where the standing of a vehicle will reduce the usable width of the roadway for moving traffic to less than eighteen (18) feet;
- (8) At any curb within fifteen (15) feet of a fire hydrant;
- (9) Within five (5) feet of the sideline of a driveway or at any place where the vehicle would block the use of a driveway;
- (10) Within fifty (50) feet of the nearest rail of a railroad crossing;
- (11) Within twenty (20) feet of the driveway entrance to any fire department station and on the side of the street opposite the entrance to any such station within seventy-five (75) feet of such entrance, when properly sign posted;
- (12) On any sidewalk, except that vehicles parked on private driveways will be permitted to overhang a sidewalk between the hours of 10:00 p.m. and 7:00 a.m. and on those days when the snow removal ordinance is in effect, provided both axles of any such vehicle are located on private property;
- (13) On any parkway;
- (14) At any place where official signs prohibit parking;
- (15) In addition, it shall be unlawful to permit any vehicle to stand in any place designated from time to time as a no parking place or zone by ~~V~~-village ordinance, a complete listing of which shall be maintained at all times ~~by the police department and~~ at the Village Hall in the custody of the ~~V~~-village ~~C~~lerk. Nothing in this Code or the ordinance adopting this Code shall affect any such ordinance and all such ordinances are hereby recognized as continuing in full force and effect to the same extent as if set out at length in this Code.
- (16) It shall be unlawful for any person, excepting a handicapped person or a person transporting a handicapped person with limited mobility, to park a motor vehicle in any public parking lot where there is posted a sign reading "Handicapped Parking Only," or "No Parking Except Handicapped Persons," or bearing the international symbol indicating a handicapped parking restriction. Any vehicle used by a handicapped person shall, when parked in a handicapped parking zone, at all times display a handicapped parking identification card which shall be available upon request from the township clerk, or state registration plates issued to the physically handicapped.
- (17) It shall be unlawful to park any vehicle other than a compact car in places designated as parking for compact cars only.
- (18) At any place where signs or other official notices provided or confirmed by the Village, limit parking to vehicles displaying a parking permit issued by the Village or other units of government, unless such vehicle displays the required permit or otherwise demonstrates said permit. Permit parking areas may be designated from time to time by Village ordinance or by the direction of the Village Manager and/or ~~Police Chief~~Chief of Police.
- (19) On any driveway apron parallel to the street centerline between the hours of 7:00 AM and

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10:00 PM.

(Code 1961, § 19.501; Ord. No. O-107-79, §1, 10/8/79; Ord. No. O-14-81, § 1, 2, 2/9/81; Ord. No. O-83-86, §1, 8/11/86; Ord. No. O-80-87, § 1, 7/13/87, Ord. No. O-23-22, 3/7/22)

Editor's note--Ord. No. O-80-87, §1, adopted July 13, 1987, purported to amend the Code by adding provisions designated as §18-81(17). Inasmuch as there already exists provisions so designated, the provisions of Ord. No. O-80-87 have been renumbered as §18-81(18) at the discretion of the editor.

Sec. 18-82. At curb.

Except on one-way streets where specifically authorized, no vehicle shall be parked with the left side of such vehicle next to the curb, and it shall be unlawful to stand or park any vehicle on a street other than parallel with the curb and with the two (2) right wheels of the vehicle within twelve (12) inches of the regularly established curb line, except that upon those streets that have been marked for angle parking, vehicles shall be parked at the angle to the curb indicated by such marks. (Code 1961, §19.502; Ord. No. 0-56-10, §3, 5/17/10)

Sec. 18-83. Marked parking areas.

Markings shall be painted or placed on the ground for the purposes of designating a parking space. It shall be unlawful for any person to park any vehicle in an area marked for parking in any manner or position other than designated by such markings. (Code 1961, §19.503; Ord. No. O-70-82, §1, 8-9-82; Ord. No. 0-56-10, §4, 5/17/10)

Sec. 18-84. Vehicles for sale.

It shall be unlawful to park any vehicle upon any street for the purpose of displaying it for sale. (Code 1961, §19.504; Ord. No. 0-56-10, §5, 5/17/10)

Sec. 18-85. Loading zone.

During the times specified herein it shall be unlawful for the driver of a vehicle to stand a passenger vehicle for a period of time longer than is necessary for the loading or unloading of passengers, not to exceed three (3) minutes, and for the driver to stand any freight carrying vehicle for a period of time longer than is necessary to load, unload, and deliver materials, not to exceed thirty (30) minutes, in any of the following places:

- (1) In any public alley, during any hour of the day or night.
- (2) At any place not to exceed seventy-five (75) feet along the curb before the entrance to any hospital or hotel at any time.
- (3) At any place not to exceed seventy-five (75) feet along the curb before the entrance to a public building between 8:00 a.m. and 6:00 p.m., except on Sunday.
- (4) Directly in front of the entrance to any theater at any time the theater is open for business.
- (5) Truck deliveries to any retail or food establishment use when made at any designated on-site

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loading zone, loading dock or loading area (except for a grocery store) shall be between 7:00 a.m. and 8:00 p.m. No trucks, except those making deliveries to a grocery store, shall be present in the rear loading areas during hours when deliveries are not permitted. Trucks making deliveries to the grocery store shall not be allowed to run their engines while unloading or waiting to be unloaded, except between 7:00 a.m. and 8:00 p.m. and except for air conditioning units where food may spoil, in which case such unloading shall be done in an expeditious manner. Additional sound proofing shall be provided at these loading docks. Signs regarding this prohibition shall be posted in the rear delivery area to the satisfaction of the Village administration, prior to the issuance of occupancy permits and business licenses.

(Ord. No. O-12-20, 2/18/20)

It also shall be unlawful for the driver of the vehicle to stand a passenger vehicle for a period of time longer than is necessary for the loading or unloading of passengers, not to exceed three (3) minutes, and for the driver to stand any freight carrying vehicle for a period of time longer than is necessary to load, unload and deliver materials, not to exceed thirty (30) minutes, in any place designated from time to time by Village ordinance, a complete listing of which shall be maintained at all times ~~by the police department and~~ at the Village Hall in the custody of the ~~Village~~ Clerk. Nothing in this Code or the ordinance adopting this Code shall affect any such ordinance and all such ordinances are hereby recognized as continuing in full force and effect to the same extent as if set out at length in this Code. (Code 1961, 19.505; Ord. No. 0-178-98, 1,11-9-98)

Sec. 18-86. All-night.

Except as permitted within Section ~~18-81 and~~ 18-109, or authorized by the Village Manager or his ~~or her~~ designee, it shall be unlawful for any person to park a vehicle on any street, alley, ~~driveway apron between the street and sidewalk~~ or parkway for a period of time longer than fifteen (15) minutes between the hours of 1:00 a.m. and 6:00 a.m. (Ord. No. 0-56-10, §6, 5/17/10)

Provided further that any police officer may move or cause to be moved any vehicle left standing in violation of this section. (Code 1961, 19.506; Ord. No. 0-174-07, §1, 10/8/07; Ord. O-49-18, 5/7/18)

Sec. 18-87. Time limit.

It shall be unlawful to park any vehicle for a longer period than the posted time restrictions on any day except Sundays and holidays in any of the places designated from time to time by Village ordinance, a complete listing of which shall be maintained at all times ~~by the police department and~~ at the Village ~~H~~all in the custody of the ~~V~~illage Clerk. Nothing in this Code or the ordinance adopting this Code shall affect any such ordinance and all such ordinances are hereby recognized as continuing in full force and effect to the same extent as if set out at length in this Code. (Code 1961, 19.507; Ord. No. O-72-78, §1, 8-28-78; Ord. No. 0-56-10, §7, 5/17/10))

Sec. 18-88. Designated passenger pick-up areas.

No vehicle other than a licensed taxicab or designated ride-share vehicle shall be parked in any area designated by ordinance as a taxicab stand or ride-share stand; and no vehicle other than a bus shall be parked in a place so designated as a bus loading zone. A complete record of such Designated Passenger Pick-Up Areas shall be maintained at all times by the ~~village-Village clerk-Clerk~~ at the Village ~~H~~all ~~and by the police department~~. (Code 1961, §19.509; Ord. No. 0-21-11, §1, 3/7/11; Ord. No. O-12-20, 2/18/20)

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Sec. 18-89. Signs.

The ~~D~~irector of ~~P~~ublic ~~w~~orks shall cause signs to be posted in all areas where parking is limited or prohibited, indicating such limitations or prohibitions, including tow-away zones. (Code 1961, 19.510; Ord. No. O-99-87, §1, 8-24-87)

Sec. 18-90. Towing.

Any vehicle parked in such a manner or under such conditions as to be in violation of sections 18-81 through 18-89, both inclusive, or section 18-105 of this Code may be towed from the illegal parking place upon the issuance of a citation by the ~~P~~olice ~~D~~epartment. Vehicles so towed away, shall be taken to an impounding area to be designated by the ~~Village M~~anager. Vehicles shall not be released from the impounding area except to the owner of said vehicle or his ~~or her~~ authorized representative upon the payment of the total towing cost incurred in addition to the fine due for the illegal parking. (Code 1961, 19.511; Ord. No. O-71-78, 1, 8-28-78)

Sec. 18-91. Snow removal.

(a) *Unlawful to park.* It shall be unlawful for any person, firm or corporation to park or cause to be parked any vehicle on any public street within the corporate limits of the ~~V~~illage at any time within a twenty-four-hour period after an accumulation of two (2) inches or more of snow.

(b) *Emergency towing.* It shall be deemed an emergency for any car or other vehicle to be in violation of paragraph (a) above or for any parked vehicle to otherwise prevent or obstruct the plowing or removal of snow from public streets and the ~~village manager~~Village Manager, or ~~chief of police~~Chief of Police, is hereby authorized to remove and tow away or cause the removal and towing by a commercial towing service of any such car or other vehicle. Cars or vehicles so towed shall be taken to and stored in designated locations and shall be restored to the owner or operator upon the payment of all towage and storage fees in such amounts as hereinafter provided. The ~~P~~olice ~~D~~epartment shall notify the owner of any such vehicle removed of its location as soon as is reasonably possible in accordance with ~~P~~olice ~~D~~epartment procedures established therefor.

(c) *Fees.* The towage fee for the removal of cars or vehicles whether by commercial service or by ~~V~~illage-operated vehicles shall be for the total costs incurred. In addition thereto, the owner or operator may be subject to an additional charges ~~of up to fifteen dollars (\$15.00) for preparation of the vehicle for towing if the vehicle is embedded or positioned in such a manner that normal towing services cannot be readily performed, and/or a storage fee of upon to four dollars (\$4.00) per day~~as established in the Fee Schedule Supplement to the Palatine Code of Ordinances. Such fees shall be in addition to any fines, penalties or court costs which may be assessed for the violations of any of the provisions of this section 18-91 or any other ordinance violation.

Payment of towing, preparation and storage fees shall be paid directly to the commercial establishment, which rendered the service, or in the case of the ~~village's~~Village's operated vehicles, directly to the ~~village~~Village.

The ~~village~~Village shall not be liable for any damages which may occur to any car or vehicle as a result of any towing, preparation or storage as provided herein.

(d) *Unlawful removal.* It shall be unlawful for any person, firm or corporation to remove, cause the removal of, or be in the possession of any car or vehicle taken from a designated storage location without first

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having paid all towing, preparation and storage fees as above provided. Any person, firm or corporation violating this paragraph (d) shall be subject to an additional penalty ~~of not less than twenty five dollars (\$25.00) nor more than seven hundred fifty dollars (\$750.00) for each offense~~ as established in the Fee Schedule Supplement to the Palatine Code of Ordinances. (Ord.No.O-5-98; 18;1-26-98)

(e) *Obstruction of snow removal.* It shall be unlawful for any person, firm or corporation and/or for any agent of any person, firm or corporation to:

- (1) Plow or otherwise remove accumulated snow from a private parking lot and deposit same on a Village street or right-of-way.
- (2) Plow ~~or otherwise remove accumulated~~ snow from a private driveway and deposit same on a Village street in such a manner so as to decrease the drivable width of any such street, or to impede the drainage of any such street or right-of-way.
- (3) ~~Plow or otherwise remove accumulated snow from a private driveway and deposit same on a Village right-of-way not adjacent to the property where said snow was removed.~~
- (34) Obstruct, harass, prevent or otherwise interfere with any employee or agent of the village Village engaged in snow removal service or to obstruct, cause damage to or otherwise interfere with any Village-owned or leased vehicles used in conjunction with snow removal services.

Any person, firm and/or corporation violating any of the provisions of this paragraph (e) shall be subject to a fine ~~of not less than twenty five dollars (\$25.00) nor more than seven hundred fifty dollars (\$750.00) and in addition thereto shall be responsible and make full payment for any damage to village property~~ as established in the Fee Schedule Supplement to the Palatine Code of Ordinances. Citations for violations of this section may be issued to the owner of the property involved and also to any industry or firm which acts as an agent for any such owner. (Ord.No.O-5-98; 18;1-26-98)

(f) *Penalty.* Unless otherwise specifically provided, any person, firm or corporation violating any of the provisions of this section shall be subject to a penalty ~~of not less than fifteen dollars (\$15.00) nor more than seven hundred fifty dollars (\$750.00) for each offense and a separate offense shall be deemed committed on each day a violation occurs or continues to exist~~ as established in the Fee Schedule Supplement to the Palatine Code of Ordinances. (Ord. No. O-17-79, 1, 3-12-79;(Ord.No.O-5-98; 19;1-26-98)

Sec. 18-92. Reserved. (Ord. No. 0-197-02, § 2, 11-11-02; Ord. No. 0-56-10 §8, 5/17/10)

Sec. 18-93. Reserved. (Ord. No. 0-174-07, §2, 10/8/07, Ord. No. 0-56-10 §8, 5/17/10)

Secs. 18-94--18-100. Reserved.

DIVISION 2. VILLAGE PARKING AREAS (Ord. No. 0-56-10, §9, 5/17/10)

Sec. 18-101. Definitions.

The following terms shall be given the meaning designated:

Parking payment device means a device located upon a public street, sidewalk, parking lot, or parking area which shall accept payment for the applicable parking fee. (Ord. No. 0-56-10, §12, 5/17/10)

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Sec. 18-102. Public parking areas

Public parking areas, including but not limited to on-street, off-street, Daily Fee, Commuter Permit, Downtown Business Employee Permit, and Neighborhood Permit parking areas, may be established from time to time in designated areas by Village Ordinance, except as set forth in Sec. 18-109, a complete record of which shall be maintained at all times ~~by the Police Department and~~ at the Village Hall in the custody of the Village Clerk. (Ord. No. 0-141-11, §1, 11/21/11; Ord. No. 0-66-14, §1, 05/19/14)

Daily Fee: The cost for the Daily Fee parking spaces shall be two dollars (\$2), not including any associated transaction fees, for each ~~12-hour~~ 12-hour period, from 5:00 AM to 5:00 PM on any weekday. Payment of the daily fee shall not be required on Memorial Day, Labor Day, Thanksgiving Day, the day following Thanksgiving Day, as well as New Year's Day, July 4th Independence Day, and Christmas Day when they fall on a weekday. Any vehicle parked in any Daily Fee parking space without paying the required fee shall be in violation of this Article. The Village Manager shall cause to be erected parking payment devices for the payment of the required fee for parking in such area. (Ord. No. O-102-19, 12/02/19)

Commuter Permit: The cost for a Commuter Permit shall be forty dollars (\$40) per month. Monthly, quarterly, and/or annual Commuter Permits shall be sold only to residents of the Village of Palatine up to the fifteenth of each month, at which time if space is available, the Village Manager may grant permission to sell monthly permits for that month to nonresidents of the Village of Palatine. All Commuter Permit parking fees shall be payable in advance to the Village of Palatine. ~~Upon receipt of payment, the Village shall issue a Commuter Permit which shall be properly displayed in the vehicle while parked in a designated Commuter Permit parking area and any vehicle parked in a designated Commuter Permit parking area which does not properly display such permit shall be in violation of this Article.~~

Downtown Business Employee Permit: The cost for a Downtown Business Employee Permit shall be thirty dollars (\$30) per year and may be issued only to actual employees of businesses located within the downtown area as defined in Section 18-109. All Downtown Business Employee Permit fees shall be payable in advance to the Village of Palatine. Upon receipt of payment, the Village shall issue a Downtown Business Employee Permit which shall be properly displayed in the vehicle while parked in a designated Downtown Business Employee parking area and any vehicle parked in a designated Downtown Business Employee Permit area which does not properly display such permit shall be in violation of this Article and subject to the applicable parking regulations.

The number of Commuter Permits and Downtown Business Employee Permits issued shall not exceed the number of parking spaces actually available for parking, unless the Village Manager determines, on a basis of surveys of parking space vacancy rates and other relevant criteria, that the sale of an additional number of permits is justified, in which event, an additional number of permits may be sold at the direction of the Village Manager.
(Ord. No. 0-56-10, §13, 5/17/10)

Sec. 18-103. Time limits.

It shall be unlawful to park any vehicle or permit a vehicle to remain parked in any on-street or off-street public parking space, for a period of more than that designated for the area, or to park any vehicle without the fee hereinafter provided for in the manner herein designated, or to permit a ~~car~~ vehicle to be parked therein for a period longer than that for which the fee was paid. It shall also be unlawful to park any vehicle or permit any vehicle to remain in any on-street or off-street public parking space continually for a period longer than seven (7) consecutive days regardless if the applicable fee has been paid or permit obtained.

(Code 1961, _ 19.603; Ord. No. 0-56-10, §14, 5/17/10; Ord. No. O-102-19, 12/02/10; Ord. No. O-102-19,

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12/2/19))

Sec. 18-104. Reserved.

(Code 1961, 19.604; Ord. No. 0-56-10, §15, 5/17/10)

Sec. 18-105. Marking public parking places.

The Village shall have markings painted or placed upon public streets and parking lots for the purpose of designating a parking space. It shall be unlawful to park any vehicle across any such marking, to park any vehicle in such position that the same shall not be entirely within the area so designated by such marking, or in a manner or position other than designated by such marking. Obliteration or obscuring of such lines shall not invalidate the provisions of this section. (Code 1961, 19.605; Ord. No. 0-56-10, §16, 5/17/10)

Sec. 18-106. Reserved.

(Code 1961, 19.606; Ord. No. 0-46-81, §1, 5-11-81; Ord. No. 0-97-82, §1, 10-11-82; Ord. No. 0-53-88, §1, 5-9-88; Ord. No. 0-134-96, §1, 7-22-96; Ord. No. 0-106-98, §1, 7-27-98, Ord. No. 0-238-02, §1, 12-16-02, and Ord. 0-1-03, §1, 1-13-03, effect. Jan. 1, 2003; Ord. No. 0-56-10, §17, 5/17/10)

Sec. 18-107. Tampering with parking payment devices ~~and parking meter slot boxes.~~

It shall be unlawful for any person not authorized by the Village ~~Council~~ Manager to deface, injure, tamper with, open or ~~wilfully~~ willfully break, destroy, or impair the usefulness of any parking payment device ~~or parking meter slot box~~ installed under the provisions of this article. (Code 1961, 19.607, Ord. No. 0-56-10, §18, 5/17/10)

Sec. 18-108. Depositing slugs.

It shall be unlawful to deposit or cause to be deposited in any parking payment device ~~or parking meter slot box~~, any slug, device or metallic substitute, or any other substitute for any coin except authorized substitutes. (Code 1961, 19.608; Ord. No. 0-56-10, §19, 5/17/10)

Sec. 18-109. Downtown parking restrictions.

The Village Manager shall be authorized to assign applicable restrictions for all public parking spaces, both on-street and off-street, within the downtown area. For the purposes of this Section, the downtown area shall include all public parking spaces and lots that are located adjacent to, lie within, or are bordered by the area bound by Johnson Street, Smith Street, Wood Street, and Plum Grove Road and their corresponding right-of-ways, as well as the parking deck located within the Gateway Center (southwest corner of Smith Street and Colfax Street) and Wood Street, between Smith Street and Quentin Road. The parking restrictions that may be applied under this Section shall include time limitations (15 minute, 1 hour, 2 hour, 3 hour, and 4 hour) and usage (public, employee, and commuter). All restrictions shall be properly posted and a complete listing shall be maintained at all times by the ~~Police Department and~~ Village Clerk. (Ord. No. 0-66-14, §2, 5/19/14; Ord. No. 0-56-15, §1, 6/1/15)

Within the downtown area, as defined above, it shall be unlawful for any person to park a vehicle on any street, alley or parkway for a period of time longer than fifteen (15) minutes between the hours of 1:30 a.m. and 6:00 a.m. on Monday through ~~Friday~~ Thursday, and between the hours of ~~32~~ 3:30 a.m. and 6:00 a.m. on ~~Saturday~~ Friday through and Sunday.

Within the downtown area, as defined above, it shall be unlawful for any person to park any vehicle other than ~~those listed as Class 1S, 1D, 1H, 1M, 2 and 3 in Section 18-43~~ passenger vehicles, trucks 8,000 pounds or less (B or B truck license plates), motorcycles, motor bikes, or mopeds within any on-street or off-

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street public parking space, including those areas designated as Daily Fee, Commuter Permit, and Downtown Business Employee Permit parking areas, except when temporarily authorized by the Village Manager. (Code 1961, 19.609; Ord. No. O-55-74, 7-8-74; Ord. No. O-27-75, §1, 3-24-75; Ord. No. O-42-80, §1, 5-12-80; Ord. No. O-46-81, §2, 5-11-81; Ord. No. O-53-88, §2, 5-9-88; Ord. No. O-134-96, §2, 7-22-96; Ord. No. O-106-98, §2, 7-27-98; Ord. No. O-36-04, §1, 3-1-04; Ord. No. O-56-10, §20, 5/17/10)

Sec. 18-110. Parking deck restrictions.

It shall be unlawful to back in vehicles into any parking spaces in the Gateway Center Parking Deck. (Ord. No. O-56-10, §21, 5/17/10)

Secs. 18-111—18-120. Reserved.

ARTICLE IV. INOPERABLE MOTOR VEHICLES

Sec. 18-121. Definition.

Inoperable motor vehicle means any motor vehicle from which, for a period of at least seven (7) days, the engine, wheels, or other parts have been removed, or on which 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. ~~“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. (Code 1961, 19.1001; Ord. No. O-55-87, 1, 5-26-87)

Sec. 18-122. Declared a nuisance.

Every inoperable motor vehicle, whether public or private property, found within the ~~V~~village hereby is declared to be a nuisance, excepting any motor vehicle that is kept within a building when not in use, historic vehicles over twenty-five (25) years of age, or motor vehicles on the premises of a place of business engaged in wrecking or junking motor vehicles. (Code 1961, 19.1002)

Sec. 18-123. Notice.

The Village shall send a notice, to be personally delivered or mailed by certified or registered ~~mail,~~ ~~to~~email, to any person having under his ~~or her~~ control an inoperable motor vehicle declared hereinabove to be a nuisance, directing that such person dispose of said vehicle within fifteen (15) days from the date of said such notice and further notifying such person of the penalty authorized hereunder. (Code 1961, 19.1003)

Sec. 18-124. Abatement.

All inoperable motor vehicles which constitute a nuisance hereunder and which are not disposed of in accordance with the terms of any notice given pursuant to section 18-123, shall be abated in accordance with section 18-126 of this Code. (Code 1961, 19.1004)

Sec. 18-125. Penalty.

Any person violating any provision of this article shall be fined ~~not less than five dollars (\$5.00) nor more than seven hundred fifty dollars (\$750.00) for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues~~ as established in the Fee Schedule

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Supplement to the Palatine Code of Ordinances. (Code 1961, 19.1005;(Ord.No.O-5-98; 20;1-26-98)

Sec. 18-126. Disposition of inoperable motor vehicles.

Any inoperable motor vehicle which is not disposed of pursuant to the provisions of this article may be disposed of by the Police Department pursuant to the provisions ~~of 625 of 625~~ ILCS 5/4-201, 625 ILCS 5/4-214, both inclusive. (Code 1961, 19.1005)

Secs. 18-127 ~~18-140~~. Reserved.

ARTICLE V. BICYCLES*

~~*Editor's note~~ Ord. No. O-57-77, 1, adopted June 13, 1977, repealed former Art. VI, 18-141 ~~18-157~~, relative to bicycles, and enacted in lieu thereof a new Art. VI, 18-141 ~~18-147~~, as herein set out. Formerly Art. VI was derived from Code 1961, 19.901 ~~19.917~~.

Sec. 18-141. "Bicycle" defined.

A "bicycle" is hereby defined as a two-wheeled vehicle propelled by human power, having tandem arrangement of wheels equipped with tires either of which is over eighteen (18) inches in diameter, ~~operated upon any sidewalk, street, business plaza, or upon any public way.~~ (Ord. No. O-57-77, 1, 6-13-77)

Sec. 18-142. Reserved. Registration and licensing.

~~(a) No person who resides within the village shall ride or propel a bicycle upon any street or public way within the village unless such bicycle has been licensed and a license sticker is attached to the frame of such bicycle.~~

~~(b) To be registered within the village, a bicycle must meet the following requirements:~~

~~(1) Every bicycle shall be equipped with at least one brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.~~

~~(2) Every bicycle shall be equipped with a properly adjusted permanent seat.~~

~~(3) Every bicycle shall be equipped with either handle bars or a steering wheel securely affixed to the frame, to control the front wheel.~~

~~(4) Every bicycle shall be equipped with a minimum of one reflector on the rear so as to be visible from one hundred (100) feet to the rear during times of darkness.~~

~~(5) Every bicycle shall be equipped with properly affixed pedals, not just spindles.~~

~~(6) Every bicycle shall be equipped with a bell or other device capable of giving a signal audible for a distance of one hundred (100) feet.~~

~~(e) A record will be kept by the police department of the number of each license, date issued, name and address of person to whom the license is issued, the serial number of the bicycle, and a brief description of the bicycle.~~

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~~(d) Registration for a bicycle will be valid for a period of not more than three (3) years.~~

~~(e) There will be no charge for registering a bicycle owned by a village resident.~~

~~(f) Bicycle licenses shall not be transferable upon sale or transfer of bicycle ownership.~~

~~(g) Any rental agency within the village shall not rent or offer for rent any bicycle which is not registered in accordance with this article. (Ord. No. O 57-77, 1, 6 13-77)~~

Sec. 18-143. Regulations for the operation of bicycles.

(a) Any person operating a bicycle shall obey all official traffic-control signals, signs and other control devices applicable to vehicles unless otherwise directed by a police officer.

(b) No person shall ride a bicycle upon a sidewalk, street, business plaza, or upon any public way on which official signs have been erected by the authority of the ~~Village board~~ Council prohibiting such bicycle riding.

(c) Persons riding bicycles upon a street or sidewalk shall ride in a single file and not abreast.

(d) When a bicycle is operated on a street, it shall be operated as near to the right hand curb or edge of the roadway as conditions will permit, so as not to interfere with motor vehicle traffic. The operator shall exercise due care when passing a standing or parked vehicle or other obstruction in the path of a bicycle.

(e) Persons operating bicycles shall exercise due caution at intersections, and shall be required to yield to motor vehicle traffic turning right.

(f) When a bicycle is operated on a street, the operator shall give hand signals before turning, changing lanes, or stopping. All signals herein required by hand and arm shall be given from the left side of the bicycle in the following manner, and such signals shall indicate:

- (1) Left turn. Hand and arm extended horizontally.
- (2) Right turn. Hand and arm extended upward.
- (3) Stop or decrease in speed. Hand and arm extended downward.

(g) Any person operating a bicycle shall exercise due care to avoid colliding with any person or vehicle on any roadway, sidewalk, or other public way, or endangering the life, limb or property of any person.

(h) Whenever a person operating a bicycle upon a ~~sidewalk approaches~~ sidewalk approaches a pedestrian carrying a white cane, ~~he the operator~~ shall dismount ~~his the~~ bicycle and overtake and pass the pedestrian on foot.

~~(n)~~ (i) Whenever a person is operating a bicycle upon a sidewalk or street, that person shall yield the right-of-way to any pedestrian and shall give an audible signal before attempting to overtake and pass a pedestrian or other bicycle.

(j) A person operating a bicycle shall not ride other than astride a permanent seat attached thereto, nor carry any other person upon such bicycle other than upon a permanently attached seat thereon, nor shall any person ride a bicycle other than upon such a firmly attached and regular seat.

(k) No bicycle shall be used to carry more persons at one time than the number for which it is

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designed and equipped.

(l) No person operating a bicycle shall carry any package, bundle, or article in such a manner as to take either hand from the handlebars.

(m) No person shall operate a bicycle under the influence of intoxicating liquor or drugs.

(n) No minor bicyclist shall practice or perform any stunt, trick, or fancy or acrobatic riding on any street, sidewalk or public way, except under the supervision of his or her parents or legal ~~guardian~~, and guardian and shall do so in a safe and reasonable manner.

(o) No person shall operate a bicycle at a speed greater than is reasonable and proper under the conditions then existing.

(p) The operator of a bicycle emerging from an alley, driveway, or building shall, upon approaching a sidewalk or the sidewalk area extending across any alley or driveway, yield the right-of-way to all pedestrians approaching upon such sidewalk area and upon entering the street shall yield the right-of-way to all vehicles approaching on such street.

(q) Every bicyclist attempting to cross a street shall dismount and walk his or her bicycle across the street.

(r) No person operating any bicycle shall attach the same or himself/herself to any vehicle upon a street, sidewalk, or public way, nor shall any person operating a bicycle tow or draw any coaster, sled, or other vehicle, or person on roller skates, a ~~skate boards~~skateboard, or other similar vehicle, upon any street, sidewalk, or public way.

(s) Every bicycle, when operated during the period from sunset to sunrise, shall be equipped with the following:

- (1) At least one lighted lamp exhibiting a white light or light of an amber tint, visible from a distance of five hundred (500) feet to the front of the bicycle.
- (2) At least one red reflector visible from a distance of one hundred (100) feet to the rear.
- (3) Side reflectors which are essentially colorless or red to the rear of the center of the bicycle and essentially colorless or amber to the front of the center of the bicycle and which are visible from each side of the bicycle from a distance of five hundred (500) feet.

(t) ~~—~~ No bicycle shall be equipped with a siren or whistle.

~~—~~(u) No bicycle shall be parked other than against a curb or upon a sidewalk in an upright manner, supported by a kickstand or rack, provided that such parking does not interfere with vehicular or pedestrian traffic or damage the property of another. (Ord. No. O-57-77, 1, 6-13-77)

Sec. 18-144. Impoundment of bicycles.

Members of the ~~P~~police ~~D~~epartment shall have the authority to impound all bicycles parked other than as provided in this article, or which have been abandoned for more than twenty-four (24) hours, or which have been located in such a place as to reasonably assume they have been abandoned. (Ord. No. O-57-77, 1, 6-13-77)

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Sec. 18-145. Operation of bicycle without consent of owner; buying, concealing stolen bicycle or parts of bicycles.

No person shall knowingly operate any bicycle without the consent of the owner, or buy or conceal any bicycle or parts of bicycles known by him or her to have been stolen. (Ord. No. O-57-77, 1, 6-13-77)

Sec. 18-146. Duty of parents or guardians.

The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any provision of this article. (Ord. No. O-57-77, 1, 6-13-77)

Sec. 18-147. Penalties.

(a) ~~(a)-Any person convicted of a violation of any provision of this article shall be punished by a fine of not less than five dollars (\$5.00) or more than twenty-five dollars (\$25.00) for each offense as established in the Fee Schedule Supplement to the Palatine Code of Ordinances; or shall~~

Commented [HS1]: Add to fee schedule

(b) Attend a lecture, bicycle safety class, view a safety film, or fulfill any other penalty imposed by the ~~chief of police~~ Chief of Police or person(s) so designated by him or her. (Ord. No. O-57-77, 1, 6-13-77)

Secs. 18-148 — 18-170. Reserved.

ARTICLE VI. VIOLATIONS**Sec. 18-171. ~~Release of arrested persons on bail. Reserved.~~**

~~Any person arrested for a violation of this chapter shall be released upon proper bail being furnished as required by statute. (Code 1961, 19.1102)~~

Sec. 18-172. Tickets.

For offenses other than driving ~~while intoxicated~~ while intoxicated or reckless driving, police officers after making note of the license number of the vehicle (and the 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. (Code 1961, 19.1103)

Sec. 18-173. Minor violations.

(a) ~~(a)-Any person accused of the violation of a provision of this chapter prohibiting parking of a vehicle in a "no parking zone," prohibiting parking of a vehicle in a metered area without putting a coin or coins in the meter paying~~ to cover the period of time the vehicle is parked, restricting the length of time the vehicle may be parked in a given area, ~~area or~~ otherwise violating the parking regulations of this chapter, may settle and compromise the claim against him or her for such illegal parking by paying to the municipality the amount reflected in the Fee Schedule Supplement to the Palatine Code of Ordinances. (Ord. No. 0-160-10, §1, 12/13/10; Ord. No. O-92-20, 12/07/2020)

Provided, however, that if any vehicle stands at any curb within fifteen (15) feet of a fire hydrant, except when necessary to avoid conflict with other traffic or in compliance with the direction of a ~~police man~~ police officer or traffic signal, then the Fee Schedule Supplement to the Palatine Code of Ordinances shall be in effect.

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(Ord. No. 0-160-10, §1, 12/13/10)

This provision shall not apply to persons parking a vehicle so as to obstruct the entrance or exit of any place where ~~P~~police or ~~F~~ire ~~d~~epartment apparatus are kept or housed, or so as to block an emergency entrance to a hospital. Nor shall this provision apply to any person charged with parking a vehicle so as to entirely obstruct traffic in any street, or alley, or parking in such a way as to reduce traffic on an arterial street to one-way traffic only; nor to any person who refused to move a vehicle illegally parked at the request of any member of the ~~P~~police ~~d~~epartment.

The fines as detailed in this sub-paragraph (a) shall not apply to ~~Class C or above vehicles~~vehicles with a manufacturer's gross vehicle weight rating, or the registered weight, of 16,001 pounds or more. (Ord. No. 0-20-93 3-8-93, Ord. 0-213-99 1 12/13/99)

(b) Any person, pursuant to the issuance of a compliance citation, who is accused of violating certain sections of the Illinois Vehicle Code, as adopted in its entirety by section 18-1 of this chapter ~~and section 18-46~~, hereinafter described in paragraph (d), may settle and compromise the claim against him ~~or her~~ by paying to the ~~V~~illage the amount reflected in the Fee Schedule Supplement to the Palatine Code of Ordinances. (. (Ord. 0-92-03, §1, 4/21/03); Ord. No. 0-160-10, §2, 12/13/10)

(c) A receipt shall be issued for all money received in compromise and settlement of a claim, and such money shall be promptly turned over to the ~~V~~illage ~~T~~reasurer to be used in the manner provided for the disposition of fines for traffic violations. The members of the ~~P~~police ~~D~~epartment are hereby authorized to refrain from instituting a court action for the alleged offense involved.

(d) The following violations of ~~-625 ILCS 5~~, of the Illinois Vehicle Code, already adopted in its entirety by section 18-1 of this chapter, shall be subject to the procedures described herein: (Ord. No. O-92-20, 12-07-2020)

(1) Chapter 3:

Article I. Certificate of Title.

Sec. 5/3-112 Failure to transfer title.

Article IV. Registration.

Sec. 5/3-401 No valid registration.

Sec. 5/3-404 No bill of lading, manifest or dispatch record.

Sec. 5/3-411 Failure to carry registration card or reciprocity permit.

Sec. 5/3-413(a) Only one license plate displayed. (Ord. 0-92-03, §2, 4/21/03)

Sec. 5/3-413(b) Improper display of license plates ~~Failure to display "tow truck" plates on towed vehicle.~~

Sec. 5/3-413(f) Operation of vehicle with expired registration plates or registration sticker.

Sec. 5/3-416 Failure to ratify Secretary of State of change of address/name.

Sec. 5/3-417 Failure to apply for lost, stolen or damaged card, plates or registration sticker.

Article VII. Other Offenses Against Registration.

Sec. 5/3-701 No valid registration.

Sec. 5/3-701(1) No reciprocity, prorate or apportionment registration.

Sec. 5/3-701(2) Inoperable odometer--Mileage tax plates.

Sec. 5/3-706 Failure to surrender canceled suspended or revoked registration.

(2) Chapter 5:

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Article II. Transporters.

Sec. 5/5-202(e) Failure to display 3rd tow truck plate on towed vehicle.

(3) Chapter 6:

Article I. Issuance of Licenses--Expiration and Renewal.

Sec. 5/6-101 No valid drivers license, expired less than six months.

Sec. 5/6-112 No valid driver's license on person

Sec. 5/6-116 Failure to notify Secretary of State of change of address.

(4) Chapter 11:

Article XIV. Miscellaneous.

Sec. 5/11-1003 Failure to Yield – Pedestrian crossing, other than crosswalks.
(Ord. No. 0-135-10, §1, 11/8/10)

Sec. 5/11-1011 Disobeying railroad signals when activated (pedestrians) (Ord. No. 0-11-07, §1, 2/5/07)

Sec. 5/11-1304.5 Valid registration required for vehicle parked on public highways
(Ord. No. O-92-20, 12-07-2020)

Sec. 5/11-1401 Unattended motor vehicle left illegally.

Sec. 5/11-1403 Improper riding on motorcycle.

Sec. 5/11-1403(c) Illegal handlebars on motorcycle.

Sec. 5/11-1403.1 Improper riding on motorized ~~pedale~~pedal cycle.

Sec. 5/11-1404 Riding motorcycle without special equipment.

Sec. 5/11-1405 No passenger footrests on motorcycle.

Sec. 5/11-1406 Driver's view or driving mechanism obstructed.

Sec. 5/11-1413 Depositing injurious material on highway.

Sec. 5/11-1419.01 Failure to display motor fuel tax identification card. (IFTA)

Sec. 5/11-1419.02 Failure to display external motor fuel tax identification. (IFTA)

Sec. 5/11-1429 Excessive idling- diesel engine

Article XV. Bicycles.

Sec. 5/11-1507.1 Operation of bicycles without light and reflector.

(5) Chapter 12:

Article II. Lights and Lamps.

Sec. 5/12-201(a) Driving without lighted lamp--Motorcycle.

Sec. 5/12-201(b) Driving without lights when required.

Sec. 5/12-201(b) Taillights--Less than two (2) taillights when required.

Sec. 5/12-201(c) No rear registration plate light.

Sec. 5/12-202 Insufficient clearance, identification or side marker lamps.

Sec. 5/12-203 Insufficient lighting on parked vehicle.

Sec. 5/12-204 Improper lamp or flag on projected load.

Sec. 5/12-205.1 No amber signal on ~~implement~~implements of husbandry or slow moving vehicle.

Sec. 5/12-207(a) Improper use of more than one spot lamp.

Sec. 5/12-207(b) Improper use of more than three auxiliary driving lamps.

Sec. 5/12-208 No signal lamp or signal device--No stop lamp.

Sec. 5/12-209(c) Defective backup lights.

Sec. 5/12-210 Failure to dim headlights.

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- Sec. 5/12-211 Improper lighting--One headlamp.
- Sec. 5/12-212 Illegal lights--Red or flashing.
- Sec. 5/12-212 Any lighting with smoked or tinted lens or cover
- Sec. 5/12-215(a) Illegal use of oscillating, rotating or flashing red lights.
- Sec. 5/12-215(c) Illegal use of oscillating, rotating or flashing blue lights.

Article III. Brakes.

- Sec. 5/12-301 Defective or no brakes.

Article IV. Tires.

- Sec. 5/12-401 Use of illegal tires (studs).
- Sec. 5/12-405(c) Use of unsafe tire.

Article V. Glass, Windshields and Mirrors.

- Sec. 5/12-501 No safety glass.
- Sec. 5/12-502 Mirrors.
- Sec. 5/12-503(a) Obstructed windshield or front side windows.
- Sec. 5/12-503(a)(5) Illegal Window Tint.
- Sec. 5/12-503(c) Obstructed windshield and/or rear window.
- Sec. 5/12-503(d) No windshield-cleaning device.
- Sec. 5/12-503(e) Defective windshield, side and/or rear window.

Article VI. Miscellaneous Requirements.

- Sec. 5/12-601 Defective horn.
- Sec. 5/12-601(b) Unlawful possession or use of siren.
- Sec. 5/12-602 Muffler--Loud, excessive noise, no muffler.
- Sec. 5/12-603 No seat belts.
- Sec. 5/12-603.1 Failure to wear a properly adjusted and fastened seat safety belt (driver/ front seat passenger) specifically excludes violations of the Child Restraint Act.
- Sec. 5/12-604.1 Unlawful Operation of a Vehicle with Video Devices.
- Sec. 5/12-606 Tow trucks--Identification--Equipment--insurance.
- Sec. 5/12-606(a) No sign/name attached on each side.
- Sec. 5/12-606(b) Required equipment--Broom, shovel, trashcan, fire extinguisher.
- Sec. 5/12-606(c) Removing debris, spreading dirt or oil absorbing material on roadway.
- Sec. 5/12-607 Vehicle suspension system.
- Sec. 5/12-607.1 Unlawful frame or floor height.
- Sec. 5/12-608(a) No bumper.
- Sec. 5/12-608(a) Unlawful bumper height.
- Sec. 5/12-610 Wearing headset receiver while driving.
- Sec. 5/12-611 Illegal operation of sound amplification system.

Article VII. Special Requirements for Vehicles of the Second Division.

- Sec. 5/12-702(a) No flags, flares or warning device carried.
- Sec. 5/12-702(c) No flags, flares or warning devices used.
- Sec. 5/12-703 Dripping road oil on roadway.
- Sec. 5/12-707 Overloaded--School bus, commuter van or passenger vehicle.
- Sec. 5/12-709 Slow-moving vehicle emblem--Violation.
- Sec. 5/12-710 Inadequate or no splash guards.

Article VIII. Special Requirements for School Buses.

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Sec. 5/12-806	Failure to cover "School Bus" sign.
Sec. 5/12-807	No seat belt for school bus driver.
Sec. 5/12-808	No fire extinguisher.
Sec. 5/12-809	No first aid kit on school bus.
Sec. 5/12-810	No restraining device for handicapped passengers.

(6) Chapter 13:

Sec. 5/13-111	No valid safety test.
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(7) Chapter 15:

Article I. Size, Weight and Load.

Sec. 5/15-105	Improper projecting load-- First division vehicle.
Sec. 5/15-106	Loose protruding member--All vehicles.
Sec. 5/15-109	Spilling load on highway or load not secure.
Sec. 5/15-109.1	Failure to cover load when required.
Sec. 5/15-110(b)	No safety chains or illegal hitch.
Sec. 5/15-316	Violating a local weight restricted highway. (Ord No. 0-86-13,

7/8/13)

(8) 625ILCS40, Snowmobile Registration and Safety Act:

Article III. Registration of Snowmobiles.

Sec. 40/3-1.	Operation of unnumbered snowmobiles.
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Article IV. Snowmobiles Equipment.

Sec. 40/4-1.	Equipment--Lights, etc.
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Article V. Control Provisions.

Sec. 40/5-1(D).	No lighted headlamp or lighted tail lamp.
Sec. 40/5-1(H).	On private property without permission--Failure to stop and identify.
Sec. 40/5-1(K).	On frozen surface of public waters within 100 feet of a person not on a snowmobile or within 100 feet of a person engaged in fishing.
Sec. 40/5-1(L).	Within 100 feet of a dwelling between midnight and 6:00 a.m. at a speed greater than the minimum to maintain forward movement.
Sec. 40/5-2.	Illegal operation on a roadway.
Sec. 40/5-3.	Operation without a valid safety certificate.

(9) 625 ILCS 5/11 All--Terrain Vehicles:

Sec. 5/11-1426.1	Operation of non-highway vehicles on streets, roads and highways.
Sec. 5/11-1427	Illegal driving or operation of all-terrain vehicle or off-highway motorcycle.

(e) The issuance of a compliance citation shall be a courtesy in lieu of instituting a prosecution in court for the alleged offense. Any compliance citation which remains unpaid or in which the alleged violator

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has not appeared within a thirty-day period from the date of issuance to request a court date will be converted to a uniform traffic complaint and a court date will be issued for the alleged offense or the citation will be processed to accordingly for civil action. (Code 1961, §19.1104; Ord. No. O-76-80, §1, 9-22-80; Ord. No. O-115-82, §2, 12-13-82; Ord. No. O-43-83, §1, 6-27-83; Ord. No. O-44-87, §1, 2, 5-11-87; Ord. No. O-102-91, §1, 3, 7-8-91, Ord. No. O-20-93, 3-8-93; Ord. No. O-46-96, §1, 4-8-96, Ord. No. O-92-20, 12/07/2020)

***Editor's Note:** Ch.95.5, Secs. 1203-1 through 1206-1, All--Terrain vehicles, of the State Statutes was repealed and replaced with 625 ILCS 5/11-1426 and 1427)

Sec. 18-173.1 Minor Violations - Class "C" and above vehicles.

Vehicles with a ~~manufacturers~~manufacturer's gross vehicle weight rating or registered weight of 16,001 pounds or more shall be known as Class "C" vehicles. Any Class "C" vehicle violating the parking regulations of this Chapter may settle and compromise the claim against him or her for such illegal parking by paying the municipality ~~the sum of one hundred dollars (\$100)~~ a fine as established in the Fee Schedule Supplement to the Palatine Code of Ordinances. (Ord. No. O-20-93 3-8-93; Ord. No. O-86-13, §1, 7/8/13)

Sec. 18-174. Liability for parking violations.

Whenever any vehicle shall have been parked in violation of the provisions of any ordinance prohibiting or restricting parking, the person in whose name such vehicle is registered shall be prima facie responsible for such violation and subject to the penalty therefor.

For the purposes of this section, it is the intent of the ~~president and board of trustees~~Mayor and Village Council of the Village of Palatine that vicarious liability shall be imposed upon the registered owner of the vehicle and it shall not be a defense that someone other than the registered owner was in control of the vehicle when the violation occurred. (Code 1961, §19.1105; Ord. No. O-27-78, §1, 5-8-78)

Sec. 18-175. Impoundment of vehicles.

(a) *Violation.* Any vehicle, the owner or owners of which have a total of three (3) or more unpaid citations for parking violations, issued within an eighteen-month period, charging that such vehicle was parked or stopped in violation of any ordinance of the ~~V~~village, shall be deemed a public nuisance, and the ~~P~~police ~~D~~epartment or any other agents of the ~~V~~village assigned to traffic duty are hereby authorized to remove, cause to be removed or impound in place the offending vehicle at the sole cost and expense of the owner or owners.

(b) *Disposition of removed vehicle.* The disposition of removed vehicles shall be according to section 13-9 of this Code, entitled "Abandoned Property."

~~(a)~~(c) *Owner's responsibility.* The registered owner of the vehicle having against it three (3) or more citations for parking violations shall be presumed to be the owner at the time the citations were issued and shall be severally responsible for the offense and the impoundment except where the use of the vehicle was secured by the operator without the owner's consent.

(d) *Release of vehicle.* Any vehicle removed or impounded in place pursuant to this section will be released to its lawful owner upon the showing of adequate evidence of the right to possession and upon the payment of all accrued fines and costs for each outstanding unpaid citizen and judgment against a person or persons registered as the owner of the vehicle, and upon payment of an additional ~~\$50 (fifty dollar)~~ administrative fee as established in the Fee Schedule Supplement to the Palatine Code of Ordinances. In lieu of payment of the amount due on any unpaid citation, the person may deposit a bond in the amount ~~of fifty~~

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~~dollars (\$50.00)~~ as established in the Fee Schedule Supplement to the Palatine Code of Ordinances per violation for his or her appearance in the circuit court of Cook County to answer said violation. A release must be signed by an officer of the ~~P~~olice ~~D~~epartment of the Village. (Ord.No.O-17-80, §1, 2-11-80; Ord.No.O-81-84, §1, 9-10-84; Ord .No. 0-142-98, §1,9-28-98; Ord. 0-147-00 §1, 11-13-00)

ARTICLE VII. OVERWEIGHT AND OVERSIZED VEHICLE ORDINANCE

[Editor's Note: Art. VIII was replaced in its entirety by Ord. No. 0-151-09, 12/21/09]

Sec. 18-176. Definitions.

For purposes of this article, the following definitions apply:

- (a) *One-way or single trip permit:* ~~O~~ne move from the point of origin to the point of destination. Any additional stops between the point of origin and the point of destination are expressly prohibited. Single trip permits are valid for 5 consecutive days from the effective date of the permit.
- (b) *Round-trip movement:* ~~T~~wo trips over the same route in opposite directions. Round-trip permits are valid for 10 consecutive days from the effective date of the permit.
- (c) *Non-divisible:* ~~as~~ As defined in 625 ILCS 5.0/1-148.
- (d) *Police Department:* The Village of Palatine Police Department
- (e) *Village:* ~~t~~The Village of Palatine

Ord. No. O-92-20, 12-07-20

Sec. 18-177. Permits.

(a) A permit shall be required for the movement of any vehicle or combinations of vehicles, ~~r~~ that is non-divisible or is carrying a load that is non-divisible, while operating on roadways and bridges within the jurisdiction of the Village, which exceeds the following limits:

- (1) Weight, as defined in 625 ILCS 5.0/15-111
- (2) Width, as defined in 625 ILCS 5.0/15-102
- (3) Height, as defined in 625 ILCS 5.0/15-103
- (4) Length, as defined in 625 ILCS 5.0/15-107

Exempt from permits are the following:

- (1) Fire ~~D~~epartment vehicles;
- (2) Those vehicles operating under an emergency declaration;
- (3) Village owned vehicles engaged in emergency utility repair;
- (4) Equipment used for snow and ice removal, owned or operated by any governmental body.

(b) Permits are non-transferable and apply only to the permittee.

(c) The Village may issue revisions to permits. The Chief of Police or his or her designee may assign a fee for a revision as his discretion in the following circumstances:

- (1) To correct an error attributed to the Village;
- (2) To correct an error attributed to the applicant;
- (3) To adjust weights, dimension or routes as issued on the permit, before the move is

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made.

(d) The permit, when issued, constitutes an agreement between the permittee and the Village that the move described in the application will take place only as described. The permittee has the responsibility to report to the Police Department any inaccuracies or errors on the part of either the Village or the permittee before starting any move. Undertaking the move is prima facie evidence of acceptance of the permit as issued and its terms.

(e) The routing prescribed in the permit constitutes the sole extent of the authority granted by the permit for the use of roads within the jurisdiction of the Village, and any vehicle and/or load found to be off route will be considered off route and without a permit. Permits, whether in paper or electronic form, shall be in the driver's possession at all times unless otherwise directed by the Police Department and presented upon demand to any and all police officers for the purpose of inspection.

(f) Any vehicle(s) and/or load found to be divisible will render the permit null and void. The entire gross weight and axles weights of the vehicle(s) with the load are subject to legal weights. It is the duty of the applicant to verify the non-divisibility of the vehicle(s) before making application for the permit. The permit application itself is prima facie evidence that the applicant confirmed the vehicle(s) and/or load were non-divisible.

(g) If required, arrangement shall be made by the permittee to have the proper utilities notified, property moved, bridge or highway analysis performed and completed in advance of any permit movement.

(h) All movements under the permit shall be made in accordance with all applicable federal, State and local laws, ordinances, rules and regulations.

(i) Permits are null and void if altered for the purpose of deception. The permits issued under this section constitute the grant of a privilege by the Village and may be denied or suspended for such reasons as the Village may deem rationally related to its governmental interests including, but not limited to:

- (1) A permittee knowingly providing incorrect information in an application for a permit;
- (2) A permittee, its agents, or employees operating on a permit which has been altered for purposes of deception;
- (3) Non-compliance by permittee, its agents or employees with federal, State, or local ordinances pertaining to the transport of goods or operation of a vehicle engaged in the transport of goods;
- (4) Moving on Village streets without a valid permit as required under this section.

(j) All single-trip or round-trip permits are limited to movements on assigned routes only.

Ord. No. O-92-20, 12-07-20

Sec. 18-178. Applications for Permit.

(a) All applications for permits shall be given full consideration. Permits for proposed moves may ~~be issued~~ be issued:

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- (1) When the Village roadways and bridges will not be unduly damaged; and
- (2) When the safety of the traveling public will be adequately protected.

(b) Applications for a permit to move an oversize and/or overweight vehicle, and/or load, must ~~be made~~ made to the Police Department. The Chief of Police or his or her designee will determine the appropriate fields of information which should be required on the permit application.

Ord. No. O-92-20, 12-07-20

Sec. 18-179. Police escorts.

Police escorts are required for certain vehicles and loads as determined by the Chief of Police or his or her designee. The total number of officers necessary to provide for a safe move shall be determined by the Police Department, based upon the size and weight of the permit move. Fees for escorts shall be in addition to the permit fees set forth herein. Escort fees shall provide for a minimum of two (2) hours of service calculated by the most current overtime rate established by the Police Department.

Sec. 18-180. Indemnification.

(a) The permittee shall assume total liability for any and all damages to streets, bridges, Village owned appurtenances and private or public property while engaged in a permit move. The measure of liability is the cost for all repairs or replacement of property damaged by the permittee.

(b) The permittee shall indemnify and hold harmless the Village or members of the Police ~~Department~~ from any costs, judgments or settlements, including ~~attorneys~~ attorney's fees, arising from physical injuries, including loss of life, or damage to or loss of property related to acts or omissions by permittee, its officers, agents, or employees pursuant to the permit.

Ord. No. O-92-20, 12-07-20

Sec. 18-181. Suspension and reinstatement.

- (a) Suspension of a current permit shall be for the time determined appropriate by the Police Department; however, reinstatement may be made upon conditions determined by the Village and payment of all outstanding settlements or judgments.
- (b) The Chief of Police or his or her designee shall administer and enforce this section and shall have the authority to grant, deny, suspend, or reinstate Permits. Any applicant or permittee denied a permit or who has had a permit suspended, upon request, shall be given a hearing before the Chief of Police first, then the Village Manager if the permittee is still unsatisfied.
- (c) No permits shall be issued an applicant or company who has outstanding fees or payments due to the Village.

Sec. 18-182. Permit fee schedules.

(a) The Village, with respect to highways under its jurisdiction, shall collect a permit fee as described in the Village Fee schedule. Any axle weight, gross weight or dimension requiring a route study and investigation are subject to special assessment by the Chief of Police or his or her designee to determine appropriate fees.

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(b) The Village Finance Department is responsible for the billing, invoicing, and collection of permit fees. The Finance Department, in their discretion, may make rules and regulations as to acceptable methods of payment and due dates. Any unpaid permit fees will be turned over to a collection agency under contract of the Village. The Village may choose to employ an electronic internet service for the administration of the Article, including fee collection.

Ord. No. O-92-20, 12-07-20

Sec. 18-183. Reserved

ARTICLE IX MOTOR DRIVEN SCOOTERS

[Editor's Note: A New Article IX was added by Ordinance 0-95-05, passed on May 9, 2005]

Sec. 18-184. Definitions:

For the purposes of this Article, a "motor driven scooter, ~~mini-bike~~ minibike, pocket bike, go-cart, golf cart" are defined as any electric or gas driven wheeled scooter, cycle or other vehicle which is operated by a rider in either a sitting or standing position, propelled without physical peddling, for which the State of Illinois does not issue a title document or issue license plates or registration documents.

Sec. 18-185. Operation of motor driven scooters restricted.

No person shall operate a motor driven scooter upon any public street, sidewalk, public parking lot, bike path, park, reservoir or any other public property.

Sec. 18-186. Exemptions.

The following shall be exempt from the prohibitions contained in this Article:

1. Any police vehicle, fire vehicle, special district vehicle, County vehicle or Forest Preserve District vehicle operated by an employee in the course of his or her duties.
2. Motorized wheelchairs. For the purpose of this Article, a Motorized Wheelchair means any motorized vehicle designated for and used by a person with disabilities.
3. Electric personal assistance mobility devices, as defined in section 5/1-117.7 of the Illinois Vehicle Code (625 ILCS 5-100 et. Seq.).

Sec. 18-187. Applicability of this article.

Without limitation, this Article applies to all public property in the Village of Palatine.

Sec. 18-188. Violations.

Any person found guilty of violating any provision of Sections 18-184 through 18-187 shall be fined ~~not less than seventy five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00) as established in the Fee Schedule Supplement to the Palatine Code of Ordinances.~~ An offense committed by a minor under the direct control or with the consent of a parent or guardian may be subject the parent or guardian to the penalties provided in this Section. The ~~P~~olice Department shall have the authority to either impound or

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immediately release the motor driven scooter to a parent or guardian.

Sec. 18-189—18-199. Reserved.

ARTICLE X - AUTOMATED TRAFFIC LAW ENFORCEMENT SYSTEM

[Editor's Note: A New Article X was added by Ordinance 0-122-07, passed on July 16, 2007]

[Editor's Note: Article X was replaced in its entirety by Ordinance #0-14-08, passed on January 21, 2008]

Sec. 18-200. Definitions.

Automated traffic law enforcement system means a device within the Village with one or more motor vehicle sensors working in conjunction with a ~~red light~~red-light signal to produce recorded images of motor vehicles entering an intersection against a steady or flashing red signal indication in violation of Section 11-306 of the Illinois Vehicle Code ("Code"), 625 ILCS 5/11-306, or similar violation of the Village Code of Ordinances.

Disregarding a traffic control device means failure to stop and remain stopped before an intersection that is controlled by a red signal as provided for in Section 11-306 of the Code or Section 18-7 of the Village Code of Ordinances.

No turn on red means failure to come to a complete stop and does not enter the intersection, as defined by Section 1-132 of the Code, during the cycle of the red signal indication unless one or more pedestrians or bicyclists are present, even if the motor vehicle stops at a point past a stop line or crosswalk where a driver is required to stop, as specified in subsection (c) of Section 11-306 of the Code or the Village Code of Ordinances. (Ord. 0-161-10, §1, 12/13/10)

Recorded images ~~means~~mean images produced by the automated traffic law enforcement system, which consist of either 2 or more photographs; 2 or more microphotographs; 2 or more electronic images; or, a video recording showing the motor vehicle and, on at least one image or portion of the recording, clearly identifying the registration plate number of the motor vehicle.

Traffic Compliance Administrator means the person appointed as such through Article 25 of the Code and shall have the following additional powers: adopt, distribute and process automated traffic law violation notices and other notices required by this Article, collect money paid as fines and penalties, operate the automated traffic law enforcement system, and make certified reports to the Secretary of State as required by this Article.

18-201. Violations.

It shall be a violation of this Article for a vehicle to disregard a traffic control device or turn on red in violation of Section 11-306 of the Code or Section 18-7 of the Village Code of Ordinances.

18-202. Defenses.

The following may be considered defenses by the Hearing Officer for a violation of Section 18-201:

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1. ~~T~~that the motor vehicle or registration plates of the motor vehicle were stolen before the violation occurred, and not under the control of or in the possession of the owner at the time of the violation;
2. ~~T~~that the driver of the vehicle passed through the intersection when the light was red either (i) in order to yield the right-of-way to an emergency vehicle or (ii) as part of a funeral procession.
3. ~~A~~Any other evidence or issues deemed as a defense by the Hearing Officer. (Ord. 0-161-10, §2, 12/13/10)

~~3.~~

To demonstrate that the motor vehicle or the registration plates were stolen before the violation occurred and were not under the control or possession of the owner at the time of the violation, the owner must submit proof that a report concerning the stolen motor vehicle or registration plates was filed with a law enforcement agency in a timely manner.

18-203. Notice of Violation.

When the automated traffic law enforcement system records a motor vehicle entering an intersection in violation of Section 18-201, the Village shall issue a written Notice of Violation to the registered owner or lessee of the vehicle, which shall be delivered by U.S. mail within 30 days after the Illinois Secretary of State notifies the Village of the identity of the registered owner or lessee of the vehicle, and in no event later than 90 days following the violation. The Village shall only be required to notify a lessee if the leasing company/lessor provides the lessee's name by an affidavit and a copy of the lease within 60 days of the notice's issuance. If the driver information is not provided within 60 days, the leasing company/lessor may be found liable. If any notice to an address is returned as undeliverable, a second notice shall be sent to the last known address recorded in a United States Post Office approved database of the owner or lessee of the cited vehicle. The second notice shall be made by first class mail postage prepaid.

A Notice of Violation associated with an automated traffic law violation shall require a review of the associated recorded image by a law enforcement officer or retired law enforcement of the municipality or county issuing the violation, who shall inspect the image and determine whether the motor vehicle was being operated in violation of Section 18-201, or whether one of the defenses enumerated in Section 18-202 is visibly applicable upon inspection. Upon determination that the recorded image captures a violation and that no defense applies, the notice of violation shall be served upon the registered vehicle owner in the manner provided for above. The Traffic Compliance Administrator shall retain a copy of all violation notices, recorded images and other correspondence mailed to the owner of the vehicle. Each Notice of Violation shall constitute evidence of the facts contained in the notice and is admissible in any proceeding alleging a violation of the above-noted statutory and local provisions and shall be *prima facie* evidence of a violation, subject to rebuttal on the basis of the defenses established in this Article. (Ord. No. 0-161-10, §3, 12/13/10)

The Notice of Violation shall include the following information:

1. ~~T~~the name and address of the registered owner or lessee of the vehicle, as indicated by the records of the Secretary of State, or, if such information is outdated or unattainable, then the last known address recorded in a United States Post Office approved database;
2. ~~T~~the make (only if discernable) and registration number of the motor vehicle involved in the violation;
3. ~~€~~The violation charged;

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4. ~~The~~ location where the violation occurred;
5. ~~The~~ date and time of the violation;
6. ~~a~~ copy of the recorded images;
7. ~~The~~ amount of the civil penalty and the date by which the penalty should be paid (21 days from the date of issuance), if a hearing is not requested, and a statement that the payment of the fine shall operate as a final disposition of the violation;
8. ~~a~~ statement that a failure to pay the civil penalty by the date noted may result in an additional late fee being assessed against the owner or lessee;
9. ~~The~~ amount of the late fee;
10. ~~a~~ statement that the failure to pay by the date specified will result in a final determination of liability and may result in the suspension of driving privileges for the registered owner of the vehicle;
11. ~~a~~ statement that the recorded images constitute *prima facie* evidence of a violation;
12. ~~A~~ statement that the person may elect to proceed by paying the fine or challenging the charge in court, by mail or by administrative hearing; and
13. a statement of how an administrative hearing may be requested.

18-204. Hearing.

The owner of a vehicle being operated in violation of Section 18-201 may request a hearing by the respond-by date on the Notice of Violation (14 days from the date of issuance), to challenge the evidence or set forth an applicable defense. The Notice of Violation shall constitute evidence of the facts contained in the notice and is admissible in any proceeding alleging a violation of Section 18-201. The Notice of Violation shall be *prima facie* evidence of a violation, subject to rebuttal on the basis of the defenses established in Section 18-202. (Or. No. 0161-10, §4, 12/13/10)

The owner's failure to appear at the hearing will result in a finding of liability. In the event of a failure to appear, a "Findings, Decision and Order" letter will be sent to the owner. The owner's failure to pay the amount by the date specified in that letter will result in a final determination.

No additional fee shall be charged for the request for a hearing. (Ord. No. 0-161-10, §5, 12/13/10)

18-205. Mail-In Hearing.

Where the registered owner or lessee of the cited vehicle seeks to contest the merits of the alleged violation, such person may contest the charges using the same available defenses as stated above, but rather than attend the administrative hearing, they may submit any and all documentary evidence to the Traffic Compliance Administrator no later than the respond-by-date on the Notice of Violation (14 days from the date of issuance). The Traffic Compliance Administrator shall forward all timely-submitted materials to the Hearing Officer for review and determination.

No additional fee shall be charged for the request for a Mail-In Hearing.
(Ord. No. 0-161-10, §6, 12/13/10)

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18-206. Final determination.

A Final Determination of violation liability shall occur following failure to pay the fine, a failure to request a hearing by the respond-by date, after a hearing officer's determination of violation liability and the exhaustion of or failure to exhaust any administrative review procedures provided by the Village Code of Ordinances. Where a person fails to appear at a hearing to contest the alleged violation in the time and manner specified in a prior mailed notice, the Hearing Officer's determination shall become final upon a failure to pay the amount owed on date provided in the "Findings, Decision and Order" letter. Appeal may be made to the Circuit Court of Cook County on any final determination as provided for by the Administrative Review Act.

18-207. Notice of determination of liability.

If the registered owner fails to pay or contest the Notice of Violation within 14 days a Notice of Determination of Liability will be sent to the owner indicating that a fine in the amount of \$100 is due to the Village. The notice will also state that the owner can petition the Village to set aside the determination of liability before it becomes final. If the owner does not pay the \$100 as specified in the notice or petition the Village to set aside the determination, within 35 days, a Notice of Final Determination will be sent to the owner indicating that the owner has exhausted all challenge options and the \$100 fine is a debt due and owing to the Village and must be paid within 14 days. The owner will also be notified that the failure to pay the \$100 fine within 14 days will result in a late fee of \$100 added to the original fine. (Ord. No. 0-161-10, §7, 12/13/10)

18-208. Notice of final determination.

A Notice of Final Determination shall be sent following the final determination of automated traffic law violation liability and the conclusion of judicial review. The Notice of Final Determination shall include the following information:

1. ~~a~~A statement that the unpaid fine is a debt due and owing to the Village.
2. ~~A~~a warning that a failure to pay any fine due and owing to the Village of Palatine within 14 days may result in a petition to the Circuit Court of Cook County to have the unpaid fine rendered as a judgment or may result in the suspension of the person's drivers license for failure to pay fines or penalties for 5 or more violation under this Article.

18-209. Petitions to set aside determination.

A Petition to Set Aside Determination of an automated traffic law violation must be filed with or mailed to the Traffic Control Administrator within 14 days of the date of mailing of the Notice of Determination of Liability. The grounds for the petition are limited to:

1. ~~t~~The person was not the owner or lessee of the cited vehicle on the date of the violation notice was issued;
2. ~~T~~he person having already paid the fine for the violation in question; and
3. ~~e~~Excusable failure to appear at or request a new date for a hearing.

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Upon receipt of a timely petition to set aside the determination of liability, the Hearing Officer shall review the petition to determine if cause has been shown to set aside the determination. If cause has been shown, the Village shall forward the petitioner a new hearing date on which the petitioner must appear to present his or her case. The Village shall notify the petitioner of the Hearing Officer's decision to grant a hearing or deny the petition within 14 days of the Village's receipt.

18-210. Notice of impending driver's license suspension.

A Notice of Impending Drivers License Suspension shall be sent to the person liable for any fine or penalty that remains due and owing on 5 or more violations of this Article. The Notice of Impending Drivers License Suspension shall state the following information:

1. ~~The~~ failure to pay the fine owing within 45 days of the notice's date will result in the Village notifying the Secretary of State that the person is eligible for initiation of suspension proceedings under Section 6-306.5 of the Code;
2. ~~a~~ statement that the person may obtain a copy of the original ticket ~~imposing~~ imposing a fine by sending a self-addressed, stamped envelope to the Village along with a request for the copy.

~~2.~~ The Notice of Impending Drivers License Suspension shall be sent by first class mail, postage prepaid, to the address recorded with the Secretary of State or, if any notice to that address is returned as undeliverable, to the last known address recorded in a United States Post Office approved database.

18-211. Drivers license suspension.

The Traffic Compliance Administrator, by certified report, may request that the Secretary of State suspend the driving privileges of an owner of a registered vehicle who has failed to pay any fine or penalty due and owing as a result of 5 automated traffic violations. The report shall be certified and contain the following:

1. ~~The~~ name, last known address as recorded with the Secretary of State, as provided by the lessor of the cited vehicle at the time of lease, or as recorded in a United States post office approved database if any notice sent under this Article is returned as undeliverable, and driver's license number of the person who failed to pay the fine or penalty and the registration number of any vehicle known to be registered to such person in a state;
2. ~~The~~ name of the municipality making the report pursuant to this section; and
3. ~~a~~ statement that a Notice of Impending Driver's License Suspension has been sent to the person named in the report at the address recorded with the Secretary of State or at the last address known to the lessor of the cited vehicle at the time of the lease or, if any notice sent under this Article is returned as undeliverable at the last known address recorded at a United States Post office approved database; the date on which such notice was sent; and address to which such notice was sent.

3.

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The Traffic Compliance Administrator shall notify the Secretary of State whenever a person named in the certified report has paid the previously recorded fine or penalty or whenever the municipality determines that the original report was in error. A certified copy of such notification shall also be given upon request and at no additional charge to the person named therein.

Any person receiving notice from the Secretary of State that their driving privileges may be suspended at the end of a specified period may challenge the accuracy of the certified report prepared by the Traffic Compliance Administrator. The person shall, within 7 days after having received notice from the Secretary of State, request an opportunity to speak with the Traffic Compliance Administrator to challenge the accuracy of the certified report. If the Traffic Compliance Administrator determines that the original report was in error due to the fact that the person challenging the report was not the owner or lessee of the vehicle or that the person has already paid their fine for the 5 or more automated traffic violations, the Traffic Compliance Administrator shall immediately notify the Secretary of State of such error in a subsequent certified report.

18-212. Penalty.

Any person violating Section 18-201 shall be fined \$100 for each offense. Failure to pay the original fine within 14 days of the issuance of the Notice of Final Determination shall result in an additional \$100 late payment fine.

Consider a Motion to Approve the Village of Palatine 2024 Regular Scheduled Meeting Calendar

BACKGROUND:

Pursuant to the requirements of the Illinois Open Meetings Act, the attached proposed regular scheduled meetings for calendar year 2024 has been prepared and must be posted and available upon request.

KEY ISSUES:

- Each calendar year a schedule of the regular meetings for Village Council and all Village Boards and Commissions is prepared (including meeting dates, times, and locations).
- The 2024 Meeting Calendar includes only one Village Council meeting in July, consistent with Council's July meeting schedule in recent years. Additionally, the Village Council is scheduled to meet on January 8th and 15th, representing the 2nd and 3rd Monday of the month. Monday, January 22nd is available to conduct a Council meeting if necessary.

ALTERNATIVES:

1. Approve the 2024 Meeting Calendar.
2. Amend the 2024 Meeting Calendar.

RECOMMENDATION:

Staff recommends approval of the regular scheduled meeting calendar for 2024.

ACTION REQUIRED:

Motion to approve the Village of Palatine's regular scheduled meetings for 2024.

ATTACHMENTS:

- 2024 Draft Meeting Calendar

VILLAGE OF PALATINE - **DRAFT** 2024 MEETING CALENDAR

Village Council, COW, Liquor Commission 7:00 PM - Village Hall	Planning & Zoning Commission 7:00 PM - Village Hall	Fire Pension 4:00 PM Village Hall - Rm. A	Police Pension 4:00 PM Village Hall - Rm. A	Foreign Fire Tax Board 8:30 AM Fire Station 85	Fire & Police Commission 3:00 PM Police Department
January 8	January 9	February 12	February 13	March 20	May 1
January 15	January 23	May 13	May 14	June 19	November 6
February 5	February 13	August 12	August 13	September 18	
February 12	February 27	November 4	November 12	December 18	
February 20	March 12				
March 4	March 26				
March 11	April 9				
March 18	April 23				
April 1	May 14				
April 8	May 28				
April 15	June 11				
May 6	June 25				
May 13	July 9				
May 20	July 23				
June 3	August 13				
June 10	August 27				
June 17	September 10				
July 15	September 24				
August 5	October 8				
August 12	October 22				
August 19	November 12				
September 3	November 26				
September 9	December 10				
September 16					
October 7					
October 14					
October 21					
November 4					
November 11					
November 18					
December 2					
December 9					
December 16					

Board of Health 7:00 PM Village Hall - Rm. A	Beautification Comm. 5:00 PM Village Hall - Rm B
January 17	March 25
April 17	May 28
July 17	July 22
October 16	September 23
	November 25

Village Hall - 200 E. Wood Street
Fire Station 85 - 39 E. Colfax Street
Police Department - 595 N. Hicks Road

Consider a Motion to Approve 2023 Warrant #23

Village of Palatine Warrant approval

Village Clerk

Mayor

Warrant # 23 having been approved by the Village Council on 12/04/2023 authorizes the Treasurer to deposit funds from the accounts indicated below:

		Check/ACH Disbursements	Electronic (EFT/W-T) Disbursements	Manual Checks	UB Refunds Processed	Fund Expense
General Fund	100	66,128.70	3,000.00	-	-	69,128.70
Federal Equitable Sharing Fund	221	54,551.00	-	-	-	54,551.00
State Equitable Sharing Fund	222	25,500.00	-	-	-	25,500.00
Downtown TIF Fund	233	27,054.69	-	-	-	27,054.69
Rand Corridor TIF Fund	234	37,884.00	-	-	-	37,884.00
Capital Equipment Fund	401	17,830.91	-	-	-	17,830.91
Capital Improvements Fund	402	37,038.50	-	-	-	37,038.50
Water Fund	605	16,893.44	-	-	258.24	17,151.68
Sewer Fund	610	3,273.91	-	-	-	3,273.91
Refuse Fund	615	-	-	-	1,597.33	1,597.33
Parking Fund	620	11,539.53	-	-	-	11,539.53
Fleet Services Fund	710	57,720.44	-	-	-	57,720.44
Total Report		355,415.12	3,000.00	-	1,855.57	360,270.69

ATTACHMENTS:

- Warrant #23



Warrant #23

8.1.a

Invoice Due Date Range 11/01/23 - 12/19/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 1553 - Acme Truck & Brake Supply									
01_364808	Parts - STOCK	Open		11/06/2023	12/06/2023	11/15/2023			268.23
Vendor 1553 - Acme Truck & Brake Supply Totals						Invoices	1		\$268.23
Vendor 4853 - Advance Auto Parts									
2376-1197582	Parts - Stock	Open		11/16/2023	12/16/2023	11/27/2023			22.02
2376-1197659	Parts - T-440	Open		11/16/2023	12/16/2023	11/27/2023			3.98
2376-1197786	Parts - Stock	Open		11/16/2023	12/16/2023	11/27/2023			54.31
2376-1195467	Parts - C-374	Open		11/06/2023	12/06/2023	11/15/2023			278.49
2376-1195570	Parts - STOCK	Open		11/06/2023	12/06/2023	11/15/2023			166.20
2376-1195837	Parts - STOCK	Open		11/07/2023	12/07/2023	11/15/2023			313.01
2376-1195917	Parts - T-454	Open		11/07/2023	12/07/2023	11/15/2023			32.54
2376-1196040	Parts - STOCK	Open		11/08/2023	12/08/2023	11/15/2023			115.14
2376-1196132	Parts - STOCK	Open		11/08/2023	12/08/2023	11/15/2023			345.42
2376-1196203	Parts - STOCK	Open		11/09/2023	12/09/2023	11/15/2023			374.07
2376-1196321	Parts - STOCK	Open		11/09/2023	12/09/2023	11/15/2023			39.89
2376-1196370	Parts - STOCK	Open		11/09/2023	12/09/2023	11/15/2023			11.54
2376-1196927	Parts - E-111	Open		11/13/2023	12/13/2023	11/15/2023			29.04
2376-1196928	Parts - E-111	Open		11/13/2023	12/13/2023	11/15/2023			2.97
Vendor 4853 - Advance Auto Parts Totals						Invoices	14		\$1,788.62
Vendor 5365 - Airworx LLC									
C-INV3481	M3OT Drone & Accessories	Open		11/06/2023	12/06/2023	11/13/2023			17,000.00
Vendor 5365 - Airworx LLC Totals						Invoices	1		\$17,000.00
Vendor 2611 - Al Warren Oil Co									
W1606297	Motor Fuel	Open		11/07/2023	12/07/2023	11/07/2023			19,309.54
Vendor 2611 - Al Warren Oil Co Totals						Invoices	1		\$19,309.54
Vendor 2496 - Altorfer Industries, Inc									
P54C0162955	Parts - E-601	Open		10/30/2023	11/29/2023	11/27/2023			1,527.78
P54C01163074	Parts - E-211	Open		11/16/2023	12/16/2023	11/27/2023			1,024.15
Vendor 2496 - Altorfer Industries, Inc Totals						Invoices	2		\$2,551.93
Vendor 2491 - Anderson Pest Solutions									
53616627	Pest Control Services November 2023-CSF	Open		11/07/2023	12/07/2023	11/15/2023			85.26
Vendor 2491 - Anderson Pest Solutions Totals						Invoices	1		\$85.26
Vendor 4987 - Aptim Environmental & Infrastructure, LLC									
610754	Pre-Demolition Environmental Survey for 25 W. Palatine Road	Open		11/16/2023	12/16/2023	11/21/2023			1,885.00
Vendor 4987 - Aptim Environmental & Infrastructure, LLC Totals						Invoices	1		\$1,885.00

Attachment: Warrant #23 (Warrant 2023 # 23)



Warrant #23

8.1.a

Invoice Due Date Range 11/01/23 - 12/19/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 3929 - ARIES Industries, Inc									
425792	Televising Camera Repair	Open		11/16/2023	12/16/2023	11/22/2023			3,273.91
			Vendor 3929 - ARIES Industries, Inc Totals			Invoices	1		\$3,273.91
Vendor 5021 - Arlington Heights Ford LLC									
117810H	Parts - T-460	Open		11/08/2023	12/08/2023	11/15/2023			40.75
118188H	Parts - T-409	Open		11/13/2023	12/13/2023	11/21/2023			444.39
118691H	Parts - T-482	Open		11/15/2023	12/15/2023	11/21/2023			115.48
119177H	Parts - T-440	Open		11/17/2023	12/17/2023	11/21/2023			184.09
			Vendor 5021 - Arlington Heights Ford LLC Totals			Invoices	4		\$784.71
Vendor 1443 - Arlington Power Equipment									
1744413	Parts - PT-999	Open		11/01/2023	12/01/2023	11/21/2023			67.68
176053	Parts - PT-999	Open		11/16/2023	12/16/2023	11/21/2023			178.46
176097	Parts - PT-999	Open		11/16/2023	12/16/2023	11/21/2023			89.23
			Vendor 1443 - Arlington Power Equipment Totals			Invoices	3		\$335.37
Vendor 2744 - Avalon Petroleum Company									
040368	Motor Fuel	Open		11/01/2023	12/01/2023	11/27/2023			20,820.00
143454	Motor Fuel-Off Road Tank PW	Open		11/01/2023	12/01/2023	11/27/2023			2,950.00
			Vendor 2744 - Avalon Petroleum Company Totals			Invoices	2		\$23,770.00
Vendor 3520 - Axon Enterprise, Inc.									
INUS202296	Body Camera Uniform Mounts	Open		11/11/2023	12/11/2023	11/27/2023			123.30
			Vendor 3520 - Axon Enterprise, Inc. Totals			Invoices	1		\$123.30
Vendor 1722 - BLA, Inc									
22894-12	Illinois Avenue Improvements Phase I and II Engineering Services	Open		10/31/2023	11/30/2023	11/21/2023			2,560.00
			Vendor 1722 - BLA, Inc Totals			Invoices	1		\$2,560.00
Vendor 1235 - Bonnell Industries Inc									
0212379-IN	Parts - STOCK	Open		11/09/2023	12/09/2023	11/15/2023			1,616.64
			Vendor 1235 - Bonnell Industries Inc Totals			Invoices	1		\$1,616.64
Vendor 4406 - Borden Decal									
0092460	2024 Business Hang tags	Open		10/31/2023	11/30/2023	11/29/2023			375.00
			Vendor 4406 - Borden Decal Totals			Invoices	1		\$375.00
Vendor 1857 - Brian Edward Landscaping Inc									
24973	Parking Deck Holiday Tree Installation	Open		11/17/2023	12/17/2023	11/17/2023			2,350.00

Attachment: Warrant #23 (Warrant 2023 # 23)



Warrant #23

8.1.a

Invoice Due Date Range 11/01/23 - 12/19/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
24972	Brick Paver Repair at NE Corner Palatine Road and Greeley Street	Open		11/17/2023	12/17/2023	11/21/2023			4,135.00
Vendor 1857 - Brian Edward Landscaping Inc Totals									Invoices 2 \$6,485.00
Vendor 2243 - Bristol Hose & Fitting									
3530186	Parts - STOCK	Open		11/06/2023	12/06/2023	11/15/2023			704.79
Vendor 2243 - Bristol Hose & Fitting Totals									Invoices 1 \$704.79
Vendor 2650 - Case Lots									
21194	Multifold Towels, Toilet Paper and 43 x 47 Can Liners	Open		11/13/2023	12/13/2023	11/27/2023			1,121.50
Vendor 2650 - Case Lots Totals									Invoices 1 \$1,121.50
Vendor 4343 - Christopher B. Burke Engineering Ltd									
186123	Smith Street Bike Path Connection Construction Eng DPW-2219	Open		09/18/2023	11/30/2023	11/21/2023			787.50
Vendor 4343 - Christopher B. Burke Engineering Ltd Totals									Invoices 1 \$787.50
Vendor 3050 - Cintas #22									
4173016810	Village Hall Carpets	Open		11/06/2023	12/06/2023	11/07/2023			147.13
4173613691	Shop Rags	Open		11/10/2023	12/10/2023	11/14/2023			13.05
4173613942	Uniform Cleaning	Open		11/10/2023	12/10/2023	11/14/2023			137.26
4174262740	CSF Carpets	Open		11/16/2023	12/16/2023	11/27/2023			151.11
4174262891	Uniform Cleaning	Open		11/16/2023	12/16/2023	11/27/2023			137.26
4174447216	Village Hall Carpets	Open		11/17/2023	12/17/2023	11/27/2023			147.13
Vendor 3050 - Cintas #22 Totals									Invoices 6 \$732.94
Vendor 1488 - CNS Tire Supply									
27061	Parts - C-374	Open		11/08/2023	12/08/2023	11/15/2023			130.00
27062	Parts - T-419	Open		11/08/2023	12/08/2023	11/21/2023			184.50
27063	Parts - Stock	Open		11/08/2023	12/08/2023	11/21/2023			380.61
Vendor 1488 - CNS Tire Supply Totals									Invoices 3 \$695.11
Vendor 2383 - Colfax Welding & Fabricating									
75293	Command Car Cover	Open		11/17/2023	12/16/2023	11/15/2023			1,840.61
Vendor 2383 - Colfax Welding & Fabricating Totals									Invoices 1 \$1,840.61
Vendor 3033 - Comcast Cable									
PW 11-23 A	Backup Internet Connections	Open		11/02/2023	11/30/2023	11/16/2023			327.56
Vendor 3033 - Comcast Cable Totals									Invoices 1 \$327.56
Vendor 2980 - Commonwealth Edison									

Attachment: Warrant #23 (Warrant 2023 # 23)



Warrant #23

8.1.a

Invoice Due Date Range 11/01/23 - 12/19/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
1576144012 11/23	Electricity-Dundee Rd and Park Place Traffic Signal	Open		11/13/2023	12/13/2023	11/28/2023			51.38
4909032037 11/23	Electricity-25 W. Palatine Rd American Data Building	Open		11/13/2023	12/13/2023	11/28/2023			40.91
8648014008 11/23	Electricity - 135 W. Michigan Ave Heat Meter	Open		11/15/2023	12/15/2023	11/28/2023			391.18
			Vendor	2980 - Commonwealth Edison Totals		Invoices	3		\$483.47
Vendor	5162 - Conduent Business Services, LLC								
1702461	Red Light Camera Vendor Fees (Oct)	Open		11/22/2023	12/04/2023	11/27/2023			3,432.30
			Vendor	5162 - Conduent Business Services, LLC Totals		Invoices	1		\$3,432.30
Vendor	2773 - Core & Main LP								
T915944	Meters-IPERL 3 Wire Term L/Wire SM50546439003,39A touchpad black	Open		11/09/2023	12/09/2023	11/08/2023			780.25
T915990	H10302 6'serv box tapt2", 1-1/2 cb lid w/ plug,1-1/2" repair sec	Open		11/09/2023	12/09/2023	11/08/2023			709.63
			Vendor	2773 - Core & Main LP Totals		Invoices	2		\$1,489.88
Vendor	1336 - Crain's Chicago Business								
11-22-23 2284988	Crain Subscription	Open		11/28/2023	12/04/2023	11/28/2023			129.00
			Vendor	1336 - Crain's Chicago Business Totals		Invoices	1		\$129.00
Vendor	3811 - Dive Right In Scuba Inc								
223033	Water Rescue Team Equipment	Open		11/14/2023	12/13/2023	11/14/2023			788.15
			Vendor	3811 - Dive Right In Scuba Inc Totals		Invoices	1		\$788.15
Vendor	3182 - Chad D Felde								
2023-00000977	Lunch Provided for Joint Truck Roadblock Participants	Open		11/15/2023	12/04/2023	11/27/2023			79.41
2023-00000978	Registration Fee for Specialized Transportation Symposium	Open		11/14/2023	12/04/2023	11/27/2023			205.00
			Vendor	3182 - Chad D Felde Totals		Invoices	2		\$284.41
Vendor	3563 - FGM Architects								
23-3856.01-2	Training Tower Review	Open		11/13/2023	12/12/2023	11/21/2023			6,920.00
			Vendor	3563 - FGM Architects Totals		Invoices	1		\$6,920.00
Vendor	5283 - Firebrand Global Marketing, Inc								
26536	Pencils & Sticker Badges for CPU	Open		08/08/2023	12/04/2023	11/27/2023			1,488.17

Attachment: Warrant #23 (Warrant 2023 # 23)



Warrant #23

8.1.a

Invoice Due Date Range 11/01/23 - 12/19/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 5123 - Firebrand Global Marketing, Inc Totals						Invoices	1		\$1,488.17
Vendor 5123 - Flock Safety									
INV-22335	Flock Camera Installs	Open		11/17/2023	11/17/2023	11/17/2023			92,400.00
inv-25253	Flex Camera	Open		11/21/2023	11/21/2023	11/21/2023			8,500.00
Vendor 5123 - Flock Safety Totals						Invoices	2		\$100,900.00
Vendor 5369 - Florist by Laura									
100	Holiday Decor - Rail Walk Hanging Baskets	Open		11/14/2023	12/14/2023	11/17/2023			960.00
Vendor 5369 - Florist by Laura Totals						Invoices	1		\$960.00
Vendor 2195 - FMP									
162-161194	Lubricants & Additives - STOCK	Open		11/07/2023	12/07/2023	11/15/2023			71.82
162-162038	Lubricants and Additives-Stock	Open		11/15/2023	12/15/2023	11/21/2023			130.98
50-4902343	Parts - Stock	Open		11/15/2023	12/15/2023	11/21/2023			115.92
Vendor 2195 - FMP Totals						Invoices	3		\$318.72
Vendor 5073 - FulLife Safety LLC									
69321	Parts - STOCK	Open		11/08/2023	12/08/2023	11/15/2023			280.05
Vendor 5073 - FulLife Safety LLC Totals						Invoices	1		\$280.05
Vendor 2442 - Goodmark Nurseries Llc									
ARINV-005359	Replacement and 50/50 Parkway Tree Purchases	Open		11/09/2023	12/09/2023	11/28/2023			14,454.75
Vendor 2442 - Goodmark Nurseries Llc Totals						Invoices	1		\$14,454.75
Vendor 2281 - Grainger									
9900100943	Displacement Connector, 26-19 AWG	Open		11/09/2023	12/09/2023	11/08/2023			51.39
Vendor 2281 - Grainger Totals						Invoices	1		\$51.39
Vendor 5145 - Granite Telecommunications, LLC									
624332430	POTs Lines	Open		11/01/2023	12/01/2023	11/16/2023			351.52
Vendor 5145 - Granite Telecommunications, LLC Totals						Invoices	1		\$351.52
Vendor 3783 - Brian J Growney									
2023-00000987	Reimbursement - Homicide Investigation (23-031031)	Open		11/27/2023	12/04/2023	11/27/2023			454.85
Vendor 3783 - Brian J Growney Totals						Invoices	1		\$454.85
Vendor 1916 - Harvard Maintenance Inc									
1578495	Village Hall Janitorial Service-November 2023	Open		11/01/2023	12/01/2023	11/27/2023			3,422.88

Attachment: Warrant #23 (Warrant 2023 # 23)



Warrant #23

8.1.a

Invoice Due Date Range 11/01/23 - 12/19/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
1578572	Train Station Janitorial Service-November 2023	Open		11/01/2023	12/01/2023	11/27/2023			7,883.98
Vendor 1916 - Harvard Maintenance Inc Totals									Invoices 2 \$11,306.86
Vendor 38731	5163 - Healy Asphalt Company LLC Binder and Surface for Hot Paving	Open		11/09/2023	12/09/2023	11/08/2023			184.96
Vendor 5163 - Healy Asphalt Company LLC Totals									Invoices 1 \$184.96
Vendor 117788	5046 - Hoosier Fire Equipment Inc Parts - Stock	Open		11/14/2023	12/14/2023	11/21/2023			500.40
Vendor 5046 - Hoosier Fire Equipment Inc Totals									Invoices 1 \$500.40
Vendor HUFF11-9-2023	2976 - Huffman Landscape CRTI Grant Tree Installations	Open		11/09/2023	12/09/2023	11/28/2023			2,730.00
Vendor 2976 - Huffman Landscape Totals									Invoices 1 \$2,730.00
Vendor 20231001570	1604 - Illinois State Police Fingerprinting for Liquor Licensing (1570-Oct)	Open		11/01/2023	12/16/2023	11/27/2023			197.75
20231003601	Fingerprinting for Employment (3601-Oct)	Open		11/01/2023	12/16/2023	11/27/2023			197.75
Vendor 1604 - Illinois State Police Totals									Invoices 2 \$395.50
Vendor 06111	2598 - Illinois Tactical Officers Assoc Highland Park July 4th Active Shooter Debrief	Open		11/17/2023	12/04/2023	11/27/2023			150.00
Vendor 2598 - Illinois Tactical Officers Assoc Totals									Invoices 1 \$150.00
Vendor 507830	4750 - Interspiro Inc Water Rescue Team Equipment	Open		11/14/2023	12/13/2023	11/14/2023			1,133.90
108543	Dive Mask Assembly and Connection	Open		11/15/2023	12/14/2023	11/22/2023			1,133.90
Vendor 4750 - Interspiro Inc Totals									Invoices 2 \$2,267.80
Vendor 11246596	4951 - Interstate Batteries of North Chicago Parts - Stock	Open		11/01/2023	12/01/2023	11/27/2023			404.99
60016978	Parts - G-016	Open		11/09/2023	12/09/2023	11/15/2023			133.13
Vendor 4951 - Interstate Batteries of North Chicago Totals									Invoices 2 \$538.12
Vendor C042069484:01	4366 - Interstate Power Systems Inc Parts - STOCK	Open		11/07/2023	12/07/2023	11/15/2023			175.80
Vendor 4366 - Interstate Power Systems Inc Totals									Invoices 1 \$175.80
Vendor 2695 - JG Uniforms Inc									



Warrant #23

8.1.a

Invoice Due Date Range 11/01/23 - 12/19/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
122767	Misc Uniform/Vest Carriers/Equipment Items (Calanca)	Open		11/01/2023	12/01/2023	11/27/2023			160.00
122817	Exterior Vest Carrier Alterations (Brandwein)	Open		11/02/2023	12/02/2023	11/27/2023			35.00
123382	Misc Uniform/Vest Carriers/Equipment Items (Calanca)	Open		11/10/2023	12/10/2023	11/27/2023			26.90
			Vendor	2695 - JG Uniforms Inc Totals		Invoices	3		\$221.90
Vendor	3869 - John Nelson Architect Inc								
JN11/27/23	Plan Review/ Consultation Services 11/15-11/22	Open		11/27/2023	11/27/2023	11/27/2023			1,200.00
			Vendor	3869 - John Nelson Architect Inc Totals		Invoices	1		\$1,200.00
Vendor	2075 - Kimball Midwest								
101634971	Parts - STOCK	Open		11/13/2023	12/12/2023	11/15/2023			274.45
			Vendor	2075 - Kimball Midwest Totals		Invoices	1		\$274.45
Vendor	3357 - KONE Inc								
871190155	Service Contract for Elevator Maintenance-11/1/23-1/31/24	Open		11/01/2023	12/01/2023	11/27/2023			6,092.58
			Vendor	3357 - KONE Inc Totals		Invoices	1		\$6,092.58
Vendor	1084 - Logsdon Office Supply								
OE-4708-1	Name Plate - Mulvey	Open		11/13/2023	12/13/2023	11/13/2023			18.50
			Vendor	1084 - Logsdon Office Supply Totals		Invoices	1		\$18.50
Vendor	2738 - Meade, Inc								
706654	EVP Upgrade-Dundee Road at Sterling Avenue	Open		11/07/2023	12/07/2023	11/15/2023			5,811.00
			Vendor	2738 - Meade, Inc Totals		Invoices	1		\$5,811.00
Vendor	2737 - Mes Inc/Global								
SO1805878	Gas Detector Maintenance	Open		11/17/2023	12/16/2023	11/20/2023			1,465.00
			Vendor	2737 - Mes Inc/Global Totals		Invoices	1		\$1,465.00
Vendor	3994 - Metro Federal Credit Union								
Metro112923	Gift Cards	Open		11/29/2023	12/04/2023	11/29/2023			2,472.00
			Vendor	3994 - Metro Federal Credit Union Totals		Invoices	1		\$2,472.00
Vendor	1405 - MPC Communications & Lighting Inc								
23-1277	Police Department Vehicle Upfitting-T-529	Open		11/09/2023	12/09/2023	11/21/2023			475.00
23-1283	Police Department Vehicle Upfitting-T-529	Open		11/17/2023	12/17/2023	11/21/2023			13,231.40

Attachment: Warrant #23 (Warrant 2023 # 23)



Warrant #23

8.1.a

Invoice Due Date Range 11/01/23 - 12/19/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 1405 - MPC Communications & Lighting Inc Totals							Invoices	2	\$13,706.40
Vendor 2312 - Myers Tire Supply Chicago									
31213434	Parts - STOCK	Open		11/09/2023	12/09/2023	11/15/2023			304.73
Vendor 2312 - Myers Tire Supply Chicago Totals							Invoices	1	\$304.73
Vendor 5099 - NAPA Auto Parts									
414250	Parts - STOCK	Open		11/06/2023	12/06/2023	11/15/2023			102.06
414364	Parts - STOCK	Open		11/07/2023	12/07/2023	11/15/2023			48.08
414437	Parts - T-454	Open		11/07/2023	12/07/2023	11/15/2023			51.46
414525	Parts - STOCK	Open		11/08/2023	12/08/2023	11/15/2023			18.85
414617	Parts - C-374	Open		11/08/2023	12/08/2023	11/15/2023			2.08
415125	Parts - Stock	Open		11/13/2023	12/13/2023	11/21/2023			69.60
415349	Parts - T-459	Open		11/14/2023	12/14/2023	11/15/2023			15.93
415472	Credit Memo	Open		11/15/2023	12/13/2023	11/21/2023			(11.60)
415754	Parts - Stock	Open		11/16/2023	12/16/2023	11/21/2023			10.50
Vendor 5099 - NAPA Auto Parts Totals							Invoices	9	\$306.96
Vendor 2253 - Nature's Select									
12163	Food for K-9 "Jax" (Wagner)	Open		11/27/2023	12/17/2023	11/27/2023			68.15
Vendor 2253 - Nature's Select Totals							Invoices	1	\$68.15
Vendor 2432 - Northern Ill Police Alarm System									
15188	Language Line Usage (October)	Open		11/17/2023	12/17/2023	11/27/2023			157.50
Vendor 2432 - Northern Ill Police Alarm System Totals							Invoices	1	\$157.50
Vendor 1480 - Northwest Trucks, Inc.									
X101137336:01	Parts - T-468	Open		11/09/2023	12/09/2023	11/15/2023			286.19
Vendor 1480 - Northwest Trucks, Inc. Totals							Invoices	1	\$286.19
Vendor 5363 - Laura Okrzesik									
05-233408719	Notary Invoice #2	Open		11/09/2023	11/27/2023	11/21/2023			76.10
IN00000081	Notary Invoice #1	Open		11/09/2023	11/27/2023	11/21/2023			16.00
Vendor 5363 - Laura Okrzesik Totals							Invoices	2	\$92.10
Vendor 2572 - Paddock Publications, Inc									
270919	Legal Notice 4607646	Open		11/13/2023	12/04/2023	11/20/2023			33.75
Vendor 2572 - Paddock Publications, Inc Totals							Invoices	1	\$33.75
Vendor 1784 - Parent Petroleum									
1605554	Lubricants & Additives - STOCK	Open		11/14/2023	12/14/2023	11/15/2023			966.28
Vendor 1784 - Parent Petroleum Totals							Invoices	1	\$966.28

Attachment: Warrant #23 (Warrant 2023 # 23)



Warrant #23

8.1.a

Invoice Due Date Range 11/01/23 - 12/19/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 4703 - Peralte-Clark Llc									
7	Smith and Colfax Drainage Improvements Feasibility Study	Open		11/09/2023	12/09/2023	11/06/2023			21,034.69
			Vendor 4703 - Peralte-Clark Llc Totals			Invoices	1		\$21,034.69
Vendor 1944 - Quill LLC									
35650869	OFFICE SUPPLIES	Open		11/13/2023	12/13/2023	11/27/2023			219.50
			Vendor 1944 - Quill LLC Totals			Invoices	1		\$219.50
Vendor 4545 - Robinson Engineering Ltd									
23040328	Public Works Utilities Division Phase 2 Assistance	Open		04/21/2023	11/30/2023	11/21/2023			1,158.00
23040416	Lead Service Line Replacement Design Engineering	Open		04/25/2023	11/30/2023	11/21/2023			2,500.00
			Vendor 4545 - Robinson Engineering Ltd Totals			Invoices	2		\$3,658.00
Vendor 1201 - Route 12 Rental Co. Inc.									
136155	Lift Rental-Village Hall Christmas Tree Installation	Open		11/14/2023	12/14/2023	11/15/2023			183.56
			Vendor 1201 - Route 12 Rental Co. Inc. Totals			Invoices	1		\$183.56
Vendor 4019 - Rush Truck Centers									
3034847512	Parts - STOCK	Open		11/07/2023	12/07/2023	11/15/2023			209.40
3034859059	Parts - STOCK	Open		11/08/2023	12/08/2023	11/15/2023			141.26
3034929632	Parts - STOCK	Open		11/09/2023	12/09/2023	11/15/2023			141.20
			Vendor 4019 - Rush Truck Centers Totals			Invoices	3		\$491.86
Vendor 3694 - SHI International Corp									
B17647881	Webroot Renewal	Open		11/27/2023	11/27/2023	11/27/2023			4,972.74
			Vendor 3694 - SHI International Corp Totals			Invoices	1		\$4,972.74
Vendor 2313 - Standard Equipment Co									
P46605	Parts - E-222	Open		11/07/2023	12/07/2023	11/21/2023			126.65
P46696	Parts - E-222	Open		11/10/2023	12/10/2023	11/21/2023			89.16
			Vendor 2313 - Standard Equipment Co Totals			Invoices	2		\$215.81
Vendor 1804 - Staples									
8072201379	Paper	Open		11/04/2023	12/03/2023	11/20/2023			23.39
			Vendor 1804 - Staples Totals			Invoices	1		\$23.39
Vendor 2564 - State Treasurer-IL Dept of Transportation									
64215	Quarterly Traffic Signal Maintenance-7/1/23-9/30/23	Open		11/09/2023	12/09/2023	11/27/2023			13,764.84
			Vendor 2564 - State Treasurer-IL Dept of Transportation Totals			Invoices	1		\$13,764.84

Attachment: Warrant #23 (Warrant 2023 # 23)



Warrant #23

8.1.a

Invoice Due Date Range 11/01/23 - 12/19/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 1776 - Suburban Accents, Inc.									
34160	Decals	Open		11/17/2023	12/16/2023	11/15/2023			125.00
34138	Police Department Patrol Vehicle Wrapping T-530	Open		11/13/2023	12/13/2023	11/06/2023			575.00
34155	Police Department Patrol Vehicle Wrapping T-532	Open		11/16/2023	12/16/2023	11/21/2023			575.00
Vendor 1776 - Suburban Accents, Inc. Totals						Invoices	3		\$1,275.00
Vendor 4966 - T-Mobile									
983355792-1123	Birchwood Cameras	Open		11/01/2023	11/23/2023	11/16/2023			76.60
Vendor 4966 - T-Mobile Totals						Invoices	1		\$76.60
Vendor 2545 - Terrace Supply Co									
0071026261	Oxygen	Open		11/07/2023	12/06/2023	11/09/2023			238.05
Vendor 2545 - Terrace Supply Co Totals						Invoices	1		\$238.05
Vendor 5371 - The Coats Company, LLC									
373154	Repairs & Maintenance -E-126	Open		10/13/2023	11/30/2023	11/28/2023			560.08
Vendor 5371 - The Coats Company, LLC Totals						Invoices	1		\$560.08
Vendor 1199 - Thompson Elevator Inspection Service Inc									
23-2674	2 plan review	Open		11/07/2023	12/07/2023	11/13/2023			150.00
23-2713	15 inspections, 6 reinspections	Open		11/10/2023	12/10/2023	11/27/2023			798.00
Vendor 1199 - Thompson Elevator Inspection Service Inc Totals						Invoices	2		\$948.00
Vendor 3692 - Trane US Inc									
314073365	Police HQ Intake VFD Repair and Replacement	Open		11/01/2023	12/01/2023	11/27/2023			20,960.00
Vendor 3692 - Trane US Inc Totals						Invoices	1		\$20,960.00
Vendor 4058 - TransUnion Risk and Alternative Data Solutions Inc									
71751-202310-1	Online Investigative Search Engine (10/01/23 - 10/31/23)	Open		11/01/2023	12/15/2023	11/27/2023			193.40
Vendor 4058 - TransUnion Risk and Alternative Data Solutions Inc Totals						Invoices	1		\$193.40
Vendor 4196 - UL LLC									
72020543736	Tower Reinspection	Open		10/14/2023	11/13/2023	11/21/2023			472.50
Vendor 4196 - UL LLC Totals						Invoices	1		\$472.50
Vendor 2501 - United Parcel Service									
00004E3E18453-23	Shipping Charges	Open		11/11/2023	12/11/2023	11/27/2023			39.37
Vendor 2501 - United Parcel Service Totals						Invoices	1		\$39.37

Attachment: Warrant #23 (Warrant 2023 # 23)



Warrant #23

8.1.a

Invoice Due Date Range 11/01/23 - 12/19/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 3601 - United States Alliance Fire Protection, Inc									
1046-F116795	5 Year Check Valve Internal Inspection-1215 N. Quentin Rd	Open		11/15/2023	12/15/2023	11/15/2023			2,175.00
Vendor 3601 - United States Alliance Fire Protection, Inc Totals						Invoices	1		\$2,175.00
Vendor 5186 - Verizon Wireless - VSAT									
9022339551	Cellular Phone Tracking/Tower Dump (23-026552)	Open		11/06/2023	12/06/2023	11/13/2023			125.00
Vendor 5186 - Verizon Wireless - VSAT Totals						Invoices	1		\$125.00
Vendor 5370 - Darlene Vogt									
2023-00000976	Lead Water Service Line Replacement Program Reimbursement	Open		11/21/2023	12/01/2023	11/27/2023			9,893.74
Vendor 5370 - Darlene Vogt Totals						Invoices	1		\$9,893.74
Vendor 3209 - Warehouse Direct									
C5608852-0	Qtrly ECommerce Credit - May23 - Jul23	Open		11/07/2023	11/30/2023	11/27/2023			(30.04)
C5615866-0	Qtrly ECommerce Credit - Jan22 - Apr23	Open		11/20/2023	11/30/2023	11/27/2023			(241.52)
C5618493-0	Qtrly ECommerce Credit - Aug23- Oct23	Open		11/22/2023	11/30/2023	11/29/2023			(14.99)
5611589-0	Kitchen Roll Towels, Urinal Screens and Nat Roll Towels	Open		11/14/2023	12/14/2023	11/15/2023			581.43
Vendor 3209 - Warehouse Direct Totals						Invoices	4		\$294.88
Vendor 3476 - Wirfs Industries Inc									
34315	Parts - T-504	Open		11/07/2023	12/07/2023	11/15/2023			663.00
Vendor 3476 - Wirfs Industries Inc Totals						Invoices	1		\$663.00
Grand Totals						Invoices	149		\$355,415.12

Attachment: Warrant #23 (Warrant 2023 # 23)



Payment Date Range 11/27/23 - 11/27/23
Report By Vendor - Invoice
Summary Listing

Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor 2048 - Quadient Finance USA, Inc 112723	Village Wide Postage for Postage Meter	Paid by EFT #10082		11/27/2023	11/27/2023	11/27/2023		11/27/2023	3,000.00
Vendor 2048 - Quadient Finance USA, Inc Totals						Invoices	1		\$3,000.00
Grand Totals						Invoices	1		\$3,000.00

Attachment: Warrant #23 (Warrant 2023 # 23)

Batch Date: 11/17/2023

Attachment: Warrant #23 (Warrant 2023 # 23)

Village of Palatine
Payment Batch Register

Bank Account: AP - Accounts Payable ZBA

Batch Date: 11/30/2023

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
Bank Account: AP - Accounts Payable ZBA					
Check	11/30/2023	263702 Utility Management Refund	BUSSE , JOY		87.85
		Account Type	Account Number	Transaction Date	Transaction Type
		Residential - Single Family	101019001-001	11/28/2023	Refund
Check	11/30/2023	263703 Utility Management Refund	CEDA		374.58
		Account Type	Account Number	Transaction Date	Transaction Type
Check	11/30/2023	263704 Utility Management Refund	CHAMBLEE , PAT		25.29
		Account Type	Account Number	Transaction Date	Transaction Type
		Residential - Single Family	205255001-001	11/28/2023	Refund
Check	11/30/2023	263705 Utility Management Refund	CICHANSKI , RICHARD		15.08
		Account Type	Account Number	Transaction Date	Transaction Type
		Residential - Single Family	600000453-001	11/28/2023	Refund
Check	11/30/2023	263706 Utility Management Refund	FLORES , JUAN		14.09
		Account Type	Account Number	Transaction Date	Transaction Type
		Residential - Single Family	211759501-001	11/28/2023	Refund
Check	11/30/2023	263707 Utility Management Refund	FURLONG , RALPH		5.41
		Account Type	Account Number	Transaction Date	Transaction Type
		Residential - Single Family	469931002-001	11/28/2023	Refund
Check	11/30/2023	263708 Utility Management Refund	GARRAWAY , ALLAN		80.70
		Account Type	Account Number	Transaction Date	Transaction Type
		Residential - Single Family	208177402-003	11/28/2023	Refund
Check	11/30/2023	263709 Utility Management Refund	GUPALO , ROMAN		6.87
		Account Type	Account Number	Transaction Date	Transaction Type
		Residential - Single Family	407460003-008	11/28/2023	Refund
Check	11/30/2023	263710 Utility Management Refund	HANSON , NOAH		121.14
		Account Type	Account Number	Transaction Date	Transaction Type
		Residential - Single Family	103903301-002	11/28/2023	Refund
Check	11/30/2023	263711 Utility Management Refund	HEOTIS , JOHN		23.60

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Attachment: Warrant #23 (Warrant 2023 # 23)

Village of Palatine

Payment Batch Register

Bank Account: AP - Accounts Payable ZBA

Batch Date: 11/30/2023

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
		Account Type	Account Number	Transaction Date	Transaction Type
Check	11/30/2023	263712 Utility Management Refund	IMPACT CAPITAL LLC		27.01
		Account Type	Account Number	Transaction Date	Transaction Type
		Residential - Single Family	101009005-003	11/28/2023	Refund
Check	11/30/2023	263713 Utility Management Refund	JOHNSON , BRIAN		6.21
		Account Type	Account Number	Transaction Date	Transaction Type
		Residential - Single Family	309177001-002	11/28/2023	Refund
Check	11/30/2023	263714 Utility Management Refund	JOST PROPERTIES LLC		6.55
		Account Type	Account Number	Transaction Date	Transaction Type
		Residential - Single Family	302094205-010	11/28/2023	Refund
Check	11/30/2023	263715 Utility Management Refund	KAY , DANIELLE		55.20
		Account Type	Account Number	Transaction Date	Transaction Type
		Residential - Single Family	600000046-001	11/28/2023	Refund
Check	11/30/2023	263716 Utility Management Refund	KOHNERT , RONALD		36.16
		Account Type	Account Number	Transaction Date	Transaction Type
		Residential - Single Family	419103001-001	11/28/2023	Refund
Check	11/30/2023	263717 Utility Management Refund	LIM , HANNAH		5.58
		Account Type	Account Number	Transaction Date	Transaction Type
		Residential - Single Family	408412402-002	11/28/2023	Refund
Check	11/30/2023	263718 Utility Management Refund	MALIN , SPENCER		34.07
		Account Type	Account Number	Transaction Date	Transaction Type
		Residential - Single Family	309687002-005	11/28/2023	Refund
Check	11/30/2023	263719 Utility Management Refund	MARCIC , FRED AND THERESA		50.50
		Account Type	Account Number	Transaction Date	Transaction Type
		Residential - Single Family	402614601-001	11/28/2023	Refund
Check	11/30/2023	263720 Utility Management Refund	MATALONI , ALEC		81.09
		Account Type	Account Number	Transaction Date	Transaction Type
		Residential - Single Family	207610001-003	11/28/2023	Refund

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Attachment: Warrant #23 (Warrant 2023 # 23)

Village of Palatine

Payment Batch Register

Bank Account: AP - Accounts Payable ZBA

Batch Date: 11/30/2023

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
Check	11/30/2023	263721 Utility Management Refund	MAZUREK , KENNETH		126.25
		Account Type	Account Number	Transaction Date	Transaction Type
		Commercial	521132901-001	11/28/2023	Refund
Check	11/30/2023	263722 Utility Management Refund	PAR REAL ESTATE HOLDINGS LLC		7.39
		Account Type	Account Number	Transaction Date	Transaction Type
		Residential - Single Family	419083502-002	11/28/2023	Refund
Check	11/30/2023	263723 Utility Management Refund	PARMAKSIZ , YAMAN		151.06
		Account Type	Account Number	Transaction Date	Transaction Type
		Residential - Single Family	109034002-003	11/28/2023	Refund
Check	11/30/2023	263724 Utility Management Refund	PATEL , HITASI		109.44
		Account Type	Account Number	Transaction Date	Transaction Type
		Residential - Single Family	480009414-007	11/28/2023	Refund
Check	11/30/2023	263725 Utility Management Refund	PATEL , SHAILESH		11.15
		Account Type	Account Number	Transaction Date	Transaction Type
		Residential - Single Family	418660002-005	11/28/2023	Refund
Check	11/30/2023	263726 Utility Management Refund	RAHIMPOUR , SUSAN		5.08
		Account Type	Account Number	Transaction Date	Transaction Type
		Residential - Single Family	103913904-005	11/28/2023	Refund
Check	11/30/2023	263727 Utility Management Refund	RYAN , JIM		10.81
		Account Type	Account Number	Transaction Date	Transaction Type
		Residential - Single Family	209555004-002	11/28/2023	Refund
Check	11/30/2023	263728 Utility Management Refund	RYCHLEWSKI , TED & EILEEN		80.70
		Account Type	Account Number	Transaction Date	Transaction Type
		Residential - Single Family	309723001-001	11/28/2023	Refund
Check	11/30/2023	263729 Utility Management Refund	SATORU , KOYAMA		23.02
		Account Type	Account Number	Transaction Date	Transaction Type
		Residential - Single Family	208410603-004	11/28/2023	Refund
Check	11/30/2023	263730 Utility Management Refund	THAKKAR , DASHRATH		85.70

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Attachment: Warrant #23 (Warrant 2023 # 23)

Village of Palatine
Payment Batch Register

Bank Account: AP - Accounts Payable ZBA

Batch Date: 11/30/2023

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Check		Account Type		Account Number	Transaction Date	Transaction Type
		Residential - Single Family		401380003-005	11/28/2023	Refund
	11/30/2023	263731	Utility Management Refund	TRIPATHI , RAKESH		50.87
		Account Type		Account Number	Transaction Date	Transaction Type
Check		Residential - Single Family		105392401-004	11/28/2023	Refund
	11/30/2023	263732	Utility Management Refund	WILLIAMSBURG EXEC SUITES		131.99
		Account Type		Account Number	Transaction Date	Transaction Type
		Commercial		514015001-001	11/28/2023	Refund
AP Accounts Payable ZBA Totals:				Transactions: 31		\$1,850.44
	Checks:	31		\$1,850.44		

Attachment: Warrant #23 (Warrant 2023 # 23)

Consider an Ordinance Granting a Four-Unit Condominium Conversion at 425 - 431 N. Cambridge Drive (Cornell Lakes Unit #2) and a Waiver Request from the Village's Sprinkler Requirements (Chapter 6 - Sect. 82 of the Village's Code of Ordinances)

BACKGROUND:

The Subject Property, a 4-unit building, is located within Cornell Lakes Unit #2. The Petitioner and property owner submitted an application and plans to convert the 4-unit building into condominiums. Therefore, the Petitioner is requesting approval of the following:

Approval to convert an existing 4-unit rental townhouse building into a 4-unit condominium building and a waiver of the applicable requirement to install sprinklers (per Section 6-82 Condominium Conversion) of the Village Code of Ordinances.

KEY ISSUES:

- Cornell Lakes was annexed into the Village in 1980 and ultimately rezoned to Planned Development to allow 160 townhouse units in 40 buildings. Over time, many of these units were converted to condominiums.
- The proposed 4-unit building has 4 garage parking spaces and 4 driveway parking spaces, for a total of 2 spaces/unit. The driveway spaces are included in the common area and governed by the declarations/bylaws.
- A component of the petition for Condominium Conversion is a request for a waiver from the applicable sprinkler requirements associated within the Village's Condominium Conversion Ordinance. Many of the existing condominium units within this development have been converted to condominiums without requiring sprinkler installation. As part of the conversion process, and as required by Code, the Petitioner will complete the hard wiring of the fire detection devices within the building. The Petitioner obtained a quote to complete this work and submitted it to the Village's Fire Marshal. Given the size and layout of the building (no common areas or shared entrances), and proposed modifications to the fire protection devices, Staff does not object to the requested waiver of the applicable sprinkler requirements.
- In addition to the application for conversion, the Petitioner submitted draft declarations and a Condominium Plat for the Subject Property. The Condominium Declarations and Association Articles of Incorporation have been initially reviewed as part of the conversion process. These units have been inspected as part of the Village's Rental License review process.

ALTERNATIVES:

1. Approve the condominium conversion and sprinkler requirement waiver.
2. Do not approve the condominium conversion and sprinkler requirement waiver.

RECOMMENDATION:

Staff recommends approval of the Condominium Plat for the property located at 425-431 N. Cambridge Drive and a waiver of the requirement to install sprinklers, per

section 6-82 d (2) and (5).

ACTION REQUIRED:

Consider an Ordinance approving a request for condominium conversion at 425-431 N. Cambridge Drive, and a waiver of the requirement to install sprinklers, per section 6-82 d (2) and (5), subject to the identified conditions.

Consider an Ordinance Granting a Final Planned Development to Allow a Mixed-Use Building, with 2 Commercial Tenant Spaces and 1 Residential Apartment, at 101 & 103 S. Northwest Highway and 411 E. Glencoe Street

BACKGROUND:

On June 7, 2010, the Village Council approved a Planned Development Ordinance (#O-62-10) allowing the building's remodeling for one new residential unit, in conjunction with two commercial tenant spaces. As the improvements were not completed, within Planned Development time limitations, the approval lapsed. On August 15, 2016 the Planned Development was reinstated (#O-107-16), which also lapsed. Subsequently, the property was sold and a new owner is requesting another Planned Development for two commercial tenant spaces and one residential unit (reducing the previously approved bedrooms number from a 2 to 1). Therefore, the Petitioner is requesting approval of the following:

Final Planned Development to allow a mixed-use building, with commercial tenant spaces and one residential unit

KEY ISSUES:

- The current plans maintain the residential unit on the eastern side of the building. Both of the two commercial tenant spaces are currently occupied by a cabinet store (Cabinet Expo), who is also the property owner. The business owner would reside in the residential unit. Directly to the east of the property and proposed residential unit is a single-family residential neighborhood. Therefore, the residential unit is closer to the residential uses and separated from the commercial uses.
- The proposed remodeling of the interior of the unit would not result in any exterior modifications to the building. The existing structure is built to the property lines on almost all sides. The proposed plans also accommodate the required fire separations.
- The residential unit requires 2 parking spaces, which are provided within the 2-car garage for the property. Parking for the commercial uses is located within the Glencoe Street right-of-way and along the Northwest Highway frontage of the property. This parking is for the commercial use and would not serve the residential unit, as a license agreement is not a component of the proposal.

ALTERNATIVES:

1. Approve the Final Planned Development to allow a mixed-use building, with two commercial tenant spaces and one residential unit.
2. Do not approve the Final Planned Development to allow a mixed-use building, with two commercial tenant spaces and one residential unit.

RECOMMENDATION:

Public Hearing: PZC meeting on November 14, 2023.

Residents testifying: None.

Vote: The PZC voted unanimously to approve Final Planned Development (reinstatement) to allow a mixed-use building, with commercial tenant spaces and one residential unit, and

Staff concurs with this recommendation.

ACTION REQUIRED:

A motion to approve the ordinance granting Final Planned Development to allow a mixed-use building, with two commercial tenant spaces and one residential unit, at 101 & 103 S. Northwest Highway and 411 E. Glencoe Street.

Consider Granting an Ordinance for a Variation to Permit a Deck to Encroach into the Required Rear Yard at 28 W. Michigan Avenue

BACKGROUND:

The Petitioner is proposing to construct a new deck off the rear of the existing single-family residence. The proposed deck would be set back approximately 15 feet from the rear property line. The deck height varies with the rear yard grading, ranging from 3.5 feet to 7 feet above grade. Therefore, the Petitioner is requesting approval of the following:

Variation to permit a deck to be 15 feet from the rear lot line, instead of the minimum required 25 feet.

KEY ISSUES:

- The existing residence is set back approximately 33 feet from the rear lot line, instead of the minimum required 40 feet. Therefore, the Subject Property is existing non-conforming based on the required rear yard setback in the R-2 zoning district.
- The deck would be located on the north side of the home and within 15 feet of the rear (north) property line. Decks 16" or more above grade are required to be setback a minimum of 25 feet.
- The subdivision directly to the east (across Plum Grove Road), New Haven Grove (#O-36-03), is a planned development that was amended in 2005 to reduce the required setback for decks to be 10 feet from the rear lot line, instead of the minimum required 25 feet. This is only in effect for 16 & 22 E. Michigan. Additionally, the two aforementioned interior lots have similar lot depths when compared to the Subject Property. All of these lots are shallower than the Subdivision Ordinance's minimum lot depth of 110 feet.

ALTERNATIVES:

1. Approve the Variation to permit a deck to encroach in the required rear yard setback.
2. Do not approve the Variation to permit a deck to encroach in the required rear yard setback.

RECOMMENDATION:

Public Hearing:	PZC meeting on November 14, 2023.
Residents testifying:	None.
Vote:	The PZC voted unanimously to approve the Variation to permit a deck to encroach in the required rear yard setback and Staff concurs with this recommendation.

ACTION REQUIRED:

A motion to approve the Variation to permit a deck to encroach in the required rear yard setback.

Consider an Ordinance Adopting the 2024 Salary Rates of Compensation for Certain Officers and Employees of the Village, Effective January 1, 2024

BACKGROUND:

The Mayor and Village Council annually adopt a salary schedule as part of the budget approval process. The proposed salary schedule remains in effect throughout the year unless formally amended.

KEY ISSUES:

- Several market adjustments are made to the schedule.
- The wage adjustment for non-union and non-management employees is 3.25%.
- Palatine Firefighters, Local #4588 IAFF, is entering the fourth year of a four-year agreement. Wages in the existing contract were subject to re-opener. A signed Memorandum of Agreement provides for an increase of 2.34% for the position of Firefighter/Paramedic and an increase of 2.42% for Fire Lieutenant.
- International Union of Operating Engineers, Local 150 (representing Public Works employees) is entering the third year of a three-year agreement, under which they will receive an increase of 2.77%.
- Fraternal Order of Police, representing Police Officers, is entering the second year of a three year contract, under which they will receive an increase of 3.25%.
- Management/Professional and Executive Leadership positions do not receive a cost of living increase. Merit increases will be based solely upon performance for this group of employees and will vary accordingly as well as any equity adjustments based upon comparable positions and internal equity.

ALTERNATIVES:

1. Approve the ordinance.
2. Do not approve the ordinance.

RECOMMENDATION:

Staff recommends approval of the ordinance establishing rates of compensation for certain officers and employees of the Village, effective January 1, 2024.

ACTION REQUIRED:

A motion to approve the Ordinance Establishing Rates of Compensation for Certain Officers and Employees of the Village, effective January 1, 2024.

Consider a Resolution Appropriating \$2,364,045 of Motor Fuel Tax Funds for the Maintenance of Streets and Highways

BACKGROUND:

The 2024 Capital Improvement Budget identifies the use of \$2,364,045 in Motor Fuel Tax (MFT) funds as a source of revenue for street maintenance.

In order to secure and expend these funds, the State requires that resolutions be passed by the Village indicating their intended use. The State then reviews these resolutions, granting or denying their approval. Historically, the Village has utilized all of its MFT appropriation for use on street maintenance and roadway capital improvements.

KEY ISSUES:

- Resurfacing maintenance activities include partial removal of the pavement structure, spot base repair, spot curb repair, installation of concrete edging, inlet repair, placement of a new surface course and pavement marking.
- In this program, 50/50 apron and curb replacement will also be provided.

ALTERNATIVES:

1. Approve the 2024 resolution appropriating Motor Fuel Tax funds in the amount of \$2,364,045.
2. Refer back to Staff with comments.

RECOMMENDATION:

It is recommended that the Resolution for the Improvement and Maintenance of Streets and Highways be approved, appropriating \$2,364,045 of Motor Fuel Tax funds for the 2024 Street Resurfacing Program.

ACTION REQUIRED:

Motion to approve the resolution appropriating \$2,364,045 of Motor Fuel Tax funds for the Improvement and Maintenance of Streets and Highways.

Consider a Motion to Approve the Updated Fee Schedule Supplement to the Village's Code of Ordinances

BACKGROUND:

Per Sec. 2-471 of the Village Code, the Fee Supplement to the Code of Ordinances is updated annually by the Municipal Cost Index as published in the September issue of American City and County magazine. This published index indicates a 1.23% increase for 2024.

KEY ISSUES:

The 2024 Budget has been prepared based upon the proposed Fee Schedule Supplement. In addition to the general fee increase, there are some adjustments to fees and charges related to utility services as follows:

- Flood Control Fee and Refuse Collection rates were held constant.
- Base residential Water & Sewer Rate was increased by \$0.43 per 1,000 gallons.
- Residential Basic User Charge was increased by \$4.65 per month.

RECOMMENDATION:

Staff recommends approval of the updated Fee Schedule Supplement as presented.

BUDGET IMPACT:

Provides adequate and necessary funding for the provision of services as proposed in the 2024 Budget.

ACTION REQUIRED:

Motion to approve the updated Fee Schedule Supplement to the Code of Ordinances, as presented, effective January 1, 2024.

Consider a Resolution Amending the Village's Employee Handbook for 2024

BACKGROUND:

The Village of Palatine Employee Handbook outlines the rules, regulations, benefits, and conditions of employment that apply to Village employees. Annually, the handbook is reviewed and amended as needed to comply with State, Federal, and local regulations, as well as changing practices. The last update to the handbook was completed with the adoption of the Village's 2023 budget.

KEY ISSUES:

The suggested handbook changes for 2024 include:

- Clarify Section 4.1. Employees hired before February 1, 2017 will be considered for two-step promotions until they reach Step 13 or until reclassified or promoted.
- Health Insurance Advisory Committee and Wellness Committees will be combined.
- Amend Holidays Section to show current practice. Village Manager may designate an alternate day off as a holiday.
- Expand vacation benefits: after completion of five (5), ten (10), eleven (11), twelve (12), thirteen (13), fourteen (14) and nineteen (19) completed years of service. This change re-balances the competitiveness of the Village's vacation program based on comparable community changes in recent years.
- Amend non-bargained police pension employee benefits to maintain parity after promotion to include: Pay unused vacation at separation to the RHS plan; Add advance retirement notice incentive for six months' notice; Enhance sick leave incentive for minimal sick leave usage; Adjust base-line hours for qualified FMLA leave within last 12 months of employment.
- Village Manager may approve alternate payment of unused vacation upon acceptance of resignation or retirement.
- Expand executive leave to select supervisory employees.
- Increase sick leave annual buy-back incentive for employees who use one day or fewer. Eligible employee can now buy-back up to three days sick leave annually.
- Amend sick leave accrual maximums to account for an IMRF employee who reaches maximum IMRF service credit through non-use of sick leave. Pay 50% of balance to RHS plan.
- Move Tuition Assistance Schedule to Employee Intranet, update as needed.

ALTERNATIVES:

1. Approve the recommended changes.
2. Do not approve the recommended changes.

RECOMMENDATION:

Staff recommends adopting the Resolution amending the 2024 Village's Employee Handbook.

ACTION REQUIRED:

A motion to adopt the Resolution amending the 2024 Village's Employee Handbook.

Consider an Ordinance Amending Chapter 12 Offenses and Miscellaneous Provisions of the Palatine Code of Ordinances

BACKGROUND:

From time to time, it is necessary to review different sections and chapters of the Village's Code of Ordinances. Various Village Departments have completed such an analysis of Chapter 12 - Offenses and Miscellaneous Provisions and are recommending several minor revisions.

KEY ISSUES:

The following outlines the significant revisions included within the proposed amendments:

- Modernized language related to communications to include electronic means and social media;
- Removed outdated sections of the Code (ex: Sec 12-5 Profanity and Sec 12-22 Whistles);
- Referenced the Illinois Public Safety Firearm Concealed Carry Act as it relates to carrying concealed weapons (Sec 12-11);
- Removed language which the courts have ruled unenforceable, such as removing vagrants from public spaces (Sec 12-24);
- Removed references to incinerators as they're not allowed (Sec 12-41);
- Created permit fee for controlled open burns (Sec 12-42);
- Removed Article III Fireworks as it is addressed in Chapter 7;
- Removed NWHY & Rohlwing Road from permitted Tag Day intersections (Sec 12-93);
- Strike sections relating to Fire Prevention that are better covered under the reference International Fire Code (various Sections in Article VI and VII);
- Modified definition of Parade to match IL State law (Sec 12-215) and created permit fee for parade or motorcade (Fee Schedule);
- Updated allowed zoning for adult bookstores/movie theaters to B-5 Highway Business (Sec 12-231);
- Expanded definition of retail theft to mirror state statute (Sec 12-262);
- Updated the definition of Trespass to mirror state statute (Sec 12-276);
- Updated the timeline for the removal of an obstruction of an easement from 30 days to 10 days (Sec 12-284);
- Updated false alarm and permitting sections to simplify the fines and fee assessment (Section 12-289);
- Removal of Article XXV as it is in conflict with other sections;
- Addition of the recently approved Ordinance regarding conflicts with the Paid Leave for All Workers Act;
- Updated penalty amounts throughout the Chapter;
- General grammatical, spelling, punctuation and general errors and updates throughout.

ALTERNATIVES:

1. Approve ordinance amending Chapter 12.
2. Do not approve ordinance amending Chapter 12.

RECOMMENDATION:

Staff recommends approval of the ordinance amending Chapter 12 of the Code of Ordinances.

ACTION REQUIRED:

Motion to approve the ordinance amending Chapter 12 of the Code of Ordinances.

Consider an Ordinance Amending Chapter 18 Traffic of the Palatine Code of Ordinances

BACKGROUND:

From time to time, it is necessary to review different sections and chapters of the Village's Code of Ordinances. Various Village Departments have completed such an analysis of Chapter 18 - Traffic and are recommending several minor revisions.

KEY ISSUES:

The following outlines the significant revisions included within the proposed amendments:

- Changed references of “policeman” to “Police Officer”;
- All references to the “police chief” now read “Chief of Police”;
- Removed all ordinances for moving violations (red lights, stops signs, speeding) that can only be enforced under reference (18-1) to state statute (*Ryan v Hanover Park, 1999*);
- Removed the DUI language based on the language being out of date. Like moving violations, the Police Department may choose to prosecute DUIs under 18-1 in the future;
- Removed all specific fines and fee amounts, and inserted language to reference the Village Fee Schedule;
- Further clarified definition of “motorized scooter” to include “propelled without physical peddling” to differentiate it from a bicycle;
- Other grammatical, spelling and punctuation errors.

ALTERNATIVES:

1. Approve an Ordinance amending Chapter 18.
2. Do not approve an Ordinance amending Chapter 18.

RECOMMENDATION:

Staff recommends approval of the Ordinance amending Chapter 18 of the Code of Ordinances.

ACTION REQUIRED:

Motion to approve the Ordinance amending Chapter 18 of the Code of Ordinances.

Consider a Motion to Approve the Village of Palatine 2024 Regular Scheduled Meeting Calendar

8.11

BACKGROUND:

Pursuant to the requirements of the Illinois Open Meetings Act, the attached proposed regular scheduled meetings for calendar year 2024 has been prepared and must be posted and available upon request.

KEY ISSUES:

- Each calendar year a schedule of the regular meetings for Village Council and all Village Boards and Commissions is prepared (including meeting dates, times, and locations).
- The 2024 Meeting Calendar includes only one Village Council meeting in July, consistent with Council's July meeting schedule in recent years. Additionally, the Village Council is scheduled to meet on January 8th and 15th, representing the 2nd and 3rd Monday of the month. Monday, January 22nd is available to conduct a Council meeting if necessary.

ALTERNATIVES:

1. Approve the 2024 Meeting Calendar.
2. Amend the 2024 Meeting Calendar.

RECOMMENDATION:

Staff recommends approval of the regular scheduled meeting calendar for 2024.

ACTION REQUIRED:

Motion to approve the Village of Palatine's regular scheduled meetings for 2024.

Consider an Ordinance Adopting the Calendar Year 2024 Annual Budget

9.B.1

BACKGROUND:

The annual budget must be passed before the start of the fiscal year by municipalities that have adopted the Optional Budget Officer System. The annual budget must be filed with the County Clerk within 30 days of its adoption. The Village Manager, as Budget Officer, is required to submit an annual budget to the Mayor and Village Council. After public discussion, review, and modification, the budget is formally adopted by the Village Council to be the operating plan and financial guide for the Village over the next year (January 1 to December 31, 2024).

KEY ISSUES:

The Village Manager introduced and presented the Proposed CY 2024 Budget to the Mayor and Council at a Special Business, Finance, and Budget Committee Meeting held on Saturday, October 28. Follow-up discussion occurred at the regular Council meeting on November 6, with the required Public Hearing on the Proposed CY 2023 Budget held on November 20.

RECOMMENDATION:

Staff recommends approval of the Proposed CY 2024 Budget.

BUDGET IMPACT:

The Proposed CY 2024 Budget will provide for the continued and uninterrupted provision of services to the stakeholders of the Village of Palatine.

ACTION REQUIRED:

Motion to approve an ordinance adopting the Calendar Year 2024 Annual Budget.

Consider the 2023 Tax Levy Ordinance

9.B.2

BACKGROUND:

The Tax Levy Ordinance must be passed and a certified copy thereof filed with the County Clerk on or before the last Tuesday in December {December 26, 2023}. A public hearing is required if the proposed levy is more than 105% of the prior year's final aggregate levy extensions, plus any amount abated.

KEY ISSUES:

The Mayor and Council have previously reviewed the tax levy request as part of the review of the Proposed CY 2024 Budget.

The final proposed net property tax levy has **no increase from the prior year.** A public hearing is required if the levy is more than 105% of the prior year's final aggregate levy extension, thus no public hearing on the Proposed 2023 Tax Levy was required.

The 2023 Tax Levy Request was formulated using \$2,476,755 million in abatements from various alternative revenue sources.

2023 Proposed Tax Levy

• Total Levy	\$25,013,589
• Abatements	\$2,476,755
• Net Requested Levy	\$22,536,834

The proposed levy for 2023 provides the funds necessary for the Village government to provide effective Public Safety services; fund mandated pension programs; and pay debt service costs for 2024, all with no increase in the property tax levy.

RECOMMENDATION:

Staff recommends that the Mayor and Council approve the 2023 Property Tax Levy Ordinance.

BUDGET IMPACT:

Adoption of this ordinance provides funding for critical Public Safety, Mandated Employee Pension, and legally required Debt Service Expenditures as provided for in the CY 2024 Annual Operating Budget.

ACTION REQUIRED:

Motion to approve the Tax Levy Ordinance, at Council's discretion.

Consider an Ordinance to Abate 2023 Property Tax Levy

9.B.3

BACKGROUND:

The Tax Levy Ordinance must be passed, and a certified copy thereof filed with the County Clerk on or before the last Tuesday in December {December 26, 2023}. (65 ILCS 5/8-3-1)

KEY ISSUES:

Staff is requesting the adoption of the 2023 Property Tax Levy Abatements as proposed. The Proposed 2023 Property Tax Levy includes abatements from various sources, as noted:

- \$1,582,380 from TIF revenues
- \$894,375 from Water & Sewer Revenues

These abatements, totaling \$2,476,755, are proposed to reduce the property tax burden on our stakeholders. These abatements reduce the gross adopted levy from \$25,013,589 to \$22,536,834, a 9.9% reduction.

RECOMMENDATION:

Staff recommends adoption of the 2023 Property Tax Levy Abatement Ordinance as proposed.

BUDGET IMPACT:

Adoption of this ordinance provides for a reduced Property Tax burden on each and every home and business owner in Palatine.

ACTION REQUIRED:

Motion to approve an Ordinance to Abate Property Taxes.

Consider an Ordinance Granting a Special Use, Minor Planned Development Amendment, and Parking Variations to Permit a Montessori School at 600 N. First Bank Drive

This item was initially reviewed at the November 20th Village Council meeting, but was continued to allow the Petitioner an opportunity to further amend the site plan (including a 6-foot wooden fence on the west side of the playground and removal of the basketball structure) and business plan information and to allow Staff to draft ordinance conditions, as follows: 1) limit the class enrollment to 50 (to be submitted to the Village in September and February each school year for inclusion in the Business License file), with a requirement for a Special Use Amendment and Planning & Zoning Commission Public Hearing a Village Council approval, to request an enrollment expansion, 2) include authorization, at the sole discretion of the Village Manager, to impose Montessori School start/dismissal time adjustments to address Village identified traffic management issues within the office park.

BACKGROUND:

The Petitioner is proposing to open a new Montessori School, Grow Montessori Academy, within the ground floor tenant space of the Subject Property. The Montessori would include an approximately 3,500 square foot outdoor play area north of the building. The existing parking stalls would be reconfigured to make space for the proposed outdoor play area. Therefore, the Petitioner is requesting approval of the following:

Special Use to permit a Montessori School at the Subject Property;

Minor Planned Development Amendment to allow for the addition of the outdoor play area within the Renaissance (Sellergren) Planned Development;

Variation to permit 90-degree angled parking spaces to be 18 feet deep, instead of the minimum required 19 feet deep;

Variation to permit two-way cross aisle widths to be 21.6 feet, instead of the minimum required 24 feet; and

Variation to permit 51 parking spaces, instead of the minimum required 67 parking spaces.

KEY ISSUES:

- The Subject Property, zoned Planned Development, is part of the Renaissance Subdivision and follows the B-1 zoning district regulations for permitted and special uses (#O-67-74 Renaissance Sub. PD & #O-8-77 Renaissance Sub. Amended Uses).
- The Montessori Academy will start with two different programs (see below). Once the academy becomes more established, the submitted business plan indicates that additional classes will be offered for toddlers and adolescents (12-14 yrs. old). The initial student enrollment estimate includes 5 - 7 students (ages 3 to 6) and 6 - 10

students (ages 6 to 12). The expected maximum capacity, if /when all proposed programs are established, would be 95 students.

- The Petitioner has indicated that there will be 3 total staff members to start, and will eventually have a maximum of 10 staff members once fully established.
- The Montessori School would operate Monday through Fridays from 8:00 AM - 3:15 PM. As the Academy continues to grow, and once all programs are fully implemented, there would be an option for 'After School Enrichment' until 5:30 PM.
- In response to comments and questions from the Planning and Zoning Commission and the adjacent property owners regarding traffic impacts at the Public Hearing, a business plan addendum was submitted outlining drop-off/pick-up procedures. Drop-off times would be staggered from 7:50-8:00 AM for Elementary and 8:05-8:15 AM for Primary. The addendum indicates that all parents will be advised on said procedures to avoid congestion issues. As a condition of approval, final directional signage for the parking lot is to be submitted in manner acceptable to the Village Engineer.
- The submitted site plan includes outdoor spaces along the north side of the existing building. Per the submitted renderings of the outdoor spaces, the main play area would be in the northwest corner of the Subject Property and would be set back approximately 23 feet from the northern property line abutting North Court.
- The Petitioner has submitted a revised elevation for a 5-foot tall open-style wrought iron fence, instead of the originally proposed 4-foot-tall fence, with adjacent boulder bollards to provide protection from vehicles navigating through and around the parking lot.
- Staff notes the existence of another outdoor play area within the subject planned development at the Learning Loft at 655 N. First Bank Drive. It was granted a minor planned development amendment in 2008 to permit the fenced-in playground area within the Renaissance Planned Development.
- The business plan identifies a maximum student capacity of 95 students between 5 classrooms. In order to fully assess any traffic and parking impacts as well as the noise concerns, the Village Council may want to include a condition limiting the maximum number of students to 50. To exceed that number would require an additional review before the Village with input from surrounding properties and a chance for staff to provide an assessment of operational impacts to date. An additional Village Council review would then be required to increase the number of students beyond 50, with the ability to include additional Special Use conditions and limitations. Any expansion would be solely based upon Council approval.

ALTERNATIVES:

1. Approve the Special Use, minor Planned Development Amendment, and Parking Variations to permit a Montessori School at the subject property.
2. Do not approve the Special Use, minor Planned Development Amendment, and Parking Variations to permit a Montessori School at the subject property.

RECOMMENDATION:

Public Hearing:

PZC meeting on October 10, 2023.

Residents testifying:

1: Adjacent office property owner with noise and traffic questions and comments. 4 spoke in favor of the Montessori school.

Vote: The PZC voted 4-3 to approve the Special Use, minor Planned Development Amendment, and Parking Variations to permit a Montessori School at the subject property. Staff recommends action at the discretion of the Village Council.

ACTION REQUIRED:

A motion to approve the ordinance granting a Special Use, minor Planned Development Amendment, and Parking Variations to permit a Montessori School at the Subject Property.