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

AUGUST 5, 2024

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 - July 15, 2024

IV. MAYOR'S REPORT

1. Certificates of Recognition for Eagle Scouts
2. Certificates of Recognition for the Fremd High School Girls Soccer Team and Fremd High School Boys Tennis Team
3. Proclamation of Appreciation for H.R. Director Pamela Jackson
4. As Submitted

V. RECESS TO THE COMMITTEE OF THE WHOLE

VI. COMMITTEE OF THE WHOLE

A. POLICE POLICY & CODE SERVICES COMMITTEE

SCOTT LAMERAND, CHAIRMAN

1. Consider a Motion Granting Approval of a Waiver of the Village's Sound Amplification Ordinance for St. Theresa's Back to School Picnic on August 18, 2024 at 455 N. Benton Street (Council District: Six)
2. As Submitted

B. COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

TIM MILLAR, CHAIRMAN

1. Consider an Ordinance Amending the Rand Road Corridor Redevelopment Project Area (Council District: Five)

2. Consider Ordinances Granting the Following: (I) Approval of the 'Dundee Road and IL 53 Tax Increment Financing District Eligibility Report, Redevelopment Plan and Project'; (II) Designation of the Project Area as a Redevelopment Project Area for the Purposes of the TIF Act; and (III) Adoption of Tax Increment Allocation Financing Pursuant to the TIF Act to Finance All or a Portion of the Costs of Improvements Proposed to be Made in the Project Area (Council District: Five)

3. Consider a Motion Approving the Downtown TIF District Facade & Interior Building Improvement Grant Program Application for the Property at 48 W. Palatine Road (Council District: Six)

4. As Submitted

C. FIRE POLICY & COMMUNITY INFORMATION COMMITTEE

KOLLIN KOZLOWSKI, CHAIRMAN

1. Consider Award of Contracts for Fire Station 82 Remodel (Council District: Three)

   A. Consider a Motion to Award a Contract for the Fire Station 82 Addition and Renovations Project

   B. Consider a Motion Authorizing the Village Manager to Execute a Proposal for Construction Engineering Services for the Fire Station 82 Addition and Renovations Project

2. As Submitted

D. ADMINISTRATION, TECHNOLOGY & COMMUNITY HEALTH COMMITTEE

BRAD HELMS, CHAIRMAN

1. Consider an Ordinance Amending Chapter 2 - Administration and Chapter 11 - Licenses, Business Regulations of the Code of Ordinances of the Village of Palatine

2. As Submitted

E. BUSINESS FINANCE & BUDGET COMMITTEE

DOUG MYSLINSKI, CHAIRMAN

1. As Submitted

F. INFRASTRUCTURE & ENVIRONMENT COMMITTEE

GREG SOLBERG, 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 Warrant 2024 #15

2. Consider a Motion Granting Approval of a Waiver of the Village's Sound Amplification Ordinance for St. Theresa's Back to School Picnic on August 18, 2024 at 455 N. Benton Street (Council District: Six)

3. Consider an Ordinance Amending the Rand Road Corridor Redevelopment Project Area (Council District: Five)

4. Consider Ordinances Granting the Following: (I) Approval of the 'Dundee Road and IL 53 Tax Increment Financing District Eligibility Report, Redevelopment Plan and Project'; (II) Designation of the Project Area as a Redevelopment Project Area for the Purposes of the TIF Act; and (III) Adoption of Tax Increment Allocation Financing Pursuant to the TIF Act to Finance All or a Portion of the Costs of Improvements Proposed to be Made in the Project Area (Council District: Five)

5. Consider a Motion Approving the Downtown TIF District Facade & Interior Building Improvement Grant Program Application for the Property at 48 W. Palatine Road (Council District: Six)

6. Consider a Motion to Award a Contract for the Fire Station 82 Addition and Renovations Project (Council District: Three)

7. Consider a Motion Authorizing the Village Manager to Execute a Proposal for Construction Engineering Services for the Fire Station 82 Addition and Renovations Project (Council District: Three)

8. Consider an Ordinance Amending Chapter 2 - Administration and Chapter 11 - Licenses, Business Regulations of the Code of Ordinances of the Village of Palatine

9. Consider a Resolution Regarding the Review of Closed Session Minutes

10. Consider a Resolution Appointing a New Authorized Agent for the Administration of Illinois Municipal Retirement Fund

11. Consider a Resolution Appointing a New Plan Coordinator for MissionSquare Retirement

12. Consider an Ordinance Approving a Special Use Transfer to Permit the Continued Operation of a Gas Station and Convenience Store at 800 S. Plum Grove Road (Council District: Two)

13. Consider a Resolution Reducing the SMT Subdivision Public Improvement Security Deposit (Council District: One)

14. Consider a Resolution Reducing the Dundee Park Subdivision Public Improvement Security Deposit (Council District: One)

IX. REPORTS OF STANDING COMMITTEE

A. ADMINISTRATION, TECHNOLOGY & COMMUNITY HEALTH COMMITTEE

BRAD HELMS, CHAIRMAN

1. As Submitted

B. BUSINESS FINANCE & BUDGET COMMITTEE

DOUG MYSLINSKI, CHAIRMAN

1. As Submitted

C. COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

TIM MILLAR, CHAIRMAN

1. As Submitted

D. FIRE POLICY & COMMUNITY INFORMATION COMMITTEE

KOLLIN KOZLOWSKI, CHAIRMAN

1. As Submitted

E. INFRASTRUCTURE & ENVIRONMENT COMMITTEE

GREG SOLBERG, CHAIRMAN

1. As Submitted

F. POLICE POLICY & CODE SERVICES COMMITTEE

SCOTT LAMERAND, CHAIRMAN

1. 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

VILLAGE OF PALATINE

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VILLAGE COUNCIL & COMMITTEE OF THE WHOLE

MINUTES

JULY 15, 2024

Regular Meeting **7:00 PM**

Minutes Acceptance: Minutes of Jul 15, 2024 7:00 PM (APPROVAL OF MINUTES)

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	Present	
Doug Myslinski	District 3 Councilman	Present	
Greg Solberg	District 4 Councilman	Present	
Kollin Kozlowski	District 5 Councilman	Present	
Brad Helms	District 6 Councilman	Absent	

Also Present:
Village Clerk Marg Duer, Village Manager Reid Ottesen, Deputy Village Manager Hadley Skeffington-Vos, Village Attorney Rick Veenstra, Director of Community Development Mike Jacobs, Director of Planning & Zoning Ben Vyverberg, Director of Public Works Matt Barry, Police Chief William Nord, Fire Chief Patrick Gratzianna, IT Director Larry Schroth, Director of Finance Paul Mehring, and Director of Human Resources Pam Jackson, and Human Resources Coordinator Monika Pandya,

II. PLEDGE TO THE FLAG

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

III. PUBLIC HEARING – Time: 7:01 PM

Motion to Open Public Hearing **- Motion Carried by Voice Vote**

RESULT:	**MOTION CARRIED BY VOICE VOTE [UNANIMOUS]**
MOVER:	Kollin Kozlowski, District 5 Councilman
SECONDER:	Scott Lamerand, District 2 Councilman
AYES:	Millar, Lamerand, Myslinski, Solberg, Kozlowski
ABSENT:	Helms

1. Public Hearing for Consideration of: (i) Approval of the 'Dundee Road and IL 53 Tax Increment Financing District Eligibility Report, Redevelopment Plan and Project'; (ii) Designation of the Project Area as a Redevelopment Project Area for the Purposes of the TIF Act; and (iii) Adoption of Tax Increment Allocation Financing Pursuant to the TIF Act to Finance All or a Portion of the Costs of Improvements Proposed to be Made in the Project Area **-** (Council District: Five)

   Community Development Director Mike Jacobs reported that the Village is in the final stages of creating the new Dundee Road/IL 53 TIF District. Tonight is the required public hearing.

   Jacobs indicated that in September, 2023 the Village engaged SB Friedman to complete a TIF eligibility study. On March 21, 2024 the TIF Eligibility Report was filed with the Village Clerk and posted to the website. On May 8, 2024 notice was published in the Daily Herald as required by statute. On May 29, 2024 the Joint Review Board Meeting was held where the TIF was unanimously recommended for approval.

   Additionally, on May 14, 2024 there were 1,540 notice letters sent to residents within 750 feet of the boundary of the proposed TIF. Taxing bodies received written notice on May 14 and June 26, 2024. Taxpayer of records for properties within the proposed TIF received written notice on June 26, 2024. The notice for this evening's public hearing was published in the Daily Herald on June 15 and July 3, 2024.

   Jacobs indicated that the eligibility report found that the area qualifies for a "conservation area" TIF designation by meeting multiple factors.

   Jacobs explained that the new TIF will include a portion of the adjacent TIF for two parcels that have not seen redevelopment. Additionally, the Comprehensive Plan has been amended to reflect the major redevelopment objectives stated in the Friedman study.

   Mayor Schwantz asked if there was anyone else in the audience that wished to testify during the public hearing. Seeing nobody, Mayor Schwantz sought a motion to close the public hearing.

   Motion to Close the Public Hearing **- Motion Carried by Voice Vote**

Minutes Acceptance: Minutes of Jul 15, 2024 7:00 PM (APPROVAL OF MINUTES)

RESULT:	**MOTION CARRIED BY VOICE VOTE [UNANIMOUS]**
MOVER:	Kollin Kozlowski, District 5 Councilman
SECONDER:	Greg Solberg, District 4 Councilman
AYES:	Millar, Lamerand, Myslinski, Solberg, Kozlowski
ABSENT:	Helms

IV. APPROVAL OF MINUTES

1. Village Council & Committee of the Whole - Regular Meeting - June 17, 2024 **- Accepted**

RESULT:	**ACCEPTED [UNANIMOUS]**
MOVER:	Doug Myslinski, District 3 Councilman
SECONDER:	Tim Millar, District 1 Councilman
AYES:	Millar, Lamerand, Myslinski, Solberg, Kozlowski
ABSENT:	Helms

V. MAYOR'S REPORT

1. As Submitted **-**

Mayor Schwantz announced upcoming events:

Thursday, July 18: 4:00-6:30 PM
Summertime Shindig
Palatine Township Senior Center

Saturday, July 20: 9 AM-12 PM
SWANCC Document Destruction Event
Palatine High School

Saturday, August 3, 11 AM - 9 PM
Summerfest
St. Thomas of Villanova

VI. RECESS TO THE COMMITTEE OF THE WHOLE

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

RESULT:	**MOTION CARRIED BY VOICE VOTE [UNANIMOUS]**
MOVER:	Tim Millar, District 1 Councilman
SECONDER:	Scott Lamerand, District 2 Councilman
AYES:	Millar, Lamerand, Myslinski, Solberg, Kozlowski
ABSENT:	Helms

Minutes Acceptance: Minutes of Jul 15, 2024 7:00 PM (APPROVAL OF MINUTES)

VII. COMMITTEE OF THE WHOLE

A. FIRE POLICY & COMMUNITY INFORMATION COMMITTEE

KOLLIN KOZLOWSKI, CHAIRMAN

1. Consider a Motion Approving the TwiLight Fun Run Including a Waiver of the Village's Sound Amplification Ordinance and Temporary Street Closures on August 9, 2024 **- Approved by Voice Vote** (Council District: One)

   Village Manager Reid Ottesen presented the Palatine Park District's request for their 2nd Annual TwiLight Fun Run at the Hamilton Reservoir, including closure of certain Village streets on Friday, August 9 from 6:30 PM to 8:30 PM and a waiver of the Village's sound amplification ordinance. Notification of the event to area residents will be required. The Council approved this event in 2023. The Police Department will use on-duty personnel to assist with the event.

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

2. As Submitted **-**

   Nothing was submitted.

B. ADMINISTRATION, TECHNOLOGY & COMMUNITY HEALTH COMMITTEE – Time: 7:08 PM

BRAD HELMS, CHAIRMAN

In the absence of Chairman Helms, Vice-Chairman Millar opened the Administration, Technology & Communications Committee Meeting.

1. Consider a Motion Granting Approval of a Waiver of the Village's Sound Amplification Ordinance for the 3rd Annual St. Thomas of Villanova Parish Picnic on Saturday, August 3, 2024 **- Approved by Voice Vote** (Council District: Four)

   Village Manager Reid Ottesen reported St. Thomas of Villanova's request to hold their 3rd Annual Parish Picnic event on Saturday, August 3 from 11 AM to 10 PM with a waiver of the sound amplification ordinance for an outdoor mass from 5:00 - 6:00 PM and live music from 6:30 - 9:30 PM. The estimated attendance is 500-600 people.

Minutes Acceptance: Minutes of Jul 15, 2024 7:00 PM (APPROVAL OF MINUTES)

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

2. Consider an Ordinance Amending Chapter 10 - Existing Structures of the Palatine Code of Ordinances **- Motion Carried by Voice Vote**

   Community Development Director Mike Jacobs outlined the significant revisions to Chapter 10 of the Village Code:

- Amend the definitions section,
- Remove several existing repetitive or obsolete sections,
- Amend Section 10-15 regarding the licensing of rental units,
- Amend the annual inspection requirements for multiple dwelling unit buildings, requiring 25% or more of the units to be inspected annually,
- Expand the applicable inspection cancellation fees to include those instances when a unit(s) cannot be accessed, or the inspection cannot be conducted safely.

   Councilman Kozlowski clarified and confirmed that the county coordination of rental licenses depends on our evaluation.

RESULT:	**MOTION CARRIED BY VOICE VOTE [UNANIMOUS]**
MOVER:	Scott Lamerand, District 2 Councilman
SECONDER:	Kollin Kozlowski, District 5 Councilman
AYES:	Schwantz, Millar, Lamerand, Myslinski, Solberg, Kozlowski
ABSENT:	Helms

3. As Submitted **-**

   Nothing was submitted

C. COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE – Time: 7:11 PM

TIM MILLAR, CHAIRMAN

1. Consider Ordinances and a Resolution Granting Final Planned Development, Preliminary and Final Plat of Subdivision/Consolidation, Special Use for Fill in the Floodplain, and a Rezoning to Planned Development at 1855 N. Hicks Road **- Motion Carried by Voice Vote** (Council District: Three)

Minutes Acceptance: Minutes of Jul 15, 2024 7:00 PM (APPROVAL OF MINUTES)

Planning & Zoning Director Ben Vyverberg reported that the Housing Opportunity Development Corporation and Shelter, Inc., received Preliminary Planned Development approval in August 2023 for a 12-bedroom residential facility to provide housing for young women victims of sexual exploitation. Housing Opportunity Development Corporation and Shelter Inc. request approval of the following: 1) Final Planned Development; 2) Special Use for Fill in a Floodplain, with compensatory storage provided; 3) Preliminary and Final Plat of Subdivision (Plat Consolidation); and 4) Rezoning to Planned Development. Since the initial approval, the organizations have completed the necessary architectural and engineering plans for the final approvals. The proposed building location was adjusted to avoid impacting the existing floodplain/wetland on the property. The building size, floorplan, and layout are consistent with the Preliminary Planned Development approval. Shelter Inc. will maintain four offices to staff the residence on a 24-hour basis, for a 3:1 ratio, with four Shelter Inc. staff members present at full occupancy. The Planning & Zoning Commission voted unanimously to approve.

In response to Councilmen Kozlowski and Millar, Village Manager Ottesen stated that container construction is permitted.

Councilman Myslinski is pleased this is coming into District 3.

Petitioners Richard Koenig and Rory Rubin addressed questions regarding the construction process, stating that it is economical, 20% cost savings with 6 to 9-month completion. We are building to code, insulating with fire retardant spray foam and hardie board cladding. They are working very closely with staff.

RESULT:	**MOTION CARRIED BY VOICE VOTE [UNANIMOUS]**
MOVER:	Doug Myslinski, District 3 Councilman
SECONDER:	Greg Solberg, District 4 Councilman
AYES:	Schwantz, Millar, Lamerand, Myslinski, Solberg, Kozlowski
ABSENT:	Helms

2. Consider an Ordinance Approving the Village of Palatine's 2024 CDBG Action Plan **- Motion Carried by Voice Vote**

Planning & Zoning Director Ben Vyverberg reported the Village's anticipated CDBG FY2024 entitlement amount is $480,133, which represents a 3.5% decrease from last year. The Village may recommend up to 15% ($72,019) for social service providers and up to 20% ($96,026) for program administration. The Village has historically utilized the remaining funds for public improvement projects and this year's Action Plan continues that recommendation. Staff recommends approval of the CDBG expenditures for FY2024 as outlined.

Minutes Acceptance: Minutes of Jul 15, 2024 7:00 PM (APPROVAL OF MINUTES)

RESULT:	**MOTION CARRIED BY VOICE VOTE [UNANIMOUS]**
MOVER:	Doug Myslinski, District 3 Councilman
SECONDER:	Kollin Kozlowski, District 5 Councilman
AYES:	Schwantz, Millar, Lamerand, Myslinski, Solberg, Kozlowski
ABSENT:	Helms

3. As Submitted **-**

Nothing was submitted

D. INFRASTRUCTURE & ENVIRONMENT COMMITTEE

GREG SOLBERG, CHAIRMAN

1. Water Main Replacement Contract 3

Public Works Director Matt Barry recommended water main replacements:

1.Peregrine Drive from Falmore Drive to Quentin Road, including Peregrine Court and Tymore Court.
2. Linden Avenue from Robertson Street to Ashland Avenue.

Barry recommended awarding the contract to the lowest responsible bidder, Gerardi Sewer & Water Company of Addison, Illinois in the amount of $1,771,252. Barry stated water main replacement construction is to begin in August and be completed by October and recommended construction engineering services. Based on past experience, Barry recommended authorizing the Village Manager to execute the proposal with Doland Engineering.

RESULT:	**ADOPTED BY VOICE VOTE [UNANIMOUS]**
MOVER:	Kollin Kozlowski, District 5 Councilman
SECONDER:	Doug Myslinski, District 3 Councilman
AYES:	Schwantz, Millar, Lamerand, Myslinski, Solberg, Kozlowski
ABSENT:	Helms

A. Consider a Motion to Award a Contract for the 2024 Water Main Replacement Contract 3 Project **- Approved**

B. Consider a Motion Authorizing the Village Manager to Execute a Proposal for Construction Engineering Services for the 2024 Water Main Replacement Contract 3 Project **- Approved**

2. Consider a Motion Authorizing the Village Manager to Execute an Amendment to the General Agreement for Use of Dark Fiber with Unite Private Network **- Approved by Voice Vote**

Minutes Acceptance: Minutes of Jul 15, 2024 7:00 PM (APPROVAL OF MINUTES)

Based on a 2011 general agreement with Unite Private Network and the Village of Palatine, Public Works Director Matt Barry recommended the lease amendment be approved to allow construction of the relocated Unite facility necessary to accommodate our Fire Station 82 addition. Staff recommends authorizing the Village Manager to execute the Amendment. American Rescue Plan (ARPA) funds in the amount of $45,000 have been appropriated in the Capital Improvement Budget to accommodate this project.

RESULT:	**APPROVED BY VOICE VOTE [UNANIMOUS]**
MOVER:	Jim Schwantz, Mayor
SECONDER:	Scott Lamerand, District 2 Councilman
AYES:	Schwantz, Millar, Lamerand, Myslinski, Solberg, Kozlowski
ABSENT:	Helms

3. As Submitted **-**

   Nothing was submitted

E. BUSINESS FINANCE & BUDGET COMMITTEE – Time: 7:26 PM

DOUG MYSLINSKI, CHAIRMAN

1. As Submitted **-**

   Nothing was submitted

F. POLICE POLICY & CODE SERVICES COMMITTEE – Time: 7:26 PM

SCOTT LAMERAND, CHAIRMAN

1. As Submitted **-**

   Nothing was submitted

VIII. RECONVENE THE VILLAGE COUNCIL MEETING – Time: 7:26 PM

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

RESULT:	**MOTION CARRIED BY VOICE VOTE [UNANIMOUS]**
MOVER:	Scott Lamerand, District 2 Councilman
SECONDER:	Tim Millar, District 1 Councilman
AYES:	Millar, Lamerand, Myslinski, Solberg, Kozlowski
ABSENT:	Helms

Minutes Acceptance: Minutes of Jul 15, 2024 7:00 PM (APPROVAL OF MINUTES)

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:	Scott Lamerand, District 2 Councilman
SECONDER:	Tim Millar, District 1 Councilman
AYES:	Millar, Lamerand, Myslinski, Solberg, Kozlowski
ABSENT:	Helms

1. Consider a Motion to Approve Warrant 2024 #14 **- Approved**

2. Consider a Motion Approving the TwiLight Fun Run Including a Waiver of the Village's Sound Amplification Ordinance and Temporary Street Closures on August 9, 2024 **- Approved** (Council District: One)

3. Consider a Motion Granting Approval of a Waiver of the Village's Sound Amplification Ordinance for the 3rd Annual St. Thomas of Villanova Parish Picnic on Saturday, August 3, 2024 **- Approved** (Council District: Four)

4. Consider an Ordinance Amending Chapter 10 - Existing Structures of the Palatine Code of Ordinances **- Approved**

   Ordinance #O-62-24

5. Consider Ordinances and a Resolution Granting Final Planned Development, Preliminary and Final Plat of Subdivision/Consolidation, Special Use for Fill in the Floodplain, and a Rezoning to Planned Development at 1855 N. Hicks Road **- Approved** (Council District: Three)

   Ordinance #O-63-24
   Resolution #R-27-24
   Ordinance #O-64-24
   Ordinance #O-65-24

6. Consider an Ordinance Approving the Village of Palatine's 2024 CDBG Action Plan **- Approved**

   Ordinance #O-66-24

7. Consider a Motion to Award a Contract for the 2024 Water Main Replacement Contract 3 Project **- Approved**

8. Consider a Motion Authorizing the Village Manager to Execute a Proposal for Construction Engineering Services for the 2024 Water Main Replacement Contract 3 Project **- Approved**

Minutes Acceptance: Minutes of Jul 15, 2024 7:00 PM (APPROVAL OF MINUTES)

9. Consider a Motion Authorizing the Village Manager to Execute an Amendment to the General Agreement for Use of Dark Fiber with Unite Private Network **- Approved**

10. Consider an Ordinance Reducing the Security Deposit and Commencing the One-Year Maintenance Period for Taylor Estates Subdivision at 301-305 N. Clyde Avenue **- Approved** (Council District: One)

    Resolution #R-28-24

X. REPORTS OF STANDING COMMITTEE

A. ADMINISTRATION, TECHNOLOGY & COMMUNITY HEALTH COMMITTEE

BRAD HELMS, CHAIRMAN

In the absence of Chairman Helms, Vice Chairman Millar opened the Administration, Technology & Communication Committee.

1. As Submitted **-**

   No Report

B. BUSINESS FINANCE & BUDGET COMMITTEE – Time: 7:27 PM

DOUG MYSLINSKI, CHAIRMAN

1. As Submitted **-**

   No Report

C. COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE – Time: 7:27 PM

TIM MILLAR, CHAIRMAN

1. As Submitted **-**

   No Report

D. FIRE POLICY & COMMUNITY INFORMATION COMMITTEE – Time: 7:27 PM

KOLLIN KOZLOWSKI, CHAIRMAN

1. As Submitted **-**

   No Report

Minutes Acceptance: Minutes of Jul 15, 2024 7:00 PM (APPROVAL OF MINUTES)

E. INFRASTRUCTURE & ENVIRONMENT COMMITTEE – Time: 7:27 PM

GREG SOLBERG, CHAIRMAN

1. As Submitted **-**

   No Report

F. POLICE POLICY & CODE SERVICES COMMITTEE – Time: 7:27 PM

SCOTT LAMERAND, CHAIRMAN

1. As Submitted **-**

   No Report

XI. REPORTS OF THE VILLAGE OFFICERS – Time: 7:27 PM

A. VILLAGE MANAGER

1. As Submitted **-**

   No Report

B. VILLAGE CLERK – Time: 7:27 PM

1. As Submitted **-**

   No Report

C. VILLAGE ATTORNEY – Time: 7:27 PM

1. As Submitted **-**

   No Report

XII. CLOSED SESSION AS REQUIRED

No Closed Session requested.

XIII.RECOGNITION OF AUDIENCE – Time: 7:27 PM

Franklin Skorski, Palatine, complimented the Village staff and organization, but expressed concern regarding the Park District's handling of the issues regarding the Palatine Stables.

Minutes Acceptance: Minutes of Jul 15, 2024 7:00 PM (APPROVAL OF MINUTES)

XIV. ADJOURNMENT – Time: 7:27 PM

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

RESULT:	**MOTION CARRIED BY VOICE VOTE [UNANIMOUS]**
MOVER:	Tim Millar, District 1 Councilman
SECONDER:	Kollin Kozlowski, District 5 Councilman
AYES:	Millar, Lamerand, Myslinski, Solberg, Kozlowski
ABSENT:	Helms

SUBMITTED BY:

Margaret R. Duer
Village Clerk

Minutes Acceptance: Minutes of Jul 15, 2024 7:00 PM (APPROVAL OF MINUTES)

Certificates of Recognition for Eagle Scouts

BACKGROUND:
The Rank of Eagle Scout is the highest honor a Scout can obtain. This rank, achieved by only 6% of all Scouts, has made over 2 million Eagle Scouts since its inception in 1912. The Rank of Eagle Scout is awarded to Scouts who consistently perform to the best of their personal ability, exceeding expectations at every step.

The following local Scouts are receiving Certificates of Recognition for attaining this prestigious honor during the past year:

Troop 182: Scoutmaster Bill Richards
- **Isaac Menning**
- **Simon Keller**
- **Jeremy Reidel**

Troop 188: Scoutmaster Brock Lindquist
- **Austin J. Reedy**

Troop 209G: Scoutmaster Adam B. Casbarian
- **Isabel Pollpeter**
- **Abby Pollpeter**
- **Sahana Srinvasan**
- **Jillian Harvey**
- **Rebecca Pinedo**

Troop 209B: Scoutmaster Erik Hildebrandt
- **Jeremy Glab**
- **Jack Connelly**
- **Gabe Casbarian**
- **Arvin Bashin**
- **James Yu**
- **Eli Musicar**
- **Seth Hildebrandt**
- **Michael Hansen**
- **Aiden McCurley**

Troop 335: Scoutmaster Ken Russell
- **David Koikkara**
- **Edwin McKee**

Certificates of Recognition for the Fremd High School Girls Soccer Team and Fremd High School Boys Tennis Team

BACKGROUND:

On Saturday, June 1, 2024, the Fremd Girls Soccer team placed third at the IHSA State Girls Soccer Finals in Naperville, Illinois.

Team Members:

Riley Goettsche, Emily Gordon, Ciera Ewanio, Josie Thomas, Lia Digirolamo, Gemma Gillespie, Gia Gillespie, Cami Tofilon, Ava Catherall, Molly Rodino, Sophia Kennedy, Maddie McMillan, Lily Mayer, Andrea Bravo, Addi Rushing, Bella Scesniak, Natalia Wala, Francesca Calderon, Natalie Dompke, Eleni Sotos, Sammie Serpico, Gianna Pietrini, Gwen Zimmerman, Ella Catelloni, Erika D'Angelo

Coaches:

Steve Keller (Head Coach), Andrew Connor, William Buelow, Kathleen Holmberg, Matt Callison, and Gerardo Pagnani.

On Saturday, May 25, 2024, the Fremd Boys Tennis team placed fourth overall at the IHSA State Boys Tennis Finals in Palatine, Illinois. Player Andrew Spurck placed third in singles, and players Amaye Shyani and Shashwat Srivatsa placed third in doubles.

Team Members:

Andrew Spurck, Amaye Shyani, Shashwat Srivatsa

Coaches:

Johnny Kent (Head Coach) and Athletic Director Hamid Mehreioskouei.

Proclamation of Appreciation for H.R. Director Pamela Jackson

BACKGROUND:
On April 30, 2002, Pam Jackson began her service to the Village of Palatine as the Human Resources Director. After 22 years of service to the Village of Palatine, Pam will be retiring as HR Director on August 16, 2024.

KEY ISSUES:

- Pam served as the Village of Palatine HR Director for 22 years.
- Pam has served with great professionalism and dedication, above and beyond expectations.
- Pam's dedication, commitment, initiative, enthusiasm, and passion for the employees and the Village of Palatine will be sorely missed.
- Pam has been a long-time member of the National Safety Council, Illinois Public Employer Labor Relations Association, Society for Human Resources Management, Intergovernmental Personnel Benefit Cooperative, Intergovernmental Risk Management Agency; and founded the Northern Illinois Public Insurance Risk Group with Highland Park and Lake Forest.

ACTION REQUIRED:
The Mayor and Village Council of the Village of Palatine, all Village of Palatine employees, and the entire Palatine community, offer their heartfelt thanks and appreciation to Pam Jackson for her commitment and dedication to the Village of Palatine for 22 years of employment and wish her the very best in her well-deserved retirement.

ATTACHMENTS:

- Pam Jackson - Appreciation Proclamation 2024

Proclamation of Appreciation
Pamela Jackson

WHEREAS, the Village of Palatine has always sought to obtain the highest degree of professionalism and dedication in every employee in every department of the Village; and

WHEREAS, on April 30, 2002, Pam Jackson began her service to the Village of Palatine as the Human Resources Director; and

WHEREAS, during her 22 years of service to the Village of Palatine, Pam has served with great professionalism and dedication; handling vast responsibilities associated with being the Human Resource Director; and

WHEREAS, under Pam's directorship, 571 new employees were hired for the Village of Palatine, 291 of which are still active; and

WHEREAS, Pam's dedication, commitment and passion in assisting Village of Palatine employees with their employment, insurance, and retirement needs, will be sorely missed; and

WHEREAS, Pam has been a long time member of several organizations most notably the National Safety Council, Illinois Public Employer Labor Relations Association, Society for Human Resources Management, Intergovernmental Personnel Benefit Cooperative, Intergovernmental Risk Management Agency; and founded the Northern Illinois Public Insurance Risk Group with Highland Park and Lake Forest; and

WHEREAS, Pam is admired for her dedication, integrity, strong work ethic and loyalty in serving the Village of Palatine; and

WHEREAS, the Village of Palatine desires to acknowledge its indebtedness and gratitude to Pam Jackson for her 22 years of service to the Village of Palatine.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Village Council of the Village of Palatine, offer their heartfelt thanks and appreciation to Pam Jackson for her commitment and dedication to the Village of Palatine and wish her the very best in her well-deserved retirement.

DATED: August 5, 2024

_____
Mayor, Village of Palatine

Attachment: Pam Jackson - Appreciation Proclamation 2024 (Pam Jackson - Proclamation of Appreciation)

Consider a Motion Granting Approval of a Waiver of the Village's Sound Amplification Ordinance for St. Theresa's Back to School Picnic on August 18, 2024 at 455 N. Benton Street

BACKGROUND:
St. Theresa School, 455 N. Benton Street, would like to host a Back to School Picnic on Sunday, August 18, 2024 from 11:30 AM to 4:00 PM. To accommodate the event, the Petitioner is requesting a waiver of the Village's Sound Amplification Ordinance.

KEY ISSUES:
St. Theresa is requesting a waiver of the Village's Amplified Sound Ordinance from 11:30 AM to 3:30 PM to accommodate a piano keyboard for praise and worship music, DJ and two speakers. Speakers will be set up in the back field away from neighboring streets.

ALTERNATIVES:
1. Approve the sound waiver request.
2. Do not approve the sound waiver request.

RECOMMENDATION:
Staff recommends approval of the sound waiver request.

ACTION REQUIRED:
Motion approving the St. Theresa Back to School Picnic waiver of the Village's amplified noise ordinance.

ATTACHMENTS:

- St. Theresa Back to School Picnic

VILLAGE OF PALATINE
SPECIAL EVENT PERMIT APPLICATION

THIS FORM MUST BE COMPLETED IN FULL AND SUBMITTED 60 DAYS PRIOR TO THE EVENT
Village Manager's Office, 200 E. Wood St., Palatine, IL 60067 Fax: 847-359-9094

INSTRUCTIONS: PLEASE TYPE OR PRINT CLEARLY. INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED.

GENERAL EVENT INFORMATION

Name of Event
St Theresa Back to School Picnic

Exact Address of Event
455 N. Benton Street, Palatine, IL 60067

Type of Event (Check all applicable)

☒ Festival ☐ Run/Walk ☐ Parade ☐ Car Show ☐ Craft Fair ☐ Fireworks ☐ Other

Date(s) of Event	Hours of Event	Total Hours (Step-up - Tear down)
Sunday August 18th, 2024	11:30 am - 4:00 pm	9 am - 9 pm

Phone number/website for publication	Estimated attendance	Last years actual attendance
8473591820/www.sttheresachurch.org	250	N/A

Describe the event's community and/or cultural benefit

Back to school parish picnic to help build our community and the surrounding areas, all are invite

SPONSORING ORGANIZATION INFORMATION

Name of Sponsoring Organization	Contact person from Sponsoring Organization	
St Theresa Church	[redacted]	
Sponsoring Organization Address	**City**	**Zip**
455 N Benton St.	Palatine	60067
Phone Number	**E-Mail**	**Website**
[redacted]	[redacted]	www.sttheresachurch.org

ORGANIZER/COORDINATOR INFORMATION

Name of Organizer/Coordinator	E-mail	
[redacted]	[redacted]	
Organizer/Coordinator Address	**City**	**Zip**
[redacted]	[redacted]	60010
Phone Number	**Cell Phone Number**	**Fax Number**
[redacted]	[redacted]	n/a

EMERGENCY CONTACT INFORMATION

Name of Emergency Contact	E-mail	
[redacted]	[redacted]	
Emergency Contact Address	**City**	**Zip**
[redacted]	[redacted]	[redacted]
Phone Number (24hours)	**Cell Phone Number**	**Fax Number**
[redacted]	[redacted]	n/a

Attachment: St. Theresa Back to School Picnic (St. Theresa Back to School Picnic)

VILLAGE OF PALATINE
SPECIAL EVENT PERMIT APPLICATION

THIS FORM MUST BE COMPLETED IN FULL AND SUBMITTED 60 DAYS PRIOR TO THE EVENT
Village Manager's Office, 200 E. Wood St., Palatine, IL 60067 Fax: 847-359-9094

INSTRUCTIONS: PLEASE TYPE OR PRINT CLEARLY. INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED.

EVENT OVERVIEW

Are you providing/serving food at your event that is considered potentially hazardous, being prepared on-site, or being re-packed and sold in bulk? Below are some foods exempt from a permit (not all are listed): -Pre-packaged, non-potentially hazardous foods (i.e. packaged cookies, chips, crackers, bread, etc.) -Non-potentially hazardous, minimally cut, unprocessed fruits or vegetables (ie. apples, bananas, etc.) **QUESTIONS ON WHAT QUALIFIES AS EXEMPT? CALL (847) 359-9090.**	☑ Yes ☐ No	If yes, how may vendors? 1 **Each vendor must submit a Temporary Food Event Permit Application 14 days prior to the event. Applications can be found at: https://permits.palatine.il.us/EnerGov_Prod/SelfService/PalatineILProd#/home Questions? Contact (847) 359-9090. Please see application for full details on what is required.**
Are you erecting either: **(1)** tent(s) larger than 20'x40' (or 800 sq. ft.) or **(2)** that accommodates more than 100 people or **(3)** temporary structure(s) (ie. stage) taller than 2' in height or **(4)** that will be equipped with temporary electrical power?	☐ Yes ☑ No	**If yes, you must submit a Temporary Structure Permit Application 30 days prior to the event. Applications can be found at: https://permits.palatine.il.us/EnerGov_Prod/SelfService/PalatineILProd#/home Questions? Contact (847) 359-9037. Electric submissions are required. Please see application for full details on what is required.**
Are you serving alcoholic beverages at your event?	☐ Yes ☑ No	**Alcohol vendors must submit a Special Event Liquor License 60 days prior to the event. You must obtain a Special Event Liquor License for each liquor vendor. Applications can be found at: http://www.palatine.il.us/events/forms/applications.aspx. Questions? Contact (847) 359-9031.**
Will the event include a Race/Walk or Parade?	☐ Yes ☑ No	**If yes, you must complete, Page 3, Section 1.**
Will electronic sound amplification equipment or a public address system be used at the event?	☑ Yes ☐ No	**If yes, you must complete, Page 3, Section 2.**
Are you utilizing any public parking lots, Village streets or other Village property for your event?	☐ Yes ☑ No	**If yes, you must complete, Page 3, Section 3.**

ACKNOWLEDGEMENT/SIGNATURE

By signing this document, I certify that the information provided above is correct. I agree to conduct the special event in compliance with all applicable codes, ordinances, laws and the conditions contained in the special event permit.

Felicia Jayes FJayes
Signature of Organizer

July 24th, 2024
Date

Application must include the following documentation

- ☐ Special Event Application (Page 1, 2, 3, 4)
- ☐ Certificate of Insurance (see Section 5)
- ☐ Site Plan and/or Race/Parade Route Map

You MUST submit a new site plan or parade/race route on an annual basis.

APPLICATIONS WITH MISSING INFORMATION WILL NOT BE PROCESSED.

Attachment: St. Theresa Back to School Picnic (St. Theresa Back to School Picnic)

VILLAGE OF PALATINE
SPECIAL EVENT PERMIT APPLICATION

THIS FORM MUST BE COMPLETED IN FULL AND SUBMITTED 60 DAYS PRIOR TO THE EVENT
Village Manager's Office, 200 E. Wood St., Palatine, IL 60067 Fax: 847-359-9094

INSTRUCTIONS: PLEASE TYPE OR PRINT CLEARLY. INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED.

Name of Event

SECTION 1: RACE/WALK, PARADE INFORMATION ☐ Not Applicable

Starting Location	Ending Location
Approximate Number of Attendees (runners/marchers)	Approximate Number of Vehicles (cars/floats)
Location of Assemble (Registration)	Location of Personal Vehicle Parking

Please attach a course map, with location of the staging area, start/finish lines, and water/first aid stations

SECTION 2: NOISE CONTROL PLAN ☐ Not Applicable

Please attach a Site Plan, with the location of the stages and sound systems, the location and direction of all speakers, and the proximity to residential properties

Amplified sound will be used from: (am/pm)	Amplified sound will be used to: (am/pm)
11:30 am	3:30 pm

Describe the sound system(s)

Piano keyboard for praise and worship music and DJ equipment- 2 speakers and a microphone

Explain how the sound will be controlled and identify the means by which it can be further controlled if necessary:

Speakers will be set up in the back field away from neighboring streets

The Village has the right to require applicants to revise locations, hours, or plans to control amplified music/speech.

SECTION 3: PARKING LOT/PROPERTY USAGE/CLOSURE INFORMATION ☐ Not Applicable

Public Parking Lot / Property Intended for "Event"

Lot Number or Location	Date of Closure	Time of Closure	Date to Reopen	Time of Reopen

1. No staking in the street or public parking lot is permitted.
2. Only chalk or other Village approved marking is permitted (no spray paint).
3. Any debris/stains must be removed immediately prior to the opening of the street/public parking lot.
4. No structures may be erected on any street/public parking Lot without prior approval/permit.

Attachment: St. Theresa Back to School Picnic (St. Theresa Back to School Picnic)

VILLAGE OF PALATINE
SPECIAL EVENT PERMIT APPLICATION

THIS FORM MUST BE COMPLETED IN FULL AND SUBMITTED 60 DAYS PRIOR TO THE EVENT
Village Manager's Office, 200 E. Wood St., Palatine, IL 60067 Fax: 847-359-9094

INSTRUCTIONS: PLEASE TYPE OR PRINT CLEARLY. INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED.

SECTION 4: INDEMNITY/HOLD HARMLESS AGREEMENT

Name of Sponsoring Organization
St Theresa Church

Name of Event
St Theresa Back to School Picnic

Date(s) of Event
August 18th, 2024

To the fullest extent permitted by law, the Organization hereby agrees to defend, indemnify and hold harmless the Village of Palatine, its officials, agents and employees, against all injuries, deaths, loss, damages, claims, patent claims, suits, liabilities, judgments, cost and expenses, which may in any way accrue against the Village of Palatine, its officials, agents and employees, arising in whole or in part or in consequence of the Event, and/or its employees, and or subcontractors' participation in Event, or which may in any way result therefore. The Organization shall, at its own expense, appear, defend and pay all charges of attorneys and all costs and other expenses arising therefore or incurred in connection therewith, and, if any judgment shall be rendered against the Village of Palatine, its officials, agents and employees, in any such action, the Organization shall, at its own expense, satisfy and discharge the same.

The Organization expressly understands and agrees that any performance bond or insurance policies required by the Village of Palatine, or otherwise provided by the Organization shall in no way limit the responsibility to indemnify, keep and save harmless and defend the Village of Palatine, its officials, agents and employees as herein provided.

The Organization expressly understands and agrees that the Village shall be named as an additional insured party on the insurance policy and that the Organization shall have no permission or authority to engage in the Event until evidence deemed acceptable to the Village has been provided to establish that the Village has been named as an additional insured party on the insurance policy .

SIGNATURE

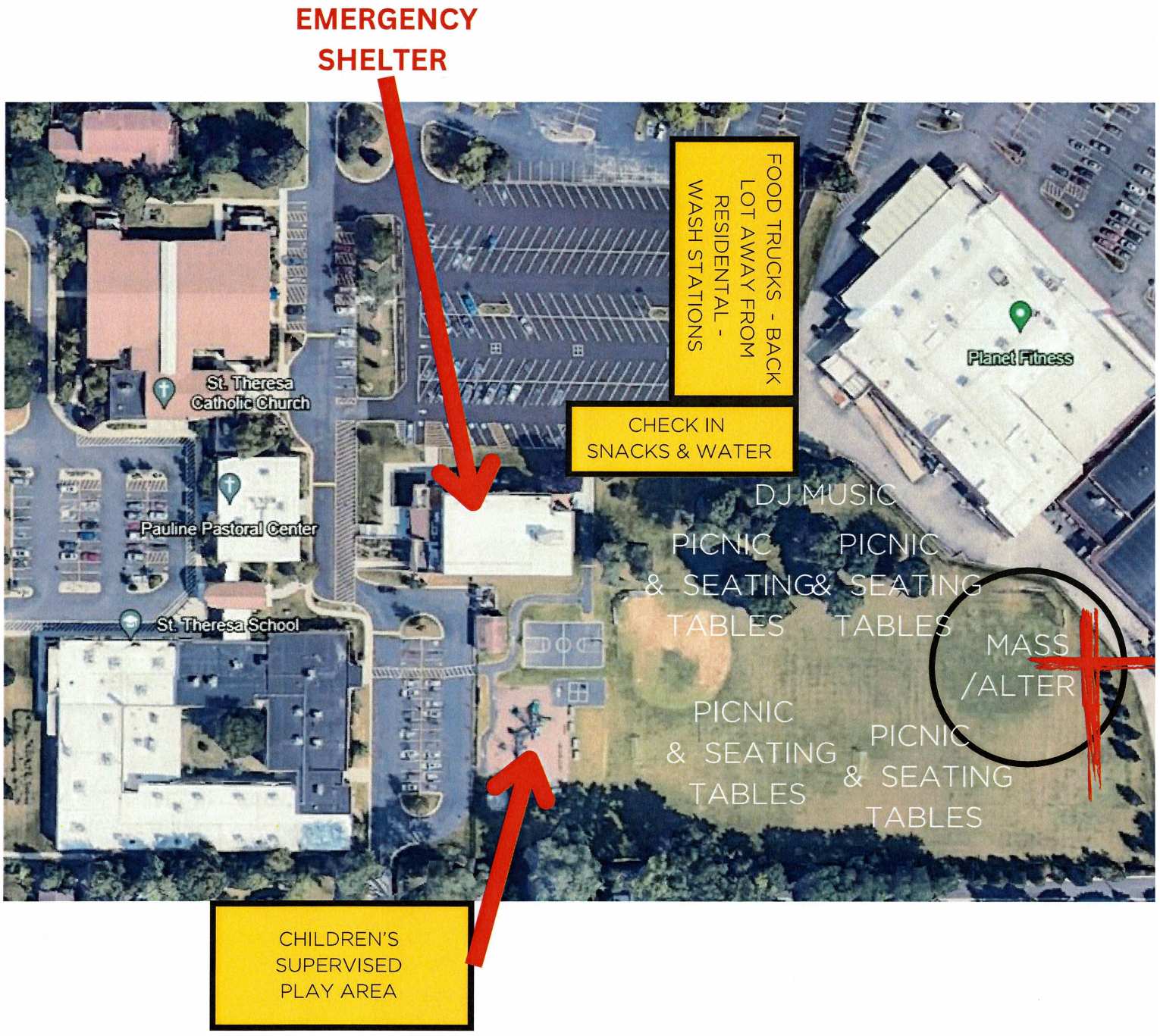
Felicia Jayes	Director of Development	7/24/2024
PRINT NAME	TITLE/POSITION	DATE

SECTION 5: INSURANCE REQUIREMENTS

INSURANCE REQUIREMENTS

Sponsoring Organization will be required to provide an original Certificate of Insurance, as well as the additional insured endorsement evidencing the following insurance minimums: Commercial General Liability - minimum $1,000,000 per occurrence. Final acceptance of applicant is contingent on applicant naming the Village of Palatine, their employees, agents and officials as additional insured on a primary and non-contributory basis.

Attachment: St. Theresa Back to School Picnic (St. Theresa Back to School Picnic)



Attachment: St. Theresa Back to School Picnic (St. Theresa Back to School Picnic)

Consider an Ordinance Amending the Rand Road Corridor Redevelopment Project Area

BACKGROUND:
On January 27, 2003, the Village adopted Ordinances O-23-03, O-24-03, and O-25-03 which approved a redevelopment plan, designated the Rand Road Corridor Project Area as a redevelopment project area, and authorized the use of the Tax Increment Allocation Redevelopment Act. The Village is currently in the process of creating the Dundee Road and IL 53 TIF District, which will include two parcels of real estate, and abutting right-of-way, that are currently located within the Rand Road Corridor Redevelopment Project Area. Based on these circumstances, an amendment to the boundary of the existing Rand Road Corridor Redevelopment Project Area is necessary. Therefore, Staff recommends approval of the following:

> **An ordinance amending the boundary of the Rand Road Corridor Redevelopment Project Area.**

KEY ISSUES:

- The proposed amendment would remove two parcels (1240-1252 E. Dundee Road and 1266-1298 E. Dundee Road) and the abutting right-of-way from the Rand Road Corridor Redevelopment Project Area/TIF District.
- Following approval, Staff will complete the required notification as outlined in the State's TIF Act (notice to the taxing districts and notice in the newspaper).

ALTERNATIVES:

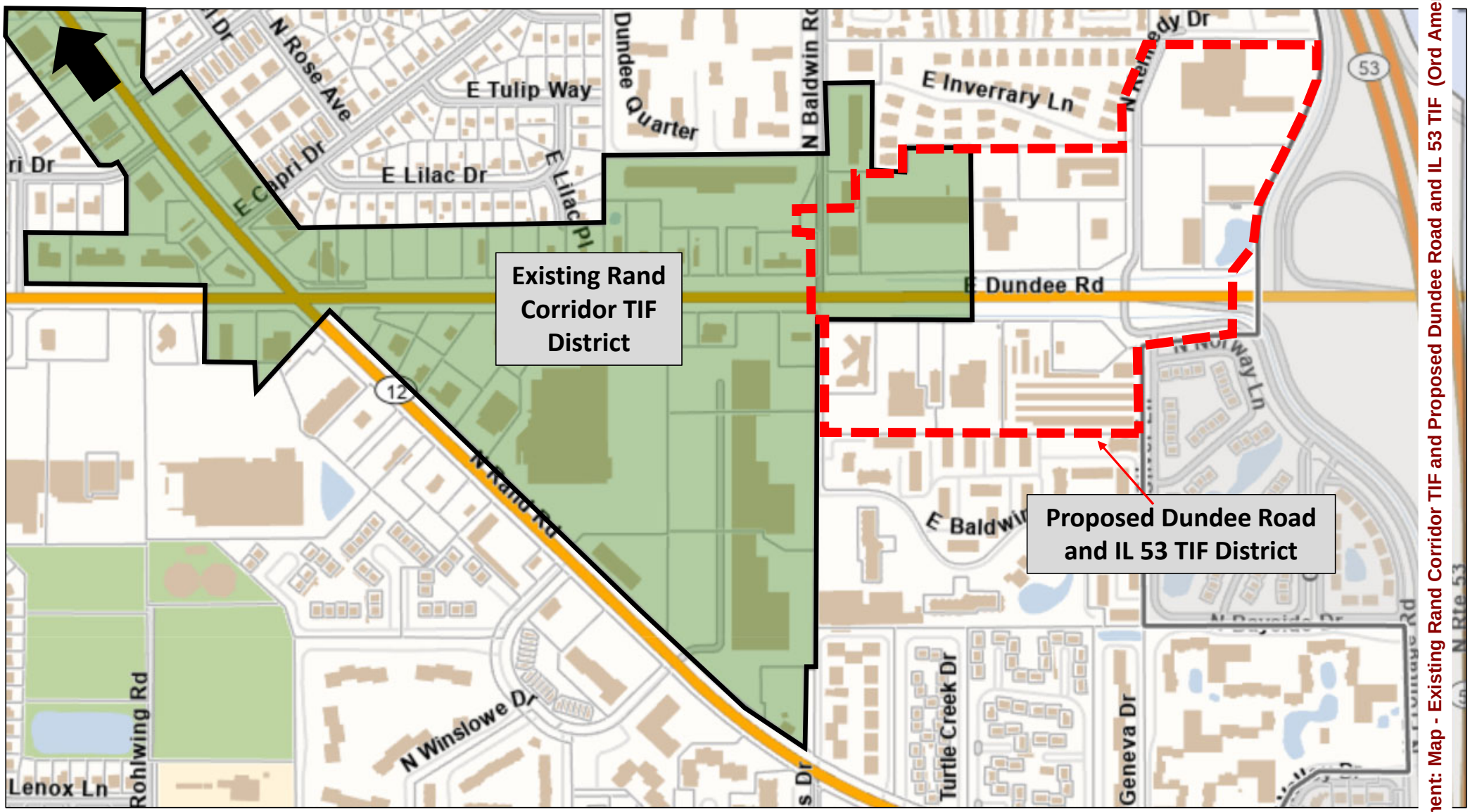
1. Approve the ordinance amending the Rand Road Corridor Redevelopment Project Area.
2. Refer back to Staff with comments.

RECOMMENDATION:
Staff recommends approval of the ordinance.

ACTION REQUIRED:
A motion to approve the ordinance amending the Rand Road Corridor Redevelopment Project Area.

ATTACHMENTS:

- Map - Existing Rand Corridor TIF and Proposed Dundee Road and IL 53 TIF
- Ordinance Amending the Rand Rand Corridor Redevelopment Project Area
- Exhibit A - Ord Amending Rand Road Corridor RPA Boundary
- Exhibit B - Rand Corridor RPA Amended Legal Description



Attachment: Map - Existing Rand Corridor TIF and Proposed Dundee Road and IL 53 TIF (Ord Amending

Attachment: Ordinance Amending the Rand Rand Corridor Redevelopment Project Area (Ord Amending Rand Corridor TIF District Boundary)

AN ORDINANCE OF THE VILLAGE OF PALATINE, COOK COUNTY, ILLINOIS AMENDING THE RAND ROAD CORRIDOR REDEVELOPMENT PROJECT AREA

WHEREAS, on January 27, 2003, the Mayor and Village Council of the Village of Palatine, Cook County, Illinois (the "*Corporate Authorities")* adopted Ordinances O-23-03, O-24-03, and O-25-03 approving a redevelopment plan, designating the Rand Road Corridor Project Area as a redevelopment project area, and authorizing the use of the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1, *et seq.* (the *"'TlF Act")* for the Rand Road Corridor Redevelopment Project Area; and

WHEREAS, the boundary of the proposed Dundee Road and IL 53 Project Area includes two parcels of real estate, and abutting right-of-way, that are currently located within the Rand Road Corridor Redevelopment Project Area; and

WHEREAS, the Corporate Authorities have now determined that the Rand Road Corridor Redevelopment Project Area should be amended by removing the two specific parcels of real estate identified herein, and abutting right-of-way, as they are located within the proposed Dundee Road and IL 53 Redevelopment Project Area; and

WHEREAS, Section 11-74.4-5(c) of the TIF Act provides that any amendment which effects changes which do not (1) add additional parcels of property to the redevelopment project area; (2) substantially affect the general land uses in the redevelopment plan; (3) substantially change the nature of the redevelopment project; (4) increase the total estimated redevelopment project cost set out in the redevelopment plan by more than five percent (5%) after adjustment for inflation from the date the plan

was adopted; (5) add additional redevelopment project costs to the itemized list of redevelopment project costs set out in the redevelopment plan; or (6) increase the number of inhabited residential units to be displaced from the redevelopment project area, as measured from the time of creation of the redevelopment project area to a total of more than ten (10), only requires publication of the amendment in a newspaper of general circulation within the affected taxing districts and notice by mail of the amendment to each affected taxing district, with such notices occurring not later than ten (10) days following the adoption by ordinance of such changes; and

WHEREAS, the Village Clerk shall publish this Ordinance in a newspaper of general circulation within the Village and the Village shall notify the taxing districts having the authority to tax real property within the Rand Road Corridor Redevelopment Project Area (the "*Taxing Districts")* of this amendment as hereinafter directed, thereby satisfying all notice requirements of Section 11-74.4-5(c) of the Act for an amendment which removes property from a redevelopment project area.

NOW, THEREFORE BE IT ORDAINED by the Corporate Authorities of the Village of Palatine, Cook County, Illinois, as follows:

SECTION 1. The above recitals are hereby found to be true and accurate and are incorporated and made a part of this Ordinance.

SECTION 2. The Corporate Authorities hereby approve the removal of the parcels of property identified by permanent index numbers illustrated on *Exhibit A* attached hereto and made a part hereof from the Rand Road Corridor Redevelopment Project Area and hereby approve the revised legal description of the amended Rand Road Corridor

Attachment: Ordinance Amending the Rand Rand Corridor Redevelopment Project Area (Ord Amending Rand Corridor TIF District Boundary)

Redevelopment Project Area attached hereto as *Exhibit B* and made a part hereof.

SECTION 3. The Corporate Authorities hereby direct the Village Clerk to publish this information in a newspaper of general circulation within the Village and the Village Manager notify the Taxing Districts of this amendment.

SECTION 4. If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 5. All ordinances, resolutions, motions or orders in conflict herewith are repealed to the extent of such conflict, and this Ordinance shall be in full force and effect immediately upon its passage by the Corporate Authorities and approval as provided by law.

PASSED: This ____day of _____, 2024

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

APPROVED by me this _____day of _____, 2024

_____
Mayor of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk this _____day of

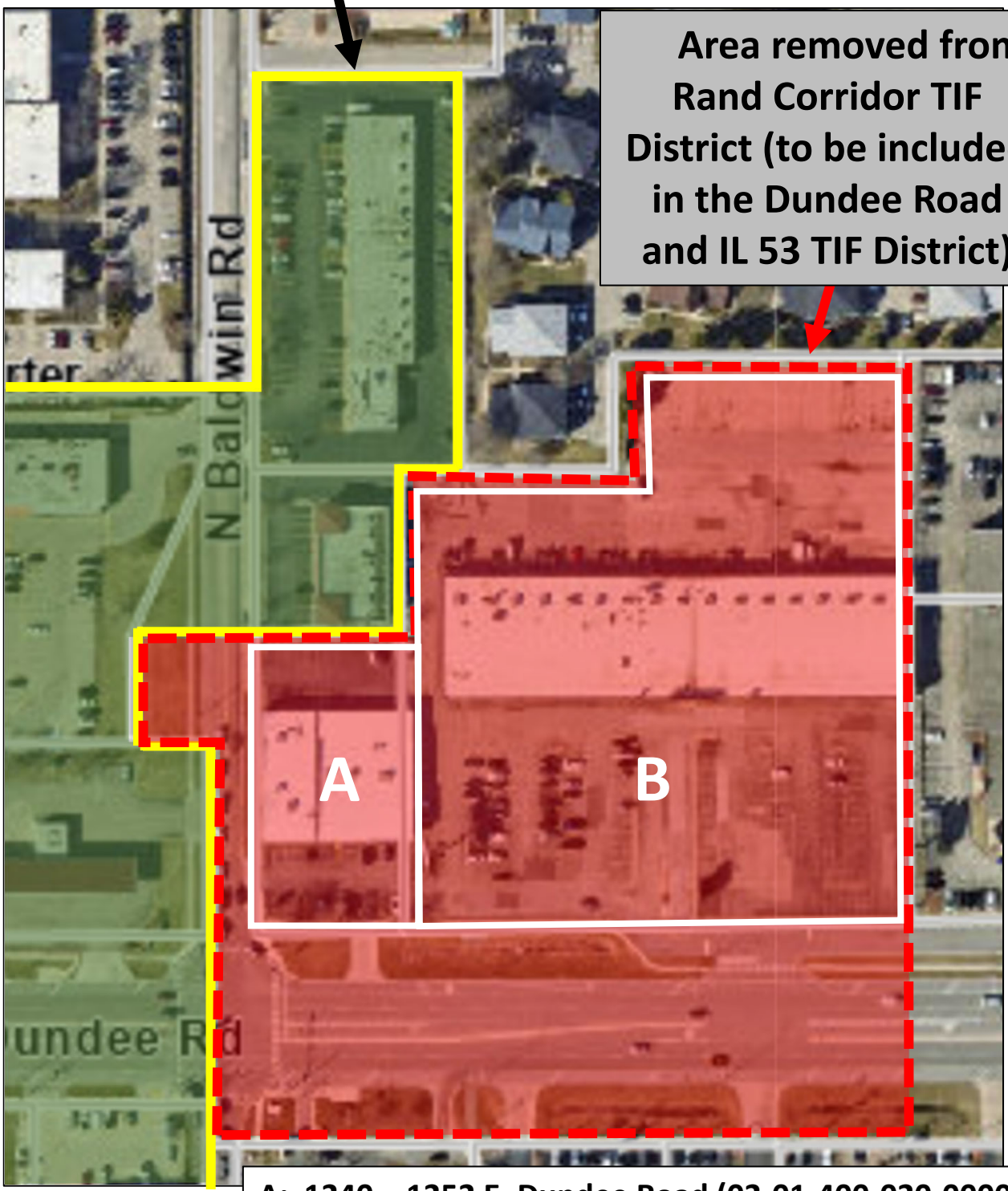
_____, 2024

_____
Village Clerk

Attachment: Ordinance Amending the Rand Rand Corridor Redevelopment Project Area (Ord Amending Rand Corridor TIF District Boundary)

Exhibit A

= Amended Rand Corridor TIF District Boundary (partial)



A: 1240 – 1252 E. Dundee Road (02-01-400-020-0000)

B: 1266 – 1298 E. Dundee Road (02-01-400-098-0000)

Attachment: Exhibit A - Ord Amending Rand Road Corridor RPA Boundary (Ord Amending Rand Corridor TIF District Boundary)

EXHIBIT B

AMENDED LEGAL DESCRIPTION FOR THE
RAND ROAD REDEVELOPMENT PROJECT AREA

ALL THAT PART OF SECTIONS 1, 2 AND 12 IN TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE EAST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 12, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN WITH THE SOUTHEASTERLY EXTENSION OF THE SOUTHWESTERLY LINE OF RAND ROAD AS SAID RAND ROAD IS OPENED AND LAID OUT IN SAID EAST HALF OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN;

THENCE NORTHWESTERLY ALONG SAID SOUTHEASTERLY EXTENSION AND THE SOUTHWESTERLY LINE OF RAND ROAD TO THE NORTHEASTERLY EXTENSION OF THE SOUTHEASTERLY LINE OF LOT 3 IN THE HOME DEPOT SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN;

THENCE NORTHEASTERLY ALONG SAID NORTHEASTERLY EXTENSION OF THE SOUTHEASTERLY LINE OF LOT 3 IN THE HOME DEPOT SUBDIVISION TO THE NORTHEASTERLY LINE OF RAND ROAD; THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY LINE OF RAND ROAD TO THE NORTHEASTERLY EXTENSION OF THE NORTHWESTERLY LINE OF LOT 3A IN SAID HOME DEPOT SUBDIVISION;

THENCE SOUTHWESTERLY ALONG SAID NORTHEASTERLY EXTENSION AND THE NORTHWESTERLY LINE OF LOT 3A IN SAID HOME DEPOT SUBDIVISION TO THE SOUTHWEST CORNER OF SAID LOT 3A;

THENCE CONTINUING SOUTHWESTERLY ALONG THE SOUTHEASTERLY LINE OF LOT 1A IN AFORESAID HOME DEPOT SUBDIVISION TO THE SOUTH CORNER OF SAID LOT 1A;

THENCE NORTH ALONG THE WEST LINE OF SAID LOT 1A IN THE HOME DEPOT SUBDIVISION TO THE NORTHWEST CORNER OF SAID LOT 1A;

THENCE WEST ALONG A NORTH LINE OF LOT 1 IN SAID HOME DEPOT SUBDIVISION, SAID NORTH LINE BEING ALSO THE SOUTH LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-12-100-117, TO AN EAST LINE OF SAID LOT 1, SAID EAST LINE BEING ALSO THE WEST LINE OF SAID PARCEL OF PROPERTY BEARING PIN 2-12-100-117;

THENCE NORTH ALONG SAID EAST LINE OF LOT 1 IN AFORESAID HOME DEPOT SUBDIVISION AND ALONG THE NORTHERLY EXTENSION THEREOF TO THE NORTH LINE OF DUNDEE ROAD;

THENCE WEST ALONGSAID NORTH LINE OF DUNDEE ROAD TO THE WEST LINE OF LOT *5* IN CAPRI VILLAGE, A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 1 AND OF PART OF THE SOUTHEAST QUARTER OF SECTION 2 BOTH IN TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID WEST LINE OF LOT *5* BEING ALSO THE EAST LINE OF LYNDA DRIVE;

THENCE NORTH ALONG THE WEST LINE OF LOT *5* IN CAPRI VILLAGE TO THE SOUTH LINE OF LOT 18 IN SAID CAPRI VILLAGE;

THENCE EAST ALONG SAID SOUTH LINE OF LOT 18 AND ALONG THE SOUTH LINE OF LOTS 19, 20 AND 21 IN SAID CAPRI VILLAGE TO THE EAST LINE OF SAID LOT 21;

Attachment: Exhibit B - Rand Corridor RPA Amended Legal Description (Ord Amending Rand Corridor TIF District Boundary)

THENCE NORTH ALONG SAID EAST LINE OF LOT 21 IN CAPRI VILLAGE TO THE NORTHERLY LINE OF SAID LOT 21, SAID NORTHERLY LINE BEING ALSO THE SOUTHERLY LINE OF CAPRI DRIVE;

THENCE WESTERLY ALONG SAID SOUTHERLY LINE OF CAPRI DRIVE TO THE POINT OF INTERSECTION OF SAID SOUTHERLY LINE OF CAPRI DRIVE WITH A LINE DEFINED AS BEING PERPENDICULAR TO SAID SOUTHERLY LINE OF CAPRI DRIVE AND HAVING A NORTHERLY TERMINUS AT THE EAST MOST CORNER OF LOT 41 IN SAID CAPRI VILLAGE;

THENCE NORTH ALONG SAID LINE DEFINED AS BEING PERPENDICULAR TO THE SOUTHERLY LINE OF CAPRI DRIVE AND HAVING A NORTHERLY TERMINUS AT THE EAST MOST CORNER OF LOT 41 IN CAPRI VILLAGE TO THE EAST MOST CORNER OF LOT 41 IN SAID CAPRI VILLAGE;

THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY LINE OF SAID LOT 41 AND ALONG THE NORTHEASTERLY LINE OF LOTS 33 THROUGH 40, BOTH INCLUSIVE, IN SAID CAPRI VILLAGE TO THE NORTHWESTERLY LINE OF SAID LOT 33, SAID NORTHWESTERLY LINE OF LOT 33 BEING ALSO THE SOUTHEASTERLY LINE OF DIANE DRIVE;

THENCE CONTINUING NORTHWESTERLY ALONG A STRAIGHT LINE TO THE SOUTHWEST CORNER OF LOT 76 IN AFORESAID CAPRI VILLAGE;

THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT 76 IN CAPRI VILLAGE TO THE SOUTHEASTERLY LINE OF LOT 1 IN THE GORDON FOOD SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN;

THENCE NORTHEASTERLY ALONG SAID SOUTHEASTERLY LINE OF LOT 1 IN THE GORDON FOOD SUBDIVISION TO THE SOUTHWESTERLY LINE OF RAND ROAD;

THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY LINE OF RAND ROAD TO THE SOUTHEASTERLY LINE OF OUTLOT "B" IN "THE NURSERY", A PLANNED UNIT DEVELOPMENT OF PART OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN;

THENCE NORTH.EASTERLY ALONG SAID SOUTHEASTERLY LINE OF OUTLOT "B" IN "THE NURSERY", A DISTANCE OF 10 FEET, MORE OR LESS, TO THE NORTHEASTERLY LINE OF SAID OUTLOT "B", SAID NORTHEASTERLY LINE OF OUTLOT "B' BEING ALSO THE SOUTHWESTERLY LINE OF RAND ROAD;

THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY LINE OF RAND ROAD TO THE NORTHWESTERLY LINE OF OUTLOT "C" IN "THE· NURSERY", AFORESAID;

THENCE SOUTHWESTERLY ALONG SAID NORTHWESTERLY LINE OF OUTLOT "C" IN "THE NURSERY" TO THE NORTHEASTERLY LINE OF OUTLOT "A" IN "THE NURSERY", AFORESAID;

THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY LINE OF OUTLOT "A" IN "THE NURSERY" TO THE NORTH MOST CORNER OF SAID OUTLOT "A";

THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY LINE OF SAID OUTLOT "A", A DISTANCE OF 414.42 FEET, MORE OR LESS, TO AN ANGLE POINT IN THE NORTH LINE OF SAID OUTLOT "A", SAID POINT BEING ALSO THE SOUTH MOST CORNER OF THE PARCEL OF PROPERTY BEARING PIN 2-2- 400-080;

THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-2-400-080 TO THE NORTHEASTERLY LINE THEREOF, SAID NORTHEASTERLY LINE BEING ALSO THE SOUTHWESTERLY LINE OF RAND ROAD;

Attachment: Exhibit B - Rand Corridor RPA Amended Legal Description (Ord Amending Rand Corridor TIF District Boundary)

THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY LINE OF RAND ROAD TO THE SOUTHEASTERLY LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-2-204-013;

THENCE SOUTH-WESTERLY ALONG SAID SOUTHEASTERLY LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-2-204-013 AND ALONG THE SOUTHEASTERLY LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-2-400-077 TO THE SOUTHWESTERLY LINE OF SAID PARCEL OF PROPERTY BEARING PIN 2-2-400-077;

THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-2-400-077 AND ALONG THE SOUTHWESTERLY LINE OF AFORESAID PARCEL OF PROPERTY BEARING PIN 2-2-204-013 TO THE EASTERLY LINE OF HICKS ROAD;

THENCE SOUTHERLY ALONG THE EASTERLY LINE OF HICKS ROAD TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-2-204-008;

THENCE WESTERLY ALONG SAID EASTERLY EXTENSION AND ALONG THE SOUTH LINE OF SAID PARCEL OF PROPERTY BEARING PIN 2-2-204- 008 TO THE WEST LINE THEREOF, SAID WEST LINE BEING ALSO THE WEST LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN;

THENCE NORTH ALONG SAID WEST LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 2, TO THE SOUTH LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-2-104-002, SAID SOUTH LINE BEING A LINE 330 FEET, MORE OR LESS, SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTH HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN;

THENCE WEST ALONG SAID SOUTH LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-2-104-002 TO THE WEST LINE THEREOF;

THENCE NORTH ALONG THE WEST LINE OF SAID PARCEL OF PROPERTY BEARING PIN 2-2-104-002 TO THE NORTH LINE OF THE SOUTH HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN;

THENCE WEST ALONG SAID NORTH LINE OF THE SOUTH HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 2, TO THE NORTHWESTERLY LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-2-101-011;

THENCE NORTHEASTERLY ALONG THE NORTHWESTERLY LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-2-101-011 TO THE NORTHEASTERLY LINE THEREOF;

THENCE SOUTHEASTERLY ALONG SAID NORTHEASTERLY LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-2-101-011 AND ALONG THE NORTHEASTERLY LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-2-101-012 TO THE SOUTHIWESTERLY EXTENSION OF THE SOUTHEASTERLY LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-2-102-019;

THENCE NORTHEASTERLY ALONG SAID SOUTHWESTERLY EXTENSION AND THE SOUTHEASTERLY LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-2-102-019 TO THE WEST LINE OF LOT 1 IN DEERPATH LAKE OF PALATINE, A SUBDIVISION OF PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN;

THENCE SOUTH ALONG SAID WEST LINE OF LOT 1 IN DEERPATH LAKE OF PALATINE AND ALONG THE WEST LINE OF LOTS 2 AND 3 IN SAID DEERPATH LAKE OF PALATINE TO THE SOUTH LINE OF SAID LOT 2, SAID SOUTH LINE OF LOT 2 BEING ALSO THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN;

THENCE EAST ALONG SAID SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN TO THE EAST LINE OF LOT 5 IN BOURBON SQUARE, A PLANNED UNIT DEVELOPMENT IN THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 2 LYING EASTERLY OF ILLINOIS ROUTE 53 AND IN PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 2, ALL IN TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID EAST LINEOF LOT 5 BEING ALSO THE EAST LINE OF THE WEST 363 FEET OF THE EAST 1472.20 FEET OF THE NORTH 416 FEET OF SAID

SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN;

THENCE SOUTH ALONG SAID EAST LINE OF LOT 5 AND ALONG THE EAST LINE OF LOTS 6 AND 7 IN SAID BOURBON SQUARE TO THE SOUTH LINE OF SAID LOT 7, SAID SOUTH LINE OF LOT 7 BEING ALSO THE SOUTH LINE OF THE NORTH 416 FEET OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN;

THENCE WEST ALONG SAID SOUTH LINE OF THE NORTH 416 FEET OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 2, TO THE EAST LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-2-203-022;

THENCE SOUTH ALONG SAID EAST LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-2-203-022 TO THE NORTH LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-2-203-014;

THENCE EASTERLY ALONG THE NORTH LINE OF SAID PARCEL OF PROPERTY BEARING PIN 2-2-203-014 AND ALONG THE NORTH LINE OF THE PARCELS OF PROPERTY BEARING PINS 2-2-203-035, 2-2-203-036 AND 2-2-203-016 TO THE SOUTHEASTERLY LINE OF SAID PARCEL OF PROPERTY BEARING PIN 2-2-203-016;

THENCE SOUTHWESTERLY ALONG SAID SOUTHEASTERLY LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-2-203-016 TO THE NORTHEASTERLY LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-2-203-062; THENCE SOUTHEASTERLY ALONG SAID NORTHEASTERLY LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-2-203-062 TO THE NORTHWESTERLY LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-2- 203-018;

THENCE NORTHEASTERLY ALONG SAID NORTHWESTERLY LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-2-203-018 TO THE NORTH LINE THEREOF;

THENCE EASTERLY ALONG SAID NORTH LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-2-203-018 TO THE EAST LINE THEREOF, SAID EAST LINE BEING ALSO A WEST LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-2-203-064;

THENCE SOUTH ALONG SAID WEST LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-2-203-064 AND ALONG THE WEST LINE OF THE PARCELS OF PROPERTY BEARING PINS 2-2-203-053, 2-2-402-006 AND 2-2-40i-002 TO THE SOUTH LINE OF SAID PARCEL OF PROPERTY BEARING PIN 2-2-402-002;

THENCE EAST ALONG SAID SOUTH LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-2-402-002 TO THE WEST LINE OF LONG GROVE ROAD;

THENCE SOUTH ALONG SAID WEST LINE OF LONG GROVE ROAD TO THE NORTH LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-2-402-012;

THENCE WEST ALONG SAID NORTH LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-2-402-012, TO THE WEST LINE THEREOF;

THENCE SOUTH ALONG SAID WEST LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-2-402-012, TO THESOUTH LINE THEREOF;

THENCE EAST ALONG SAID SOUTH LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-2-402-012, TO THE WEST LINE OF LONG GROVE ROAD;

THENCE SOUTH ALONG SAID WEST LINE OF LONG GROVE ROAD, A DISTANCE OF 290.08 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF THE PARCEL OF PROPERTY BEARING PIN 2-2-402-010;

THENCE SOUTHEASTERLY ALONG A STRAIGHT LINE TO THE WESTERLY MOST NORTHWEST CORNER OF LOT 114 IN PINEHURST MANOR UNIT ONE, A SUBDIVISION IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID WESTERLY MOST NORTHWEST CORNER OF LOT 114 BEING

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ALSO A POINT ON THE WEST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 1;

THENCE SOUTH ALONG SAID WEST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 42 NORTH, RANGE 10 EASTOF THE THIRD PRINCIPAL MERIDIAN TO THE SOUTHWEST CORNER OF LOT 107 IN SAID PINEHURST MANOR, SAID SOUTHWEST CORNER OF LOT 107 BEING ALSO THE POINT OF INTERSECTION OF THE WEST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF AFORESAID SECTION 1 WITH THE NORTHWESTERLY LINE OF LILY LANE;

THENCE NORTHEASTERLY ALONG SAID NORTHWESTERLY LINE OF LILY LANE TO THE NORTHWESTERLY EXTENSION OF THE NORTHEASTERLY LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-1-307-012;

THENCE SOUTHEASTERLY ALONG SAID NORTHWESTERLY EXTENSION AND THE NORTHEASTERLY LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-1-307-012 AND ALONG THE NORTHEASTERLY LINE OF THE PARCELS OF PROPERTY BEARING PINS 2-1-307-011, 2-1-307-014 AND 2-1-307-015 TO THE NORTHWESTERLY LINE OF CAPRI DRIVE;

THENCE CONTINUING SOUTHEASTERLY ALONG A STRAIGHT LINE TO THE NORTHEAST CORNER OF LOT 9 IN CAPRI GARDENS, A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 1 AND PART OF THE SOUTHEAST QUARTER OF SECTION 2, BOTH IN TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN;

THENCE SOUTHEASTERLY ALONG THE NORTHEASTERLY LINE OF SAID LOT 9 IN CAPRI GARDENS TO THE SOUTH LINE OF SAID CAPRI GARDENS SUBDIVISION; THENCE EAST ALONG SAID SOUTH LINE OF CAPRI GARDENS SUBDIVISION TO THE EAST LINE THEREOF;

THENCE NORTH ALONG SAID EAST LINE OF CAPRI GARDENS SUBDIVISION TO THE SOUTH LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-1-302-077;

THENCE EAST ALONG SAID SOUTH LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-1-302-077 TO THE EAST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID EAST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 1 BEING ALSO THE WEST LINE OF BALDWIN ROAD;

THENCE NORTH ALONG SAID WEST LINE OF BALDWIN ROAD TO THE WESTERLY EXTENSION OF THE NORTH LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-1-400-023;

THENCE EAST ALONG SAID WESTERLY EXTENSION AND THE NORTH LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-1-400-023 TO THE EAST LINE THEREOF;

THENCE SOUTH ALONG SAID EAST LINE OF THE PARCEL OF PROPERTY BEARING PIN 2-1-400-023, SAID EAST LINE BEING ALSO THE SOUTHERLY MOST WEST LINE OF INVERRAY WEST REVISED, AN AMMENDED PLANNED UNIT DEVELOPMENT IN THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN TO THE SOUTH LINE OF SAID INVERRAY WEST REVISED, SAID SOUTH LINE BEING ALSO THE NORTH LINE OF THE PARCEL OF PROPERTY BEARING. PIN 2-1-400-098;

THENCE WEST ALONG THE NORTH LINE OF PROPERTY BEARING PIN 02-01-400-098 TO THE NORTHWEST CORNER THEREOF (SAID POINT ALSO BEING THE NORTHEAST CORNER OF PROPERTY BEARING PIN 02-01-400-097);

THENCE SOUTH ALONG THE EAST LINE OF PROPERTY BEARING PIN 02-01-400-097 TO THE SOUTHEAST CORNER THEREOF (SAID POINT BEING ON A LINE DRAWN 250.0 FEET NORTHERLY OF, AND PARALLEL WITH, THE NORTH RIGHT OF WAY LINE OF IL ROUTE 68 (DUNDEE ROAD));

THENCE WEST ALONG SAID LINE DRAWN 250.0 FEET NORTHERLY OF, AND PARALLEL WITH, THE NORTH RIGHT OF WAY LINE OF IL ROUTE 68 (DUNDEE ROAD) (SAID LINE ALSO BEING THE SOUTH LINE OF PROPERTY BEARING PIN 02-01-400-097) AND ALONG SAID LINES WESTERLY EXTENSION, TO THE WEST RIGHT OF WAY LINE OF BALDWIN ROAD (SAID LINE ALSO BEING THE EAST LINE OF LOT 1A IN LAREDO PLAZA RE-SUBDIVISION, SAID SUBDIVISION RECORDED DECEMBER 20, 2992 AS DOCUMENT NUMBER 0021418691);

THENCE SOUTHWESTERLY ALONG THE EASTERLY RIGHT OF WAY LINE OF BALDWIN ROAD (SAID LINE ALSO BEING THE EAST LINE OF LOT 1A IN LAREDO PLAZA RE-SUBDIVISION) TO A BEND POINT;

THENCE SOUTH ALONG THE EASTERLY RIGHT OF WAY LINE OF BALDWIN ROAD (SAID LINE ALSO BEING THE EAST LINE OF LOT 1A IN LAREDO PLAZA RE-SUBDIVISION) A DISTANCE OF 101.48 FEET (MORE OR LESS) TO A SOUTHEASTERLY CORNER OF LOT 1A IN LAREDO PLAZA RE-SUBDIVISION;

THENCE EASTERLY, ALONG AN EASTERLY EXTENSION OF A SOUTHERLY LINE OF LOT 1A IN LAREDO PLAZA RESUBDIVISION TO THE EAST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THRID PRINCIPAL MERIDIAN;

THENCE SOUTH, ALONG SAID EAST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 1 TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, TO THE SOUTHEAST CORNER OF SAID EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 1 (SAID POINT ALSO BEING THE NORTHEAST CORNER OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 42 NORTH, RNAGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN);

THENCE SOUTH ALONG SAID EAST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 12, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

Consider Ordinances Granting the Following: (I) Approval of the 'Dundee Road and IL 53 Tax Increment Financing District Eligibility Report, Redevelopment Plan and Project'; (II) Designation of the Project Area as a Redevelopment Project Area for the Purposes of the TIF Act; and (III) Adoption of Tax Increment Allocation Financing Pursuant to the TIF Act to Finance All or a Portion of the Costs of Improvements Proposed to be Made in the Project Area

BACKGROUND:
In September, 2023, the Village Council authorized SB Friedman Development Advisors, LLC to complete a TIF Eligibility Report, Redevelopment Plan, and Designation Services related to the proposed Dundee Road and IL 53 TIF District. Following preparation of the eligibility report and associated redevelopment plan, the Village has now completed all the necessary procedural steps for creating the proposed Dundee Road and IL 53 TIF District as required per the State's TIF Act. Based on these circumstances, Staff recommends the Village Council approve the following:

Separate motions to approve ordinances granting the following:

1) **Approval of the Dundee Road and IL 53 Tax Increment Financing District Eligibility Report, Redevelopment Plan and Project;**
2) **Designation of the Project Area as a Redevelopment Project Area for the purposes of the TIF Act; and**
3) **Adoption of tax increment allocation financing pursuant to the TIF Act to finance all or a portion of the costs of improvements proposed to be made in the Project Area.**

KEY ISSUES:

- The eligibility report found that the area would qualify for TIF designation as a 'conservation area.' The qualifying factors that were found throughout the proposed TIF District include lack of growth in Equalized Assessed Value (EAV), deterioration, presence of structures below minimum code standards, and inadequate utilities.
- The Joint Review Board, consisting of representatives from the local taxing districts, met on May 29, 2024, to review the proposed Dundee Road and IL 53 TIF District. The Joint Review Board unanimously recommended approval of the Village's proposed Dundee Road and IL 53 TIF District.
- The Village Council held the Public Hearing for the proposed Dundee Road and IL 53 TIF District during their regular meeting on July 15, 2024. Prior to the Public Hearing, the required notice per the State's TIF Act was completed. The notice included a posting in the Daily Herald on June 15 and July 3, as well as written notification to the taxpayers of record of properties within the proposed TIF District and notice to residents within 750 feet of the proposed TIF District boundary.

ALTERNATIVES:

1. Separate motions to approve the Ordinances creating the Dundee Road and IL

53 TIF District.
2. Refer back to Staff with comments.

ACTION REQUIRED:
Separate motions to approve the following:

(1) Approval of the 'Dundee Road and IL 53 Tax Increment Financing District Eligibility Report, Redevelopment Plan and Project';
(2) Designation of the Project Area as a Redevelopment Project Area for the purposes of the TIF Act; and
(3) Adoption of Tax Increment Allocation Financing pursuant to the TIF Act to finance all or a portion of the costs of the improvements proposed to be made in the Project Area.

ATTACHMENTS:

- ORD - Adopting & Approving Redevelopment Plan and Project for Dundee Road and IL 53 Project Area
- ORD - Designating Dundee Road and IL 53 RPA
- ORD - Adopting Tax Increment Allocation Financing for Dundee Road and IL RPA

Attachment: ORD - Adopting & Approving Redevelopment Plan and Project for Dundee Road and IL 53 Project Area (Dundee Road & IL 53 TIF

ORDINANCE ___

AN ORDINANCE ADOPTING AND APPROVING A TAX INCREMENT REDEVELOPMENT PLAN AND REDEVELOPMENT PROJECT FOR THE 2024 DUNDEE ROAD AND IL 53 REDEVELOPMENT PROJECT AREA IN THE VILLAGE OF PALATINE, ILLINOIS

WHEREAS, the Mayor and Village Council ("*Corporate Authorities*") of the Village of Palatine, Cook County, Illinois (the "*Village*") have heretofore determined that the stable economic and physical development of the Village is endangered by the presence of various factors, with a resulting decline of the Village which impairs the value of private investments and threatens the sound growth and the tax base of the Village and the taxing districts having the power to tax real property in the Village (the "*Taxing Districts*") and threatens the health, safety, morals and welfare of the public; and

WHEREAS, the Corporate Authorities have heretofore determined that without action there are deteriorating and declining properties that may become a blighted and that the redevelopment of the proposed Dundee Road and IL 53 Redevelopment Project Area in a portion of Village (the "*Area*") should be undertaken, and that to remove and alleviate adverse conditions in the Area it is necessary to encourage private investment and restore and enhance the tax base of the Village and the Taxing Districts by such redevelopment; and

WHEREAS, the Village has heretofore evaluated various lawfully available programs to provide such assistance and has determined that the use of tax increment allocation financing pursuant to the Tax Increment Allocation Redevelopment Act, as amended, constituting Division 74.4 of Article 11 of the Illinois Municipal Code (the "*Act*") is necessary to achieve the redevelopment goals of the Village for the Area; and

WHEREAS, the Village has heretofore caused to be conducted an eligibility analysis as part of "Dundee Road and IL 53 Redevelopment Project Area Tax Increment Financing District Eligibility Report and Redevelopment Plan and Project", dated March 12, 2024 (the *"Plan" and "Project"*), prepared by S.B. Friedman Development Advisors, LLC, a development advisory firm recognized for expertise in tax increment allocation and redevelopment financing in the State of Illinois; and; and

WHEREAS, the eligibility analysis in the Plan and Project concludes that the proposed Area qualifies as a redevelopment project area pursuant to the Act; and

WHEREAS, the proposed Plan and Project do not include the development of vacant land (i) with a golf course and related clubhouse and other facilities or (ii) designated by a federal, state, county or municipal government as public land for outdoor camping and hunting activities or for nature preserves and used for that purpose within five (5) years prior to the adoption of this Ordinance; and

WHEREAS, the implementation of the Plan and Project will not result in displacement of residents from inhabited units; and

WHEREAS, the Plan and Project sets forth in writing the program to be undertaken to accomplish the objectives of the Village and includes estimated redevelopment project costs proposed for the Area, evidence indicating that the proposed Area on whole has not been subject to growth and development through investment by private enterprise, an assessment of the financial impact of the proposed Area on any increased demand for services from any taxing district affected by the Plan and Project and any program to address such financial impact or increased demand, the sources of funds to pay costs, the nature and term of the obligations to be issued, the most recent equalized assessed valuation of the proposed Area, an estimate as to the equalized assessed valuation after redevelopment and the general land uses to apply in the proposed Area, a commitment to fair employment practices and an affirmative action plan, and the Plan and Project accordingly comply in all respects with the requirements of the Act; and

WHEREAS, pursuant to section 11-74.4-4.2 of the Act, the Village is required to establish an interested parties registry for activities related to a redevelopment project area, and, pursuant to an ordinance adopted on May 6, 2024, the Corporate Authorities approved rules to implement the registration process for such registries; and

WHEREAS, pursuant to section 11-74.4-5(a) of the Act, prior to the adoption of ordinances proposing the designation of a redevelopment project area or approving a redevelopment plan, the Village caused the following actions to be taken: on March 21, 2024, the proposed Plan and Project were placed on file with the Village Clerk; on May 8, 2024, notice was published in the *Daily Herald* indicating that interested persons may register with the Village in order to receive information on the proposed designation of the Area and approval of the Plan and Project; on May 14, 2024, copies of the proposed Plan and Project were sent by certified mail to the Taxing Districts and the Village mailed notice of the availability of the Plan and Project and how to obtain information relating to the plan (i) to all residential addresses that, after a good faith effort, the Village determined are located outside the boundaries of the proposed Area which are within 750 feet of the boundaries of the proposed Area and (ii) to all organizations and residents that had registered with the Village in the interested parties registry; and

Attachment: ORD - Adopting & Approving Redevelopment Plan and Project for Dundee Road and IL 53 Project Area (Dundee Road & IL 53 TIF

Attachment: ORD - Adopting & Approving Redevelopment Plan and Project for Dundee Road and IL 53 Project Area (Dundee Road & IL 53 TIF

WHEREAS, pursuant to section 11-74.4-5(b) of the Act, the Village convened a Joint Review Board ("*Joint Review Board*") on May 29, 2024, to consider the proposal to designate the proposed Area under the Act, and as required by the Act and the Joint Review Board has reviewed the public record, planning documents and forms of ordinances to adopt and approve the Redevelopment Plan and designate the Area as a redevelopment project area under the Act;

WHEREAS, the Joint Review Board adopted by a unanimous vote a recommendation to approve the Plan and Project and designate the Area as a redevelopment project area under the Act, having reached its decision on the basis of the Area and Project satisfying the Plan requirements, the eligibility criteria defined in section 11-74.4-3(b) of the Act and the objectives of the Act; and

WHEREAS, pursuant to section 11-74.4-5(a) of the Act, the Village Council by ordinance called a public hearing (the "*Hearing*") relative to the approval of the Plan and Project, the designation of the proposed Area and the adoption of tax increment allocation financing, and fixed the time and place for such Hearing on July 15, 2024, at 7:00 p.m. in the Palatine Village Hall, Council Chambers, located at 200 E. Wood Street, Palatine, IL 60067; and

WHEREAS, pursuant to section 11-74.4-6(a) of the Act, due notice with respect to such Hearing was given by certified mail to taxpayers within the proposed Area on June 26, 2024, and by publication in the Daily Herald on June 15, 2024 and July 3, 2024; and

WHEREAS, pursuant to section 11-74.4-6(c) of the Act, due notice with respect to such Hearing was given by certified mail on May 14, 2024, and such notice, together with a copy of the Redevelopment Project and Plan, and the name of a person to contact for information, was given to the Taxing Districts and to the Department of Commerce and Economic Opportunity (DCEO) and included an invitation to the Taxing Districts and DCEO to submit comments to the Village concerning the subject matter of the Hearing; and

WHEREAS, the Village held the Hearing at the time and place fixed in the ordinance calling for same, and at the Hearing, any interested persons and the Taxing Districts were permitted to file with the Village Clerk written objections and was heard orally in respect to any issues embodied in the notice of said Hearing, and the Village heard and determined all protests and objections at the Hearing; and

WHEREAS, the Hearing was adjourned on July 15, 2024; and

WHEREAS, the eligibility analysis included in the Plan and Project demonstrates that the area suffers from the following factors which are present to a major extent and reasonably distributed throughout the Area: lack of growth in EAV; deterioration; presence of structures below minimum code standards; and inadequate utilities; and

WHEREAS, the Corporate Authorities have reviewed the eligibility analysis contained in the Plan and Project, testimony from the public hearing, the recommendation of the Joint Review Board, and such other matters or studies as the Corporate Authorities have deemed necessary or appropriate to make the findings set forth herein and are generally informed of the presence of the conditions existing in the proposed Area and have reviewed the conditions pertaining to real property in the proposed Area to determine whether the proposed Area is contiguous and that there exist conditions that cause the proposed Area to be classified as a conservation area under the Act; and

WHEREAS, the Corporate Authorities have reviewed the evidence indicating that the proposed Area on the whole has not been subject to growth and development through investments by private enterprise and have reviewed the conditions pertaining to the lack of private investment in the proposed Area to determine whether private development would take place in the proposed Area as a whole without the approval of the Plan and Project, the designation of a tax increment redevelopment area and the adoption of tax increment financing; and

WHEREAS, the Corporate Authorities have made an assessment of any financial impact of the proposed Area on, or any increased demand for services from, the Taxing Districts affected by the proposed Plan and Project and any program to address such financial impact or increased demand; and

WHEREAS, the Corporate Authorities have reviewed the proposed Plan and Project and also the existing comprehensive plan of the Village as a whole to determine whether the proposed Plan and Project conform to such comprehensive plan of the Village; and

WHEREAS, the Corporate Authorities have heretofore, and it hereby expressly is, determined that the Village has in all respects complied with the requirements of the Act in such actions taken to date as above recited:

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF PALATINE, COOK COUNTY, ILLINOIS, as follows:

SECTION 1: *Incorporation of Recitals*. The foregoing recitals to this Ordinance are incorporated in this Ordinance as if set out in full by this reference, and the statements and findings contained therein are found to be true and correct, and are hereby adopted as part of this Ordinance.

Attachment: ORD - Adopting & Approving Redevelopment Plan and Project for Dundee Road and IL 53 Project Area (Dundee Road & IL 53 TIF

SECTION 2: *Findings*. The Corporate Authorities make the following findings:

(a) The Area is legally described in *Exhibit A* attached to this Ordinance and incorporated herein as if set out in full by this reference. A general boundary description for the proposed Area is described in *Exhibit B* to this Ordinance and is incorporated herein as if set out in full by this reference. The map of the proposed Area is attached to this Ordinance as *Exhibit C* and is incorporated herein as if set out in full by this reference.

(b) There exist conditions which cause the proposed Area to be classified as a redevelopment project area under the Act and to be classified as a "conservation area" for improved parcels as defined in the Act. These conditions hinder the potential to redevelop the Area and capitalize on its unique attributes.

(c) The proposed Area as a whole has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed in accordance with the public goals stated in the Plan without the adoption of the Plan.

(d) The Plan and Project conform to the comprehensive plan for the development of the Village as a whole.

(e) As set forth in the Plan and Project and in testimony at the Hearing, the estimated date of completion of the Project is not later than December 31, 2048, and the estimated date of the retirement of all obligations incurred to finance redevelopment project costs as defined in the Plan and Project, is not later than December 31, 2048, provided that such obligations may not mature more than twenty (20) years from their respective dates.

(f) The parcels of real property in the proposed Area are contiguous, the proposed Area is not less than one and one-half acres, and only those contiguous parcels of real property and improvements thereon which will be substantially benefitted by the proposed redevelopment project improvements are included in the proposed Area.

SECTION 3: *Approval of Plan and Project*. The Plan and Project which were the subject matter of the Hearing held on July 15, 2024, are hereby adopted and approved. A copy of the Plan and Project is set forth in *Exhibit D* attached hereto and incorporated herein as if set out in full by this reference.

SECTION 4: *Filing With County Clerk*. The Village Clerk is hereby directed to file a certified copy of this Ordinance with the County Clerk of Cook County, Illinois.

Attachment: ORD - Adopting & Approving Redevelopment Plan and Project for Dundee Road and IL 53 Project Area (Dundee Road & IL 53 TIF

SECTION 5: *Invalidity of Any Section*. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 6: *Superceder; Effective Date*. All ordinances, resolutions, motions or orders in conflict herewith be, and the same hereby are, repealed to the extent of such conflict, and this Ordinance shall be in full force and effect immediately from and after its passage and approval.

PASSED: This ____day of _____, 2024

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

APPROVED by me this _____day of _____, 2024

_____
Mayor of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk this 5th day of August, 2024

_____
Village Clerk

Attachment: ORD - Adopting & Approving Redevelopment Plan and Project for Dundee Road and IL 53 Project Area (Dundee Road & IL 53 TIF

Attachment: ORD - Adopting & Approving Redevelopment Plan and Project for Dundee Road and IL 53 Project Area (Dundee Road & IL 53 TIF

Exhibit A

Boundary Legal Description of Project Area

Exhibit A

Dundee Road and IL 53 RPA
Boundary Legal Description

All that part of Sections 1 and 12, Township 42 North, Range 10 East of the Third Principal Meridian, bounded and described as follows:

(Described with the intent to follow the right of way lines and property lines herein described, and as such, the courses and distances described herein are superseded by the actual location of the said right of way lines and property lines that they are intended to follow)

Beginning on the westerly right of way line of Kennedy Drive at the southeast corner of Inverrary West Revised & Amended P.U.D. (said subdivision plat recorded April 19, 1983 as document number 26574513 and certificate of correction recorded December 12, 1983 as document number 26892489);

thence northerly, along the easterly line of said Inverrary West P.U.D. (also being the westerly right of way line of Kennedy Drive aforesaid), a distance of 164.52 feet to a bend point;

thence northeasterly along the easterly line of said Inverrary West P.U.D. (also being the westerly right of way line of Kennedy Drive aforesaid), a distance of 264.70 feet to the north line of the south 1011.18 feet of the Southeast Quarter of Section 1 aforesaid;

thence easterly, along the north line of the south 1011.18 feet of the Southeast Quarter of Section 1, a distance of 672.93 feet to the westerly right of way line of F.A. Route 61 (IL. Route #53);

thence southerly, along said westerly right of way line of F.A. Route 61, being a curved line, convex to the east, and having a radius of 635.0 feet, an arc distance of 152.60 feet;

thence southwesterly, along the westerly right of way line of F.A. Route 61, a distance of 194.87 feet;

thence continuing southwesterly, along the westerly right of way line of F.A. Route 61, a distance of 98.29 feet to an intersection with the north line of the south 591.18 feet of the Southeast Quarter of Section 1;

thence continuing southwesterly, along the westerly right of way line of F.A. Route 61, a distance of 141.71 feet;

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thence southerly, along said westerly right of way line of F.A. Route 61, being a curved line, convex to the west, and having a radius of 516.0 feet, an arc distance of 243.32 feet;

thence southerly, along the westerly right of way line of F.A. Route 61, a distance of 35.17 feet;

thence southwesterly, along the westerly right of way line of F.A. Route 61, a distance of 131.40 feet to the northerly right of way line of IL Route 68 (Dundee Road);

thence southerly to the northeast corner of Outlot A in The Maples P.U.D. (said subdivision plat recorded April 28, 1978 as document number 24422957), said point being on the southerly right of way line of IL Route 68 (Dundee Road);

thence westerly, along the northerly line of said Outlot A in The Maples P.U.D. (said line also being the southerly right of way line of IL Route 68 aforesaid), a distance of 100.00 feet;

thence continuing westerly, along the northerly line said Outlot A in The Maples P.U.D. (said line also being the southerly right of way line of IL Route 68 aforesaid), a distance of 274.77 feet to the westerly line of Outlot A aforesaid;

thence southerly, along the westerly line of said Outlot A in the Maples P.U.D., to the intersection with the north line of Outlot A in Wyndham Court Second Amended Plat (said subdivision plat recorded March 6, 1986 as document number 86090418);

thence westerly, along the northerly line of Outlot A in Wyndham Court Second Amended Plat, to the west line of said Outlot A

thence northerly, along the west line of Outlot A, and its extension northerly, to the northerly line of Section 12;

thence westerly along the northerly line of Section 12 to the northwest corner of the Northeast Quarter of Section 12 aforesaid (said point also being the southwest corner of the Southeast Quarter of Section 1 aforesaid);

thence northerly, along the west line of the Southeast Quarter of Section 1 aforesaid (said west line of the Southeast Quarter of Section 1 also being the westerly right of way line of Baldwin Road and its extension southerly), a distance of 240.0 feet to the intersection with the extension of a southerly line of Lot 1A in Laredo Plaza Re-subdivision (said subdivision plat recorded December 20, 2002 as document number 0021418691);

Attachment: ORD - Adopting & Approving Redevelopment Plan and Project for Dundee Road and IL 53 Project Area (Dundee Road & IL 53 TIF

thence westerly along the right of way line of Baldwin Road (said line also being the northerly line of vacated right of way per document number 87252152) to a southeasterly corner of Lot 1 A in Laredo Plaza Re-subdivision;

thence northerly, along the easterly line of Lot 1 A in Laredo Plaza Re-subdivision (said line also being the westerly right of way line of Baldwin Road), a distance of 101.48 feet to a bend point;

thence northeasterly, along the easterly line of Lot 1A in Laredo Plaza Re-subdivision (said line also being the westerly right of way line of Baldwin Road) to the intersection with the westerly extension of a line A drawn 250.0 feet northerly of, and parallel with, the north right of way line of IL Route 68 (Dundee Road);

thence easterly along a line drawn 250.0 feet north of and parallel with the north right of way line of IL Route 68 (Dundee Road) aforesaid (and its extension west) to a point on a line that is 200.0 feet east of the west line of the Southeast Quarter of Section 1 aforesaid;

thence north, along a line that is 200.0 feet east of and parallel with the west line of the Southeast Quarter of Section 1 aforesaid, a distance of 150 feet to a point on a line that is the westerly extension of the southerly line of Inverrary West P.U.D. (said subdivision plat recorded April 19, 1983 as document number 26574513 and certificate of correction recorded December 12, 1983 as document number 26892489);

thence easterly along the southerly line of Inverrary West P.U.D. (and its extension west), a distance of 186.0 feet to a corner of said Inverrary West P.U.D.;

thence northerly, along an easterly line of said Inverrary West P.U.D., a distance of 101.65 feet to a corner of said Inverrary West P.U.D.;

thence easterly, along the southerly line of said Inverrary West P.U.D., a distance of 873.64 feet to the point of beginning, all in Cook County and Lake County, Illinois.

Said property containing 47 acres of land, more or less.

Attachment: ORD - Adopting & Approving Redevelopment Plan and Project for Dundee Road and IL 53 Project Area (Dundee Road & IL 53 TIF

Attachment: ORD - Adopting & Approving Redevelopment Plan and Project for Dundee Road and IL 53 Project Area (Dundee Road & IL 53 TIF

Exhibit B

General Boundary Description

Attachment: ORD - Adopting & Approving Redevelopment Plan and Project for Dundee Road and IL 53 Project Area (Dundee Road & IL 53 TIF

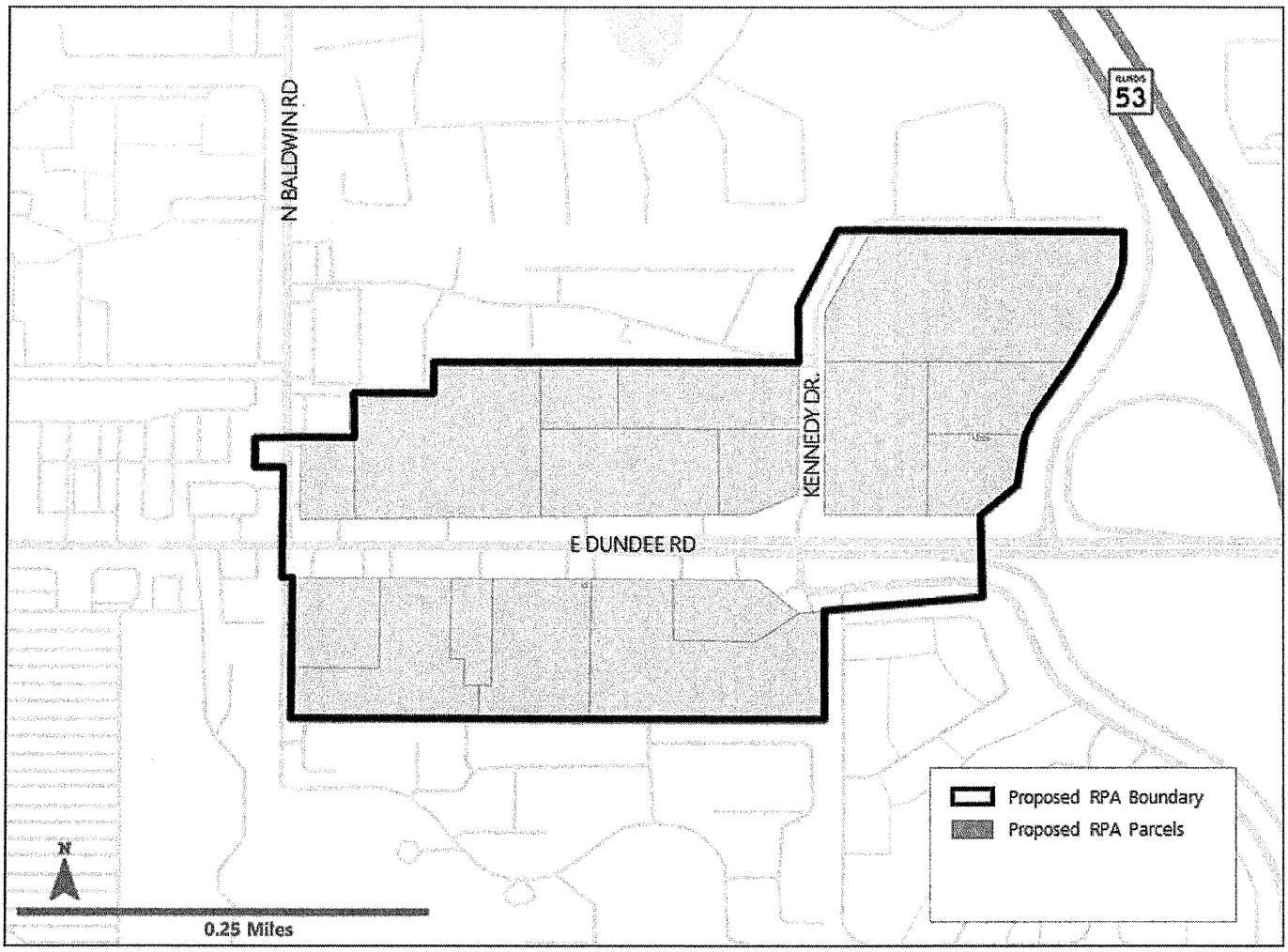
Dundee Road and IL 53 Redevelopment Project Area and TIF District

Those properties generally located on the north and south sides of Dundee Road, between Baldwin Road and Illinois Route 53, as well as the commercial properties on the east and west sides of Kennedy Drive, between Dundee Road and Palmer Lane.

Attachment: ORD - Adopting & Approving Redevelopment Plan and Project for Dundee Road and IL 53 Project Area (Dundee Road & IL 53 TIF

Exhibit C

Dundee Road and IL 53 Redevelopment Project Area Map

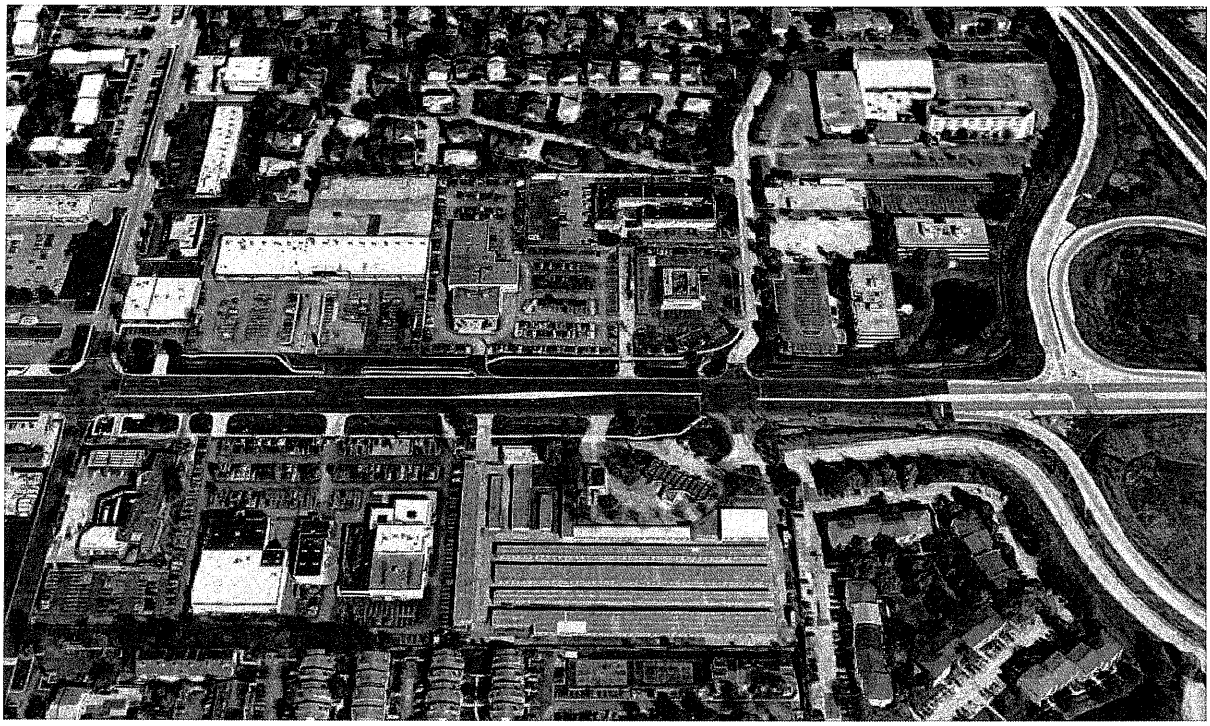


Attachment: ORD - Adopting & Approving Redevelopment Plan and Project for Dundee Road and IL 53 Project Area (Dundee Road & IL 53 TIF

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Exhibit D

Dundee Road and IL 53 Plan and Project



VILLAGE OF PALATINE, IL

Proposed Dundee Road and IL 53 Redevelopment Project Area

Tax Increment Financing District

Eligibility Report and Redevelopment Plan and Project

REPORT | March 12, 2024

SB FRIEDMAN

Attachment: ORD - Adopting & Approving Redevelopment Plan and Project for Dundee Road and IL 53 Project Area (Dundee Road & IL 53 TIF

Attachment: ORD - Adopting & Approving Redevelopment Plan and Project for Dundee Road and IL 53 Project Area (Dundee Road & IL 53 TIF

VILLAGE OF PALATINE, IL

PROPOSED DUNDEE ROAD AND IL 53 Redevelopment Project Area

Tax Increment Financing District

Eligibility Report and Redevelopment Plan and Project

March 12, 2024

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VILLAGE OF PALATINE, IL

Proposed Dundee Road and IL 53 Redevelopment Project Area Tax Increment Financing District Eligibility Report and Redevelopment Plan and Project

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Attachment: ORD - Adopting & Approving Redevelopment Plan and Project for Dundee Road and IL 53 Project Area (Dundee Road & IL 53 TIF

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1. Introduction

The Village of Palatine (the "Village") seeks to establish a tax increment financing (TIF) district to serve as an economic development tool and promote the revitalization of land along and adjacent to West Dundee Road between IL 53 and North Baldwin Road. The Village engaged SB Friedman Development Advisors, LLC (SB Friedman) in August 2023 to conduct a redevelopment project area feasibility study and prepare a redevelopment plan and project.

This document serves as the Eligibility Report and Redevelopment Plan and Project (together, the "Report") for the proposed Dundee Road and IL 53 Redevelopment Project Area ("Dundee Road and IL 53 RPA" or the "RPA"). **Section 2** of the Report, the Eligibility Report, details the eligibility factors found within the proposed RPA in support of its designation as a "conservation area" for improved land, within the definitions set forth in the Illinois Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4--1 et seq., as amended (the "Act"). **Section 3** of this Report, the Redevelopment Plan and Project (the "Redevelopment Plan") outlines the comprehensive program to revitalize the proposed RPA, as required by the Act.

Redevelopment Project Area

The proposed Dundee Road and IL 53 RPA is located within the Village of Palatine in Cook County (the "County"), as shown on **Map 1**. The proposed Dundee Road and IL 53 RPA consists of 17 tax parcels (16 improved parcels and one vacant parcel) and 24 buildings. It comprises approximately 44 acres of land, of which approximately 1.2 acres are vacant, 36.0 acres are improved, and approximately 6.7 acres are right-of-way. The parcels included in the proposed RPA are roughly bound by IL 53, Palmer Lane and Inverrary Lane, Baldwin Road, and Wyndham Drive, as illustrated in **Map 2.** Because the vacant parcel makes up a minimal percentage of the overall proposed RPA, SB Friedman's eligibility analyses were completed for improved parcels only. Based upon SB Friedman's research, the proposed RPA currently consists of commercial land use, as shown in **Map 3**.

Determination of Eligibility

This Report concludes that the proposed Dundee Road and IL 53 RPA is eligible for designation as a "conservation area" for improved land, per the Act.

CONSERVATION AREA FINDINGS

For the land within the proposed RPA, the Cook County Assessor's Office indicated that at least 75% of primary structures are aged 35 years or older. This satisfies the requirement that 50% or more of the structures in the area have an age of 35 years or more. Further, the following four (4) eligibility factors have been found to be present to a meaningful extent and reasonably distributed throughout the proposed RPA:

1. Lack of Growth in Equalized Assessed Value (EAV);
2. Deterioration;
3. Presence of Structures below Minimum Code Standards; and
4. Inadequate Utilities

Attachment: ORD - Adopting & Approving Redevelopment Plan and Project for Dundee Road and IL 53 Project Area (Dundee Road & IL 53 TIF

These factors are defined under the Act at 65 ILCS 5/11-74.4-3-(a) and (b) and are more fully described in **Appendix 2**.

Based on the age of primary structures in the proposed RPA and the presence of four (4) eligibility factors, the proposed RPA qualifies under a "conservation area" finding (age of structures plus at least three eligibility factors).

SUMMARY OF ELIGIBILITY FINDINGS

SB Friedman has found that the proposed RPA qualifies as a "conservation area," with 75% of the primary structures within the proposed RPA at least 35 years of age or older, and four (4) of the thirteen (13) eligibility factors were found to be present to a meaningful extent and reasonably distributed within the proposed RPA.

These conditions hinder the potential to redevelop the proposed RPA and capitalize on its unique attributes. The proposed RPA will benefit from a strategy that addresses lack of growth in EAV, deterioration, structures below code, inadequate utilities and aged buildings to facilitate the overall improvement of its physical condition.

Redevelopment Plan Goal, Objectives and Strategy

GOAL. The overall goal of the Redevelopment Plan is to reduce or eliminate conditions that qualify the proposed RPA as a "conservation area," and to provide the direction and mechanisms necessary to redevelop the proposed RPA as a vibrant commercial district. Redevelopment of the proposed RPA is intended to revitalize the area, strengthen the economic base and enhance the Village's overall quality of life.

OBJECTIVES. The following six (6) objectives support the overall goal of revitalization of the proposed RPA:

1. Facilitate the physical improvement and/or rehabilitation of existing structures and façades within the proposed RPA, and encourage the construction of new commercial and industrial buildings, where appropriate.

2. Foster the replacement, repair, construction and/or improvement of public infrastructure, where needed, to create an environment conducive to private investment.

3. Provide resources for streetscaping, landscaping and signage to improve the image, attractiveness and accessibility of the proposed RPA, create a cohesive identity for the proposed RPA and surrounding area, and provide, where appropriate, for buffering between different land uses and screening of unattractive service facilities such as parking lots and loading areas.

4. Facilitate the assembly and preparation, including demolition and environmental clean-up, where necessary, and marketing of available sites in the proposed RPA for redevelopment and new development by providing resources as allowed by the Act.

5. Support the goals and objectives of other overlapping plans, including the Village of Palatine Comprehensive Plan published in 2011 (the "2011 Comprehensive Plan") and subsequent plans.

6. Coordinate available federal, state and local resources to further the goals of this Redevelopment Plan.

STRATEGY. Redevelopment of the proposed RPA is to be achieved through an integrated and comprehensive strategy that leverages public resources to stimulate additional private investment. The underlying strategy is to use TIF, as well as other funding sources, to reinforce and encourage further private investment.

Financial Plan

ELIGIBLE COSTS. The Act outlines several categories of expenditures that can be funded using incremental property taxes. These expenditures, referred to as eligible redevelopment project costs, include all reasonable or necessary costs incurred or estimated to be incurred and any such costs incidental to this Redevelopment Plan pursuant to the Act.

ESTIMATED REDEVELOPMENT PROJECT COSTS. The estimated eligible redevelopment project costs of this Redevelopment Plan are $30 million. The total of eligible redevelopment project costs provides an upper limit on expenditures that are to be funded using tax increment revenues, exclusive of capitalized interest, issuance costs, interest and other financing costs.

EQUALIZED ASSESSED VALUE OF PROPERTIES IN THE PROPOSED RPA. The 2022 EAV (the most recent year in which assessed values and the equalization factor were available) of all parcels in the proposed RPA is $9,551,699. By tax year 2047 (collection year 2048), the total taxable EAV for the proposed RPA is anticipated to be approximately $33 million.

Required Tests and Findings

The required conditions for the adoption of this Redevelopment Plan are found to be present within the proposed Dundee Road and IL 53 RPA:

1. The proposed RPA is approximately 44 acres in size and thus satisfies the requirement that it be at least 1.5 acres;

2. Limited private investment has occurred in the proposed Dundee Road and IL 53 RPA over the last five years;

3. Without the support of public resources, the redevelopment objectives for the proposed RPA would most likely not be realized. Accordingly, "but for" the designation of a TIF district, these projects would be unlikely to occur on their own;

4. The proposed Dundee Road and IL 53 RPA includes only those contiguous parcels of real property that are expected to benefit substantially from the proposed Redevelopment Plan;

5. The Redevelopment Plan conforms to and proposes land uses that are consistent with the 2011 Comprehensive Plan;

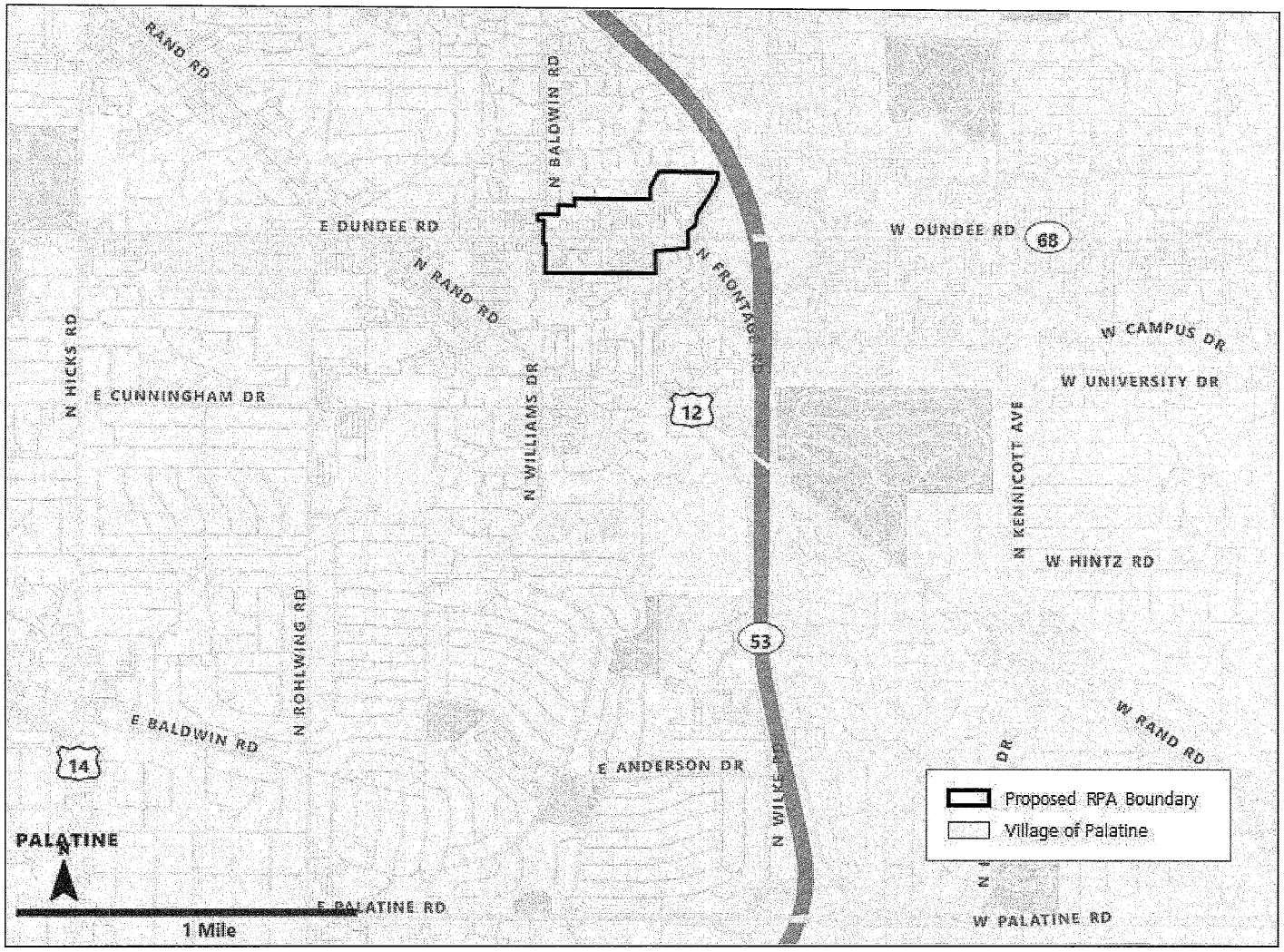
6. There are no residential units in the proposed RPA. Therefore, a Housing Impact Study is not required under the Act; and

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7. The Redevelopment Plan is estimated to be completed and all obligations issued to finance redevelopment costs shall be retired no later than December 31, 2048, if the ordinances establishing the proposed RPA are adopted during 2024.

Attachment: ORD - Adopting & Approving Redevelopment Plan and Project for Dundee Road and IL 53 Project Area (Dundee Road & IL 53 TIF

Map 1: Context



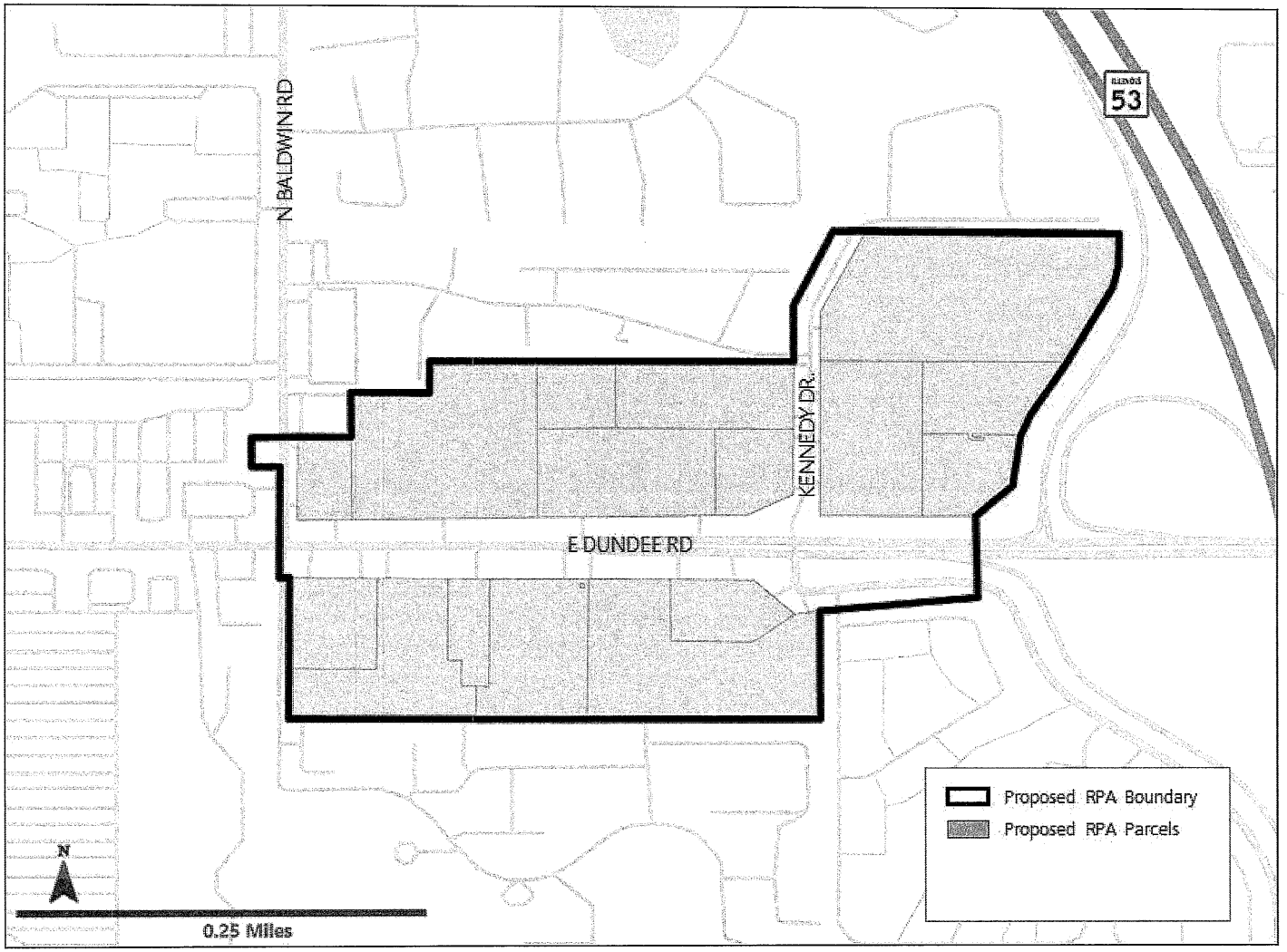
Source: Cook County, Esri, SB Friedman, Village of Palatine

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6.B.2.a

Map 2: Proposed RPA Boundary



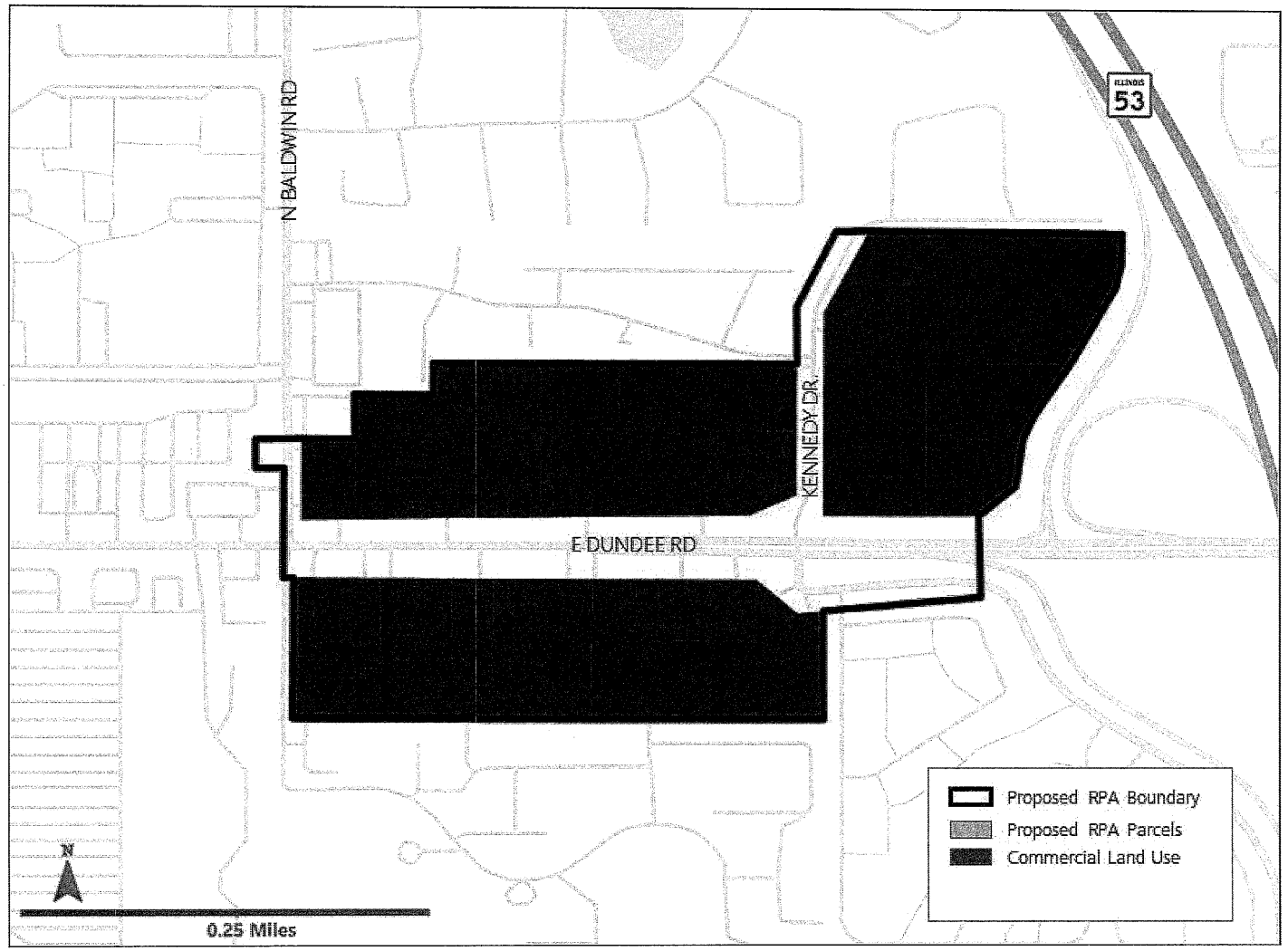
Source: Cook County, Esri, SB Friedman, Village of Palatine

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6.B.2.a

Map 3: Existing Land Use



Source: Cook County, Esri, SB Friedman, Village of Palatine

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6.B.2.a

Attachment: ORD - Adopting & Approving Redevelopment Plan and Project for Dundee Road and IL 53 Project Area (Dundee Road & IL 53 TIF

2. Eligibility Report

This report concludes that the proposed Dundee Road and IL 53 RPA is eligible for designation as a "conservation area" for improved land, per the Act.

Provisions of the Illinois Tax Increment Allocation Redevelopment Act

Under the Act, two (2) primary avenues exist to establish eligibility for an area to permit the use of TIF for redevelopment: declaring an area as a "blighted area" and/or a "conservation area." "Blighted areas" are those improved or vacant areas with blighting influences that are impacting the public safety, health, morals or welfare of the community, and are substantially impairing the growth of the tax base in the area. "Conservation areas" are those improved areas that are deteriorating and declining and soon may become blighted. A description of the statutory provisions of the Act is provided below.

Factors for Improved Areas

According to the Act, "blighted areas" for improved land must demonstrate at least five (5) of the following eligibility factors, which threaten the health, safety, morals or welfare of the proposed district. "Conservation areas" must have a minimum of 50% of the total structures within the area aged 35 years or older, plus a combination of three (3) or more additional eligibility factors that are detrimental to the public's safety, health, morals or welfare, and that could result in such an area becoming a "blighted area." The following are eligibility factors for improved areas:

- Dilapidation
- Obsolescence
- Deterioration
- Presence of Structures below Minimum Code Standards
- Illegal Use of Individual Structures
- Excessive Vacancies
- Lack of Ventilation, Light or Sanitary Facilities
- Inadequate Utilities
- Excessive Land Coverage and Overcrowding of Structures and Community Facilities
- Deleterious Land Use or Layout
- Environmental Clean-Up
- Lack of Community Planning
- Lack of Growth in EAV

A definition of each factor is provided in **Appendix 2**.

Methodology Overview

SB Friedman conducted the following analyses to determine whether the proposed Dundee Road and IL 53 RPA is eligible for designation as a "conservation area" for improved land, per the Act:

- Parcel-by-parcel field observations and photography documenting external property conditions;
- Analysis of historical EAV trends for the last six years (five year-to-year periods) for which data are available and final (2017-2022) from the Cook County Assessor's Office;
- Review of building age data from the Cook County Assessor's Office;

- Review of parcel-level GIS shapefile data provided by the Village;
- Review of building permit records (2018-2023) as of November 2023;
- Review of a memorandum from the Village's Department of Public Works regarding the condition of existing utilities; and
- Review of current and prior comprehensive plans provided by the Village (from 1990 and the current supplemental plan from 2011).

SB Friedman examined all parcels for qualification factors consistent with requirements of the Act. SB Friedman analyzed the presence or absence of each eligibility factor parcel-by-parcel basis as applicable. The building and parcel information was then plotted on a map of the proposed RPA to determine which factors were present to a meaningful extent and reasonably distributed throughout the proposed RPA.

Conservation Area Findings

Based upon the conditions found within the proposed RPA at the completion of SB Friedman's research, it has been determined that the improved land within the proposed RPA meets the eligibility requirements of the Act as a "conservation area." Of the 24 primary structures in the proposed RPA, at least 18 structures (75%) are 35 years of age or older, as they were constructed before 1988. **Map 4** shows the location of primary structures that are 35 years or older. SB Friedman's research indicates that the following four (4) factors are present to a meaningful extent and reasonably distributed throughout the proposed RPA:

1. Lack of Growth in EAV;
2. Deterioration;
3. Presence of Structures below Minimum Code Standards; and
4. Inadequate Utilities.

Each eligibility factor that is present to a meaningful extent and reasonably distributed throughout the proposed RPA is summarized below. **Map 5** illustrates the distribution of deterioration found on a parcel-by-parcel basis within the proposed RPA.

1. LACK OF GROWTH IN EAV

The Act defines lack of growth in EAV as having the total EAV of the proposed RPA under evaluation either decline for at least three (3) of the last five (5) year-to-year periods; or increase at an annual rate that was less than the balance of the Village for at least three (3) of the past five (5) year-to-year periods; or increase at an annual rate that was less than the Consumer Price Index for at least three (3) of the past (5) year-to-year periods. A full definition is provided in **Appendix 2.**

SB Friedman tabulated the EAV history of all proposed RPA tax parcels for the previous five year-to-year periods. The most recent year for which final information was available was 2022. SB Friedman's analysis identified a lack of EAV growth within the proposed RPA in accordance with the following criteria, as defined in the Act:

1. The total EAV of the proposed RPA parcels has declined for three (3) of the last five (5) year-to-year periods; and

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2. The EAV growth rate for the proposed RPA parcels has been less than the growth rate of the Consumer Price Index for three (3) of the last five (5) year-to-year periods.

This eligibility factor is present to a meaningful extent and assessed area-wide throughout the entire proposed Dundee Road and IL 53 RPA. A summary of SB Friedman's findings is presented in **Table 1**.

Table 1: Annual Change in EAV, 2017-2022

	2017	2018	2019	2020	2021	2022
Study Area Parcels EAV	$6.5 M	$6.4 M	$11.7 M	$8.1 M	$8.0 M	$9.6 M
Percent Change	---	-0.9%	82.1%	-30.9%	-1.4%	20.1%
Study Area Parcels - Decline in EAV	---	YES	**NO**	YES	YES	**NO**
Change in CPI [1]	---	1.8%	1.5%	1.1%	4.2%	7.6%
Proposed RPA Parcels - Growth Less Than CPI	---	YES	**NO**	YES	YES	**NO**

[1] Consumer Price Index for all urban consumers and all items, in the Chicago-Naperville-Elgin area, not seasonally adjusted.
Source: Cook County Assessor; Cook County Clerk; SB Friedman; U.S. Bureau of Labor Statistics CPI data for Chicago-Naperville-Elgin, IL-IN-WI metropolitan area.

2. DETERIORATION

The Act defines deterioration as defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking and surface storage areas exhibit deterioration including but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material and weeds protruding through paved surfaces.

Physical deterioration was observed on 14 of 16 improved parcels (88% of improved parcels). The most common form of deterioration was on surface improvements, including streets, parking lots and alleys. Catalogued surface improvement deterioration included cracks in infrastructure, alligatoring of pavement and damaged curbs. Building deterioration included damaged soffit, fascia and shingles and water damage. Deterioration of buildings and surface improvements can make it appear as though the proposed RPA lacks investment and can make it more difficult to attract new businesses or consumers. This factor was found to be meaningfully present and reasonably distributed throughout the proposed RPA.

3. INADEQUATE UTILITIES

The Act defines inadequate utilities as underground and overhead utilities, such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone and electrical services, which are:

1. Of insufficient capacity to serve the uses in the redevelopment project area;
2. Deteriorated, antiquated, obsolete or in disrepair; or
3. Lacking within the redevelopment project area.

Based on the memorandum provided by the Village's Public Works Department, the entire storm sewer system was built 30 years ago on average and has insufficient capacity to serve the proposed RPA. It also does not meet the current design standards for volume control or stormwater detention pursuant to the Metropolitan

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Water Reclamation District's Watershed Management Ordinance requirements. Additionally, 9 of 16 improved parcels (56%) have inadequate water systems for service availability, system reliability by looping, and fire flows. Finally, one parcel is not well served by sanitary infrastructure.

Collectively, these inadequate utility lines service 100% of the proposed RPA's improved parcels. Based on these conditions, the inadequate utilities factor was found to be present to a meaningful extent and reasonably distributed throughout the improved parcels in the proposed RPA.

4. PRESENCE OF STRUCTURES BELOW MINIMUM CODE STANDARDS

Per the Act, structures below minimum code standards are those that do not meet applicable standards of zoning, subdivision, building, fire and other governmental codes. The principal purpose of such codes is to protect the health and safety of the public, including building occupants, pedestrians and occupants of neighboring structures.

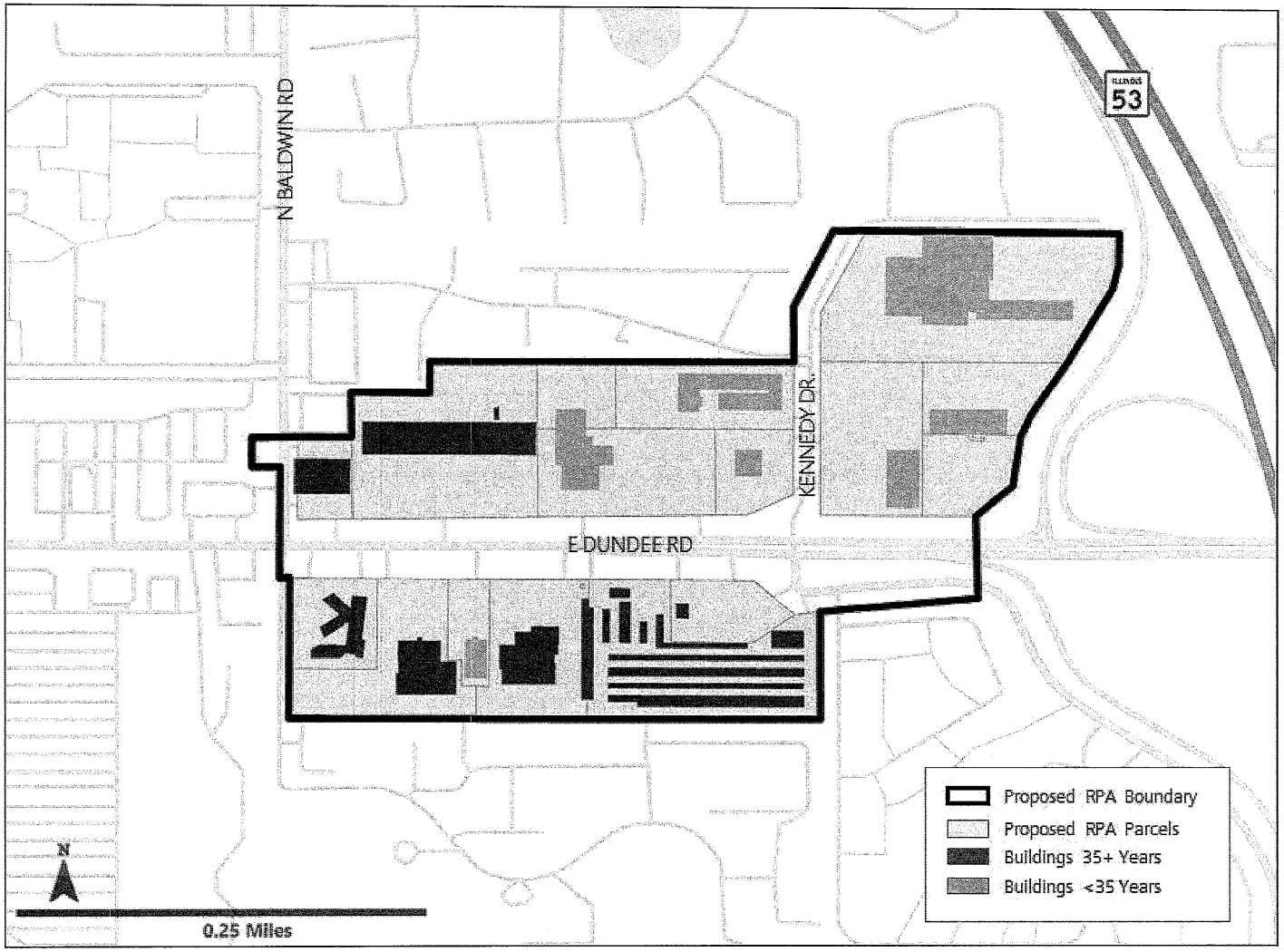
According to the memorandum provided by the Village's Department of Public Works, the existing storm sewer system was built on average 30 years ago and does not meet the Metropolitan Water Reclamation District's current standards for volume control or stormwater detention. This indicates that 100% of improved parcels in the proposed RPA do not meet at least one current code. The presence of structures below minimum code standards, and the cost to upgrade "grandfathered" structures to meet modern codes may also reduce the overall competitiveness and economic viability of the area. Based on information provided by the Village, this factor is present to a meaningful extent and is reasonably distributed throughout the proposed RPA.

Summary of Findings

SB Friedman has found that the proposed RPA qualifies to be designated as a "conservation area" for improved land. The improved land is eligible as a "conservation area", with 75% of the structures within the proposed RPA at least 35 years of age or older, and four (4) of the thirteen (13) eligibility factors present to a meaningful extent and reasonably distributed within the proposed RPA.

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Map 4: Improved Land Factor: Age of Structures



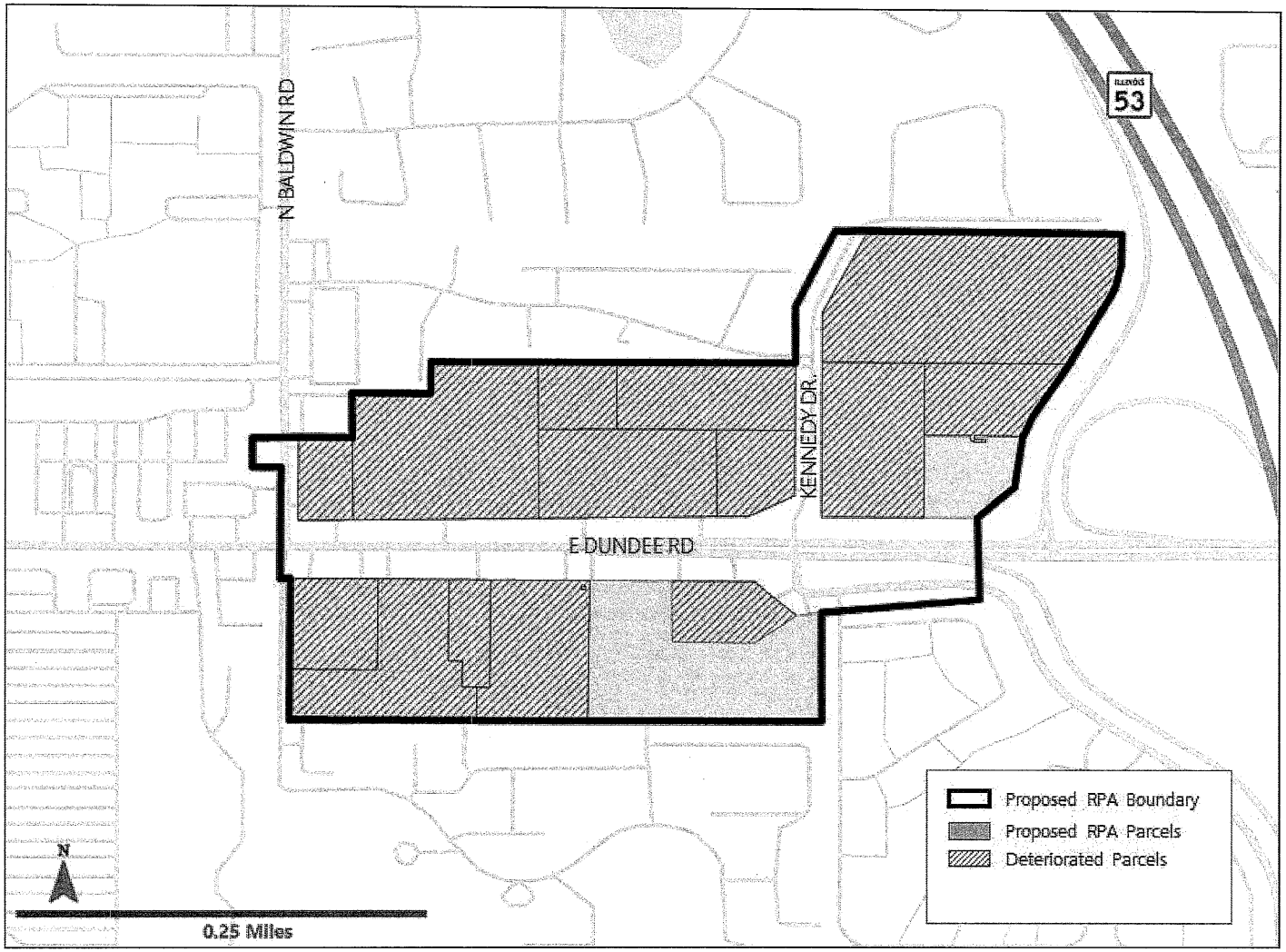
Source: Cook County, Esri, SB Friedman, Village of Palatine

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Map 5: Improved Land Factor: Deterioration



Source: Cook County, Esri, SB Friedman, Village of Palatine

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3. Redevelopment Plan and Project

This document describes the comprehensive redevelopment program proposed to be undertaken by the Village to create an environment in which private investment can reasonably occur. The redevelopment program will be implemented over the 23-year life of the proposed RPA. If a redevelopment project is successful, various new projects will be undertaken that will assist in alleviating blighting conditions and promoting rehabilitation and development in the proposed RPA.

Redevelopment Needs of the Proposed RPA

Currently, the proposed RPA is comprised of aged buildings that are characterized by a failure to meet current code standards, a lack of growth in property values, deterioration, and inadequate utilities. These conditions reduce the value of the properties in the area and make the proposed RPA less competitive with property in other communities, thus limiting local area employment and development opportunities, and contributing to the lack of new investment in the proposed RPA.

The existing conditions for the proposed RPA suggest five (5) major redevelopment needs:

1. Capital improvements that further the objectives set forth in this Redevelopment Plan;
2. Site preparation, environmental remediation and stormwater management;
3. Redevelopment of underutilized parcels;
4. Streetscape and infrastructure improvements, including utilities;
5. Rehabilitation of existing buildings and/or construction of new buildings.

The goals, objectives and strategies discussed below have been developed to address these needs and facilitate the sustainable redevelopment of the proposed RPA.

GOAL, OBJECTIVES AND STRATEGY

GOAL. The overall goal of the Redevelopment Plan is to reduce or eliminate conditions that qualify the proposed RPA as a "conservation area," and to provide the direction and mechanisms necessary to redevelop the proposed RPA as a vibrant commercial district. Redevelopment of the proposed RPA is intended to revitalize the area, strengthen the economic base and enhance the Village's overall quality of life.

OBJECTIVES. The following six (6) objectives support the overall goal of revitalization of the proposed RPA:

1. Facilitate the physical improvement and/or rehabilitation of existing structures and façades within the proposed RPA, and encourage the construction of new commercial and industrial buildings, where appropriate.

2. Foster the replacement, repair, construction and/or improvement of public infrastructure, where needed, to create an environment conducive to private investment.

3. Provide resources for streetscaping, landscaping and signage to improve the image, attractiveness and accessibility of the proposed RPA; create a cohesive identity for the proposed RPA and

surrounding area; and provide, where appropriate, buffering between different land uses and screening of unattractive service facilities such as parking lots and loading areas.

4. Facilitate the assembly and preparation, including demolition and environmental clean-up, where necessary, and marketing of available sites in the proposed RPA for redevelopment and new development by providing resources as allowed by the Act.

5. Support the goals and objectives of other overlapping plans, including the Village of Palatine Comprehensive Plan published in 2011 (the "2011 Comprehensive Plan") and subsequent plans.

6. Coordinate available federal, state and local resources to further the goals of this Redevelopment Plan.

STRATEGY. Redevelopment of the proposed RPA is to be achieved through an integrated and comprehensive strategy that leverages public resources to stimulate additional private investment. The underlying strategy is to use TIF, as well as other funding sources, to reinforce and encourage further private investment.

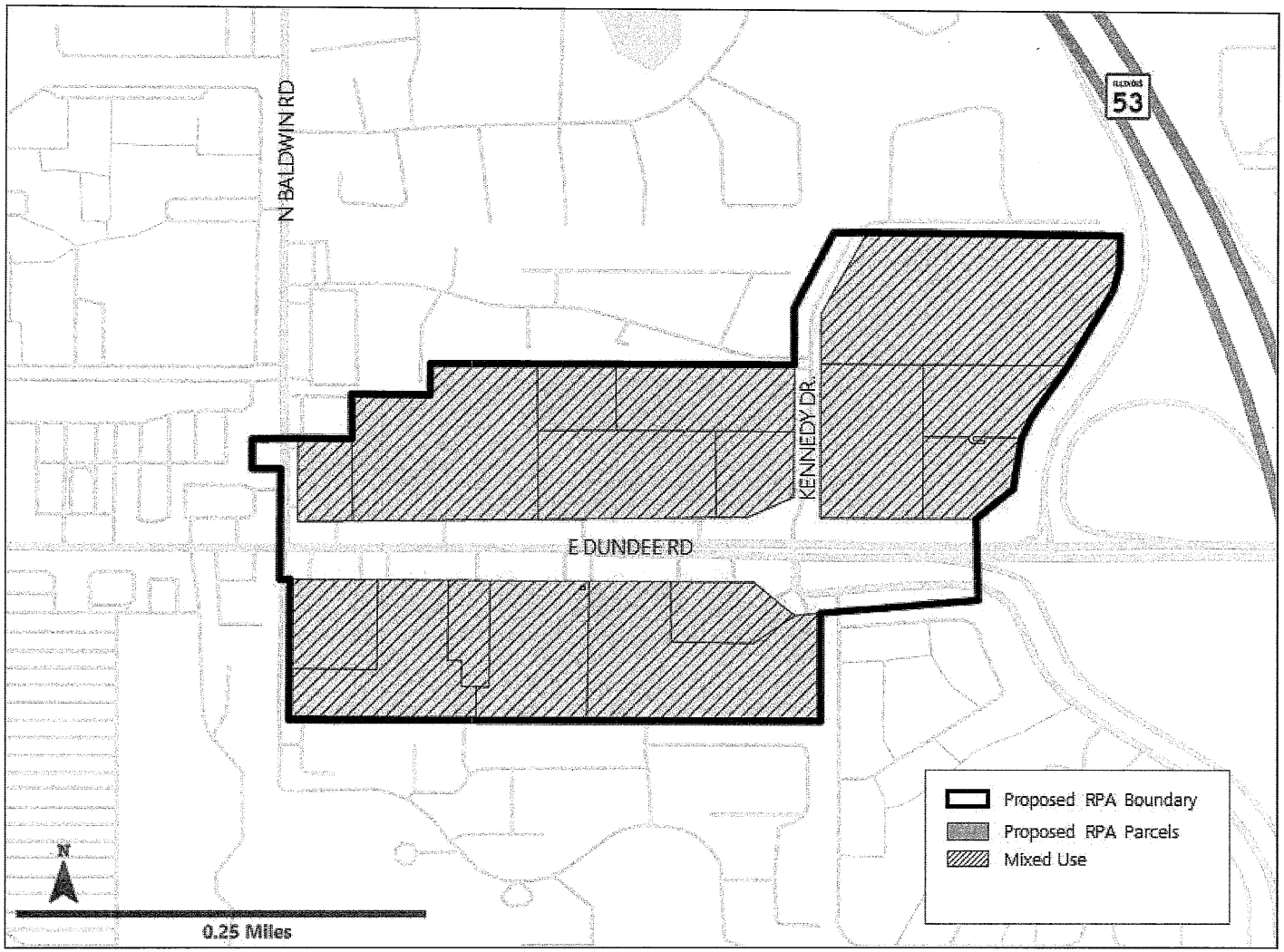
Proposed Future Land Use

The proposed future land use of the proposed RPA, as shown in **Map 6**, reflects the objectives of this Redevelopment Plan. For the purposes of this plan, the mixed-use designation is meant to allow for a variety of uses throughout the proposed RPA in a manner that is in conformance with the 2011 Comprehensive Plan. The mixed-use designation allows for the following land uses within the proposed RPA:

- Commercial
- Industrial
- Utilities
- Right-of-Way

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Map 6: Proposed Future Land Use



Source: Cook County, Esri, SB Friedman, Village of Palatine

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Financial Plan

ELIGIBLE COSTS

The Act outlines several categories of expenditures that can be funded using tax increment revenues. These expenditures, referred to as eligible redevelopment project costs, include all reasonable or necessary costs incurred, or estimated to be incurred, and any such costs incidental to this Redevelopment Plan pursuant to the Act. The Village may also reimburse private entities for certain costs incurred in the development and/or redevelopment process. Such costs may include, without limitation, the following:

1. Costs of studies, surveys, development of plans and specifications, and implementation and administration of the redevelopment plan including, but not limited to, staff and professional service costs for architectural, engineering, legal, financial, planning or other services (excluding lobbying expenses), provided that no charges for professional services are based on a percentage of the tax increment collected, as more fully set forth in 65 ILCS 5/11-74.4-3(q)(1).

2. The costs of marketing sites within the redevelopment project area to prospective businesses, developers and investors.

3. Property assembly costs, including but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, site preparation, site improvements that serve as an engineered barrier addressing ground-level or below-ground environmental contamination, including, but not limited to parking lots and other concrete or asphalt barriers, and the clearing and grading of land as more fully set forth in 65 ILCS 5/11-74.4-3(q)(2).

4. Costs of rehabilitation, reconstruction, or repair or remodeling of existing public or private buildings, fixtures and leasehold improvements, as more fully set forth in 65 ILCS 5/11-74.4-3(q)(3); and the costs of replacing an existing public building if pursuant to the implementation of a redevelopment project, the existing public building is to be demolished to use the site for private investment or devoted to a different use requiring private investment.

5. Costs of the construction of public works or improvements, subject to the limitations in Section 11-74.4-3(q)(4) of the Act.

6. Costs of job training and retraining projects, including the costs of "welfare to work" programs implemented by businesses located within the redevelopment project area, as more fully set forth in 65 ILCS 5/11-74.4-3(q)(5).

7. Financing costs, including but not limited to all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations issued hereunder including interest accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not exceeding 36 months thereafter and including reasonable reserves related thereto.

8. To the extent the municipality by written agreement accepts and approves the same, all or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred within a taxing district in furtherance of the objectives of this Redevelopment Plan.

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9. An elementary, secondary or unit school district's increased per-pupil tuition costs attributable to net new pupils added to the district living in assisted housing units will be reimbursed, as further defined in the Act.

10. A library district's increased per-patron costs attributable to net new persons eligible to obtain a library card living in assisted housing units, as further defined in the Act.

11. Relocation costs to the extent that the municipality determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or state law, or by Section 11-74.4-3(n)(7) of the Act.

12. Payment in lieu of taxes, as defined in the Act.

13. Costs of job training, retraining, advanced vocational education or career education, including, but not limited to, courses in occupational, semi-technical or technical fields leading directly to employment, incurred by one or more taxing districts, as more fully set forth in 65 ILCS 5/11-74.4-3(q)(10).

14. Interest costs incurred by a developer, as more fully set forth in 65 ILCS 5/11-74.4-3(q)(11), related to the construction, renovation or rehabilitation of a redevelopment project provided that:

    a. Such costs are to be paid directly from the special tax allocation fund established, pursuant to the Act;

    b. Such payments in any one year may not exceed thirty percent (30%) of the annual interest costs incurred by the developer with regard to the development project during that year;

    c. If there are not sufficient funds available in the special tax allocation fund to make the payment pursuant to this provision, then the amounts so due shall accrue and be payable when sufficient funds are available in the special tax allocation fund;

    d. The total of such interest payments paid, pursuant to the Act, may not exceed thirty percent (30%) of the total of: (i) cost paid or incurred by the developer for the redevelopment project; and (ii) redevelopment project costs excluding any property assembly costs and any relocation costs incurred by the municipality, pursuant to the Act;

    e. For the financing of rehabilitated or new housing for low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, the percentage of seventy-five percent (75%) shall be substituted for thirty percent (30%) in subparagraphs 14b and 14d above; and

    f. Instead of the interest costs described above in paragraphs 14b and 14d, a municipality may pay from tax incremental revenues up to fifty percent (50%) of the cost of construction, renovation and rehabilitation of new housing units (for ownership or rental) to be occupied by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, as more fully described in the Act. If the units are part of a

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residential redevelopment project that includes units not affordable to low- and very low-income households, only the low- and very low-income units shall be eligible for this benefit under the Act.

Unless explicitly provided in the Act, the cost of construction of new privately-owned buildings shall not be an eligible redevelopment project cost.

If a Special Service Area is established pursuant to the Special Service Area Tax Act, 35 ILCS 235/0.01 et seq., then any tax increment revenues derived from the tax imposed pursuant to the Special Service Area Tax Act may be used within the redevelopment project area for the purposes permitted by the Special Service Area Tax Act as well as the purposes permitted by the Act.

ESTIMATED REDEVELOPMENT PROJECT COSTS

The total eligible redevelopment project costs define an upper expenditure limit that may be funded using tax increment revenues, exclusive of capitalized interest, issuance costs, interest, and other financing costs. The totals of line items are not intended to place a limit on the described expenditures. Adjustments to the estimated line-item costs are expected and may be made administratively by the Village without amendment to this Redevelopment Plan, either increasing or decreasing line-item costs because of changed redevelopment costs and needs. Each individual project cost will be re-evaluated in light of projected private development and resulting incremental tax revenues as it is considered for public financing under the provisions of the Act. The estimated eligible costs of this Redevelopment Plan are shown in **Table 2**.

Additional funding in the form of state and federal grants, private developer contributions, and other outside sources may be pursued by the Village as a means of financing improvements and facilities within the proposed RPA.

Table 2: Estimated TIF-Eligible Redevelopment Project Costs

Eligible Expense [1]	Estimated Project Costs
Administration and Professional Service Costs	$500,000
Site Marketing Costs	$500,000
Property Assembly and Site Preparation Costs	$9,000,000
Building Rehabilitation Costs	$5,600,000
Construction of Public Works or Improvements Costs	$13,000,000
Job Training or Retraining Costs (Businesses)	$50,000
Financing Costs	$250,000
Taxing District Capital Costs	$250,000
Job Training Costs (Community College)	$100,000
Interest Costs (Developer or Property Owner)	$250,000
Relocation Costs	$500,000
TOTAL REDEVELOPMENT PROJECT COSTS [2] [3] [4]	**$30,000,000**

[1] Described in more detail in Eligible Costs Section.

[2] Total Redevelopment Project Costs exclude any additional financing costs, including any interest expense, capitalized interest, costs of issuance, and costs associated with optional redemptions. These costs are subject to prevailing market conditions and are in addition to Total Redevelopment Project Costs.

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[3] The amount of the Total Redevelopment Project Costs that can be incurred in the proposed RPA may be reduced by the amount of redevelopment project costs incurred in contiguous RPAs, or those separated from the proposed RPA only by a public right-of-way, that are permitted under the Act to be paid, and are paid, from incremental property taxes generated in the proposed RPA, but may not be reduced by the amount of redevelopment project costs incurred in the proposed RPA that are paid from incremental property taxes generated in contiguous RPAs or those separated from the proposed RPA only by a public right-of-way.

[4] All costs are in 2024 dollars and may be increased by 5% after adjusting for annual inflation reflected in the Consumer Price Index (CPI), published by the U.S. Department of Labor. In addition to the above stated costs, each issue of obligations issued to finance a phase of the Redevelopment Plan may include an amount of proceeds sufficient to pay customary and reasonable charges associated with the issuance of such obligations, including interest costs.

PHASING, SCHEDULING OF THE REDEVELOPMENT AND ESTIMATED DATES OF COMPLETION

Each private project within the proposed RPA receiving TIF benefits shall be governed by the terms of a written redevelopment agreement entered into by a designated developer and the Village of Palatine. This Redevelopment Plan is estimated to be completed, and all obligations issued to finance redevelopment costs are estimated to be retired, no later than December 31 of the year in which the payment to the Village provided in the Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year following the year in which the ordinance approving this proposed RPA is adopted. This Redevelopment Plan is estimated to be completed, and all obligations issued to finance redevelopment costs shall be retired no later than December 31, 2048, if the ordinances establishing the proposed RPA are adopted during 2024.

SOURCES OF FUNDS TO PAY COSTS

Funds necessary to pay for redevelopment project costs and/or municipal obligations, which may be issued or incurred to pay for such costs, are to be derived principally from tax increment revenues and/or proceeds from municipal obligations, which have as a repayment source tax increment revenue. To secure the issuance of these obligations and the developer's performance of redevelopment agreement obligations, the Village may require the utilization of guarantees, deposits, reserves, and/or other forms of security made available by private sector developers. The Village may incur redevelopment project costs that are paid from the funds of the Village other than incremental taxes, and the Village then may be reimbursed for such costs from incremental taxes.

The tax increment revenue, which will be used to fund tax increment obligations and eligible redevelopment project costs, shall be the incremental real property tax revenues. Incremental real property tax revenue is attributable to the increase of the current EAV of each taxable lot, block, tract or parcel of real property in the proposed RPA over and above the certified initial EAV of each such property.

Other sources of funds, which may be used to pay for development costs and associated obligations issued or incurred, include land disposition proceeds, state and federal grants, investment income, private investor and financial institution funds, and other sources of funds and revenues as the municipality and developer may deem appropriate.

The proposed RPA may be or become contiguous to or be separated only by a public right-of-way from, other redevelopment areas created under the Act (65 ILCS 5/11 74.4 4 et. seq.). The Village may utilize net incremental property tax revenues received from the proposed RPA to pay eligible redevelopment project costs, or obligations issued to pay such costs, in other contiguous redevelopment project areas, or those separated only by a public right-of-way, and vice versa. The amount of revenue from the proposed RPA made available to

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support such contiguous redevelopment project areas, or those separated only by a public right-of-way, when added to all amounts used to pay eligible redevelopment project costs within the proposed RPA, shall not at any time exceed the Total Redevelopment Project Costs described in **Table 2** of this Redevelopment Plan.

ISSUANCE OF OBLIGATIONS

To finance project costs, the Village may issue bonds or obligations secured by the anticipated tax increment revenue generated within the proposed RPA, or such other bonds or obligations as the Village may deem as appropriate. The Village may require the utilization of guarantees, deposits or other forms of security made available by private sector developers to secure such obligations. In addition, the Village may provide other legally permissible credit enhancements to any obligations issued pursuant to the Act.

All obligations issued by the Village pursuant to this Redevelopment Plan and the Act shall be retired within the timeframe described under "Phasing, Scheduling of the Redevelopment and Estimated Dates of Completion" above. Also, the final maturity date of any such obligations that are issued may not be later than 20 years from their respective dates of issue. One or more of a series of obligations may be sold at one or more times in order to implement this Redevelopment Plan. The amounts payable in any year as principal and interest on all obligations issued by the Village shall not exceed the amounts available from tax increment revenues, or other sources of funds, if any, as may be provided by ordinance. Obligations may be of parity or senior/junior lien nature. Obligations issued may be serial or term maturities, and may or may not be subject to mandatory, sinking fund or optional redemptions.

In addition to paying redevelopment project costs, tax increment revenues may be used for the scheduled and/or early retirement of obligations, and for reserves and bond sinking funds.

MOST RECENT EQUALIZED ASSESSED VALUE OF PROPERTIES IN THE PROPOSED RPA

The purpose of identifying the most recent EAV of the proposed RPA is to provide an estimate of the initial EAV for the purpose of annually calculating the incremental EAV and incremental property taxes of the proposed RPA. The 2022 EAV (the most recent year in which final assessed values and equalization factor were available) of all taxable parcels in the proposed RPA is $9,551,699 This total EAV amount by property index number (PIN) is summarized in **Appendix 4**. The EAV is subject to verification by the Cook County Assessor's Office. After verification, the final figure shall be certified by the Cook County Clerk and shall subsequently become the "Certified Initial EAV" from which all incremental property taxes in the proposed RPA will be calculated by the County.

ANTICIPATED EQUALIZED ASSESSED VALUE

By tax year 2047 (collection year 2048), the total taxable EAV for the proposed RPA is anticipated to be approximately $33 million.

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Impact of the Redevelopment Project

This Redevelopment Plan is expected to have short- and long-term financial impacts on the affected taxing districts. During the period when TIF is utilized, real estate tax increment revenues from the increases in EAV over and above the Certified Initial EAV (established at the time of adoption of this document) may be used to pay eligible redevelopment project costs for the proposed RPA. To the extent that real property tax increment is not required for such purposes, revenues shall be declared surplus and become available for distribution annually to area taxing districts in the manner provided by the Act. At the time when the proposed RPA is no longer in place under the Act, the real estate tax revenues resulting from the redevelopment of the proposed RPA will be distributed to all taxing district levying taxes against property located in the proposed RPA. These revenues will then be available for use by the affected taxing districts.

DEMAND ON TAXING DISTRICT SERVICES AND PROGRAMS TO ADDRESS FINANCIAL AND SERVICE IMPACT

In 1994, the Act was amended to require an assessment of any financial impact of a redevelopment project area on, or any increased demand for service from, any taxing district affected by the redevelopment plan, and a description of any program to address such financial impacts or increased demand.

Replacement of underutilized buildings and sites with active and more intensive uses may result in additional demands on services and facilities provided by the districts. Given the preliminary nature of this Redevelopment Plan, specific fiscal impacts on the taxing districts and increases in demand for services provided by those districts cannot accurately be assessed within the scope of this Plan. At this time, no special programs are proposed for these taxing districts. The Village intends to monitor development in the area and should demand increase, the Village intends to work with the affected taxing districts to determine what, if any, program is necessary to provide adequate services.

The following taxing districts presently levy taxes on properties within the proposed RPA:

- Consolidated Elections
- County of Cook
- Forest Preserve District of Cook County
- General Assistance Palatine
- Harper Community College District 512
- Metro Water Reclamation District of Greater Chicago
- Northwest Mosquito Abatement District
- Palatine Park District
- Palatine Public Library District
- Palatine Township
- Palatine Township High School 211
- Road And Bridge Palatine
- School District Community Consolidated 15
- Village of Palatine

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Required Tests and Findings

As a part of establishing the proposed RPA, the following additional findings must be made:

FINDING 1: LACK OF GROWTH AND DEVELOPMENT THROUGH PRIVATE INVESTMENT

The Village is required to evaluate whether the redevelopment project area has been subject to growth and development through private investment and must substantiate a finding of lack of such investment. Limited private investment has occurred in the proposed Dundee Road and IL 53 RPA during the past five years (2017-2022), as demonstrated by the following:

- **EAV TRENDS.** Change in property value is one of the strongest indicators that an area is suffering from decline and a lack of private investment. As outlined in the preceding sections and shown in **Table 1** above, the proposed RPA as a whole has declined for three of the last five year-to-year periods. Similarly, the improved parcels within the proposed RPA have declined for three of the past five year-to-year periods. Additionally, EAV growth for the entire proposed RPA as well as the improved parcels has been less than CPI growth for three of the last five year-to-year periods. Thus, the proposed RPA has not been subject to growth and development through investment by private enterprise.

- **LIMITED CONSTRUCTION-RELATED PERMIT ACTIVITY.** Building permit data provided by the Village indicates that there has been minimal investment in commercial improvements over the past five years from 2018 to 2023.

Finding: *The proposed RPA has not been subject to growth and development through investment by private enterprise.*

FINDING 2: "BUT FOR..." REQUIREMENT

The Village is required to find that the redevelopment project area would not reasonably be anticipated to be developed without the adoption of this Redevelopment Plan.

Without the support of public resources, the redevelopment objectives for the proposed RPA would most likely not be realized. The investments required to update and maintain buildings and sites exhibiting deterioration, and inadequate utilities that are below minimum code throughout the proposed Dundee Road and IL 53 RPA are extensive and costly, and the private market, on its own, has shown little ability to absorb all of these costs. Public resources to assist with public improvements and project-specific development costs are essential to leverage private investment and facilitate RPA-wide redevelopment.

Finding: *But for the adoption of this Redevelopment Plan, critical resources will be lacking to support the redevelopment of the proposed RPA, and the proposed RPA would not reasonably be anticipated to be developed without the adoption of this Redevelopment Plan.*

FINDING 3: CONTIGUITY AND SUBSTANTIAL BENEFIT

No redevelopment project area can be designated unless the proposed redevelopment project area only includes those contiguous parcels that are to be substantially benefited by the proposed redevelopment project improvements.

Finding: *The proposed RPA includes only those contiguous parcels of real property that are expected to benefit substantially from this Redevelopment Plan.*

FINDING 4: CONFORMANCE TO THE PLANS OF THE VILLAGE

The redevelopment plan must conform to the comprehensive plan for the development of the municipality as a whole.

The 2011 Comprehensive Plan identifies the proposed RPA as part of the Dundee Road Subarea, the "strongest commercial concentration in the Village." As indicated in the Land Use Plans and Community Identity section of the 2011 Plan, the Village's overall land use goal for this area is to "maintain [it] as a regional destination for attractive retail in the northwest suburbs." All aspects of this Redevelopment Plan are in agreement with, but subservient to, plans made in the Village's 2011 Plan.

Finding*: The Dundee Road and IL 53 Redevelopment Plan conforms to and proposes predominant land uses that are consistent with the 2011 Comprehensive Plan.*

FINDING 5: HOUSING IMPACT AND RELATED MATTERS

As set forth in the Act, if a redevelopment plan for a redevelopment project area would result in the displacement of residents from 10 or more inhabited residential units, or if the redevelopment project area contains 75 or more inhabited residential units and a municipality is unable to certify that no displacement will occur, the municipality must prepare a Housing Impact Study and incorporate the study into the Redevelopment Plan and Project document.

Finding*: SB Friedman found that there are no housing units within the proposed RPA. Therefore, no displacement can occur as a result of activities pursuant to this Redevelopment Plan and a Housing Impact Study is not required under the Act.*

FINDING 6: ESTIMATED DATES OF COMPLETION

As set forth in the Act, the redevelopment plan must establish the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs.

Finding*: The estimated dates of completion of the project and retirement of obligations are described in "Phasing and Scheduling of the Redevelopment" above. This Redevelopment Plan is estimated to be completed, and all obligations issued to finance redevelopment costs shall be retired no later than December 31, 2048, if the ordinances establishing the proposed RPA are adopted during 2024.*

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Provisions for Amending Action Plan

This Redevelopment Plan and Project document may be amended pursuant to the provisions of the Act.

Commitment to Fair Employment Practices and an Affirmative Action Plan

The Village of Palatine hereby affirms its commitment to fair employment practices and an affirmative action plan.

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Appendix 1: Limitations of the Eligibility Report and Consultant Responsibilities

The Eligibility Report covers events and conditions that were determined to support the designation of the proposed Redevelopment Project Area ("RPA" or "TIF District") as a "conservation area" under the Act at the completion of our field research in October 2023 and not thereafter. These events or conditions include, without limitation, governmental actions and additional developments.

This Eligibility Report, Redevelopment Plan and Project (the "Report") summarizes the analysis and findings of the consultant's work, which, unless otherwise noted, is solely the responsibility of SB Friedman. The Village is entitled to rely on the findings and conclusions of the Report in designating the proposed RPA as a redevelopment project area under the Act. SB Friedman has prepared the Report with the understanding that the Village would rely: (1) on the findings and conclusions of this Redevelopment Plan in proceeding with the designation of RPA and the adoption and implementation of this Redevelopment Plan; and (2) on the fact that SB Friedman has obtained the necessary information including, without limitation, information relating to the equalized assessed value of parcels comprising the proposed RPA, so that the Report will comply with the Act and that the proposed RPA can be designated as a redevelopment project area in compliance with the Act.

The Report is based on estimates, assumptions and other information developed from research of the market, knowledge of the industry, and meetings during which we obtained certain information. The sources of information and bases of the estimates and assumptions are stated in the Report. Some assumptions inevitably will not materialize, and unanticipated events and circumstances may occur. Therefore, actual results achieved will necessarily vary from those described in our Report, and the variations may be material.

The terms of this engagement are such that we have no obligation to revise the Report to reflect events or conditions which occur subsequent to the date of the Report. These events or conditions include, without limitation, economic growth trends, governmental actions, additional competitive developments, interest rates and other market factors. However, we will be available to discuss the necessity for revision in view of changes in economic or market factors.

Preliminary Tax Increment Financing (TIF) projections were prepared for the purpose of estimating the approximate level of increment that could be generated by proposed projects and other properties within the proposed TIF District boundary and from inflationary increases in value. These projections were intended to provide an estimate of the final equalized assessed value (EAV) of the proposed TIF District.

As such, our report and the preliminary projections prepared under this engagement are intended solely for the Village's information, for the purpose of establishing a TIF District. These projections should not be relied upon for purposes of evaluating potential debt obligations or by any other person, firm or corporation, or for any other purposes. Neither the Report nor its contents, nor any reference to our Firm, may be included or quoted in any offering circular or registration statement, appraisal, sales brochure, prospectus, loan or other agreement or document intended for use in obtaining funds from individual investors, without prior written consent.

Attachment: ORD - Adopting & Approving Redevelopment Plan and Project for Dundee Road and IL 53 Project Area (Dundee Road & IL 53 TIF

Appendix 2: Glossary

Factors for Improved Land

Dilapidation. An advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed.

Obsolescence. The condition or process of falling into disuse. Structures have become ill-suited for the original use.

Deterioration. With respect to buildings, defects including but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration including but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material and weeds protruding through paved surfaces.

Presence of Structures below Minimum Code Standards. All structures that do not meet the standards of zoning, subdivision, building, fire and other governmental codes applicable to property, but not including housing and property maintenance codes.

Illegal Use of Individual Structures. The use of structures in violation of the applicable federal, state or local laws, exclusive of those applicable to the *Presence of Structures below Minimum Code Standards*.

Excessive Vacancies. The presence of buildings that are unoccupied or underutilized and that represent an adverse influence on the area because of the frequency, extent or duration of the vacancies.

Lack of Ventilation, Light or Sanitary Facilities. The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

Inadequate Utilities. Underground and overhead utilities, such as storm sewers and storm drainage, sanitary sewers, water lines, and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area, (ii) deteriorated, antiquated, obsolete, or in disrepair, or (iii) lacking within the redevelopment project area.

Excessive Land Coverage and Overcrowding of Structures and Community Facilities. The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: (i) the presence

of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety, and (ii) the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

Deleterious Land Use or Layout. The existence of incompatible land use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive or unsuitable for the surrounding area.

Environmental Clean-Up. The proposed redevelopment project area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by state or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

Lack of Community Planning. The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan, or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

Lack of Growth in Equalized Assessed Value. The total equalized assessed value of the proposed redevelopment project area has declined for three (3) of the last five (5) calendar years prior to the year in which the redevelopment project area is designated; or is increasing at an annual rate that is less than the balance of the municipality for three (3) of the last five (5) calendar years for which information is available; or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for three (3) of the last five (5) calendar years prior to the year in which the redevelopment project area is designated.

Attachment: ORD - Adopting & Approving Redevelopment Plan and Project for Dundee Road and IL 53 Project Area (Dundee Road & IL 53 TIF

Attachment: ORD - Adopting & Approving Redevelopment Plan and Project for Dundee Road and IL 53 Project Area (Dundee Road & IL 53 TIF

Appendix 3: Proposed Dundee Road and IL 53 RPA Boundary Legal Description

All that part of Sections 1 and 12, Township 42 North, Range 10 East of the Third Principal Meridian, bounded and described as follows:

(Described with the intent to follow the right of way lines and property lines herein described, and as such, the courses and distances described herein are superseded by the actual location of the said right of way lines and property lines that they are intended to follow)

Beginning on the westerly right of way line of Kennedy Drive at the southeast corner of Inverrary West Revised & Amended P.U.D. (said subdivision plat recorded April 19, 1983 as document number 26574513 and certificate of correction recorded December 12, 1983 as document number 26892489);

thence northerly, along the easterly line of said Inverrary West P.U.D. (also being the westerly right of way line of Kennedy Drive aforesaid), a distance of 164.52 feet to a bend point;

thence northeasterly along the easterly line of said Inverrary West P.U.D. (also being the westerly right of way line of Kennedy Drive aforesaid), a distance of 264.70 feet to the north line of the south 1011.18 feet of the Southeast Quarter of Section 1 aforesaid;

thence easterly, along the north line of the south 1011.18 feet of the Southeast Quarter of Section 1, a distance of 672.93 feet to the westerly right of way line of F.A. Route 61 (IL. Route #53);

thence southerly, along said westerly right of way line of F.A. Route 61, being a curved line, convex to the east, and having a radius of 635.0 feet, an arc distance of 152.60 feet;

thence southwesterly, along the westerly right of way line of F.A. Route 61, a distance of 194.87 feet;

thence continuing southwesterly, along the westerly right of way line of F.A. Route 61, a distance of 98.29 feet to an intersection with the north line of the south 591.18 feet of the Southeast Quarter of Section 1;

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thence continuing southwesterly, along the westerly right of way line of F.A. Route 61, a distance of 141.71 feet;

thence southerly, along said westerly right of way line of F.A. Route 61, being a curved line, convex to the west, and having a radius of 516.0 feet, an arc distance of 243.32 feet;

thence southerly, along the westerly right of way line of F.A. Route 61, a distance of 35.17 feet;

thence southwesterly, along the westerly right of way line of F.A. Route 61, a distance of 131.40 feet to the northerly right of way line of IL Route 68 (Dundee Road);

thence southerly to the northeast corner of Outlot A in The Maples P.U.D. (said subdivision plat recorded April 28, 1978 as document number 24422957), said point being on the southerly right of way line of IL Route 68 (Dundee Road);

thence westerly, along the northerly line of said Outlot A in The Maples P.U.D. (said line also being the southerly right of way line of IL Route 68 aforesaid), a distance of 100.00 feet;

thence continuing westerly, along the northerly line said Outlot A in The Maples P.U.D. (said line also being the southerly right of way line of IL Route 68 aforesaid), a distance of 274.77 feet to the westerly line of Outlot A aforesaid;

thence southerly, along the westerly line of said Outlot A in the Maples P.U.D., to the intersection with the north line of Outlot A in Wyndham Court Second Amended Plat (said subdivision plat recorded March 6, 1986 as document number 86090418);

thence westerly, along the northerly line of Outlot A in Wyndham Court Second Amended Plat, to the west line of said Outlot A

thence northerly, along the west line of Outlot A, and its extension northerly, to the northerly line of Section 12;

thence westerly along the northerly line of Section 12 to the northwest corner of the Northeast Quarter of Section 12 aforesaid (said point also being the southwest corner of the Southeast Quarter of Section 1 aforesaid);

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thence northerly, along the west line of the Southeast Quarter of Section 1 aforesaid (said west line of the Southeast Quarter of Section 1 also being the westerly right of way line of Baldwin Road and its extension southerly), a distance of 240.0 feet to the intersection with the extension of a southerly line of Lot 1A in Laredo Plaza Re-subdivision (said subdivision plat recorded December 20, 2002 as document number 0021418691);

thence westerly along the right of way line of Baldwin Road (said line also being the northerly line of vacated right of way per document number 87252152) to a southeasterly corner of Lot 1 A in Laredo Plaza Re-subdivision;

thence northerly, along the easterly line of Lot 1 A in Laredo Plaza Re-subdivision (said line also being the westerly right of way line of Baldwin Road), a distance of 101.48 feet to a bend point;

thence northeasterly, along the easterly line of Lot 1A in Laredo Plaza Re-subdivision (said line also being the westerly right of way line of Baldwin Road) to the intersection with the westerly extension of a line A drawn 250.0 feet northerly of, and parallel with, the north right of way line of IL Route 68 (Dundee Road);

thence easterly along a line drawn 250.0 feet north of and parallel with the north right of way line of IL Route 68 (Dundee Road) aforesaid (and its extension west) to a point on a line that is 200.0 feet east of the west line of the Southeast Quarter of Section 1 aforesaid;

thence north, along a line that is 200.0 feet east of and parallel with the west line of the Southeast Quarter of Section 1 aforesaid, a distance of 150 feet to a point on a line that is the westerly extension of the southerly line of Inverrary West P.U.D. (said subdivision plat recorded April 19, 1983 as document number 26574513 and certificate of correction recorded December 12, 1983 as document number 26892489);

thence easterly along the southerly line of Inverrary West P.U.D. (and its extension west), a distance of 186.0 feet to a corner of said Inverrary West P.U.D.;

thence northerly, along an easterly line of said Inverrary West P.U.D., a distance of 101.65 feet to a corner of said Inverrary West P.U.D.;

thence easterly, along the southerly line of said Inverrary West P.U.D., a distance of 873.64 feet to the point of beginning, all in Cook County and Lake County, Illinois.

Said property containing 47 acres of land, more or less.

Appendix 4: List of PINs in Proposed Dundee Road and IL 53 RPA

Record #	PIN	2022 EAV
1	02122000130000	$362,512
2	02122000930000	$1,362,713
3	02122001070000	$798,251
4	02122001060000	$137,276
5	02122001050000	$663,965
6	02122000990000	$645,645
7	02014000200000	$331,432
8	02014010230000	$2,594
9	02014001040000	$411,508
10	02014000270000	$245,542
11	02014000980000	$949,135
12	02014001060000	$129,457
13	02014001050000	$650,083
14	02014010190000	$688,382
15	02014010220000	$565,220
16	02014010080000	$1,607,952
17	02122001000000	$32
TOTAL		**$9,551,699**

Source: Cook County, SB Friedman

Attachment: ORD - Adopting & Approving Redevelopment Plan and Project for Dundee Road and IL 53 Project Area (Dundee Road & IL 53 TIF

ORDINANCE _____

AN ORDINANCE OF THE VILLAGE OF PALATINE, ILLINOIS DESIGNATING THE DUNDEE ROAD AND IL 53 REDEVELOPMENT PROJECT AREA PURSUANT TO THE TAX INCREMENT ALLOCATION REDEVELOPMENT ACT

WHEREAS, on August 5, 2024, the Mayor and Village Council (the "*Corporate Authorities*") of the Village of Palatine, Cook County, Illinois (the *"Village"*) adopted Ordinance _____, adopting and approving a redevelopment plan and project (the *"Plan"* and *"Project"*) within the municipal boundaries of the Village and within a redevelopment project area (the *"Area"*) described in Section 3 of this Ordinance; and

WHEREAS, the Plan and Project, along with the proposed designation of the Area, were the subject of a public hearing on July 15, 2024, held pursuant to the Tax Increment Allocation Redevelopment Act, as amended, constituting Division 74.4 of Article 11 of the Illinois Municipal Code (the "*Act*"); and

WHEREAS, the Corporate Authorities have now determined that it is necessary and desirable and for the best interests of the citizens of the Village to designate the Area as a redevelopment project area:

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALATINE, COOK COUNTY, ILLINOIS, as follows:

SECTION 1: *Incorporation of Recitals*. The foregoing recitals to this Ordinance are incorporated in this Ordinance as if set out in full by this reference, and the statements and findings contained therein are found to be true and correct, and are hereby adopted as part of this Ordinance.

SECTION 2: *Required Findings*. The Corporate Authorities hereby make the following findings:

A. As required by Section 11-74.4-4(a) of the Act, the Area includes only those contiguous parcels of real property and improvements thereon that are to be substantially benefited by the proposed redevelopment project improvements set forth in the Plan and Project.

B. As required by Section 11-74.4-3(p) of the Act:

1. The Area is not less, in the aggregate, than one and one-half acres in size; and

Attachment: ORD - Designating Dundee Road and IL 53 RPA (Dundee Road & IL 53 TIF District - Approval Ordinances)

2. Conditions exist in the Area that cause the Area to qualify for designation as a "conservation area" per the Act.

SECTION 3: *Designation of Area.* The Area, as described in *Exhibit A* attached to and incorporated herein as if set out in full by this reference, is hereby designated a redevelopment project area pursuant to Section 11-74.4-4(a) of the Act, and shall hereafter be known as the Dundee Road and IL 53 Redevelopment Project Area. The Area is generally described (as near as practical) in *Exhibit B* attached to and incorporated herein as if set out in full by this reference. The map of the Area is depicted on *Exhibit C* attached to and incorporated herein as if set out in full by this reference. The parcel or tax identification number of each parcel of property included in the Area is set forth in *Exhibit D* attached to and incorporated herein as if set out in full by this reference.

SECTION 4: *Filing With County Clerk.* The Village Clerk is hereby directed to file a certified copy of this Ordinance with the County Clerk of Cook County, Illinois.

SECTION 5: *Invalidity of Any Section.* If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 6: *Superceder; Effective Date.* All ordinances, resolutions, motions or orders in conflict herewith be, and the same hereby are, repealed to the extent of such conflict, and this Ordinance shall be in full force and effect immediately from and after its passage and approval.

PASSED: This ____day of _____, 2024

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

APPROVED by me this _____day of _____, 2024

_____
Mayor of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk this 5th day of August, 2024

_____
Village Clerk

Attachment: ORD - Designating Dundee Road and IL 53 RPA (Dundee Road & IL 53 TIF District - Approval Ordinances)

Attachment: ORD - Designating Dundee Road and IL 53 RPA (Dundee Road & IL 53 TIF District - Approval Ordinances)

Exhibit A

Boundary Legal Description of Project Area

Exhibit A

Dundee Road and IL 53 RPA
Boundary Legal Description

All that part of Sections 1 and 12, Township 42 North, Range 10 East of the Third Principal Meridian, bounded and described as follows:

(Described with the intent to follow the right of way lines and property lines herein described, and as such, the courses and distances described herein are superseded by the actual location of the said right of way lines and property lines that they are intended to follow)

Beginning on the westerly right of way line of Kennedy Drive at the southeast corner of Inverrary West Revised & Amended P.U.D. (said subdivision plat recorded April 19, 1983 as document number 26574513 and certificate of correction recorded December 12, 1983 as document number 26892489);

thence northerly, along the easterly line of said Inverrary West P.U.D. (also being the westerly right of way line of Kennedy Drive aforesaid), a distance of 164.52 feet to a bend point;

thence northeasterly along the easterly line of said Inverrary West P.U.D. (also being the westerly right of way line of Kennedy Drive aforesaid), a distance of 264.70 feet to the north line of the south 1011.18 feet of the Southeast Quarter of Section 1 aforesaid;

thence easterly, along the north line of the south 1011.18 feet of the Southeast Quarter of Section 1, a distance of 672.93 feet to the westerly right of way line of F.A. Route 61 (IL. Route #53);

thence southerly, along said westerly right of way line of F.A. Route 61, being a curved line, convex to the east, and having a radius of 635.0 feet, an arc distance of 152.60 feet;

thence southwesterly, along the westerly right of way line of F.A. Route 61, a distance of 194.87 feet;

thence continuing southwesterly, along the westerly right of way line of F.A. Route 61, a distance of 98.29 feet to an intersection with the north line of the south 591.18 feet of the Southeast Quarter of Section 1;

thence continuing southwesterly, along the westerly right of way line of F.A. Route 61, a distance of 141.71 feet;

Attachment: ORD - Designating Dundee Road and IL 53 RPA (Dundee Road & IL 53 TIF District - Approval Ordinances)

thence southerly, along said westerly right of way line of F.A. Route 61, being a curved line, convex to the west, and having a radius of 516.0 feet, an arc distance of 243.32 feet;

thence southerly, along the westerly right of way line of F.A. Route 61, a distance of 35.17 feet;

thence southwesterly, along the westerly right of way line of F.A. Route 61, a distance of 131.40 feet to the northerly right of way line of IL Route 68 (Dundee Road);

thence southerly to the northeast corner of Outlot A in The Maples P.U.D. (said subdivision plat recorded April 28, 1978 as document number 24422957), said point being on the southerly right of way line of IL Route 68 (Dundee Road);

thence westerly, along the northerly line of said Outlot A in The Maples P.U.D. (said line also being the southerly right of way line of IL Route 68 aforesaid), a distance of 100.00 feet;

thence continuing westerly, along the northerly line said Outlot A in The Maples P.U.D. (said line also being the southerly right of way line of IL Route 68 aforesaid), a distance of 274.77 feet to the westerly line of Outlot A aforesaid;

thence southerly, along the westerly line of said Outlot A in the Maples P.U.D., to the intersection with the north line of Outlot A in Wyndham Court Second Amended Plat (said subdivision plat recorded March 6, 1986 as document number 86090418);

thence westerly, along the northerly line of Outlot A in Wyndham Court Second Amended Plat, to the west line of said Outlot A

thence northerly, along the west line of Outlot A, and its extension northerly, to the northerly line of Section 12;

thence westerly along the northerly line of Section 12 to the northwest corner of the Northeast Quarter of Section 12 aforesaid (said point also being the southwest corner of the Southeast Quarter of Section 1 aforesaid);

thence northerly, along the west line of the Southeast Quarter of Section 1 aforesaid (said west line of the Southeast Quarter of Section 1 also being the westerly right of way line of Baldwin Road and its extension southerly), a distance of 240.0 feet to the intersection with the extension of a southerly line of Lot 1A in Laredo Plaza Re-subdivision (said subdivision plat recorded December 20, 2002 as document number 0021418691);

Attachment: ORD - Designating Dundee Road and IL 53 RPA (Dundee Road & IL 53 TIF District - Approval Ordinances)

thence westerly along the right of way line of Baldwin Road (said line also being the northerly line of vacated right of way per document number 87252152) to a southeasterly corner of Lot 1 A in Laredo Plaza Re-subdivision;

thence northerly, along the easterly line of Lot 1 A in Laredo Plaza Re-subdivision (said line also being the westerly right of way line of Baldwin Road), a distance of 101.48 feet to a bend point;

thence northeasterly, along the easterly line of Lot 1A in Laredo Plaza Re-subdivision (said line also being the westerly right of way line of Baldwin Road) to the intersection with the westerly extension of a line A drawn 250.0 feet northerly of, and parallel with, the north right of way line of IL Route 68 (Dundee Road);

thence easterly along a line drawn 250.0 feet north of and parallel with the north right of way line of IL Route 68 (Dundee Road) aforesaid (and its extension west) to a point on a line that is 200.0 feet east of the west line of the Southeast Quarter of Section 1 aforesaid;

thence north, along a line that is 200.0 feet east of and parallel with the west line of the Southeast Quarter of Section 1 aforesaid, a distance of 150 feet to a point on a line that is the westerly extension of the southerly line of Inverrary West P.U.D. (said subdivision plat recorded April 19, 1983 as document number 26574513 and certificate of correction recorded December 12, 1983 as document number 26892489);

thence easterly along the southerly line of Inverrary West P.U.D. (and its extension west), a distance of 186.0 feet to a corner of said Inverrary West P.U.D.;

thence northerly, along an easterly line of said Inverrary West P.U.D., a distance of 101.65 feet to a corner of said Inverrary West P.U.D.;

thence easterly, along the southerly line of said Inverrary West P.U.D., a distance of 873.64 feet to the point of beginning, all in Cook County and Lake County, Illinois.

Said property containing 47 acres of land, more or less.

Attachment: ORD - Designating Dundee Road and IL 53 RPA (Dundee Road & IL 53 TIF District - Approval Ordinances)

Exhibit B

General Boundary Description

Attachment: ORD - Designating Dundee Road and IL 53 RPA (Dundee Road & IL 53 TIF District - Approval Ordinances)

Dundee Road and IL 53 Redevelopment Project Area and TIF District

Those properties generally located on the north and south sides of Dundee Road, between Baldwin Road and Illinois Route 53, as well as the commercial properties on the east and west sides of Kennedy Drive, between Dundee Road and Palmer Lane.

Attachment: ORD - Designating Dundee Road and IL 53 RPA (Dundee Road & IL 53 TIF District - Approval Ordinances)

Exhibit C

Redevelopment Project Area Map

Attachment: ORD - Designating Dundee Road and IL 53 RPA (Dundee Road & IL 53 TIF District - Approval Ordinances)

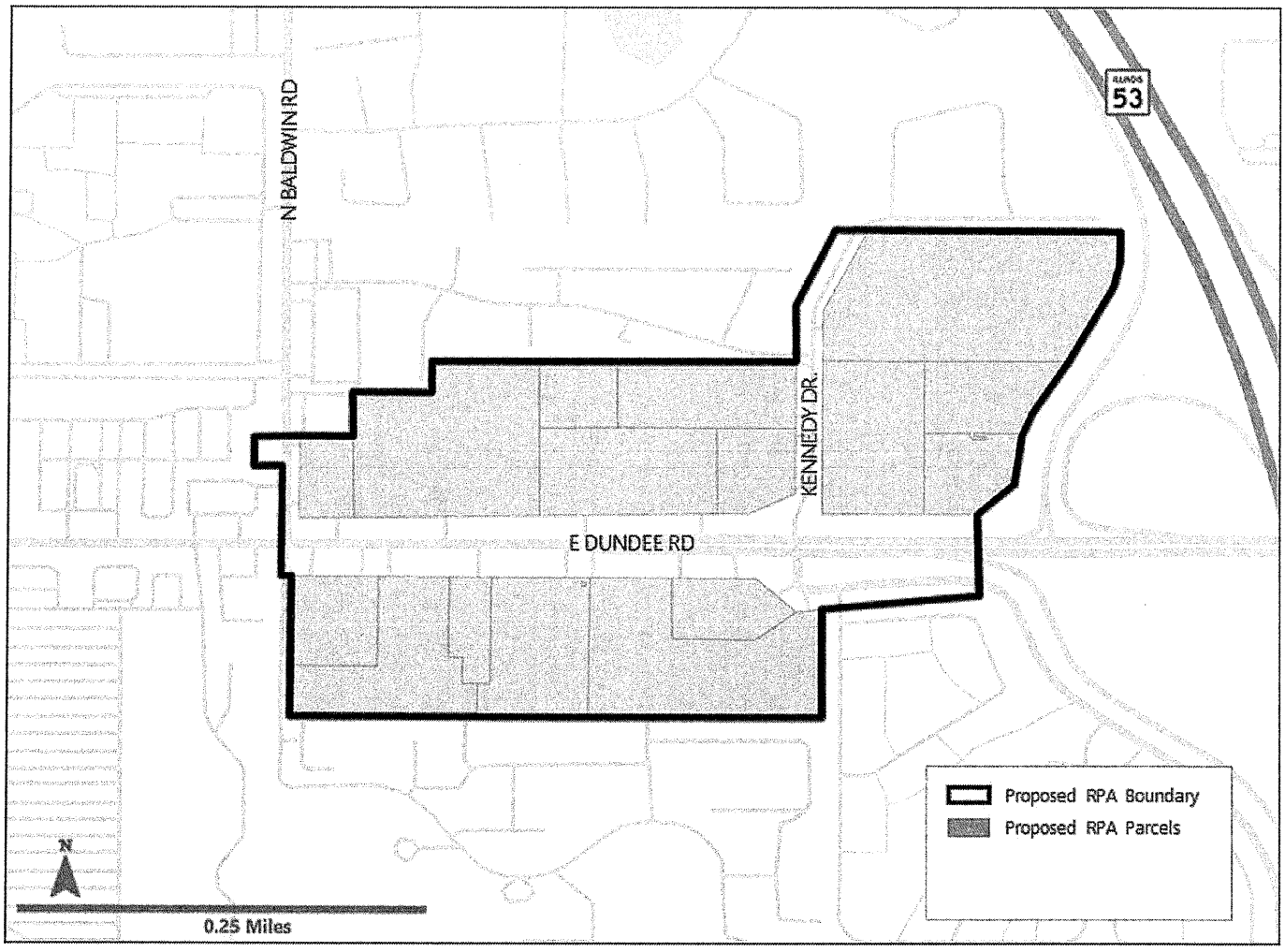

N BALDWIN RD
ILLINOIS
53
KENNEDY DR.
E DUNDEE RD
Proposed RPA Boundary
Proposed RPA Parcels
N
0.25 Miles

Exhibit D

Property identification numbers of parcels in Project Area

Attachment: ORD - Designating Dundee Road and IL 53 RPA (Dundee Road & IL 53 TIF District - Approval Ordinances)

PIN
02-01-400-020
02-01-400-027
02-01-400-098
02-01-400-104
02-01-400-105
02-01-400-106
02-01-401-008
02-01-401-019
02-01-401-022
02-01-401-023
02-12-200-013
02-12-200-093
02-12-200-099
02-12-200-100
02-12-200-105
02-12-200-106
02-12-200-107

Attachment: ORD - Designating Dundee Road and IL 53 RPA (Dundee Road & IL 53 TIF District - Approval Ordinances)

ORDINANCE _____

AN ORDINANCE ADOPTING TAX INCREMENT ALLOCATION FINANCING FOR THE DUNDEE ROAD AND IL 53 REDEVELOPMENT PROJECT AREA IN THE VILLAGE OF PALATINE, ILLINOIS

WHEREAS, it is desirable and for the best interests of the citizens of the Village of Palatine, Cook County, Illinois (the *"Village"*), for the Village to adopt tax increment allocation financing pursuant to the Tax Increment Allocation Redevelopment Act, as amended, constituting Division 74.4 of Article 11 of the Illinois Municipal Code (the *"Act"*); and

WHEREAS, the Mayor and Village Council of the Village (the *"Corporate Authorities"*) have heretofore approved a redevelopment plan and project (the *"Plan" and "Project"*) as required by the Act by passage of an ordinance, and have heretofore designated the Dundee Road and IL 53 Redevelopment Project Area (the *"Area"*) as required by the Act by the passage of an ordinance, and the Village has otherwise complied with all other conditions precedent required by the Act:

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF PALATINE, COOK COUNTY, ILLINOIS, as follows:

SECTION 1: *Incorporation of Recitals*. The foregoing recitals to this Ordinance are incorporated in this Ordinance as if set out in full by this reference, and the statements and findings contained therein are found to be true and correct, and are hereby adopted as part of this Ordinance.

SECTION 2: *Tax Increment Financing Adopted.* Tax increment allocation financing is hereby adopted to pay redevelopment project costs as defined in the Act and as set forth in the Plan and Project within the Area as described in *Exhibit A* attached hereto and incorporated herein as if set out in full by this reference. The common boundary description (as near as practicable) for the Area is described in *Exhibit B* attached hereto and incorporated herein as if set out in full by this reference. The map of the Area is depicted on *Exhibit C* attached hereto and incorporated herein as if set out in full by this reference.

SECTION 3. *Allocation of Ad Valorem Taxes.* Pursuant to the Act, the *ad valorem taxes*, if any, arising from the levies upon taxable real property in the Area by taxing districts and tax rates determined in the manner provided in Section 11-74.4-9(c) of the Act each year after the effective date of this ordinance until the Project costs and obligations issued in respect thereto have been paid shall be divided as follows:

(a) That portion of taxes levied upon each taxable lot, block, tract or parcel of real property which is attributable to the lower of the current equalized assessed value or the initial equalized assessed value of each such taxable lot, block, tract

Attachment: ORD - Adopting Tax Increment Allocation Financing for Dundee Road and IL RPA (Dundee Road & IL 53 TIF District - Approval

Attachment: ORD - Adopting Tax Increment Allocation Financing for Dundee Road and IL RPA (Dundee Road & IL 53 TIF District - Approval

or parcel of real property in the Area shall be allocated to and when collected shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing.

(b) That portion, if any, of such taxes which is attributable to the increase in the current equalized assessed valuation of each lot, block, tract or parcel of real property in the Area over and above the initial equalized assessed value of each property in the Area shall be allocated to and when collected shall be paid to the Village treasurer, who shall deposit said taxes into a special fund, hereby created, and designated the "2024 Dundee Road and IL 53 Redevelopment Project Area Special Tax Allocation Fund" of the Village, and such taxes shall be used for the purpose of paying Project costs and obligations incurred in the payment thereof.

SECTION 4: *Filing With County Clerk.* The Village Clerk is hereby directed to file a certified copy of this Ordinance with the County Clerk of Cook County, Illinois.

SECTION 5: *Invalidity of Any Section.* If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 6: *Superceder; Effective Date.* All ordinances, resolutions, motions or orders in conflict herewith be, and the same hereby are, repealed to the extent of such conflict, and this Ordinance shall be in full force and effect immediately from and after its passage and approval.

DATED: This _____day of _____, 2024

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

APPROVED by me this _____day of _____, 2024

_____

Mayor of the Village of Palatine

ATTEST and FILE in the office of the Village Clerk this ____ day of _____, 2024.

_____

Village Clerk

Exhibit A

Boundary Legal Description of Project Area

Attachment: ORD - Adopting Tax Increment Allocation Financing for Dundee Road and IL RPA (Dundee Road & IL 53 TIF District - Approval

Exhibit A

Dundee Road and IL 53 RPA
Boundary Legal Description

All that part of Sections 1 and 12, Township 42 North, Range 10 East of the Third Principal Meridian, bounded and described as follows:

(Described with the intent to follow the right of way lines and property lines herein described, and as such, the courses and distances described herein are superseded by the actual location of the said right of way lines and property lines that they are intended to follow)

Beginning on the westerly right of way line of Kennedy Drive at the southeast corner of Inverrary West Revised & Amended P.U.D. (said subdivision plat recorded April 19, 1983 as document number 26574513 and certificate of correction recorded December 12, 1983 as document number 26892489);

thence northerly, along the easterly line of said Inverrary West P.U.D. (also being the westerly right of way line of Kennedy Drive aforesaid), a distance of 164.52 feet to a bend point;

thence northeasterly along the easterly line of said Inverrary West P.U.D. (also being the westerly right of way line of Kennedy Drive aforesaid), a distance of 264.70 feet to the north line of the south 1011.18 feet of the Southeast Quarter of Section 1 aforesaid;

thence easterly, along the north line of the south 1011.18 feet of the Southeast Quarter of Section 1, a distance of 672.93 feet to the westerly right of way line of F.A. Route 61 (IL. Route #53);

thence southerly, along said westerly right of way line of F.A. Route 61, being a curved line, convex to the east, and having a radius of 635.0 feet, an arc distance of 152.60 feet;

thence southwesterly, along the westerly right of way line of F.A. Route 61, a distance of 194.87 feet;

thence continuing southwesterly, along the westerly right of way line of F.A. Route 61, a distance of 98.29 feet to an intersection with the north line of the south 591.18 feet of the Southeast Quarter of Section 1;

thence continuing southwesterly, along the westerly right of way line of F.A. Route 61, a distance of 141.71 feet;

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thence southerly, along said westerly right of way line of F.A. Route 61, being a curved line, convex to the west, and having a radius of 516.0 feet, an arc distance of 243.32 feet;

thence southerly, along the westerly right of way line of F.A. Route 61, a distance of 35.17 feet;

thence southwesterly, along the westerly right of way line of F.A. Route 61, a distance of 131.40 feet to the northerly right of way line of IL Route 68 (Dundee Road);

thence southerly to the northeast corner of Outlot A in The Maples P.U.D. (said subdivision plat recorded April 28, 1978 as document number 24422957), said point being on the southerly right of way line of IL Route 68 (Dundee Road);

thence westerly, along the northerly line of said Outlot A in The Maples P.U.D. (said line also being the southerly right of way line of IL Route 68 aforesaid), a distance of 100.00 feet;

thence continuing westerly, along the northerly line said Outlot A in The Maples P.U.D. (said line also being the southerly right of way line of IL Route 68 aforesaid), a distance of 274.77 feet to the westerly line of Outlot A aforesaid;

thence southerly, along the westerly line of said Outlot A in the Maples P.U.D., to the intersection with the north line of Outlot A in Wyndham Court Second Amended Plat (said subdivision plat recorded March 6, 1986 as document number 86090418);

thence westerly, along the northerly line of Outlot A in Wyndham Court Second Amended Plat, to the west line of said Outlot A

thence northerly, along the west line of Outlot A, and its extension northerly, to the northerly line of Section 12;

thence westerly along the northerly line of Section 12 to the northwest corner of the Northeast Quarter of Section 12 aforesaid (said point also being the southwest corner of the Southeast Quarter of Section 1 aforesaid);

thence northerly, along the west line of the Southeast Quarter of Section 1 aforesaid (said west line of the Southeast Quarter of Section 1 also being the westerly right of way line of Baldwin Road and its extension southerly), a distance of 240.0 feet to the intersection with the extension of a southerly line of Lot 1A in Laredo Plaza Re-subdivision (said subdivision plat recorded December 20, 2002 as document number 0021418691);

Attachment: ORD - Adopting Tax Increment Allocation Financing for Dundee Road and IL RPA (Dundee Road & IL 53 TIF District - Approval

thence westerly along the right of way line of Baldwin Road (said line also being the northerly line of vacated right of way per document number 87252152) to a southeasterly corner of Lot 1 A in Laredo Plaza Re-subdivision;

thence northerly, along the easterly line of Lot 1 A in Laredo Plaza Re-subdivision (said line also being the westerly right of way line of Baldwin Road), a distance of 101.48 feet to a bend point;

thence northeasterly, along the easterly line of Lot 1A in Laredo Plaza Re-subdivision (said line also being the westerly right of way line of Baldwin Road) to the intersection with the westerly extension of a line A drawn 250.0 feet northerly of, and parallel with, the north right of way line of IL Route 68 (Dundee Road);

thence easterly along a line drawn 250.0 feet north of and parallel with the north right of way line of IL Route 68 (Dundee Road) aforesaid (and its extension west) to a point on a line that is 200.0 feet east of the west line of the Southeast Quarter of Section 1 aforesaid;

thence north, along a line that is 200.0 feet east of and parallel with the west line of the Southeast Quarter of Section 1 aforesaid, a distance of 150 feet to a point on a line that is the westerly extension of the southerly line of Inverrary West P.U.D. (said subdivision plat recorded April 19, 1983 as document number 26574513 and certificate of correction recorded December 12, 1983 as document number 26892489);

thence easterly along the southerly line of Inverrary West P.U.D. (and its extension west), a distance of 186.0 feet to a corner of said Inverrary West P.U.D.;

thence northerly, along an easterly line of said Inverrary West P.U.D., a distance of 101.65 feet to a corner of said Inverrary West P.U.D.;

thence easterly, along the southerly line of said Inverrary West P.U.D., a distance of 873.64 feet to the point of beginning, all in Cook County and Lake County, Illinois.

Said property containing 47 acres of land, more or less.

Attachment: ORD - Adopting Tax Increment Allocation Financing for Dundee Road and IL RPA (Dundee Road & IL 53 TIF District - Approval

Exhibit B

Common Boundary Description

Attachment: ORD - Adopting Tax Increment Allocation Financing for Dundee Road and IL RPA (Dundee Road & IL 53 TIF District - Approval

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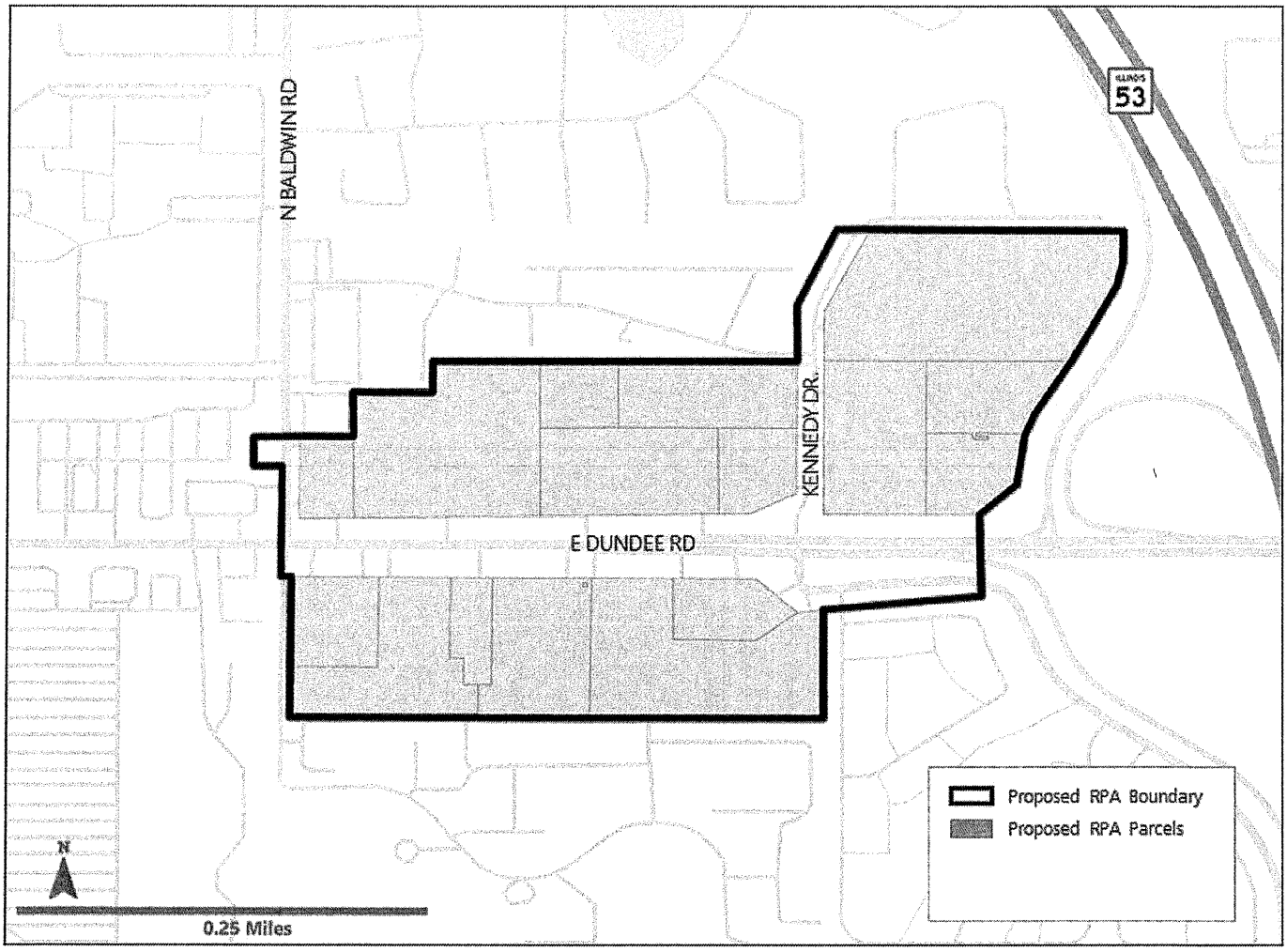
Dundee Road and IL 53 Redevelopment Project Area and TIF District

Those properties generally located on the north and south sides of Dundee Road, between Baldwin Road and Illinois Route 53, as well as the commercial properties on the east and west sides of Kennedy Drive, between Dundee Road and Palmer Lane.

Attachment: ORD - Adopting Tax Increment Allocation Financing for Dundee Road and IL RPA (Dundee Road & IL 53 TIF District - Approval

Exhibit C

Project Area Map



Attachment: ORD - Adopting Tax Increment Allocation Financing for Dundee Road and IL RPA (Dundee Road & IL 53 TIF District - Approval

Consider a Motion Approving the Downtown TIF District Facade & Interior Building Improvement Grant Program Application for the Property at 48 W. Palatine Road

BACKGROUND:
The Village has received a Downtown Facade & Interior Building Improvement Grant Program application for proposed interior improvements to the existing tenant space at 48 W. Palatine Road. The Petitioner is requesting approval of the following:

> **Motion approving the Downtown TIF District Facade & Interior Building Improvement Grant Program Application for the tenant space at 48 W. Palatine Road.**

KEY ISSUES:

- The Little Broken Things hair salon is looking to occupy the former Kinsch Florist tenant space at 48 W. Palatine Road. This will be their second location, with an existing salon located on Milwaukee Avenue in Chicago. The salon also offers the sale of hair care products and some limited consignment items.
- As outlined in the Petitioner's application materials, the proposed project improvements include modifications to an existing bathroom, construction of an additional bath, and related ADA modifications.
- Based on the specific costs outlined in the application materials (and the Grant Program's corresponding reimbursement limitations), the proposed project would be eligible for a total maximum reimbursement amount of $22,250. This would be the maximum amount reimbursed for the corresponding work outlined in the application. If the actual costs are lower, the corresponding reimbursement payments would be adjusted accordingly. The Facade & Interior Building Improvement Grant Program allows for up to a maximum of $50,000 towards qualifying interior building improvements.
- The program, subject to the TIF Act, allows for the reimbursement of TIF eligible expenses related to the Petitioner's proposed improvements. Funding approved as part of the Program cannot be used for the reimbursement of expenses that were incurred prior to the approval of the Petitioner's application. Per the program, all required documentation shall be reviewed and approved by the Village prior to processing any reimbursement payment.
- The Subject Property was previously subject to a Redevelopment Agreement that included Village funding towards façade improvements, private storm sewer work, and the potential tenant buildout of up to three sales tax generating uses ($10,000 for each tenant space, up to a maximum total of $30,000). That agreement, which was approved on November 15, 2021, expired on August 31, 2023. Only one qualifying tenant space (Tievoli Pizza Bar) was completed in time to receive the corresponding $10,000 in buildout assistance, with 100% of these dollars being distributed to the property owner.
- Based upon expiration of the Redevelopment Agreement, the remaining $20,000 for tenant space improvements was returned to the fund balance for the Downtown TIF District. The Council can consider Village participation of either $10,000 (consistent with original RDA), $20,000 (consistent with the total that was planned for the property), or the full $22,250 being requested.
- To date, the Village has approved four Facade & Interior Building Improvement

Grant Program Applications. These approved applications have included the American Legion ($6,236), 2 Libras ($10,442), JL's Pizza & Sports Bar ($50,000), and Pizza Bella ($122,950). When the Façade & Interior Building Improvement Grant Program was originally adopted on February 20, 2023, a corresponding initial budget of $450,000 from the Downtown TIF District was established. To date, not including this current application, a total of roughly $190,000 in grant funding has been approved.

ALTERNATIVES:
1. Approve the Application.
2. Do not approve the Application.

RECOMMENDATION:
Staff recommends approval of Village participation in an amount determined by the Village Council.

ACTION REQUIRED:
A motion to approve the Downtown TIF District Facade & Interior Building Improvement Grant Program Application for the tenant space at 48 W. Palatine Road.

ATTACHMENTS:

- Little Broken Things Grant Application Packet
- Little Broken Things - Cost & Potential Grant Calculation

Little Broken Things

48 W Palatine Rd. Palatine, IL 60067

Attachment: Little Broken Things Grant Application Packet (48 W Palatine Rd - Downtown Building Grant Application)

July 17, 2024

Dear Palatine Village Council,

I am Cassie Hamel, the owner of Little Broken Things (LBT), a hair salon, art gallery, and consignment shop in Chicago. I am reaching out to you today to seek grant funding for our expansion plans and share our vision for the future.

After successfully navigating challenges such as an electrical fire, the global pandemic, and relocation, we are excited to announce our intention to open a second location in Downtown Palatine in the summer/fall of 2024. We have chosen this community because of its immense potential and our belief in its growth. Over the past seven years, LBT has experienced consistent year-over-year growth, and we are confident that our expansion will not only bring revenue but also attract a supportive and inclusive young demographic that will contribute to the prosperity of Palatine.

The new location in Downtown Palatine will feature modern updates and an additional bathroom, catering to our target market and enabling us to serve a larger portion of the public. However, the financial burden of this project is substantial, and we recognize the critical role that grant funding can play in helping us achieve our projected growth. Without the support of the Palatine Village and this grant, LBT would not be able to thrive and contribute as we envision. We originally submitted the Tiff application via email in March of 2024. Unfortunately, this email did not make it past our landlord. It wasn't until a week ago that we learned the form was never filed.

We sincerely request your assistance in the form of grant funding to make our expansion plans a reality. Your support would not only help us establish a strong presence in the Downtown Palatine community but also position us as a catalyst for growth and prosperity within the area. We are grateful for your consideration and look forward to discussing our plans further and providing any additional information you may require.

Thank you for your time and support.

Sincerely,

Cassie Hamel

Cassie Hamel - Owner, Little Broken Things

Façade & Interior Building Improvement Grant Program

Application

Completion of this application is required in order to determine if your proposed project qualifies for consideration as part of the Village's Downtown TIF District Façade & Interior Building Improvement Grant Program. The Scope of Program, Project Eligibility, Application Process, and Program Terms are all outlined in the attached program summary.

Building Address: 48 W PALATINE RD. PALATINE, IL 60067

Name of Applicant: CASSIE HAMEL

Is the Applicant the Building Owner: [ ] Yes [X] No

Note: If the Applicant is not the building owner, a letter indicating the building owner's approval of the proposed building improvements must be submitted as part of this application.

Name of Business (please include the name(s) of any existing business within the building):
LITTLE BROKEN THINGS

Applicant's Contact Information:

Address: 686 E THORNHILL LN. PALATINE, IL 60074

Phone Number(s): (630) 276-8086

E-Mail: CassieKrepel@gmail.com / cassie@littlebrokenthingschicago.com

Required Submittals with Application: Please see the attached submittal requirements.

Estimated Cost of Eligible Improvements (attach detailed cost estimates): $44,500.00

Applicant Signature*: Cassie Hamel **Date:** 7/17/2024

* **Note:** By signing this application you are certifying that all information provided is true and accurate to the best of your knowledge, you are agreeing to comply with all of the Program Terms, and you are acknowledging that any approved improvements must receive any required permits and approvals from the Village prior to the commencement of construction.

Attachment: Little Broken Things Grant Application Packet (48 W Palatine Rd - Downtown Building Grant Application)

Green Construction & Development Inc
9230 W Grand Ave
Franklin Park, IL 60131 US
+1 7735177839
greenconstructiond@gmail.com

ADDRESS
Cassie Hamel
Little Broken Things LLC
48 W Palatine
Palatine, IL 60067
United States

SHIP TO
Cassie Hamel
Little Broken Things LLC
48 W Palatine
Palatine, IL 60067
United States

Estimate 2585

DATE 07/08/2024

PROJECT ADDRESS
48 W Palatine

CITY
Palatine

PROJECT NAME
ADA Restroom

ACTIVITY	AMOUNT
Modify existing restroom and construct an additional ADA compliant restroom	
Open and repair concrete for new plumbing	4,200.00
Repair flooring	3,500.00
Provide new underground and in-wall plumbing for new restrooms	11,000.00
Frame new walls and walls	3,200.00
Provide and install drywall	2,700.00
Provide and install new electric installation	3,000.00
Provide new exhaust fan and exhaust outside	1,500.00
Paint walls and ceiling	1,400.00
Provide and install tiles on floor and wall	8,000.00
Provide and install plumbing fixtures	3,600.00
Provide and install two doors	2,400.00

SUBTOTAL	44,500.00
TAX	0.00
TOTAL	$44,500.00

Accepted By

Accepted Date

Attachment: Little Broken Things Grant Application Packet (48 W Palatine Rd - Downtown Building Grant Application)

DOOR SCHEDULE

GENERAL NOTES
LOCK & LATCHSETS: SCHLAGE: D-SERIES ATHENS
CORBIN: ML 2000 SERIES - PSA

SIGNS, STOPS KICKPLATES, PUSH PULLS: BROOKLINE OR IVES

CLOSERS: NORTON OR LCN
HINGES: LAURANCE OR STANLEY
HARDWARE FOR ALUM. DOORS TO BE PROVIDED BY ALUM. DOOR & WINDOW CONTR. PROVIDE 3 KEYS PER LOCK
THRESHOLD BY ULTRA: 5" WIDE
VINYL SILL PROTECTION BY REESE
DOOR JAMB WEATHERSTRIPS BY REESE

MARK	SIZE	MATERIAL: DOOR	MATERIAL: FRAME	MATERIAL: THRESH	DOOR TYPE	FRAME TYPE	CONCEALED OVERHEAD CLOSER	OFFSET PIVOT HINGES	85 LBS MAX. PUSH PULL	1/4" ALUM. THRESHOLD	WEATHER STRIPING 4 EDGES	SURFACE MOUNTED CLOSER	PUSH BAR W/OUTSIDE KEY	KICK PLATES	1 1/2" PR BUTT HINGES (BALL BEARING)	CYL. UNDER LOCKSET W/ THUMBTURN	MORTISE LOCKSET W/INSIDE THUMBTURN	ENTRANCE LOCK	EXIT ALARM W/ PANIC DEVICE	U-WALL MTD	F-FLOOR MTD	DOOR STOP	SIGN	PRIVACY DOOR LOCK	PULL L+ LEVERS, K-KNOB	SLIDE DOOR OPERATOR	DOOR SENSOR OPENER	DOUBLE ACTING DOOR ASSEMBLY	RUBBER DOOR GUARDS	PASSAGE LOCK (LATCHSET)	B-LABLE DOOR ASSEMBLY
A'	3'-0"x7'-0"x1 3/4"	WD	HM.	-	A	1								●	●						E	●								●	
B'	2'-8"x7'-0"x1 3/4"	WD	HM.	-	A	1								●	●						E	●								●	
C'	(2) 2'-6"x7'-0"x1 3/4"	WD	WD	-	B	1															E	●								●	
D'	3'-0"x7'-0"x1 3/4"	WD	HM.	-	A	1								●	●						E	●	●								
E	EXISTING	EXISTING																													

HOLLOW METAL DOORS: 18 GA. FACE PHLS (STEEL W/14 GA. CHANNELS @ TOP & BOTTOM, REINFORCED AS REQ'D FOR HARDWARE (LOCKS, CLOSERS, ETC.)

HOLLOW METAL FRAMES: 18 GA. COLD ROLLED STL-WELDED, GROUND SMOOTH, W/SPREADER BARS PREP AS REQ'D FOR HARDWARE

DOOR & FRAMES: SHALL HAVE SHOP COAT OF PAINT & SHALL BE AS MANUFACTURED BY ONE OF THE FOLLOWING: STEEL CRAFT, CECO, FENESTRA CORP.

NOTE:
FOR FRONT ENTRYWAY NEW GLAZING WINDOWS AND NEW ENTRANCE VESTIBULE DOORS (A) SHALL THE PRESCRIPTIVE MINIMUM FENESTRATION U-FACTORE REQUIREMENTS FOR ZONE 5:
FIXED FENESTRATION U-0.38
ENTRANCE DOORS U-0.11

NOTE:
ALL DELIVERY AND ENTRANCE DOORS TO BE EQUIPPED WITH CLOSURE, THRESHOLD, THRESHOLD SWEEP & WEATHER STRIPPING.

• UNDER CUT 1 1/2" DOOR FOR VENTILATION

FOR NEW AND EXISTING DOOR TO VERIFY:

NOTE: LOCKS ON EGRESS DOORS SHALL BE READILY OPENABLE FROM THE SIDE OF EGRESS IS TO BE MADE WITHOUT THE USE OF A KEY OR SPECIAL KNOWLEDGE.

NOTE: DOOR HARDWARE, HANDLES, PULLS, LATCHES, LOCKS, AND OTHER OPERATING DEVICES ON ACCESSIBLE DOORS SHALL HAVE A SHAPE THAT IS EASY TO GRASP WITH ONE HAND AND DOES NOT REQUIRE TIGHT GRASPING, TIGHT PINCHING, OR TWISTING OF THE WRIST TO OPERATE. LEVER- OPERATED MECHANISMS, PUSH-TYPE MECHANISMS, AND U-SHAPE HANDLES ARE ACCEPTABLE DESIGNS. PER ADAAG 4.13.9

NOTE: DOOR CLOSER: IF A DOOR HAS A CLOSER, THEN THE SWEEP PERIOD OF THE CLOSER SHALL BE ADJUSTED SO THAT FROM AN OPEN POSITION OF 70 DEGREES, THE DOOR WILL TAKE AT LEAST 3 SECONDS TO MOVE TO A POINT 3 IN. FROM THE LATCH, MEASURED TO THE LEADING EDGE OF THE DOOR. PER ADAAG 4.13.10

NOTE: EXIT DOOR: ALL EXIT DOORS TO HAVE PANIC HARDWARE.

NOTE: INSTALL PANIC BAR ON ALL EXIT DOORS SERVING MORE THAN 200 PERSONS

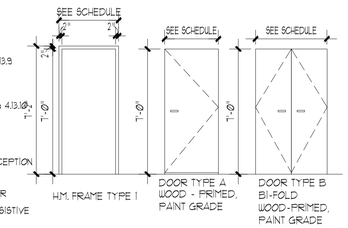
NOTE: DOOR LEADING TO STORAGE/MECH. ROOM TO HAVE KNURLED HARDWARE

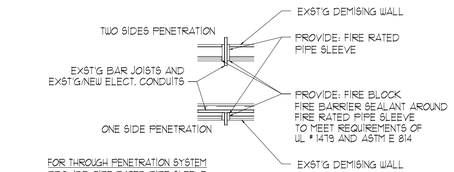
NOTE: ALL REQUIRED EXIT DOORS MUST SWING IN THE DIRECTION OF EXIT TRAVEL UNLESS ONE OF THE LISTED EXCEPTION

NOTE: ALL RATED DOORS AND ACCESSORIES TO COMPLY WITH SECTION 7(15-12-080) C.B.C. OPENING PROTECTIVE ASSEMBLIES AS APPLIED TO THE REQUIREMENTS FOR DOORS OR SHUTTERS SHALL INCLUDE SUCH DOORS OR SHUTTERS TOGETHER WITH THEIR FRAMES, HARDWARE AND OTHER ACCESSORIES ESSENTIAL TO THE FIRE-RESISTIVE RATING OF THE ASSEMBLY

NOTE: WHERE PLANS MAY CALL FOR PAINT ON ANY DOORS, FRAMES, ETC., ENSURE ANY FIRE RATING LABELS, MARKINGS, ETC. ARE NOT REMOVED, PAINTED OVER, OR OTHERWISE OBSCURED.

NOTE: OVERHEAD DOORS NEED TO COMPLY WITH IECC

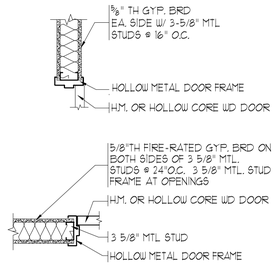




FOR THROUGH PENETRATION SYSTEM PROVIDE: FIRE RATED PIPE SLEEVE AND FIRE BARRIER SEALANT TO MEET REQUIREMENTS OF UL # 1479 AND ASTM E 814

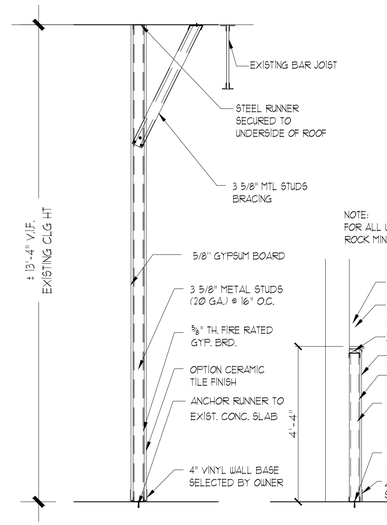
TYP. WALL PENETRATION DTL 3 / A-1

SCALE: 1/2" = 1'-0"



TYP JAMB AND HEAD DTL 4 / A-1

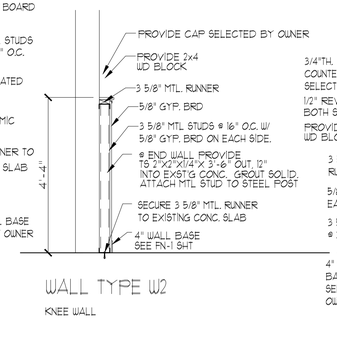
SCALE: 1" = 1'-0"



WALL TYPE W1

TYPICAL PARTITION WALL

NOTE:
FOR ALL WET WALLS PROVIDE DURO ROCK MIN. 4'-0" H.

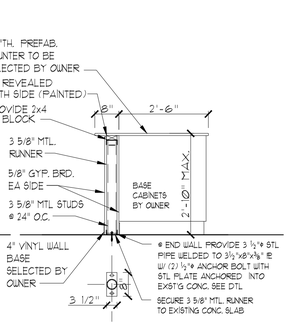


WALL TYPE W2

KNEE WALL

WALL TYPES 2 / A-1

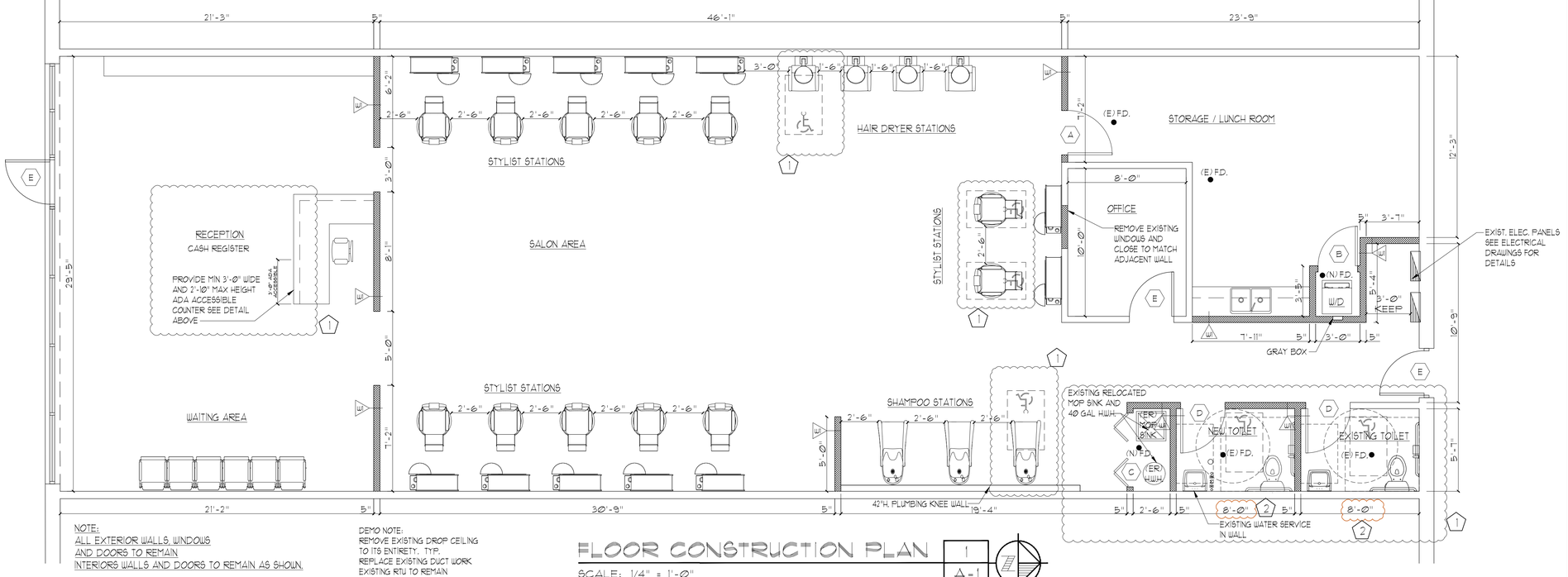
SCALE: 1/2" = 1'-0"



ADA COUNTER 2 / A-1

SCALE: 1/2" = 1'-0"

DETAIL MOVED TO NEW DEMOLITION SHEET D-1



NOTE:
ALL EXTERIOR WALLS, WINDOWS AND DOORS TO REMAIN
INTERIORS WALLS AND DOORS TO REMAIN AS SHOWN.

DEMO NOTE:
REMOVE EXISTING DROP CEILING TO ITS ENTIRETY. TYP.
REPLACE EXISTING DUCT WORK
EXISTING RTU TO REMAIN

FLOOR CONSTRUCTION PLAN 1 / A-1

SCALE: 1/4" = 1'-0"

ANTONIO FANIZZA ASSOC. LTD
ARCHITECTS
2363 LEGANER LANE
DES PLAINES, ILLINOIS 60016
TEL. (847) 823-5664 FAX (847) 823-1664
Email = antoniofanizza@comcast.net

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I HEREBY CERTIFY THAT THIS PLAN AND SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ARCHITECT UNDER THE LAWS OF THE STATE OF ILLINOIS THEY ARE IN COMPLIANCE WITH ALL APPLICABLE CODES INCLUDING THE CITY OF PALATINE CODE AND ORDINANCE, ENVIRONMENTAL BARRIERS ACT (410-ILC) AND THE ILLINOIS ACCESSIBILITY CODE (71 ILL. ADM. CODE 400). AS SIGNIFIED BY MY HAND AND SEAL.

NO.	REVISION
1.	PER CITY COMMENTS 05.24.2024
2.	PER CITY COMMENTS 06.03.2024

CERTIFICATION AND SEAL

06.03.2024
DATE

STATE OF ILLINOIS
ANTONIO FANIZZA
001-011807
LICENSED ARCHITECT
EXPIRES 11-30-2024
SIGNATURE

DRAWING NAME: CONSTRUCTION PLAN & SECTIONS

PROJECT NAME: INTERIOR ALTERATION FOR "LITTLE BROKEN THINGS" NEW HAIR SALON
48 E. PALATINE RD.

released to const
job no. AB2409
scale AS SHOWN
date 05.08.2024
drawn by
checked by AF

sheet
A-1

Attachment: Little Broken Things Grant Application Packet (48 W Palatine Rd - Downtown Building Grant Application)

Little Broken Things at 48 W. Palatine Road

Downtown TIF District Façade & Interior Building Improvement Grant Program Analysis:

Eligible Funding: $50,000 (interior improvements)

Cost Estimates for Scope of Work Included in Application:

Façade/Exterior:	**Cost:**	**Reimburse %:**	**Reimburse Potential:**
Reconfigure existing bathroom and build 2nd bathroom	$44,500	50%	$22,250
Total Exterior Costs Provided:	**$44,500**		**$22,250**

Attachment: Little Broken Things - Cost & Potential Grant Calculation (48 W Palatine Rd - Downtown Building Grant Application)

Consider a Motion to Award a Contract for the Fire Station 82 Addition and Renovations Project

BACKGROUND:
In 2023, the Village engaged FGM Architects to design an addition and select remodeling for Fire Station 82 to improve the existing facility and allow Fire administration to relocate from Station 85 on Colfax Street to Station 82 on Hicks Road. In March of 2024, the Village Council reviewed the proposed design and funding and authorized construction documents to be prepared and the project to be competitively bid.

KEY ISSUES:
- The proposed scope of work at Fire Station 82 includes construction of a building addition of 4,022 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 locker rooms, updating the existing kitchen and day room, and replacing the existing generator to provide power for the fully expanded facility.
- On Tuesday, July 9, 2024, 21 bids were received, with base bids ranging from a high of $2,499,000 to a low of $1,900,481. Total bids with all alternates, ranged from a high of $3,325,000 to a low of $2,497,454.
- The low responsive and responsible bidder was Efraim Carlson & Son, Incorporated of Libertyville, Illinois. ECS is the low responsive and responsible bidder for the base bid ($2,085,000) and with all additive alternates in the amount of $2,808,800.
- The Architect's estimate for the base bid plus all additive alternates was $2,874,443.

ALTERNATIVES:
1. Award the contract for the Fire Station 82 Addition and Renovations Project, base bid and all additive alternates, and a staff directed contingency to Efraim Carlson & Son.
2. Refer back to Staff with comments.

RECOMMENDATION:
Staff recommends that the contract for the Fire Station 82 Addition and Renovations Project, base bid and all additive alternates, and a staff directed contingency be awarded to Efraim Carlson & Son of Libertyville, Illinois.

BUDGET IMPACT:
American Rescue Plan Act (ARPA) funds in the amount of $2,893,378 are available to accomplish this project. In addition to the bid cost, there are various items to be purchased to make the space ready for use including furniture, IT equipment, appliances and digital dispatch alerting. The list of by owner items will be submitted for approval at a later date and is anticipated to be in the range of $136,000 to $164,830, bringing the total project cost to $2,944,800 to $2,973,630.

One of the alternates (#3) recommended for acceptance is the generator replacement which was an item planned for replacement in 2025. A budget adjustment is

recommended for 2024 to allow for $173,800 in additional funding to be allocated for the generator to allow for a contingency for the project. Replacing the generator with the project is much more efficient than completing as a standalone project as planned for 2025 as programmed in the Village's Capital Equipment Replacement Program.

ARPA funds plus the proposed budget adjustment would address the by owner costs, the proposed base bid with all additive alternates, and allow for a project contingency for unforeseen conditions of $127,378. This would be segregated as approximately 3% for the base bid addition and 8% for the renovations associated with the additive alternates. As additions are typically planned with a 5% construction contingency and remodeling is typically programmed with a 10% construction contingency, we consider this aggressive and within expected tolerances.

Awarding the base bid with all alternates plus the proposed contingency ($2,808,800 + $127,378) is $2,936,178.

ACTION REQUIRED:
Motion to award the contract for the Fire Station 82 Addition and Renovations Project to Efraim Carlson & Son, Incorporated of Libertyville, Illinois for the base bid, all additive alternates, and a staff directed contingency in an amount not to exceed $2,936,178.

ATTACHMENTS:

- Bid Tabulation-Fire Station 82 Addition and Renovations

FIRE STATION 82 ADDITION AND RENOVATIONS PROJECT
BID OPENING: JULY 9, 2024 11:00 AM
DEPARTMENT OF PUBLIC WORKS
CONTRACT DPW-2453

Bidder Name	Proposal Signed Y/N	Bid Bond Attached Y/N	Addendum 1 Y/N	Addendum 2 Y/N	Addendum 3 Y/N	Base Bid Price	Alternate 1 Bid Price	Alternate 2 Bid Price	Alternate 3 Bid Price	Alternate 4 Bid Price	Total Bid Price with All Alternates	Voluntary Alternate Bid Price	Unit Price 1
Bee Liner Lean Services, Inc.	N	Y	Y	Y	Y	$1,900,481.00	$305,339.00	$93,052.00	$198,582.00	N/A	$2,497,454.00	N/A	$450.00
Efraim Carlson & Son, Inc.	Y	Y	Y	Y	Y	$2,085,000.00	$150,000.00	$400,000.00	$173,800.00	N/A	$2,808,800.00	N/A	$120.00
Boller Construction Co., Inc.	Y	Y	Y	Y	Y	$2,190,100.00	$113,700.00	$365,300.00	$173,000.00	-$5,000.00	$2,837,100.00	N/A	$115.00
Happ Builders, Inc.	Y	Y	Y	Y	Y	$2,131,000.00	$158,000.00	$404,000.00	$144,400.00	N/A	$2,837,400.00	N/A	$80.00
Lo Destro Construction Co.	Y	Y	Y	Y	Y	$2,100,000.00	$133,000.00	$470,000.00	$179,000.00	N/A	$2,882,000.00	N/A	$160.00
Paul Borg Construction Co.	Y	Y	Y	Y	Y	$2,192,000.00	$135,000.00	$417,000.00	$173,000.00	N/A	$2,917,000.00	N/A	$130.00
Stuckey Construction Co., Inc.	Y	Y	Y	Y	Y	$2,159,000.00	$184,000.00	$455,000.00	$176,000.00	$5,000.00	$2,979,000.00	N/A	$120.00
Laub Construction, Inc.	Y	Y	Y	Y	Y	$2,295,000.00	$148,000.00	$387,000.00	$183,000.00	N/A	$3,013,000.00	N/A	$98.00
KWCC, Inc.	Y	Y	Y	Y	Y	$2,344,000.00	$109,120.00	$403,000.00	$192,000.00	N/A	$3,048,120.00	N/A	$98.00
CCC Holdings, Inc. dba CCC Design-Build	Y	Y	Y	Y	Y	$2,290,000.00	$217,700.00	$442,500.00	$152,540.00	N/A	$3,102,740.00	N/A	$170.00
Staalsen Construction Co., Inc.	Y	N	Y	Y	Y	$2,411,376.00	$151,953.00	$361,670.00	$185,000.00	N/A	$3,109,999.00	N/A	$1,484.00
Simpson Construction Co.	Y	Y	Y	Y	Y	$2,308,000.00	$196,000.00	$457,000.00	$151,000.00	N/A	$3,112,000.00	N/A	$140.00
The George Sollitt Construction Co.	Y	Y	Y	Y	Y	$2,373,000.00	$169,000.00	$423,000.00	$167,000.00	N/A	$3,132,000.00	N/A	$70.00
Loberg Construction Co., Inc.	Y	Y	Y	Y	Y	$2,432,940.00	$131,381.00	$446,755.00	$142,393.00	N/A	$3,153,469.00	N/A	$65.00
Industria, Inc.	Y	Y	Y	Y	Y	$2,435,815.00	$120,546.00	$469,284.00	$172,740.00	-$1,000.00	$3,197,385.00	N/A	$185.00
Reed Construction	N	Y	Y	Y	Y	$2,470,000.00	$160,000.00	$425,000.00	$160,000.00	$4,000.00	$3,219,000.00	N/A	$146.00
Troop Contracting, Inc.	Y	Y	Y	Y	Y	$2,398,000.00	$177,635.00	$423,885.00	$226,834.00	N/A	$3,226,354.00	N/A	$424.00
Tyler Lane Construction, Inc.	Y	Y	Y	Y	Y	$2,330,893.00	$150,642.00	$614,183.00	$195,517.00	N/A	$3,291,235.00	N/A	$238.00
Concord-OVC JV	Y	Y	Y	Y	Y	$2,540,342.00	$158,692.00	$440,764.00	$169,000.00	N/A	$3,308,798.00	N/A	$145.00
Midwest Construction Partners, Inc.	Y	Y	Y	Y	Y	$2,549,238.00	$127,468.00	$431,896.00	$220,628.00	N/A	$3,329,230.00	N/A	$245.00
Construction, Inc.	Y	Y	Y	Y	Y	$2,499,000.00	$175,000.00	$671,000.00	$180,000.00	N/A	$3,525,000.00		

Attachment: Bid Tabulation-Fire Station 82 Addition and Renovations (Fire Station 82 Addition and

Consider a Motion Authorizing the Village Manager to Execute a Proposal for Construction Engineering Services for the Fire Station 82 Addition and Renovations Project

BACKGROUND:
In the Fire Station 82 design development, staff retained Doland Engineering to assist with building and site needs and improvements. Assistance was received through project meetings, architect direction, and clarifications relating to coordination needs for the numerous specialty functions relating to an addition and renovation of a public safety building.

KEY ISSUES:
Doland's staff is familiar with Village code requirements, our operations, and the management of budgetary criteria associated with compliance with a Federally funded improvement. Through a qualification-based selection process, they assisted up to the point of bidding and selecting a recommended contractor to perform the work. While initially the cost of these services was below the level of Village Council authorization for work to be performed within budget, we are recommending their continuation through construction, with the total cost of the engagement expected to go above $40,000. We therefore are now seeking Village Council approval for their involvement through construction close-out for the Fire Station 82 Addition and Renovations Project.

ALTERNATIVES:
1. Authorize the Village Manager to execute the proposal from Doland Engineering to provide engineering assistance for the Fire Station 82 Addition and Renovations Project.
2. Refer back to Staff with comments.

RECOMMENDATION:
Staff recommends authorizing the Village Manager to execute the proposal from Doland Engineering for construction engineering services for the Fire Station 82 Addition and Renovations Project.

BUDGET IMPACT:
Funding is available in the 2024 Capital Improvement Program to accommodate this work.

ACTION REQUIRED:
Motion to authorize the Village Manager to execute the proposal from Doland Engineering, LLC for construction engineering services for the Fire Station 82 Addition and Renovations Project in an amount not-to-exceed $67,175.

ATTACHMENTS:

- Doland Fire Station 82 Proposal

Request for Proposal
Fires Station #82 & #85 Renovations
Owner's Representation Assistance
Village of Palatine
October 3, 2022

Submitted to:

Mr. Matthew Barry, P.E.
Director of Public Works
Village of Palatine

VILLAGE OF PALATINE
Est. 1866

Submitted by:

DOLAND ENGINEERING, LLC

Celebrating Over 50 years of Responsible Engineering - For Now, and the Future -

Attachment: Doland Fire Station 82 Proposal (Fire Station 82 Addition and Renovations Construction Engineering)

DOLAND
ENGINEERING, LLC

October 3, 2022

Mr. Matthew Barry
Director of Public Works
Village of Palatine
200 E. Wood Street
Palatine, Illinois 60067

RE: Owner's Representation Assistance for Fire Station #82 & #85 Renovations

Dear Mr. Barry,

We are pleased to provide you with the following proposal for owner's representation related to the above referenced renovations projects. We understand that your basis of need for this work is to have a firm that can provide the staffing necessary to work with the Village as their representative for building and site improvements related to these two fire stations. We have compiled a team that can meet these needs for you for this important project. We will assist the Village as Owner's Representative to support the Village in their undertaking of the following Project Descriptions. Doland staff will not design, assess, evaluate or construct these intended improvements, but will assist the Village as their designated representative to assemble the design and constructions teams made up of licensed design professionals and qualified contractors who can perform the services necessary to accomplish the Village objectives.

1.0 PROJECT DESCRIPTION

1.1 Fire Station 82

A. Design and construction of an addition that will house the Fire Department's administrative offices, conference room and storage areas.
B. Assessment of existing building including roof and HVAC systems with recommendations for repair/replacement.
C. Evaluate possible installation of an elevator into the existing elevator shaft.

1.2 Fire Station 85

A. Design and construction of vacated administrative offices into other uses as defined by Owner.
B. Assessment of existing building with recommendations for repair/replacement.

2.0 OWNER'S RESPONSIBILITIES

2.1. The Owner shall provide information regarding its design and construction requirements for the project to the Owner's Representative in a timely fashion.

2.2. The Owner shall designate an individual who shall have the authority to render decisions on Owner's behalf. The Owner may change Owner's Contact from time to time by written notice to the Owner's Representative. The initial Owner's Contact shall be:
Chief Gratzianna

Attachment: Doland Fire Station 82 Proposal (Fire Station 82 Addition and Renovations Construction Engineering)

2.3. The Owner shall provide office space, use of copier and file storage for the Owner's Representative to use for assembling and reviewing RFQs, reviewing construction documents, bid documents and construction related documentation.

3.0 SCOPE OF SERVICES
Owner's Representative shall provide the following scope of services:

3.1 GENERAL SERVICES
3.1.1. Owner's Representative, in general, shall have primary management responsibility for the Project and shall coordinate all project matters.

3.1.2. Owner's Representative shall schedule, attend, conduct, record, and assist the Owner at all project meetings (including without limitation meetings with the Architect, Contractor, Consultants, or Owner's Staff). Owner's Representative shall direct the Architect or Contractor to prepare meeting minutes if the Architect or Contractor is contractually required to do so. In the absence of meeting minutes prepared by others, Owner's Representative will provide Owner with minutes from such meetings prepared by Owner's Representative. Owner's Representative shall review for accuracy the minutes of such meetings prepared by either the Architect, Contractor, or others. Owner's Representative shall clarify, amend and report any discrepancies affecting the Project.

3.1.3 Within fifteen (15) days after the end of each calendar month, The Owner's Representative shall furnish to the Owner monthly reports containing:

A. The status of the Project.
B. A comparison of the project budget to costs incurred through the date of the report. C. A comparison of the project schedule to the work completed through the date of the report.
D. Any revision to the project schedule or project budget made during the month covered by the report
E. A summary of change orders made during the month covered by the report.
F. A list of all pending change orders and all outstanding issues requiring action or approval by Owner.
G. The status of any governmental requirements and activities required to facilitate approval of the project.
H. Any other reports concerning the project as Owner may reasonably request.

3.1.3. Owner's Representative shall be available for questions and follow up by telephone or site meetings with Owner.

3.2 PRE-CONSTRUCTION PHASE SERVICES
Pre-construction phase services were estimated based on Owner supplying digital documents from previous Village projects for use as templates.

3.2.1 RFQ Development Process

A. Develop RFQ for Architect Selection Process
B. Coordinate Project Scope
C. Develop Ranking Criteria

3.2.2 RFQ Distribution and Selection Process

A. Coordinate RFQ Distribution to Potential Architectural Firms
B. Coordinate RFQ Evaluation

Attachment: Doland Fire Station 82 Proposal (Fire Station 82 Addition and Renovations Construction Engineering)

C. Prepare Recommendation of (3) Finalists for Interviews
D. Manage Interview Process, including Agenda and Ranking Documentation
E. Prepare Recommendation, by interview panel, of the Finalist

3.2.3 Professional Services Agreement Development
A. Coordinate Scope Confirmation and Identify Agreement Options between parties
B. Review Agreement prior to Legal Review by Owner.

3.2.4 Design/CD Process, Assumes a four-month process.
A. Ongoing Liaison between Village Staff and Design Team.
B. Attendance at all design meetings.
C. Review design throughout development for compliance with approved project parameters and schedule.
D. Review Architect's Preliminary Construction Schedules.
E. Reviews of SD, DD and 50% CD documents.
F. Review of construction documents prior to bidding.

3.2.5 Cost Estimate Reviews
A. Review Architect's Construction Cost Estimates at SD, DD & 50% CD
B. Schematic Design Estimate
C. Design Development Estimate
D. 50% Construction Document Estimate

3.3 BIDDING PHASE
A. Attend any pre-bid meetings to represent the Owner.
B. Review Architect's Bidding format, procedures and criteria proposed by the Architect to be utilized in the bid process.
C. Review bid packages prepared by Architect.
D. Assist Owner in determining best bid package and awarding construction contract.
E. Review construction contract prior to Legal Review by Owner.

4.0 CONSTRUCTION PHASE SERVICES (assumes a six-month schedule)

4.1. Owner's Representative shall represent the Owner during the construction phase by
A. Owner's Representative shall represent the Owner in its communications with the Architect, Contractor, and Consultant(s); schedule, attend, and conduct progress meetings, attend regular on-site meetings to review construction progress and pay requests and to provide appropriate recommendations to the Owner concerning the Owner's decisions on construction matters, including, where necessary, alternative designs or materials; and coordinate, review, advise the Owner concerning, and approve change orders, submittals, and requests for information.

B. Owner's Representative shall review applications for payment by the Contractor, review and certify certificates for payment issued by Architect and make written recommendations to Owner concerning payment. Owner's Representative's certification for payment shall constitute a representation to the Owner that, to the best of the Owner's Representative's knowledge, information, and belief, the work has progressed to the point indicated and the quality of the work is in accordance with the Contract Documents. The issuance of a certificate for payment shall further constitute a representation that the Contractor is

Attachment: Doland Fire Station 82 Proposal (Fire Station 82 Addition and Renovations Construction Engineering)

entitled to payment in the amount certified. In addition, Owner's Representative and Owner shall cooperate with one another to develop an orderly procedure for review and payment of Project costs and expenses, including fees for the Architect and Consultants.

C. Owner's Representative shall direct Contractor (and others, where appropriate) to prepare and update a critical path schedule for completion of the applicable work. In the event of delays impacting the critical path schedule, Owner's Representative shall make recommendations to Owner for corrective action by Contractor.

D. Owner's Representative shall coordinate the Architect's review and approval of shop drawings, product data and other submittals by Contractor.

E. Owner's Representative shall notify Owner if Owner's Representative becomes aware that the work of Contractor is not being performed in accordance with the requirements of the Contract Documents.

F. Owner's Representative shall attend on-site review of the Project to confirm substantial and final completion of the construction of the Project and notify Owner when Owner's Representative believes the work under a Project construction contract is substantially complete and that a punch list should be prepared.

G. Owner's Representative shall coordinate with the Architect in its review of the work to enable the Architect to determine the date of substantial completion. At the substantial completion by Contractor of the work, monitor the Architect in its inspection of the work and preparation of a detailed "punch list" specifying any items which require completion, installation, correction or repair. Owner's Representative will consult with Owner and/or Architect in connection with recommendations for the rejection and replacement of all nonconforming work, as appropriate.

H. Owner's Representative shall obtain from Contractor record drawings or, if required by the applicable Project construction contract, "as-built" drawings, as construction progresses.

I. Together with the Architect and Owner, Owner's Representative shall monitor and observe the testing and start-up of all utilities, systems and equipment for the Project.

5.0 PROJECT CLOSE OUT

5.1. Owner's Representative shall complete the final close-out of the Project by

A. Along with the Architect and Owner, conduct a comprehensive final inspection of the project to verify that the materials furnished, and work performed are in accordance with the contract documents.

B. Owner's Representative shall review the Contractor's notice of substantial completion, the Punchlist initially prepared by the Contractor, the Punchlist as revised by the Architect. Together with Owner and Architect, Owner's Representative shall inspect the work. Coordinate the completion of such items in an expeditious manner.

C. Ensure the Contractor obtains, all government approvals required for the legal use and occupancy of the Project.

Attachment: Doland Fire Station 82 Proposal (Fire Station 82 Addition and Renovations Construction Engineering)

D. Expedite the preparation of "as-built" drawings. Ensure all operations and maintenance manuals, warranties, guarantees, bonds, insurance certificates, installation manuals, and other items required pursuant to the Project construction contracts are provided to Owner.

E. Obtaining all affidavits, waivers, and releases the Contractors are required to provide pursuant to the Project construction contracts to achieve final completion of the Project.

F. Analyzing all claims (including change order disputes and other claims for extra compensation) asserted by the Contractors and/or the Architect.

G. Collecting and/or otherwise resolving all back charge claims that Owner may assert against any Architect or Contractors, including assistance with any legal proceedings instituted by Owner and/or any Architect or Contractor, and/or representing Owner at meetings and/or inspections scheduled by Owner and held to resolve problems relating to design, physical condition or operation of the Project to seek enforcement of warranties.

The following is a schedule of anticipated fees based on our understanding of the project scope for the two individuals who are anticipated to be working on this project on behalf of the Village of Palatine.

Fees:

Task #	Harry Spila	Jason Doland
3.2 Pre-Construction Phase		
3.2.1	24	
3.2.2	35	
3.2.3	20	
3.2.4	128	10
3.2.5	24	
3.3 Bidding Phase		
3.3	16	
4.0 Construction Phase		
4.0	240	12
5.0 Project Close Out		
5.0	24	
Total Estimated Hours	511	22
Hourly Rate	$125.00	$150.00
Total Fee	$63,875.00	$3,300.00
	TOTAL =	**$67,175.00**

Attachment: Doland Fire Station 82 Proposal (Fire Station 82 Addition and Renovations Construction Engineering)

Consider an Ordinance Amending Chapter 2 - Administration and Chapter 11 - Licenses, Business Regulations of the Code of Ordinances of the Village of Palatine

BACKGROUND:
At the April 8, 2024 Council Meeting, the Village Council voted to dissolve and not reappoint the Board of Health. As such, staff is proposing edits to the Codebook to remove references to the Board of Health. Additional clean-up was performed.

KEY ISSUES:
- References to the Board of Health were removed from the Code.
- Updates to the process of revocation of food permits with removal of the Board of Health.
- Update proper titles to state the “Cook County Department of Public Health” rather than the “County Board of Health”.
- General cleanup to the Police and Firefighters’ Pension Boards was made to include proper titles and correct mis-cited State statutes.

ALTERNATIVES:
1. Approve the amendments to Chapter 2 Administration and Chapter 11 Licenses, Business Regulations.
2. Do not approve the amendments and refer back to Staff.

RECOMMENDATION:
Staff recommends approval of an ordinance amending Chapter 2 Administration and Chapter 11 Licenses, Business Regulations of the Code of Ordinances.

ACTION REQUIRED:
A motion to approve an ordinance amending Chapter 2 Administration and Chapter 11 Licenses, Business Regulations of the Code of Ordinances.

ATTACHMENTS:

- Ordinance Amending Ch 2 & 11
- Chapter 2 Red Line
- Chapter 2 Final Version
- Chapter 11 Red Line
- Chapter 11 Final Version

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 2 – ADMINISTRATION, AND CHAPTER 11 – LICENSES, BUSINESS REGULATIONS, 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 2- Administration and 11 – Licenses, Business Regulations of the Village Code to remove references to the Board of Health which was dissolved and no reappointments recommended on April 8, 2024, and to update language on Police and Firefighters' Pension Boards; 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 Chapters 2 and 11 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 2 – Administration and Chapter 11 – Licenses, Business Regulations, 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

Attachment: Ordinance Amending Ch 2 & 11 (Amending Chapter 2 and 11 Code of Ordinances)

approved pursuant to this Ordinance as indicated by 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 _____, 2024

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

APPROVED by me this _____ of _____, 2024

_____
Mayor of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk

this _____ of _____, 2024

_____
Village Clerk

Attachment: Ordinance Amending Ch 2 & 11 (Amending Chapter 2 and 11 Code of Ordinances)

Chapter 2 ADMINISTRATION*

***Cross reference(s) --**Eminent domain, Ch. 20.

Editor's Note: Ordinance #0-15-02 enacted January 28, 2001 replaced Articles II through X, and XXV
Editor's Note: Ordinance #0-132-03 enacted October 20, 2003, added a new Article XXX
Editor's Note: Ordinance #0-109-05 enacted June 6, 2005, amended Article XXX
Editor's Note: Ordinance #0-15-08 enacted January 21, 2008 replaced Article XIX Board of Health
Editor's Note: Ordinance #0-110-11 enacted October 10, 2011 replaced Article XIII Peer Review Board
Editor's Note: Ordinance #0-101-12, enacted July 9, 2012 replaced Article XX Fire & Police
Editor's Note: Ordinance #O-91-21, enacted August 9, 2021 replaced Chapter 2 in its entirety
Editor's Note: Ordinance #O-27-23, enacted March 20, 2023 replaced Article XXIII Planning and Zoning Commission

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Art. I. In General, §§ 2-1--2-15
Art. II. Village Council, §§ 2-16--2-41
Art. III. Officers and Employees, §§ 2-42--2-65
Art. IV. Village Clerk, §§ 2-66--2-90
Art. V. Village Mayor, §§ 2-91--2-105
Art. VI. Village Manager, §§ 2-106--2-120
Art. VII. Village Attorney, §§ 2-121--2-135
Art. VIII. Village Prosecutor, §§ 2-136--2-150
Art. IX. Village Treasurer, §§ 2-151--2-170
Art. X. Department of Public Works, §§ 2-171--2-190
Art. XI. Department of Community Development, §§ 2-191--2-210
Art. XII. RESERVED
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ARTICLE I. IN GENERAL

Sec. 2-1. Corporate seal.

The corporate seal of the village shall be as follows: An oval emblem with the words "VILLAGE OF" around the top of the oval border with the words "Est 1866" around the bottom of the border; the center of the oval will contain the word "PALATINE" in Black on a taupe colored background. A likeness of the image is:



Sec. 2-1-1. Organizational structure.

Council Manager Form of Government

The Village operates under the Council Manager Form of Government as that form of Government is defined in the Illinois Statutes. This statement is declarative of the existing form of Government of the Village.
(Ord. #0-16-09, §1, 1/19/09

Sec. 2-2. Fiscal year.

The fiscal year of the village shall begin on the first day of January and end on the thirty-first day of December of each year. (Code 1961, ə 8.602; Ord.No.0-141-98, ə1, 9-14-98)

State law reference(s) --Similar provisions, 65ILCS5/1-1-2.

Sec. 2-3. Elections.

Elections for municipal offices shall be held as is provided by statute, and at the time prescribed by statute. (Code 1961, ə 8.605)

State law reference(s) --For provisions controlling local elections see 10ILCS5/4-1.

Sec. 2-4. Surety bonds.

Whenever a surety bond to indemnify the village is required as a prerequisite to exercising the duties of any office or position, or to the issuance of a license or permit or for the exercise of any special privilege, the surety on such bond shall be a corporation licensed and authorized to do business in this state as a surety company, in the absence of specific provision to the contrary by ordinance. Whenever in its opinion additional sureties or an additional surety may be needed on any bond to indemnify the village against any loss or liability because of the insolvency of the existing surety or sureties or for any other reason, the board may order a new surety or sureties to be secured on such bond. If such new surety or sureties are not procured within ten (10) days from the time such order is transmitted to the principal on the bond, or his assignee, the board shall declare the bond to be void, and thereupon such principal or assignee, shall be deemed to have surrendered the privilege or position as condition of which the bond was required. (Code 1961, ə 8.606

Attachment: Chapter 2 Red Line (Amending Chapter 2 and 11 Code of Ordinances)

Sec. 2-5. Use of village-owned or leased building.

No person, group or organization, excepting boards, and agencies of the village, shall be granted a permit to use or occupy a building owned or leased by the village other than meeting rooms unless such person, group or organization shall first furnish and deliver to the village a certificate of insurance, issued by an insurance carrier and approved by the village, providing the Village of Palatine with public liability (and dram shop liability when necessary) insurance covering such use or occupancy, with a policy limit of not less than one million dollars ($1,000,000.00) or any other conditions and requirements set forth by the Corporate Authorities or Village Manager. (Ord. No. O-82-75, §1, 11-24-75; Ord. 0-16-09, §2, 1-19-09)

Editor's note: Ord. No. O-82-75, §1, amended 1961 Code by adding the provisions included herein as § 2-5.

Sec. 2-6. Disposition of unclaimed security deposits.

(a) In all cases where monies are deposited with the village as a bond or security for the satisfactory construction, repair or installation of improvements to property or for the performance of any other act, which monies are refundable upon the satisfactory completion or performance of the same pursuant to this Code or any other ordinance of the village, said monies will be considered abandoned, unclaimed and forfeited to the village if not claimed by the person or persons entitled thereto within two (2) years after the time when such monies have become refundable (hereinafter referred to as the "forfeiture date"). For purposes of this section, "refundable" shall mean repayable by the village to the party depositing such monies with the village, upon such party's meeting or performing the work, improvements or other act for which the same monies were deposited as security under the requirements of the village Code or ordinances.

(b) Except as provided in subparagraph (c) below, not more than ninety (90) nor less than thirty (30) days before the forfeiture date, the Village Clerk shall notify the depositor or any successors or assigns of the depositor of which said clerk has notice, by registered mail to such persons at their last known address or addresses, that the deposit will be forfeited to the village if not claimed on or before the forfeiture date. In the event said monies are not claimed by the person or persons entitled thereto on or before the forfeiture date, said monies shall be deemed forfeited to the village and the village clerk shall notify the village treasurer that the monies have been forfeited to the village. The village treasurer thereupon shall promptly transfer said monies to the Palatine General Fund.

(c) In the case of cash deposits made pursuant to section 2.07(a)(9) of the Building Code of Palatine before commencing any work for which a building permit has been issued, such deposits shall become refundable following final inspection and approval by the village of the project for which the building permit has been issued. Refunds shall be made by the village directly to the permittee; provided, however, that final inspection must be requested by the permittee within the two-year term of the building permit, or any extension or renewal thereof. Failure by the permittee to request final inspection within said term, extension or renewal, shall cause the deposit to be forfeited to the village. The village shall send notice of the forfeiture date to the permittee as provided in subparagraph (b) above not more than ninety (90) days nor less than thirty (30) days before the forfeiture date.

Sec. 2-7. Use of village name, departments, agencies, etc., in solicitations and promotions.

No person, firm or corporation, including any employee, department, division or agency of the village, shall use the name: "The Village of Palatine" or the name of any department, agency, committee, commission or office of the village, or the seal or other insignia or symbol of the village, in the promotion of or solicitation for funds or donations, including fund-raising events or benefits, without the prior written permission of the Village Manager. Any application for a permit to promote, solicit or conduct a benefit or fund-raising event shall be made to the Village Manager in writing. Such applications shall set forth the proposed plan for fund raising, including methods of solicitation and promotion, and shall designate a reasonable amount or percent of the proceeds to be allocated for village expenses to be incurred in connection with the event, promotion or solicitation. Any approval or fund-raising event shall specify the amount or percent of the proceeds which will be allocated to the village to cover its expenses.

Attachment: Chapter 2 Red Line (Amending Chapter 2 and 11 Code of Ordinances)

Any denial of an application for such permit may be appealed by a written letter of appeal to the Mayor and Village Council of the village. Such letter of appeal must be delivered to the Village Manager within ten (10) days following his denial. The Mayor and Village Council shall hear and act on said appeal at their next regular meeting following receipt of the letter of appeal by the Village Manager. The decision of the Mayor and Village Council shall be final. (Ord. No. O-70-81, ə 1, 8-10-81)

Sec. 2-8. Displaying the flag.

All Village public buildings shall display the flag(s) at in accordance of the Flag Code, Title 4, United States Code, Chapter 1. The following flags shall be the only flags authorized to be flown or otherwise displayed on Village owned, leased, or otherwise controlled buildings or property:

~~T~~the flags of the United States, the State of Illinois, ~~and~~ the Village of Palatine, and POW / MIA can be flown at half-staff upon the death of public officials. The flags shall remain at half-staff during each day they are normally flown until lowered at the end of the day on which the funeral is solemnized.

On occasions where Village public safety personnel or military personnel residing in Palatine or employed by the Village are killed in the line of duty or as otherwise determined by the Mayor, the Mayor may deem it appropriate to order all flags flown at half-staff. The flags shall remain at half-staff during each day they are normally flown until lowered at the end of the day on which the funeral is solemnized.

The honor and reverence accorded this solemn act shall not be diminished by the display of the Nation's and State's flags at half-staff on occasions of local tragedy wherein the Village's flag flown at half-staff would be more appropriate. (Ord. No. 0-268-04, §1, 12/13/04)

Secs. 2-9--2-15. Reserved.

ARTICLE II. VILLAGE COUNCIL

Editor's Note: Ordinance 0-15-02 enacted January 28, 2002, replaced Article II in its entirety.

Sec. 2-16. Election; functions.

The Village Council shall consist of six (6) council members. Each council member shall be elected from a district as established by Ordinance 0-100-80, a true copy of which shall be maintained in the office of the Village Clerk. Each of the districts established under said ordinance shall be represented by one council member who shall have been an actual resident of the district for at least six (6) months prior to his or her election. Only the electors of a district shall elect the council member from that district. Council members shall serve in staggered terms with three (3) districts up for election every two (2) years. Council members in Districts 1, 4 and 6 shall serve four (4) year terms elected in 2021 and every four (4) years thereafter and council members in Districts 2, 3 and 5 shall serve four (4) year terms elected in 2019 and every four (4) years thereafter. All council shall hold office for a four-year term, and until their successors are elected and have qualified. This Village Council shall be the legislative department of the village government, and shall perform such duties and have such powers as may be delegated to it by statute, this code or ordinance. All policies, directives and requests from the Village Council or a council member to any department director or employee shall be made or transmitted through the Village Manager. (Code 1961, § 2.101; Ord. No. O-34-81, § 1, 4-20-81)

Attachment: Chapter 2 Red Line (Amending Chapter 2 and 11 Code of Ordinances)

On and after April 14, 1997, the Board of Trustees of the Village of Palatine shall be the Village Council of the Village of Palatine, and shall be known as Council Members.

The term "Trustee" as used in any ordinance, resolution, motion or other action of the corporate authorities shall mean "Council Member." (Ord. No. O-190-96, § 1, 10-14-96)

The term "Corporate Authorities" as used in this Code, any ordinance, resolution, motion or other action shall mean collectively the "Mayor" and the "Village Council". Nothing contained herein, however, in the use of the term "Corporate Authorities" shall be deemed to modify or otherwise expand the limits on the Mayor's authority to vote pursuant to 2-96 of the Village Code or pursuant to the Illinois Municipal Code.

The terms of the elected municipal officials shall commence at the first regular or special meeting of the corporate authorities following the proclamation of the results of the regular municipal election at which the officers were elected. (Ord. #0-26-09, §2, 3/2/09)

Sec. 2-17. Oath; Salary.

Each Council Member shall take the following oath of office:

"I, _____, having been elected to the office of Council Member of the Village of Palatine in the Village of Palatine, County of Cook, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of Council Member according to the best of my ability."

and shall receive such compensation as may be from time to time provided by ordinance.
(Code 1961, § 2.102)

State law reference(s)--Similar provisions, 65ILCS5/3-14-3.

Sec. 2-18. Meetings--Regular.

The regular meetings of the Corporate Authorities shall be held on the first, second and third Monday of each month, except when such regular meeting falls on one of the following holidays: Memorial Day, Independence Day, Labor Day or any other day that has been designated by the Village Manager as a holiday for employees in a given year. In each such case, the regular meeting shall be held on the Tuesday following such holiday. All regular meetings shall begin at 7:00 p.m. and no notice thereof shall be required. (Code 1961, § 2.103; Ord. No. O-143-86, § 1, 10-13-86, Ord. 0-31-03, § 1 2-3-03)

Sec. 2-19. Same--Special.

Special meetings may be called by the Mayor or by any three (3) Council Members upon at least forty-eight (48) hours' notice to all Council Members and the Mayor; provided that the Mayor and all Council Members are present at a special meeting, no notice of the meeting shall be necessary other than the public notice required by statute. (Code 1961, § 2.104; Ord. No. 0-55-95, §1, 5-22-95.)

Attachment: Chapter 2 Red Line (Amending Chapter 2 and 11 Code of Ordinances)

Sec. 2-20. Committees--Standing.

The following shall be the standing committees of the Village Council:

(1) Administration, Technology and Community Health;

(2) Business, Finance and Budget;

(3) Community and Economic Development;

(4) Fire Policy and Community Information;

(5) Infrastructure and Environment;

(6) Police Policy and Code Services.

The Chair and Vice Chair of each committee shall be appointed by the Mayor, with the consent of the Village Council for a one year term starting May 1. The Chair and Vice Chair shall rotate each year by District. (District 1 shall be succeeded by District 2 on the following May 1, etc.) Each member of the Village Council, including the Mayor, shall, by virtue of his office, be a member of all committees with the right to vote. A quorum of the committee shall be determined to be present whenever four (4) members are present. In the event that the Chair and Vice Chair are not present for a quorum, the remaining members shall select an Acting Chair for that meeting.

Each committee shall have such powers and consider such matters as may be referred to it from time to time by the Mayor and Village Council or assigned to it by the Village Manager. However, each committee shall only make policy recommendations to the Village Council and shall not provide administrative direction to the departments that report to the Village Manager. (Code 1961, § 2.106; Ord. No. O-44-76, § 1, 4-26-76; Ord. No. O-43-77, § 1, 5-23-77; Ord. No. O-60-85, § 1, 7-22-85; Ord. No. O-33-91, § 1, 4-15-91; Ord. No. 0-49-95, § 1, 5-22-95; Ord. No. 0-157-96, §1, 8-26-96)

Sec. 2-21. Same--Special.

Special committees shall be created from time to time as is directed by the Mayor and Village Council. (Code 1961, § 2.107)

Sec. 2-22. Advisory referenda.

It shall be the policy of the Corporate Authorities to submit questions of public policy to the voters of the village in special advisory referenda upon receipt of a petition therefor, signed by not less than twenty per cent (20%) of the registered voters residing in the village.

Such special advisory referenda shall be held not more than ninety (90) days after the receipt of such petition. Notice of such election shall be published and given not less than fifteen (15) or more than thirty (30) days prior to the date of such election.

Such petition may be filed with the Corporate Authorities and/or with the clerk. (Code 1961, § 2.108)

Attachment: Chapter 2 Red Line (Amending Chapter 2 and 11 Code of Ordinances)

Sec. 2-23. Ordinances; approval; veto.

All ordinances, resolutions and motions:

(1) Which create any liability against the village, or
(2) Which provide for the expenditure or appropriation of its money, or
(3) Sell any village property and all ordinances passed by the Corporate Authorities.

shall be deposited with the clerk. If the Mayor approves of them, the Mayor shall sign them. Those of which the Mayor disapproves, the Mayor shall return to the Village Council, with the Mayor's written objections, at the next regular meeting of the Village Council occurring not less than five (5) days after their passage. The Mayor may disapprove of any one (1) or more sums appropriated in any ordinance, resolution, or motion making an appropriation, and if so, the remainder shall be effective. However, the Mayor may disapprove entirely of an ordinance, resolution or motion making an appropriation. If the Mayor fails to return any ordinance or any specified resolution with the Mayor's written objections, within the designated time, it shall become effective despite the absence of the Mayor's signature. (Code 1961, § 2.111)

Sec. 2-23.1 Ordaining clause.

The ordaining clause of ordinances in the Village of Palatine shall be: "Be it ordained by the Mayor and Village Council of the Village of Palatine". (Ord. No. 0-90-97, 5-27-97)

Sec. 2-24. Reconsideration; passing over veto.

Every ordinance, resolution and motion specified in the preceding section, and every ordinance, which is returned to the Village Council by the Mayor shall be reconsidered by the Village Council. If, after such reconsideration of two-thirds (2/3) of all the Council Members then holding office the Village Council shall agree to pass an ordinance, resolution, or motion notwithstanding the Mayor's refusal to approve it, then it shall be effective. The vote on the question of passage over the Mayor's veto shall be by yeas and nays, and shall be recorded in the journal. (Code 1961, § 2.112)

Sec. 2-25. Order of business.

The order of business to be observed at all meetings of the Corporate Authorities shall be as follows:

1. Roll call;
2. Pledge to the flag;
3. Public hearings;
4. Approval of minutes of previous meeting or meetings;
5. Mayor’s Report;
6. Committee of the Whole Meeting
   (Individual Committee Meetings);
7. Consent agenda;
8. Reports of standing committees;
9. Reports of village officers;
10. Closed Session, as required;
11. Recognition of audience-non-agenda items

(Code 1961, § 2.201; Ord. No. O-67-78, § 1, 8-14-78; Ord. No. O-172-86, § 1, 12-8-86; Ord. No. 0-166-96, §1, 9/23/96, Ord. No. 0-149-04, §1, 7-12-04)

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Sec. 2-26. Consent agenda.

The Village Manager shall prepare and list on the agenda for each regular meeting of the Corporate Authorities under "consent agenda" all items to be submitted to the Corporate Authorities for a vote which are deemed by the Village Manager to be non-controversial. The monthly warrant covering the approval of payment of bills shall be a consent agenda item unless the Mayor or any Council Member(s) advise the Village Manager to the contrary. A copy of the consent agenda shall be posted on the village hall bulletin board not later than 10:00 a.m. of the third calendar day preceding the day of the regular meeting at which it will be considered. The public records of all proceedings held and action taken on each consent agenda item shall be available for public inspection at all reasonable times during normal business hours. Upon request of the Mayor or any Council Member, made prior to the vote on consent agenda items, any item listed on the consent agenda shall be removed therefrom and considered separately.

When the consent agenda shall be reached in the order of business, a single motion shall be in order to act on all such items and a single roll call shall be taken on such motion. The resulting vote shall be deemed to be the vote of the Corporate Authorities on each item on the consent agenda. (Ord. No. O-67-78, § 2, 8-14-78; Ord. No. O-64-81, § 1, 6-22-81)

Sec. 2-27. Resolutions.

Any resolutions submitted to the Corporate Authorities shall be reduced to writing before being voted upon, on request of any two (2) members of the Village Council. (Code 1961, § 2.203)

Sec. 2-28. Addressing meetings.

For non-agenda items, members of the general public may address the Corporate Authorities with concerns or comments regarding issues that are relevant to Village business. Issues that are not relevant to Village business shall not be allowed. Comments shall not include any disrespectful remarks or comments relating to individuals. All members of the public addressing the Corporate Authorities shall, at all times, maintain proper decorum. All public comments shall be addressed to the Corporate Authorities as a whole, and no comments shall be addressed to individual members of the Corporate Authorities, Village staff or other members of the public. Speakers shall use every attempt to not be repetitive of points that have been made by others. Individual citizens may be allotted three (3) minutes to address the Corporate Authorities as determined by the Mayor.

The Corporate Authorities may refer any matter of public comments to the Village Manager or an appropriate agency or other governmental unit for review, or may place the matter on a subsequent agenda for discussion, at their sole discretion.

For matters on the published agenda, comments shall be made during the agenda item, when recognized by the Mayor or Chairman of the respective Committee on which said agenda item is scheduled.

No person other than the Mayor, a member of the Village Council, or the Village Manager shall address that body at any regular or special meeting except upon consent of a majority of the members present.
(Code 1961, § 2.204)

Sec. 2-29. Procedure for passing ordinances.

(a) Except as otherwise provided in section 2-24 of this Code, each ordinance to be passed shall be introduced at a regular, adjourned or special meeting of the Corporate Authorities. At that time,

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notwithstanding any state statute pertaining to the requirement for an extraordinary vote, if a majority of the Corporate Authorities then holding office vote to accept the ordinance as to its first reading, the ordinance will be held over until the next regular, special or adjourned meeting. At such subsequent meeting or at any subsequent meeting, said ordinance may be passed as to its final passage. Provided, however, that by a majority of the corporate authorities then holding office any ordinance may be passed at its first reading without following the procedure set forth in this section.

(b) Where any member of the Corporate Authority believes that he or she has a conflict of interest on any matter before the Corporate Authority, that member shall publicly so state the existence and general nature of the interest prior to the time a vote is taken and shall recuse him or herself from voting on that matter. Where recusal occurs, that member's failure to vote shall not be counted as either an "aye" or "nay" vote, and that member shall be counted toward a quorum, but shall not be counted toward the number of members upon which a majority is based.

(c) This section shall not otherwise effect the instances in which the Mayor is required to vote under Illinois Municipal Code (65 ILCS 5/5-3-5. (Code 1961, § 2.205; Ord. No. O-154-89, § 1, 10-16-90; Ord. No. O-146-91, § 1, 10-14-91)

Sec. 2-30. Suspension of rules.

The rules of order, other than those prescribed by statute, may be suspended at any time by the consent of a majority of the Corporate Authorities present at any meeting. (Code 1961, § 2.206)

Sec. 2-31. Committee of the whole.

The rules of order governing the Village Council shall permit the committee of the whole to rise to standing or special committees as may from time to time be appointed by the Mayor and Village Council. (Code 1961, § 2.206.1)

Sec. 2-32. Robert's Rules of Order.

Robert's Rules of Order shall govern the deliberations of the Village Council except when in conflicts with any of the foregoing rules. (Code 1961, § 2.207)

Secs. 2-33--2-41. Reserved.

ARTICLE III. OFFICERS AND EMPLOYEES

Editor's Note: Ordinance 0-15-02 enacted January 28, 2002, replaced Article III in its entirety.

Sec. 2-42. Effect.

The provisions of this article shall apply alike to all officers and employees of the village, regardless of the time of the creation of the office or position or the time of the appointment of the officer or employee. (Code 1961, § 8.101)

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Sec. 2-43. Term of office; vacancies.

Every appointed officer of the village shall hold office until his successor is appointed and qualified, unless otherwise provided by statute, any other provision of this Code or other ordinance. A vacancy in any such office shall be filled in the same manner as the original appointment. (Code 1961, § 8.103)

Sec. 2-44. Reserved.

Sec. 2-45. Oath.

Every officer of the village shall, before entering upon his duties, take an oath of office.
(Code 1961, § 8.105)

State law reference(s)--Similar provisions, 65ILCS5/3-14-3.

Sec. 2-46. Salaries.

All officers and employees of the village shall receive such salary as may be from time to time provided by ordinance. (Code 1961, § 8.106)

Sec. 2-47. Assignment of duties.

In the event of a conflict between an appointed officer and the Village Manager, the Corporate Authorities shall have the power to resolve any dispute over an assignment to any appointed officer or over any duty which is not assigned by ordinance to some other specific appointed officer; and shall determine disputes or questions relating to the respective powers or duties of such officers. (Code 1961, § 8.107)

Sec. 2-48. Records.

All records kept by any officer of the village shall be open to inspection by the Corporate Authorities at all reasonable times, whether or not such records are required to be kept by statute or ordinance. (Code 1961, § 8.108)

Sec. 2-49. Bond.

Every officer and employee shall, if required by the Corporate Authorities, and at the expense of the village, upon entering upon the duties of his office, to give a bond in such amount and with such sureties as may be determined by said Corporate Authorities, conditioned upon the faithful performance of the duties of the office or position.
(Code 1961, § 8.109)

Sec. 2-50. Termination of office.

Every officer and employee of the village, upon the expiration of his term for any cause whatsoever, shall deliver to his successor all books and records and other items which may be the property of the village, and if no successor has been appointed within one week after the termination of office such property shall be delivered to the Village Manager. (Code 1961, § 8.111)

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Sec. 2-51. Campaigning and political involvement.

No employee, or compensated officer, other than an elected officer of the village shall campaign for, or make a contribution, either in cash or kind, to the campaign of any candidate for office within the village. 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 village office within the village. 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 village office with the village.

The Village Manager shall set forth the text of this section in the Employee Handbook, and in addition, shall serve copies of the same upon each employee of the village as part of their initial employee orientation

Sec. 2-52. Power to arrest.

The Mayor, members of the Village Council, the Village Manager, sworn members of the fire department and sworn member of the police department are hereby declared to be conservators of the peace, with such powers to make arrests as are given to conservators of the peace by statute. (Code 1961, § 8.110)

Sec. 2-53. Actions against employee; defend and indemnify.

For the purposes of only this section, the word "employee" includes the Mayor, a Council Member, the Village Clerk, the Village Manager, the village attorney, the village prosecutor, the treasurer, an officer, member of a board, commission or committee, servant or employee, whether or not compensated, but does not include an independent contractor.

If any claim or action is instituted against an employee or former employee of the village based on an injury allegedly arising out of an act or omission occurring within the scope of his employment as such employee, the village may elect to do any one or more of the following:

(1) Appear and defend against claim or action;

(2) Indemnify the employee or former employee for his court costs incurred in the defense of such claim or action;

(3) Pay, or indemnify the employee or former employee for a judgment based on such claim or action, or

(4) Pay, or indemnify the employee or former employee for, a compromise or settlement of such a claim or action. (Ord. No. O-58-82, § 1, 6-14-82)

Secs. 2-54--2-65. Reserved.

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ARTICLE IV. VILLAGE CLERK*

***State law reference(s)--**For powers and duties of clerk see 65ILCS5/3-10-9.

Editor's Note: Ordinance 0-15-02 enacted January 28, 2002, replaced Article IV in its entirety.

Sec. 2-66. Election; term.

The clerk shall be elected and serve for a four (4) year term and until a successor is elected and qualified. (Code 1961, § 3.001)

Sec. 2-67. Bond.

Before entering upon the duties of office the clerk shall execute a bond in such amount and with such sureties as is provided by statute, conditioned upon the faithful performance of the clerk's duties. (Code 1961, § 3.002)

Sec. 2-68. Signatures.

The clerk shall seal and attest all ordinances, resolutions and motions adopted by the Corporate Authorities and all contracts of the village and all licenses, permits and such documents that require the clerk's seal and signature. (Code 1961, § 3.003)

Sec. 2-69. Money collected.

The clerk shall turn over all money received on behalf of the village to the village treasurer promptly upon receipt of the same; and with such money he shall give a statement as to the source thereof. (Code 1961, § 3.004)

Sec. 2-70. Reserved.

Sec. 2-71. Records.

The clerk shall keep a record of ordinances and such other records as may be required by the board. (Code 1961, § 3.006)

Sec. 2-72. Seal.

The clerk shall be the custodian of the village seal, and shall affix its impression on documents whenever this is required. (Code 1961, § 3.007)

Sec. 2-73. Documents.

The clerk shall be the custodian of all documents belonging to the village which are not assigned to the custody of some other officer. (Code 1961, § 3.008)

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Sec. 2-74. Same--Indices.

The clerk shall keep and maintain a proper index to all documents and records kept, so that ready access thereto may be had. (Code 1961, § 3.009)

Sec. 2-75. Additional duties.

In addition to the duties herein provided the clerk shall perform such other duties and functions which may be required by this Code or ordinance. (Code 1961, § 3.010)

Sec. 2-76. Vacancies.

In case the office of clerk shall become vacant for any reason, the Corporate Authorities shall appoint a successor. (Code 1961, § 3.011)

Sec. 2-77. Deputy.

There is hereby created office of deputy clerk, to be appointed by the clerk.

The deputy clerk may perform any duty and exercise any power delegated to the clerk. (Code 1961, § 3.012)

State law reference(s)--Appointment of deputy, 65ILCS5/3-6-3.

Secs. 2-78--2-90. Reserved.

ARTICLE V. MAYOR

Editor's Note: Ordinance 0-15-02 enacted January 28, 2002, replaced Article V in its entirety.

Sec. 2-91. Election and term of office.

The Mayor shall be elected for a term of four (4) years. (Code 1961, § 1.001)

On and after April 14, 1997, the Village President shall be the Mayor of the Village of Palatine.

The term "Village President" as used in any ordinance, resolution, motion or other action of the corporate authorities shall mean "Mayor". (Ord. No. 0-190-96, §2, 10-14-96)

State law reference(s)--For provisions relating to election of the Mayor, see 65ILCS5/3-5-1.

Sec. 2-92. Duties.

Pursuant to the Illinois Municipal Code (65 ILCS 5/3.1-15-10 (2001)), the Mayor is recognized as the chief executive officer. The Mayor shall be recognized as the presiding officer at all meetings of the Village Council and on all ceremonial occasions. The Mayor shall be recognized as the official head of the village by the courts for the purpose of serving process and by the governor for all legal purposes. The

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Mayor shall perform all duties that may be required by statute, this Code or ordinance and shall have the power and authority to inspect all books and records kept by any village officer or employee at any reasonable time. All policies, directives and requests from the Mayor to any department director or employee shall be made or transmitted through the manager. The Mayor shall execute all ordinances, resolutions and motions of the Corporate Authorities, all contracts of the village and all licenses, permits and such and other documents that require the Mayor's signature.

Sec. 2-93. Designation of duties. [Intentionally Deleted]

Sec. 2-94. Bond; oath; salary.

Before entering upon the duties of his office, the Mayor shall give a bond with sureties to be approved by the Village Council and at the expense of the Village, conditioned upon the faithful performance of the Mayor's duties, in the sum of at least three thousand dollars ($3,000.00), or such higher sum as may be directed by the Village Council. The Mayor shall take the following oath of office:

> "I, _____, having been elected to the office of Mayor of the Village of Palatine in the Village of Palatine, County of Cook aforesaid, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of Mayor according to the best of my ability."

and shall receive such compensation as may be set from time to time by the Village Council. (Code 1961, § 1.004)

Sec. 2-95. Mayor Pro-Tem.

During a temporary absence from the village, or disability of the Mayor, the Village Council shall at the next meeting of the Village Council after the temporary absence or disability is known, elect one of its members to act as Mayor pro-tem, who in the event of a temporary absence shall perform the duties and possess the rights and powers pertaining to the office for the length of that meeting, and in the event of a longer term disability or absence shall perform the duties and possess the rights and powers pertaining to the office for the term specified by the Village Council, but for no longer than the length of the Mayor's disability or absence.. (Code 1961, § 1.005)

Sec. 2-96. Mayor to preside; deciding vote.

The Mayor shall preside at all meetings of the Village Council. The Mayor shall not vote on any ordinance, resolution or motion except:

(1) Where the vote of the Council Members has resulted in a tie; or

(2) Where three (3) of the Council Members have voted in favor of an ordinance, resolution or motion even though there is no tie vote; or

(3) Where a vote greater than a majority of the Corporate Authorities is required by this Code to adopt an ordinance, resolution or motion.

In each instance specified, the Mayor shall vote.

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Nothing in this section shall deprive a Mayor Pro-Tem from voting in the capacity as a Council Member, but the Council Member shall not be entitled to another vote in the capacity as Mayor Pro-Tem. (Code 1961, § 2.110; Ord. No. O-42-81, § 1, 4-27-81)

Secs. 2-97--2-105. Reserved.

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ARTICLE VI. VILLAGE MANAGER

Editor's Note: Ordinance 0-15-02 enacted January 28, 2002, replaced Article VI in its entirety.
Editor's Note: Ordinance 0-16-09 enacted January 19, 2009, replaced several sections in Article VI.

Sec. 2-106. Creation of office.

The office of the Village Manager is hereby created. (Code 1961, § 4.101)

Sec. 2-107. Appointment.

The Village Manager shall be appointed by the Mayor by and with the advice and consent of the Village Council for an indefinite term. The Village Manager shall be chosen on the basis of executive and administrative qualifications with special reference to actual experience in or knowledge of accepted practice in respect to the duties set forth in this Chapter. The Village Manager shall only be removed by a two- thirds vote of the Corporate Authorities.

Neither the Mayor nor any Council Member of the village shall receive such appointment during the term for which the Mayor or any Council Member has been elected. (Code 1961, §4.102)

This Section shall only be amended by a two-thirds vote of the Corporate Authorities.

Sec. 2-108. Powers and duties.

The manager shall be the chief administrative officer of the village with full authority to carry out the executive and ministerial functions of government. The manager shall be responsible to the Corporate Authorities for the proper administration of all the affairs of the village and shall perform all duties that may be required by statute, this Code or ordinance. The manager shall be empowered and required to:

(1) Enforce all laws and ordinances of the village.

(2) Attend all meetings of the Corporate Authorities. The manager shall have the right to take part in the discussion of all matters coming before the Corporate Authorities but shall have no right to vote. The manager shall be entitled to notice of all special and regular meetings of the Corporate Authorities.

(3) Recommend to the Corporate Authorities adoption of such measures as the manager may deem necessary or expedient.

(4) Appoint, suspend or remove all department directors and employees of the village, except the village attorney, village prosecutor, village treasurer, members of any advisory bodies appointed by the Corporate Authorities; and such appointments, suspensions or removals shall be based upon the merit and fitness of such employee, without regard to political belief or affiliation. The manager may authorize a department director to appoint, suspend or remove subordinates in such department.

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(5) Whenever there is a question as to the respective duties or powers of any appointed officers of the village in the first instance (subject to the Village Council's authority to settle any disputes between the appointed officer and the manager), this shall be settled by the manager and the manager shall have the power to delegate to any such officer any duty which is to be performed when no specific officer has been directed to perform that duty.

(6) Exercise control and supervision over all department directors, appointed officers and employees of the village.

(7) Make recommendations to the Corporate Authorities concerning compensation ranges for each department director, appointed officer, and employee in the village service, including minimum, intermediate and maximum rates.

(8) Recommend to the Corporate Authorities the creating, consolidating and combining of offices, positions, departments or units of the village.

(9) Investigate all complaints in relation to matters concerning the administration of the government of the village and services maintained by the public utilities in the village and see that all franchises, permits and privileges granted by the village are faithfully observed. Such investigation shall include the authority to retain special outside counsel.

(10)

a. The Village Manager is hereby authorized to make expenditures of forty thousand dollars ($40,000.00) or less for which funds were provided in the annual budget ordinance for all items necessary for the running of the village.

b. For all materials, supplies, and equipment that for a purchase of more than twenty thousand dollars ($20,000.00), he shall solicit quotations and for all purchases of more than forty thousand dollars ($40,000.00) he shall be required to received sealed bids unless quotations are deemed by the Manager to be more appropriate and present such bids or quotations to the Corporate Authorities for approval or rejection.

c. When a purchase that is unbudgeted or exceeds $40,000 and is deemed by the Village Manager to be an emergency, meaning an imminent threat to the public health, safety or welfare of the general public, the Village Manager shall be authorized to make such purchase and advise the Village Council of said purchase immediately. The Village Council shall affirm said purchase at the next regularly scheduled meeting.

(Ord.No. 0-2-99,§1,1-11-99, Ord. No. 0-69-07, §1, 5/7/07)

(11) Prepare or cause to be prepared, on or before December 15 of each year, a report of estimated funds necessary to defray the expenses of the village for the fiscal year; prepare, or cause to be prepared the annual budget ordinance in time for consideration and enactment by the Corporate Authorities during the fourth quarter of the fiscal year; and, prepare, or cause to be prepared, the tax levy ordinance and upon enactment thereof file a certified copy with the county clerk before the end of the fourth quarter.(Ord. No. 0-141-98, §2, 9-14-98)

(12) Submit to the Corporate Authorities, promptly following the end of the fiscal year, a complete report on the finances and administrative activities of the village for said fiscal year.

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(13) Present to the Corporate Authorities each quarter a statement showing the exact financial condition of the village as of the end of the preceding quarter and showing amounts appropriated, amounts expended and unexpended balances in the several items of appropriation.

(14) Keep a current inventory of all real and personal property of the village and the location of such property. He shall be responsible for the care and custody of all village property which is not by law assigned to some other officer or body for care and control.

(15) Devote his entire time to the discharge of his official duties.

(16) Perform such other duties as may be required by resolution or ordinance of the Corporate Authorities. (Code 1961, § 4.103; Ord. No. O-83-83, § 1, 12-12-83)

(17) Negotiate and execute all leases and license agreements of Village owned property on behalf of the village. (Ord. No. 0-67-99, §1, 5-24-99)

(18) Waive or otherwise discount required fees associated with Village services and permits when deemed by the Village Manager to be in the best interest of the Village or community.

(19) When more than twenty-one (21) days elapse between regularly scheduled Council meetings and in concurrence with the recommendation of the Director of Finance, approve interim warrants of expenditures as appropriate. Each interim warrant approved by the Village Manager shall be presented to the Corporate Authorities for ratifications at the next regularly scheduled Village Council meeting.

Sec. 2-109. Bond.

The manager shall furnish a bond, if required by the Corporate Authorities and at the expense of the village in such amount and with such surety as may be approved by the Village Council, said bond to be conditioned on the faithful performance of the manager's duties. (Code 1961, § 4.104)

Sec. 2-110. Acting manager.

During an extended absence or extended disability of the manager the Corporate Authorities shall appoint an acting manager, with all the powers and duties of that office. The acting manager shall perform all the duties thereof without furnishing any additional bond, if such appointee shall already be under bond to the village in any other capacity. If such appointment shall be of a person not already under bond to the village such appointee shall furnish a bond, if required by the Corporate Authorities and at the expense of the village, in such amount and with such surety as may be approved by the Village Council. During a temporary absence or temporary disability, the manager may appoint an acting manager. (Code 1961, § 4.105)

Sec. 2-111. Settlement of litigation.

In the event there is litigation or potential litigation involving the Village of Palatine or Workers Compensation claims, the Village Manager shall be authorized settlement authority on behalf of the Village under the following limitations:

(1) Settlements of $30,000 or less – Authorized by the Village Manager

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(2) Settlements between $30,001 and $75,000 – Village Manager shall advise the Corporate Authorities of the proposed settlement and allow the Corporate Authorities the opportunity to discuss the matter at the first regularly scheduled Council Meeting following such notice. Should the Corporate Authorities not elect to discuss the matter and provide other direction, then the Manager shall be authorized to settle.
(3) Settlements over $75,000 – Corporate Authority discussion and action will be required.

As it relates to workers compensation claims, the above-guidelines would be for settlement purposes of payments to employees. Medical related expenses and workers compensation wages are paid separately and required under law.

Sec. 2-112. Disposal of property.

(1) Property Less Than $1,000 in Value.

Whenever the village owns any personal property which is determined by the Village Manager to be no longer necessary or useful to, or for the best interest of the village and having an original value of less than $1,000, the Village Manager, at his discretion, may authorize the disposal of said property, without any further action of the corporate authorities.

(2) Property between $1,000 and $10,000 in Value

Whenever the Village owns any personal property which is determined by the Village Manager, in accordance with this section, to be no longer necessary or useful to, or for the best interest of the Village, and said property originally having a value of $1,000 or more and currently having a value of less than $10,000, the Village Manager shall be authorized to dispose of such personal property in accordance with the following conditions and procedures:

(A) The Village Manager or his designee shall make a written determination that the property is no longer needed by the village and shall set forth reasons therefor.

(B) The Village Manager or his designee shall set forth in writing, attaching such documentation as he deems necessary, the basis for his determination when the property is of a value of $10,000 or less.

(C) The Village Manager shall solicit proposals for the purchase of such property, sell it at public auction, scrap the property, or authorize a trade of it for the purchase of other property, whichever, in his judgment, such activity will generate a greater return and efficiency to the village. If the Village Manager chooses to solicit proposals, he may do so by such means as he deems suited to generate the best response. If the property cannot be disposed of through the preceding means, the Village Manager shall at his discretion authorize disposal without any further action of the corporate authority.

(D) Following the sale or disposition of such property, the Village Manager shall prepare a written report thereof and file the same with the Mayor and Village Council, on an annual basis.

(E) Disposal or sale of the property hereunder shall not be made to an officer or employee of the village or to a person related by blood or marriage to an officer or employee of the village, except items sold at public auction.

(3) Property over $10,000 in Value; Having Title.

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Whenever the village owns any personal property which is determined by the Village Manager to be no longer necessary or useful to, or for the best interest of the village, and having a value of more than $10,000, or consisting of an item having a title (i.e., vehicle), the items may only be disposed in accordance with the Village Council action.

(Ord. No. O-85-86, § 1, 8-11-86; Ord. No. 0-69-07, §2, 5/7/07)

(4) Real Estate Property Owned by the Village

The Corporate Authorities of the Village of Palatine has the power to direct the conveyance of any real estate owned by the Village, when, in the opinion of the Corporate Authorities, the real estate is no longer necessary, appropriate, required for the use of, profitable to, or for the best interests of the Village. This power shall be exercised by an ordinance passed by three-fourths of the Village Council then holding office, at any regular or at any special meeting called for that purpose.

Except as otherwise required by State statute and in exercise of its Home Rule authority, the Village Manager shall determine the appropriate method to dispose of real estate owned by the Village. At a minimum, the location of the real estate to be disposed of shall be published on the Village website for a minimum of fourteen (14) calendar days prior to Village Council action to dispose of the property.

(Ord. No. O-73-22, 07/11/22)

Secs. 2-113--2-120. Reserved.

ARTICLE VII. VILLAGE ATTORNEY*

***State law reference(s)--**Appointment of municipal attorney, 65ILCS5/3-7-1, 65ILCS5/3-7-3.

Editor's Note: Ordinance 0-15-02 enacted January 28, 2002, replaced Article VII in its entirety.

Sec. 2-121. Employment; special counsel.

The village attorney shall be appointed by the Mayor by and with the advice and consent of the Village Council. The village attorney shall represent or advise the village on legal matters; and he may likewise retain special counsel to advise or represent the village on special matters or to assist the attorney for the village. The village attorney may be removed by a majority vote of the Corporate Authorities. (Code 1961, § 4.201)

Sec. 2-122. Suits and actions.

The attorney shall prosecute or defend any and all suits or actions at law or equity to which the village may be a party, or in which it may be interested, or which may be brought against or by, any officer of the village on behalf of the village or in the capacity of such person as an officer of the village, except for suits assigned to the village prosecutor. (Code 1961, § 4.202)

Sec. 2-123. Judgments.

It shall be the duty of the attorney to see to the full enforcement of all judgments or decrees entered in favor of the village, and of all similar interlocutory orders. (Code 1961, § 4.203)

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Sec. 2-124. Advice.

The attorney shall be the legal adviser of the village and shall render advice on all legal questions affecting it, whenever requested to do so by any village official. Upon request by the Mayor, the Manager or a Council Member, the attorney shall reduce any such opinion to writing. (Code 1961, § 4.204)

Secs. 2-125--2-135. Reserved.

ARTICLE VIII. VILLAGE PROSECUTOR

Editor's Note: Ordinance 0-15-02 enacted January 28, 2002, replaced Article VIII in its entirety.

Sec. 2-136. Creation of office.

There is hereby created the office of village prosecutor. (Code 1961, § 4.901)

Sec. 2-137. Appointment and qualifications.

The village prosecutor shall be appointed by the Mayor by and with the advice and consent of the Village Council. The village prosecutor may be removed by a majority vote of the Corporate Authorities. The village prosecutor shall be an attorney, duly licensed to practice in the state. (Code 1961, § 4.902)

Sec. 2-138. Duties.

(a) The village prosecutor shall be responsible for the prosecution under this Code and all other village ordinances, except those which may be from time to time, assigned to the village attorney for prosecution.

(b) The village prosecutor shall consult with the village attorney relative to practices and procedures employed in the discharge of the duties as village prosecutor and shall make recommendations to the village attorney, when deemed advisable or necessary, for improvements of the administration of justice in the area for which the village prosecutor is responsible.

(c) The village prosecutor shall make such other and further reports as may be required by the Corporate Authorities. (Code 1961, § 4.903)

Secs. 2-139--2-150. Reserved.

ARTICLE IX. VILLAGE TREASURER*

***State law reference(s)--**Duties of treasurer, 65ILCS5/3-10-1.

Editor's Note: Ordinance 0-15-02 enacted January 28, 2002, replaced Article IX in its entirety.

Sec. 2-151. Appointment.

There is hereby created the office of village treasurer. The village treasurer shall be appointed by the Mayor by and with the advice and consent of the Village Council. The treasurer shall serve for one (1)

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year. The village treasurer may be removed by a majority vote of the Corporate Authorities. (Code 1961, § 4.301)

State law reference(s)--Power to appoint treasurer, 65ILCS5/3-8-1.

Sec. 2-151.1. Qualifications.

The village treasurer shall have competence, derived from a combination of education and employment in one (1) or more of the following areas of financial and investment management:

(1) Certified public accountant.

(2) Registered security principal.

(3) Registered investment adviser.

(4) Certified financial planner.

(5) Public finance.

(Ord. No. O-43-90, § 1, 4-23-90)

Sec. 2-152. Ex-officio collector.

The village treasurer shall be ex-officio collector and shall perform all duties of the office. (Code 1961, § 4.302)

Sec. 2-153. Bond.

The village treasurer shall give the Village a bond, before entering upon the duties of the office, in the sum required by the Corporate Authorities, and at the expense of the village, but such amount shall not be less than that required by statute. This bond shall be conditioned upon the faithful performance of the duties by the treasurer, and shall be conditioned to indemnify the village for any loss by reason of any neglect of duty or any act of the treasurer. (Code 1961, § 4.303)

State law reference(s)--Bonding of officers, 65ILCS3/3-13-3.

Sec. 2-154. General duties.

The treasurer shall perform such duties as may be prescribed by ordinance. The treasurer shall receive all money paid into the village whether directly from the person paying the money or from the hands of such other officer or employee as may receive it, and he shall pay out money only on vouchers or orders properly signed by the Mayor and attested to by the clerk.

In the event that the Village Treasurer is unable to perform the duties set forth in this section, the Director of Finance shall be authorized to perform all said duties.

(Code 1961, § 4.304)

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Sec. 2-155. Deposit of funds.

The treasurer shall deposit the village funds in such depositories, as may be selected from time to time as provided by law; and shall keep the deposit of the village money separate and distinct from the treasurer's own money, and shall not make private or personal use of any village money. (Code 1961, § 4.305)

Sec. 2-156. Records.

The treasurer shall keep records showing all money received showing the source from which it is received and the purpose for which it is paid and the disposition of it, and shall keep records at all times showing the financial status of the village. (Code 1961, § 4.306)

Sec. 2-157. Accounting.

The treasurer shall keep such books and accounts as may be required by statute, this Code or ordinance, and shall keep them in the manner required by the Corporate Authorities. (Code 1961, § 4.307)

Sec. 2-157.1 Publication of Annual Treasurer's Report.

The Village Clerk shall, within six months after the end of each fiscal year, and after having received a copy of the annual treasurer's report, publish a notice in a newspaper advising of the availability of said annual report and that the same may be inspected or copied at the office of the Village Clerk. (Ord. No. O-33-93, 4-12-93)

Sec. 2-158. Special assessment funds.

All moneys received on any special assessment shall be held by the treasurer as a special fund to be applied only to the payment of the improvement, or bonds and vouchers issued therefor, together with interest thereon, for which the assessment was made, and said money shall be used for no other purpose, unless to reimburse the village for money expended for such improvement. Payments on bonds or vouchers shall be made in accordance with the statutes and the law and the treasurer shall keep the books and accounts in such a manner so that proper proration's in payments of principal and interest can be made and ascertained. (Code 1961, § 4.308)

Sec. 2-159. Warrants--Transfer of funds.

All warrants drawn on the treasurer must be signed by the Mayor and countersigned by the clerk, stating the particular fund or appropriation to which the same is chargeable, and no money shall be otherwise paid except as may be provided by statute. Money shall not be transferred by the treasurer from one fund to another, after it has been received, nor appropriated to any other purpose than that for which it has been collected or paid, except as may be ordered by the Corporate Authorities. (Code 1961, § 4.309)

Secs. 2-160--2-170. Reserved.

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ARTICLE X. DEPARTMENT OF PUBLIC WORKS AND ENGINEERING*

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*Editor's note--Ord. No. O-100-77, § 1, enacted Sept. 12, 1977, repealed former Art. X, §§ 2-171--2-177, relative to the director of public works, and enacted in lieu thereof a new Art. X, §§ 2.171--2-181, as herein set out. Former Art. X was derived from Code 1961, §§ 4.401--4.407.

Subsequent to the above amendment, Ord. No. O-17-92, adopted Feb. 24, 1992, amended Art. X to read as herein set out.

Editor's Note: Ordinance 0-15-02 enacted January 28, 2002, replaced Article X in its entirety.

Sec. 2-171. Department created; composition.

There is hereby created a department of public works and engineering which shall consist of the director of public works and engineering and such other members as may be provided from time to time by the Corporate Authorities.
(Ord. No. O-100-77, § 1, 9-12-77; Ord. No. O-17-92, § 1, 2-24-92)

Sec. 2-172. Office of director of public works and engineering created; appointment.

There is hereby created the office of director of public works and engineering, an executive office of the village. (Ord. No. O-100-77, § 1, 9-12-77; Ord. No. O-17-92, § 1, 2-24-92)

Sec. 2-173. Duties and functions of department.

The department of public works and engineering shall be responsible for the repair and maintenance of all property, facilities and improvements owned by or under the jurisdiction of the village, the landscaping and planting of all trees and shrubs on village property, the design and location of all traffic control devices, the planning, designing and construction of all public streets, alleys and driveways, sewers, sewage disposal plants, street lighting systems, and water systems and all engineering requirements of the village. (Ord. No. O-100-77, § 1, 9-12-77; Ord. No. O-17-92, § 1, 2.24-92)

ARTICLE XI. DEPARTMENT OF COMMUNITY DEVELOPMENT*

***Editor's note--**Ord. No. O-100-77, ə 1, enacted Sept. 12, 1977, repealed former Art. XI, əə 2-191--2-197, relative to the building and zoning administrator, and enacted in lieu thereof a new Art. XI, əə 2-191--2-196, as herein set out. Former Art. XI was derived from Code 1961, əə 4.501--4.506, 4.508.

Sec. 2-191. Department created; composition.

There is hereby created a department of community development which shall consist of the director of community development and such other members as may be provided from time to time by the Corporate Authorities. (Ord. No. O-100-77, ə 1, 9-12-77)

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Sec. 2-192. Office of director of community development created; appointment.

There is hereby created the office of director of community development, an executive office of the village. (Ord. No. O-100-77, ə 1, 9-12-77)

Cross reference(s) --Director of community development, ə 6-1.03.

Sec. 2-193. Duties and functions of director generally.

The director of community development shall be responsible for enforcement of all ordinance and Code provisions relating to building and zoning, inspection of all buildings and structures being erected or altered, as frequently as may be necessary to ensure compliance with village ordinances, the design, construction and erection of all facilities, buildings, structures and improvements on village-owned property and all planning and zoning requirements of the village.. The director of community development also shall have and perform the duties assigned to him in the building code. (Ord. No. O-100-77, ə 1, 9-12-77)

Cross reference(s)--Building codes and building regulations generally, Ch. 6; qualifications and duties of enforcement of community development director, ə 6-1.03; housing, Ch. 10; streets and sidewalks, Ch. 16; trees and shrubs, ə 16-101 et seq.; traffic, Ch. 18; water and sewer services, Ch. 19; zoning, App. A; subdivisions, App. B.

Sec. 2-194. Duty of director to act as electrical inspector.

The director of community development shall have the authority and be charged with the duty of enforcing all ordinance provisions relating to electrical wiring and equipment. (Ord. No. O-100-77, ə 1, 9-12-77)

Sec. 2-195. Duty of director to act as plumbing inspector.

The director of community development shall have the authority and be charged with the duty of enforcing all ordinance provisions relating to the installation, care and standards of plumbing. (Ord. No. O-100-77, ə 1, 9-12-77)

Sec. 2-196. Duty of director to forward copies of permits to assessor.

In addition to all other duties, the director of community development shall forward to the township assessor and county assessor a copy of each building permit issued as required by law or by statute. (Ord. No. O-100-77, ə 1, 9-12-77)

Secs. 2-197--2-210. Reserved.

ARTICLE XII. RESERVED

Sec. 2-211-213. Reserved.

~~**Sec. 2-212. .**~~

~~**Sec. 2-213. .**~~

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ARTICLE XIII. PEER JURY AND YOUTH OFFICER

[Editor's Note: Ord. 0-110-11 enacted October 3, 2011 replaced Article XIII]

Sec. 2-226. Establishment.

A peer jury is hereby established for the Village of Palatine. The peer jury shall be operated and conducted in accordance with the provisions of this article. The Palatine Police Department shall designate a police department youth officer to have the duties and perform the functions described in this article. (Ord. No. O-5-80, □ 1, 1-14-80)

Sec. 2-227. General policy.

The peer jury shall provide a youth charged with an offense defined in section 2-229 and referred by the youth officer an alternative to criminal prosecution by the Palatine village prosecutor or Cook County States' Attorney by appearing before the peer jury for sentencing to the following, but limited to: community service hours**,** writing a letter of apology to the victim, writing a report that is related to the crime, attending educational workshops and/or counseling, attending an adult bond hearing and, where applicable, making restitution, if directed. It will be the function of the peer jury to conduct hearings, assign appropriate sentences and where applicable, to direct restitution. (Ord. No. O-5-80, □§1, 1-14-80)

Sec. 2-228. Peer jury membership.

Membership on the peer jury shall be voluntary. The roster of jurors shall be comprised of no more than twenty-five (25) youth volunteers or any such other number as determined by the Chief of Police and Village Manager. All members shall be at least thirteen (13) years of age but less than eighteen (18) years of age. Members shall be selected by the youth officer, youth unit supervisor, and peer jury moderator. Members of the peer jury shall be residents of Palatine or attend a school in Palatine. Members shall be selected for a term that will end upon graduation from high school, or when they turn 18 whichever comes first or until they resign or are removed. There shall be no limit other than the age limitation provided herein on the length of terms members may serve. (Ord. No. O-5-80, §1, 1-14-80; Ord. No. O-13-81, □§1, 2-9-81)

Sec. 2-229. Offenses.

Offenses for which the peer jury may be selected shall be violations of the Code of Ordinances of the Village of Palatine, including but not limited to, curfew violations, vandalism, theft, bicycle safety or possession of alcohol or cannabis and minor crimes found in the Illinois Criminal Statutes. (Ord. No. O-5-80, □ §1, 1-14-80)

Sec. 2-230. Eligibility to appear before peer jury.

Any person under the age of eighteen (18) charged with an offense described in section 2-229, together with his or her parents or legal guardian, may elect to have his or her case presented to the jury upon the express approval of the youth officer in the manner described in section 2-231. (Ord. No. O-5-80, □ § 1, 1-14-80)

Sec. 2-231. Procedure.

Upon being charged with an offense described in section 2-229, the youth officer shall determine whether the accused is eligible to appear before the peer jury. Upon a determination that the case may be heard by the peer jury, the youth officer will inform the parents or legal guardian of the accused of the peer jury program and the possibility of having the case referred to the peer jury. If the accused and his or her parents or legal guardian consent to having the accused appear before the peer jury, each of them shall sign a sworn statement evidencing such consent and accepting the provisions of this article, in the following form:

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CONSENT TO APPEAR
BEFORE THE PALATINE PEER JURY

I, _____, "the accused" (a person under the age of eighteen (18) years) and _____ (parent(s) or legal guardian) and each of us, do hereby consent to the appearance of the accused, _____, before the Village of Palatine peer jury for sentencing to but not limited to: community service hours, writing a letter of apology to the victim, writing a report that is related to the crime, attending educational workshops and/or counseling, attending an adult bond hearing and, where applicable, to make restitution, if directed, in accordance with Art. XIII of the Code of Ordinances of the Village of Palatine. We, and each of us, understand and agree that in the event the accused, _____, does not satisfactorily complete the sentence and, where applicable, make restitution, if directed, the Village of Palatine shall be free to prosecute the accused, _____, for the offense of _____ violation of the Code of Ordinances of the Village of Palatine, Sec. _____ or in violation of chapter_____ **Illinois Criminal Statutes act_____/Section_____**; and each of the undersigned having been fully informed of the rights of the accused, _____, to reject referral to the peer jury nevertheless have freely and voluntarily consented to such referral.

The undersigned further consent to having the accused, _____, assume such reasonable risks as may be involved in the performance of the assigned work project.

_____
(Signature of Accused)

_____
(Signature of Parent or Guardian)

Upon proper completion and execution of the above consent form, a date shall be assigned for the accused appearance before the peer jury.

The youth officer shall have complete discretion, even in the case of first offenders, in deciding whether to refer a case to the peer jury. The peer jury may not hear a case without it first having been referred by the youth officer.

On the date assigned, the accused shall appear before the peer jury, and the charges against the accused shall be read to him or her. All sessions of the peer jury shall be closed to the public. The accused may offer an explanation of his conduct with any mitigating or extenuating circumstances. The youth officer may also make a statement to the jury. Members of the peer jury may question the accused **(a**nd may hear testimony from such other voluntary witnesses as they deem appropriate.) Thereafter, the peer jury will adjourn to private deliberation and members will determine an appropriate sentence) and restitution, if any, for the accused. A sentence, shall be executed by the moderator of the peer jury and delivered to the youth officer. The peer jury will then reconvene and the moderator shall read the sentence) in the presence of the accused.

The youth officer or a person assigned by the youth officer shall be responsible for enforcing the sentence of the peer jury. Upon satisfactory completion of the sentence, the youth officer shall notify the peer jury. If the sentence is not completed satisfactorily within the time period assigned, the youth officer shall determine whether the matter shall be turned over to the Palatine village sentence or payment of restitution, if any. (Ord. No. O-5-80, § 1, 1-14-80; Ord. No. O-33-80, § 1, 4-14-80)

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Sec. 2-232. Rules, regulations and procedure.

The youth officer shall attend all meetings of the peer jury and shall prepare a docket) of the proceedings. Under no circumstances shall the docket or the events of any proceeding before the peer jury be part of any public record, or the name and address of the accused or his or her parents or legal guardian be made available for public inspection. (Ord. No. O-5-80, § 1, 1-14-80)

Sec. 2-233. Peer jury moderator.

All meetings of the peer jury shall be presided over by the moderator, who shall be selected by the youth officer, youth unit supervisor and approved by the chief of police. The peer jury adult moderator will be a voluntary position and a resident of Palatine who is licensed to practice law or an attorney that has a law practice within Palatine. The peer jury moderator term will be indefinite. (Ord. No. O-5-80, □ 1, 1-14-80; Ord. No. O-13-81, □ 1, 2-9-81)

Sec. 2-234. Schedule.

The peer jury shall meet monthly on a pre-established weekday evening at 7:00 p.m. and may adjourn and reconvene from time to time as it sees fit. The youth officer may call an extraordinary meeting of the peer jury in his discretion when the situation warrants. (Ord. No. O-5-80, □ § 1, 1-14-80)

Secs. 2-235--2-250. Reserved.

ARTICLE XIV. BOARD OF LOCAL IMPROVEMENTS*

***State law reference(s) --**Authority for board of local improvement, 65ILCS5/5-3-11.

Sec. 2-251. Appointments.

There is hereby established the board of local improvements for the village, which shall consist of the Mayor and all members of the Village Council. (Code 1961, ə 7.101)

Sec. 2-252. General duties.

The board of local improvements shall have the powers and perform the duties assigned to it by statute or ordinance. (Code 1961, ə 7.102)

Sec. 2-253. Meetings.

Meetings of the board of local improvements may be called by the Mayor or any three (3) Council Members in the manner provided for calling special meetings of the Village Council. (Code 1961, ə 7.103)

Secs. 2-254--2-270. Reserved.

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ARTICLE XV. DISTRICT CITIZEN ADVISORY MEETINGS*

***Editor's note--**Ord. No. O-79-83, ə 1, adopted Nov. 14, 1983, repealed former Art. XV, əə 2-271--2-280, "Palatine Advisory Board," and enacted a new Art. XV, əə 2-271--2-278, as set out herein. The repealed sections derived from Ord. No. O-86-74, adopted Oct. 28, 1974, and Ord. No. O-56-78, adopted July 10, 1978.

Sec. 2-271. General policy.

The purpose of the district citizen advisory meetings is to provide forums for all citizens of the village to have an increased understanding of village projects, issues and initiatives as well as participate in and affect the policy and decision-making process of the Village Council. In order to foster widespread participation by all areas of the village, one such advisory group may exist for each council district. The district citizen advisory meeting shall communicate the ideas, concerns, suggestions, and proposed solutions to problems of the citizens of their district to their council member and local government. The citizen advisory meeting shall seek to increase citizen and community participation and influence upon its local government, and to foster and promote a sense of community pride and responsibility. (Ord. No. O-79-83, § 1, 11-14-83)

Sec. 2-272. Meetings The district citizen advisory meetings shall meet at the discretion of the council member.

ARTICLE XVI. RESERVED

ARTICLE XVII. BEAUTIFICATION COMMISSION*

***Editor's note--**Section 1 of Ord. No. O-131-89, adopted Sept. 25, 1989, deleted provisions formerly codified as Art. XVII, əə 2-306--2-310, of Ch. 2 in their entirety, such provisions pertaining to the Palatine Environmental Coordinating Council and derived from Ord. No. O-7-78, ə 1, adopted Feb. 13, 1978; Ord. No. O-60-78, ə 1, adopted July 24, 1978; and Ord. No. O-46-82, ə 1, adopted May 24, 1982. In addition, Ord. No. O-131-89 substituted provisions set out as a new Art. XVII.

Sec. 2-306. Palatine Beautification Commission.

There is hereby created a committee of the Village of Palatine to be named the Palatine Beautification Commission, which shall consist of seven (7) members appointed by the Mayor with the consent of the Village Council. The Mayor shall designate one (1) member to act as chair of the commission. Commission members shall be either village residents or individuals operating businesses physically located within the Village of Palatine. (Ord. No. O-131-89, §1, 9/25/89; Ord. No. 0-46-06, §1, 3/6/06; Ord. No. 0-101-11, §§1 & 2, 9/6/11; Ord. No. 0-54-14, §1, 5/5/14)

Sec. 2-307. Terms of office.

The term of office shall be for two (2) years coinciding with the village fiscal year commencing May 1, 1989. The Mayor may, with the consent of the Village Council, fill vacancies that may from time to time occur. (Ord. No. O-131-89, ə 1, 9-25.89)

Sec. 2-308. Compensation and meetings.

Members of the commission shall serve without compensation. A meeting schedule shall be established by the commission and filed with the Village Clerk. The Village Manager, or his designee, shall serve as executive secretary of the commission and shall provide such staff as he deems appropriate to assist the commission. (Ord. No. O-131-89, ə 1, 9-25-89)

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Sec. 2-309. Duties.

The duties of the beautification commission are:

(1) To define beautification objectives and recommend a beautification plan to the Village Council.

(2) To encourage civic awareness in beautification efforts and foster increased awareness in beautification.

(3) To encourage improvement of commercial property by establishing a recognition program.

(4) To influence quality of new development and improvement of existing properties by reviewing existing ordinances and petitioning for modification as appropriate.

(5) To review and recommend specific beautification projects and programs to the Village Manager and/or Village Council as may be appropriate.

(6) To encourage and coordinate volunteer efforts to instill or maintain plantings or other beautification projects on public rights of way.

(Ord. No. O-131-89, э 1, 9-25-89)

Secs. 2-310--2-325. Reserved.

ARTICLE XVIII. DIRECTOR OF ENVIRONMENTAL HEALTH

Sec. 2-326. Office created.

There is hereby created the office of director of environmental health.

Sec. 2-327. Duties.

(a) The director of environmental health hereby is designated the village health officer and shall be appointed by the Village Manager.

(b) The director of environmental health hereby is designated as the village law enforcement officer and his duly authorized agent(s) are charged with enforcement responsibilities under the Illinois Environmental Protection Act (415ILCS5/1). As such he shall file complaints and may cite violations or seek other authorized remedies. The director of environmental health shall receive and investigate complaints or violations of the act and regulations thereunder or any rules, regulations and orders of the Illinois Department of Public Health, Cook County Department of Public Health or any ordinances relating to Environmental Health, Public Health and Sanitation, subject to the supervision of the Village Manager and the Mayor and Village Council.

(c) The director of environmental health shall:

(1) Execute and enforce all ordinances of the village relating to public health and sanitation.

(2) Issue such orders as may be necessary to carry out the rules ~~proposed by the Board of Health and~~ approved by the Mayor and Village Council.

(3) Execute and enforce all provisions of this Code and other ordinances of the village relating to the health standards maintained in every place of business in the village where services of a personal nature are furnished to the public or where foods, food products, milk, milk products and beverages of every nature and description whatsoever are either handled, sold, given away, stored, manufactured or processed.

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(4) Investigate the existence of any contagious disease within the village and report the same to the ~~Village Board of Health and to the County Board of Health~~Cook County Department of Public Health, and act without delay in carrying out such measures for controlling the progress of the same as the Cook County Department of Public Health~~Ccounty Bboard~~ of H~~h~~ealth shall propose.

(5) Make all necessary sanitation and health investigations and inspections and cause all nuisances, whether public or private, affecting the health of persons in private employment and the public generally, to be abated with reasonable promptness.

(6) Initiate plans for dealing with public health problems not included in the public health program.

(7) Perform such other duties relating to health and sanitation as the manager shall direct.

(8) Request the police department and such other state or municipal authorities to provide such assistance as he may deem necessary in the performance of the duties of his office and cause the arrest of offenders violating any of this Code and other, village ordinances relating to public or private nuisances, public health and sanitation.

(d) The director of environmental health shall assist all duly constituted authorities, and other municipal organizations within and without the village, to promote and protect the public health, safety, comfort and general welfare of the people with respect to air, sound, water, and land resources of the village.

(e) The director of environmental health shall establish and maintain liaison as necessary, with the Illinois Environmental Protection Agency, Illinois Attorney General, States Attorney of Cook County, Illinois Department of Public Health, Cook County Department of Public Health, and other branches of state and local government in order to assist and cooperate with them in matters of environmental health law enforcement.

(f) The director of environmental health shall investigate any complaint ~~or other matter directed by the environmental control board or board of health~~ and report his findings to the appropriate Village authorities~~respective board~~. His responsibilities ~~to and for the environmental control board and board of health~~ shall be:

~~(1) To maintain liaison between the board of health and the environmental control board.~~

(~~2~~1) To investigate any and all appropriate complaints.

(~~3~~2) To report findings of these complaints to the ~~environmental control board, the board of health and~~ appropriate village authorities.

(~~4~~3) To attend, at the request of the appropriate chairman, all regularly scheduled meetings.

(~~5~~4) To act, advise and consult with the appropriate village authorities~~environmental control board and the board of health~~ in environmental and public health problems of special interest and significance.

~~(6) To serve as an ex-officio non-voting member of the environmental control board and the board of health.~~

~~(7) To call emergency meetings of the environmental control board or the board of health, should he deem them necessary.~~

(Code 1961, э 4.1002)

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Sec. 2-328. Entry powers.

The director of environmental health shall have authority to enter at all reasonable times upon any private or public property for the purpose of inspecting and investigating to ascertain possible violations of the act or of regulations thereunder or of this Code or other village ordinances and regulations concerning environmental health in accordance with constitutional limitations. (Code 1961, ə 4.1003)

Sec. 2-329. Reports.

The director of environmental health shall make ~~monthly~~ reports to the ~~board of health or~~ Corporate Authorities as the Village Manager may request. He may initiate recommendations through the manager to the Corporate Authorities for ordinances or resolutions concerning public health ~~or the environmental~~ and he will prepare and submit such recommendations when directed to do so by the manager or the ~~board of trustees~~Village Council. (Code 1961, ə 4.1004)

Secs. 2-330--2-340. Reserved.

ARTICLE XIX. ~~BOARD OF HEALTH*~~RESERVED.

~~*State law reference(s) --Power to establish a board of health, 65ILCS5/11-16-1.~~

~~Editor's Note: Article XIX was replaced in its entirety by Ordinance 0-15-08, passed on January 21, 2008~~

~~**Sec. 2-341. Creation; appointment.**~~

~~There is hereby created the board of health for the Village which shall consist of seven (7) members each of whom shall be appointed by the Mayor with the consent of the Village Council. The village health officer will be an ex officio member of the board and shall attend board meetings. The Mayor shall designate one (1) member as chairman of the board. No person shall be appointed to or serve on the Board of Health who receives compensation for employment with the village.~~
~~(Code 1961, §7.1101; Ord. No. O-50-78, §1, 6-22-78; Ord. No. 0-133-08, §1, 9/15/08, Ord. 0-82-09, §1, 7/6/09; Ord. No. 0-14-11, §1, 2/14/11; Ord. No. 0-26-13, §1, 4/1/13)~~

~~**Sec. 2-342. Terms of office.**~~

~~Except as hereinafter provided each member of the board of health shall be appointed for a term of three (3) years on a staggered basis and shall serve for such period or until their respective successors are appointed. Whenever four or more appointees are filled at the same time, the appointees' terms shall be staggered to include four-year terms, three-year terms, and two-year terms. All subsequent terms shall be for 3 year periods. (Code 1961, §7.1102; Ord. No. O-50-78, §2, 6-22-78; Ord. 0-46-06, §2, 3/6/06)~~

Attachment: Chapter 2 Red Line (Amending Chapter 2 and 11 Code of Ordinances)

Sec. 2-343. Qualifications of members.

A member of the board of health shall be a resident of the village or shall be employed for at least one year prior to the appointment for a business located within the corporate limits of the village. A member of the board of health shall be a person whose education, employment or interests provide them with some competence in the public health or medical fields. However, if none is available, a competent and interested person of the community shall be appointed.

Absence from one-third of the regularly scheduled meetings within a twelve-month period shall be grounds for dismissal upon majority vote of the remaining board members, subject to the approval of the Mayor. (Code 1961, ↄ 7.1103; Ord. No. O-17-93, ↄ 1, 2-23-93)

Sec. 2-344. Compensation and meetings.

The members of the board shall serve without compensation. The board of health shall meet regularly not less than once every two (2) months except for special or emergency meetings. Such special or emergency meetings may be called by the chairperson or the village health officer. (Code 1961, □ 7.1104; Ord. No. O-50-78, □ 3, 6-22-78)

Sec. 2-345. Quorum.

A majority of the members of the board of health assembled shall constitute a quorum and no final action shall be taken on any measure before the board except with the concurrence of a majority of such quorum. The chairman shall vote on all matters which come before the board. In the event the chairman of the board is absent or unable to act for any reason, the board shall elect a chairman pro tem to perform the functions hereinafter designated for the chairman. (Code 1961, ↄ 7.1105)

Sec. 2-346. Powers and duties of the board of health.

The board of health shall have general supervision concerning the interests of the health of the people of the village. The board shall cooperate with the state of Illinois Department of Public Health in enforcing the rules and regulations promulgated by the department for the control of communicable diseases, and such other rules and regulations of the state, county, and village as may be related to the sanitation and health of the village. The board of health of the village shall have authority to make recommendations to the Mayor and Village Council for the passage of ordinances pertaining to reasonable rules, regulations and orders, as they may from time to time deem necessary for the preservation and improvement of the public health and for the suppression of disease. The board of health shall also give to the village authorities such professional advice and information as may be required or requested to preserve the public health. (Code 1961, ↄ 7.1106)

Sec. 2-347. Hearings.

In the performance of its duties assigned hereunder, the board of health may conduct hearings at reasonable times upon notice as provided for under this Code or other village ordinances, and where not so provided for, upon not less than ten (10) days prior public notice published in a newspaper of general circulation within the village. Rules and regulations governing the conduct of such hearings may be promulgated by the board. (Code 1961, ↄ 7.1107)

Secs. 2-348--2-360. Reserved.

Attachment: Chapter 2 Red Line (Amending Chapter 2 and 11 Code of Ordinances)

ARTICLE XX. FIRE AND POLICE COMMISSION*

***Editor's note--**Ord. No. O-106-76, ə 1, enacted Dec. 13, 1976, repealed former Art. XX; relative to the police and fire commission, and enacted in lieu thereof a new Art. XX pertaining to the same subject matter. Former Art. XX was derived from Code 1961, əə 7.501, 7.502, 7.505, and Ord. No. O-19-75, ə 2, adopted Feb. 10, 1975. - Ord. No. 0-68-98 ə1, enacted May 26, 1998, repealed former Art. XX; and enacted a new Art. XX.

Cross reference(s) --Police pension board, Ch. 2, Art. XXI; firemen's pension fund, Ch. 2, Art. XXII; fire department, Ch. 7, Art. II; police department, Ch. 13; appointments to police department, ə 13-2.

Editor's Note: Ord. No. 0-101-12, enacted July 9, 2012 replaced Article XX Fire & Police Commission

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Sec. 2-361. Creation; composition; term of members.

This Article XX is expressly created and shall be administered pursuant to the home rule powers of the Village of Palatine unless otherwise pre-empted by state statute. There is hereby created a Fire and Police Commission consisting of five (5) members whose terms of office shall be three (3) years and shall continue until their respective successors are appointed and have qualified.

Sec. 2-362. Appointment, qualifications, oath, and removal of members.

The Mayor, with the consent of the Village Council, shall appoint members of the Fire and Police commission. The members shall be considered officers of the Village and shall file an oath. No person shall be appointed a member who is related either by blood or marriage, up to the degree of first cousin, to any elected official of the Village. Members shall not be considered subject to removal except for cause upon written charges, and after an opportunity to be heard within thirty (30) days in his or their own defense, before a regular meeting of the Village Council. A majority vote of the elected members shall be required to remove any such member from office.

Sec. 2-363. Officers.

The Fire & Police commission will elect one of its own members to act as Chair and another to act as Secretary. The Village Administration shall provide staff support to the Commission and will have the responsibility for the keeping of minutes of the proceedings of the Fire and Police Commission, shall be custodian of all papers pertaining to the business of the Commission, shall keep a record of all examinations held, shall provide all official notices in compliance with State Statute and shall perform or cause to be performed such other duties as the Fire and Police Commission shall prescribe.

Sec. 2-364. Meeting and quorum.

The Fire and Police Commission shall meet at such time and place as shall be specified by the call of the Chair, by three (3) other members acting jointly, or by the Village Manager. Meetings also may be called by the Chair or by the other three (3) members acting jointly upon the request of the Fire Chief or the Police Chief. Meetings shall be held on an as-needed basis. The Village Administration shall give written notice of all meetings to each member and notify the public in accordance with the necessary posting requirements. Three (3) members shall constitute a quorum for the transaction of business.

Attachment: Chapter 2 Red Line (Amending Chapter 2 and 11 Code of Ordinances)

Sec. 365. Duty to make and/or change rules to establish system of personnel administration for fire and police departments.

The Fire and Police Commission shall make (and have the power to as necessary recommend changes to) rules to establish a system of personnel administration based on merit principles governing the appointment, promotion, dismissal, suspension, demotion and discipline of certified employees of the fire and police departments, all pursuant to 65 ILCS 5/10-2.1-5 through 65 ILCS 5/10-2.1-6.3 inclusive. Changes to the rules shall be approved by the Village Council and shall go into effect ten (10) calendar days subsequent to their publication on the Village's website.

Sec. 2-366. Attorney for commission.

The Fire Chief or the Police Chief may retain Counsel to prosecute charges brought before the Commission with prior approval of the Village Manager. The Commission will be represented by an attorney approved by the Village Manager.

Sec. 2-366.1. Police Lateral Entry Applicants.

Lateral entry to the police department shall be open to any full-time police officer who is employed by any municipal, township, county, parish, university, state, commonwealth, federal or regularly constituted law enforcement agency. In addition to requirements set forth in 65 ILCS 5/10-2.16, applicants must:

a) Provide documentation of continuous service as a police officer for a minimum of two years, and

(b) Be in good standing in the police department in which the person currently serves, and

1. If currently serving as a police officer within the State of Illinois, certification from the Illinois Training and Standards Board as a certified full-time police officer, or

2. If currently serving as a police officer outside the State of Illinois, be eligible to be granted a waiver of basic training from the Illinois Law Enforcement Training and Standards Board.

(Ord. No. O-4-22, 01-10-22)

Sec. 2-367 – 2-380 Reserved.

ARTICLE XXI. POLICE PENSION BOARD*

***Cross reference(s) --**Police and fire commission, Ch. 2, Art. XX; police department, Ch. 13.

Sec. 2-381. Creation.

There is hereby created a police pension board as provided by statute. (Code 1961, ə 7.601)

Sec. 2-382. Members.

The board shall consist of five (5) members; two (2) of whom shall be appointed by the Mayor and two, (2) of whom shall be elected from the regular police force and one (1) from the beneficiaries under the Police Pension Fund Act as created by statute; the term of such members shall be two (2) years as is provided by statute. (Code 1961, ə 7.602)

State law reference(s) --Similar provisions, 40ILCS5/3-13140~~ILCS5/3-128~~.

Attachment: Chapter 2 Red Line (Amending Chapter 2 and 11 Code of Ordinances)

Sec. 2-383. Duties.

The Ppolice Ppension Bboard shall have the powers and duties delegated to it by statute. (Code 1961, ə 7.603)

State law reference(s) --Similar provisions, 40ILCS5/4-122.

Secs. 2-384--2-400. Reserved.

ARTICLE XXII. ~~FIREMEN'S~~ FIREFIGHTERS' PENSION ~~FUND~~BOARD*

***Cross reference(s) --**Police and fire commission, Ch. 2, Art. ~~XV~~XX; fire department, Ch. 7, Art. II.

Sec. 2-401. ~~Established~~Creation.

There is hereby created and established a ~~firemen's~~ Firefighters' Ppension Ffund in and for the V~~v~~illage, in accordance with 40ILCS5/4-101 et. seq. (Code 1961, ə 7.1001)

Sec. 2-402. Definitions.

For the purposes of this article the term *fireman* or *firemen* and *board or board of trustees* are defined, respectively, as: full-time fireman or full-time firemen entitled to participate in the benefits of said pension fund as provided by said A~~a~~rticle 4 of said statute and the Village Council of said pension fund. (Code 1961, ə 7.1002)

Sec. 2-406. ~~Board of trustees--Established; composition~~Members.

A board of trustees of the ~~firemen's~~ Firefighters' Ppension Ffund is hereby created for the administration of said fund. The board shall consist of 5 members. Two (2) members of the board shall be appointed by the Mayor. Two (2) members of the board shall be active participants of the pension fund who are elected from the active participants of the fund. One (1) member of the board shall be a person who is retired under the Fire~~men's~~fighters' Pension Fund Act of 1919 or this Article who is elected from persons retired under the ~~Firemen's~~ Firefighters' Pension Fund Act of 1919 or this Article. (Code 1961, □ 7.1006; Ord. #0-117-07, §1, 7/9/07) State law reference(s) -- 40ILCS5/4-121.

Sec. 2-407. ~~Same--Rights, powers, d~~Duties.

The Firefighters' Pension Board shall have the powers and duties delegated to it by statute.~~The rights, powers, duties and functions of the board and the members thereof, as such, and the rights and benefits of the various beneficiaries of the pension fund shall be as set forth by~~ 40ILCS5/4-122.

Sec. 2-408. Village treasurer to be fund treasurer.

The V~~v~~illage T~~t~~reasurer shall be ex-officio treasurer and custodian of the pension fund. (Code 1961, § 7.1008)

State law reference(s) --Similar provisions, 40ILCS5/4-130.

Secs. 2-409--2-420. Reserved.

Attachment: Chapter 2 Red Line (Amending Chapter 2 and 11 Code of Ordinances)

Attachment: Chapter 2 Red Line (Amending Chapter 2 and 11 Code of Ordinances)

ARTICLE XXIII. PLANNING AND ZONING COMMISSION*

Sec. 2-421. Creation; composition; term; compensation.

There is hereby created a Planning and Zoning Commission for the Village which shall consist of up to nine (9) members, all of whom shall be Village of Palatine residents, to be appointed by the Mayor with the consent of the Village Council and whose terms of office shall be three (3) years and until their respective successors are appointed, however that the terms of the members shall be staggered. The Mayor shall designate a chairperson and vice chairperson of the Planning and Zoning Commission. No person shall be appointed to or serve on the Planning and Zoning Commission who receives compensation for employment with the Village.

Sec. 2-422. Quorum.

A majority of the Planning and Zoning Commission shall constitute a quorum, but no final action shall be taken on any measure before it except with the concurrence of a majority of those members present. The chairperson and vice chairperson shall vote with the other members of the Planning and Zoning Commission.

Sec. 2-423. Meetings.

The Planning and Zoning Commission shall meet at such times as it may determine. Special meetings may be called by the Mayor, the chairperson, or the Village Manager.

Sec. 2-424. Powers and duties.

The Planning and Zoning Commission shall have power:

(1) To prepare and recommend to the Village Council a comprehensive plan looking to the present and future development of the Village, and to provide reasonable requirements in reference to streets, alleys, and public grounds in unsubdivided lands within the corporate limits and in contiguous territory outside and distant not more than one and one-half (1 1/2) miles from the corporate limits of the Village, insofar as the same are not included in any city, village, or incorporated towns. After its adoption by the Village Council, this shall be known as the Village's "Comprehensive Plan."

(2) To recommend from time to time changes to the Comprehensive Plan adopted by the Village Council.

(3) To analyze and make recommendations upon housing, commercial, office, industrial, mixed use, or other plans.

(4) To prepare and recommend to the Village Council from time to time plans for specific improvements in pursuance of such Comprehensive Plan or with respect to other matters referred to it by the Village Council.

(5) To rule upon all appeals from the Village Manager on questions of zoning.

(6) To exercise those powers provided by law to a plan commission and a zoning board of appeals.

(7) To exercise such other powers as may be provided by statute, this Code, or ordinance.

Sec. 2-425. Rules.

The Planning and Zoning Commission may adopt rules regulating the procedure of all meetings of the Planning and Zoning Commission. Such rules shall be filed in the office of the Village Clerk and may be amended at any meetings, such rules to be effective upon filing in the office of the Village Clerk.

Attachment: Chapter 2 Red Line (Amending Chapter 2 and 11 Code of Ordinances)

Secs. 2-426--2-430. Reserved.

ARTICLE XXIV. Reserved

Secs. 2-431—2-436. Reserved.

Attachment: Chapter 2 Red Line (Amending Chapter 2 and 11 Code of Ordinances)

ARTICLE XXV. Code of Ethics

Editor's Note: Ordinance 0-15-02 enacted January 28, 2002, replaced Article XXV in its entirety.
Editor's Note: Ordinance 0-232-03 enacted October 20, 2003 replaced Article XXV in its entirety.

Sec. 2-441. Definitions.

Unless the contrary is stated, or clearly appears from the context, when used in this Article, the following words and phrases shall have the meanings indicated, and where there may be any variation in interpretation between or among such phrases or terms in this Article, the more restrictive shall apply: (Ord.No.0-87-04, §1, 5-10-04)

Business entity means any organization or enterprise operated for profit, including, but not limited to a proprietorship, partnership, firm, business trust, joint venture, syndicate, corporation or association.

Campaign for elective office means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, State, or local public office or office in a political organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official duties. (Ord.No.0-87-04, §2, 5-10-04)

Candidate means a person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election, as def*ined in section 1-3 of the Election Code (10* ILCS 5/1-3). (Ord.No.0-87-04, §2, 5-10-04)

Collective bargaining has the same meaning as that term is *defined in Section 3 of the Illinoi*s Public Labor Relations Act *(5* ILCS 315/3). (Ord.No.0-87-04, §2, 5-10-04)

Compensated time means, with respect to an employee, any time worked by or credited to the employee that counts toward any minimum work time requirement imposed as a condition of his or her employment, but for purposes of this Ordinance, does not include any designated holidays, vacation periods, personal time, compensatory time off or any period when the employee is on a leave of absence. With respect to officers or employees whose hours are not fixed, "compensated time" includes any period of time when the officer is on premises under the control of the employer and any other time when the officer or employee is executing his or her official duties, regardless of location. (Ord.No.0-87-04, §2, 5-10-04)

Compensatory time off means authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of his or her employment. (Ord.No.0-87-04, §2, 5-10-04)

Consultant means the village attorney, the village planner, the village engineer and any person with professional or technical expertise retained by the village to provide professional or technical advice to the village.

Contribution has the same meaning as *that term is defined in section 9-1.4 of the Election Co*de (10 ILCS *5/9-1.4).* (Ord.No.0-87-04, §3, 5-10-04)

Attachment: Chapter 2 Red Line (Amending Chapter 2 and 11 Code of Ordinances)

Employee means a person employed by the Village of Palatine, whether on a fulltime or part-time basis or pursuant to a contract, whose duties are subject to the direction and control of an employer with regard to the material details of how the work is to be performed, but does not include an independent contractor. (Ord.No.0-87-04, §3, 5-10-04)

Employer means the Village of Palatine. (Ord.No.0-87-04, §3, 5-10-04)

Gift means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an officer or employee. Gifts of informational material such as books, pamphlets, reports, calendars, or periodicals shall not be considered gifts for the purposes of this definition. (Ord.No.0-87-04, §4, 5-10-04)

Immediate family means an individual's spouse, dependent children, or others claimed by the individual as dependents for Federal income tax purposes.

Income means salary, wage, advance, payment, fee, honorarium or any other consideration for personal, professional, or commercial services, rent, dividends, interest, capital gains received from the sale of real or personal property, stocks or bonds, return of capital, forgiveness or payment of indebtedness, discount in the price of anything of value unless the discount is available to members of the public without regard to official status, rebate, reimbursement for expenses, contribution to an insurance or pension program paid by any person other than all employer. Income also includes a pro rata share of any income of any business entity or trust in which the individual or spouse owns directly, indirectly or beneficially, a five percent or greater interest.

Interest in real property includes, but is not limited to the following: legal or equitable title; a beneficial interest in any trust (including a land trust); any assignment of any interest from a beneficiary or any other party of an interest; a power to direct conveyance; a right to receive rents or proceeds from the property; a lien; a tax sale certificate; an option; or any other financial interest, real or personal, direct or indirect in such property including status as a nominee or undisclosed principal.

Leave of absence means any period during which an employee does not receive (i) compensation for employment, (ii) service credit towards pension benefits, and (iii) health insurance benefits paid for by the employer. (Ord.No.0-87-04, §5, 5-10-04)

Liquor licensed premises owner means the owner or owners of the legal or beneficial interest in the ideal property for which any liquor license application is filed with the village.

Officer means a person who holds, by election or appointment, an office created by statute or ordinance, regardless of whether the officer is compensated for service in his or her official capacity. (Ord.No.0-87-04, §6, 5-10-04)

Payment means a payment, distribution, transfer, loan, advance, deposit, gift or other rendering of money, property, services or anything else of value, whether tangible or intangible.

Person means an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, association, committee, and any other organization or group of persons acting in concert.

Attachment: Chapter 2 Red Line (Amending Chapter 2 and 11 Code of Ordinances)

Political activity means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official duties. (Ord.No.0-87-04, §7, 5-10-04)

Political organization means a party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a county clerk *under Section 9*-3 of the Election Code (10 ILCS *5/9-3),* but only with regard to those activities that require filing with the State Board of Elections or a county clerk. (Ord.No.0-87-04, §7, 5-10-04)

Prohibited political activity means:

1. Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
2. Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
3. Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.
4. Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
5. Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
6. Assisting at the polls on Election Day on behalf of any political organization or candidate for elective office or for or against any referendum question.
7. Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.
8. Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
9. Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
10. Preparing or reviewing responses to candidate questionnaires.
11. Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
12. Campaigning for any elective office or for or against any referendum question.
13. Managing or working on a campaign for elective office or for or against any referendum question.
14. Serving as a delegate, alternate, or proxy to a political party convention.
15. Participating in any recount or challenge to the outcome of any election.

(Ord.No.0-87-04, §7, 5-10-04)

Prohibited source means any person or entity who:

1. is seeking official action (i) by an officer or (ii) by an employee, or by the officer or another employee directing that employee;
2. does business or seeks to do business (i) with the officer or (ii) with an employee, or with the officer or another employee directing that employee;
3. conducts activities regulated (i) by the officer or (ii) by an employee, or by the officer or another employee directing that employee; or

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4. has interests that may be substantially affected by the performance or non-performance of the official duties of the officer or employee. (Ord.No.0-87-04, §7, 5-10-04)

Public official means any person who seeks to be elected or is elected to any public office in the village, the village treasurer, all members of the Planning and Zoning Commission of the Village, the Village Manager and his assistant or assistants, the heads of the various Departments within the Village and the Deputy Village Clerk.

Purchase transaction means a purchase, or a contract to purchase goods or services of any kind.

Sole supplier means any person or business entity which is the only available supplier to the village of a product or service required by the village. Examples of "sole supplier" are such entities as electric, gas and telephone companies.

Supplier means any individual, firm, corporation, association, partnership, joint venture, sole proprietor, or other business entity which enters into a "purchase transaction" with the village. (Ord. No. O-96-74, § 1 (A), 12-9-74; Ord. No. O-31-75, § 1, 4-28-75; Ord. No. O-1-79, § 1, 1-8-79; Ord. No. O-92-79, §§ 1, 7-9-79)

Village shall mean Village of Palatine. (Ord.No.0-87-04, §8, 5-10-04)

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Sec. 2-442. Economic Interest Statements and Ethics Acknowledgement Form

(A) Statement of *Economic Interest*. All public officials shall file, with the County clerk and with the Village Clerk, a verified Statement of Economic Interest responding in detail to the following questions:

1. List the name and instrument of ownership in any entity doing business with the unit of local government in relation to which the person is required to file, in which the ownership interest held by the person at the date of filing is in excess of $5,000 fair market value or from which dividends in excess of $1,200 were received during the preceding calendar year. (In the case of real estate, location thereof shall be listed by street address, or if none, then by legal description.) No time or demand deposit in a financial institution, nor any debt instrument shall be listed.

Business Entity	Instrument of Ownership
_____	_____
_____	_____

2. List the name, address and type of practice of any professional organization in which the person making the statement was an officer, director, associate, partner or proprietor or served in any advisory capacity, from which income in excess of $1,200 was derived during the preceding calendar year.

Name	Address	Type of Practice
_____	_____	_____
_____	_____	_____

3. List the nature of professional services rendered (other than to the unit of government in relation to which the person is required to file) and the nature of the entity to which they were rendered if fees exceeding $5,000 were received during the preceding calendar year from the entity for professional services rendered by the person making the statement. ("Professional services" means services rendered in the practice of law, accounting, engineering, medicine, architecture, dentistry or clinical psychology.)

4. List the identity (including the address or legal description of real estate) of any capital asset from which a capital gain of $5,000 or more was realized during the preceding calendar year.

5. List the name of any entity and the nature of the governmental action requested by any entity which has applied to the unit of local government in relation to which the person must file for any license, franchise or permit for annexation, zoning or rezoning of real estate during the preceding calendar year if the ownership interest of the person filing is in excess of $5,000 fair market value at the time of filing or if income or dividends in excess of $1,200 were received by the person filing from the entity during the preceding calendar year.

6. List the name of any entity doing business with the unit of local government in relation to which the person is required to file from which income in excess of $1,200 was derived during the preceding calendar year other than for professional services and the title or description of any position held in that entity. No time or demand deposit in a financial institution nor any debt instrument need be listed.

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7. List the name of any unit of government which employed the person making the statement during the preceding calendar year other than the unit of government in relation to which the person is required to file.

8. List the name of any entity from which a gift or gifts, or honorarium or honoraria, valued singly or in the aggregate in excess of $500, was received during the preceding calendar year.

VERIFICATION

I declare that this statement of economic interests (including any accompanying schedules and statements) has been examined by me and to the best of my knowledge and belief is a true, correct and complete statement of any economic interests as required by the Illinois Governmental Ethics Act. I understand that the penalty for willfully filing a false or incomplete statement shall be a fine not to exceed $750.

_____

Signature of person making the statement Date

(B) *Prohibited Interests In Contracts.* The following interests by an elected or appointed officer in a contract are hereby prohibited as a matter of law (50 ILCS 105/3, 2001)

(1) No person holding any office, either by election or appointment under the laws or Constitution of this State, may be in any manner financially interested directly in his own name or indirectly in the name of any other person, association, trust or corporation in any contract or the performance of any work in the making or letter of which such officer may be called upon to act or vote. No such officer may represent, either as agent or otherwise, any person, association, trust or corporation, with respect to any application or bid for any contract or work in regard to which such officer may be called upon to vote. Nor may any such officer take or receive, or offer to take or receive, either directly or indirectly, any money or other thing of value as a gift or bribe or means of influencing his vote or action in his official character. Any contract made and procured in violation hereof is void. This Section shall not apply to any person serving on an advisory panel or commission or to any director serving on a hospital district board as provided under subsection (a-5) of Section 13 of the Hospital District Law.

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(2) However, any elected or appointed member of the governing body may provide materials, merchandise, property, services, or labor, subject to the following provisions under either subparagraph (a) or (b):

(a) If:

i. the contract is with a person, firm, partnership, association, corporation, or cooperative association in which such interested member of the governing body of the municipality has less than a 7.5% share in the ownership; and

ii. such interested member publicly discloses the nature and extent of his interest prior to or during deliberations concerning the proposed award of the contract; and

iii. such interested member abstains from voting on the award of the contract, though he shall be considered present for the purposes of establishing a quorum; and

iv. such contract is approved by a majority vote of those members presently holding office; and

v. the contract is awarded after sealed bids to the lowest responsible bidder if the amount of the contract exceeds $1,500, or awarded without bidding if the amount of the contract is less than $1,500; and

vi. the award of the contract would not cause the aggregate amount of all such contracts so awarded to the same person, firm, association, partnership, corporation, or cooperative association in the same fiscal year to exceed $25,000.

(b) If:

i. the award of the contract is approved by a majority vote of the governing body of the municipality provided that any such interested member shall abstain from voting; and

ii. the amount of the contract does not exceed $2,000; and

iii. the award of the contract would not cause the aggregate amount of all such contracts so awarded to the same person, firm, association, partnership, corporation, or cooperative association in the same fiscal year to exceed $4,000; and

iv. such interested member publicly discloses the nature and extent of his interest prior to or during deliberations concerning the proposed award of the contract; and

v. such interested member abstains from voting on the award of the contract, though he shall be considered present for the purposes of establishing a quorum.

(c) In addition to the above exemptions, any elected or appointed member of the governing body may provide materials, merchandise, property, services, or labor if:

i. the contract is with a person, firm, partnership, association, corporation, or cooperative association in which the interested member of the governing body of the municipality, advisory panel, or commission has less than a 1 percent share in the ownership; and

ii. the award of the contract is approved by a majority vote of the governing body of the municipality provided that any such interested member shall abstain from voting; and

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iii. such interested member publicly discloses the nature and extent of his interest before or during deliberations concerning the proposed award of the contract; and

iv. such interested member abstains from voting on the award of the contract, though he shall be considered present for the purposes of establishing a quorum.

(3) For the purposes of this Section only, a municipal officer shall not be deemed interested if the officer is an employee of a company or owns or holds an interest of 1 percent or less in the municipal officer's individual name in a company, or both, that company is involved in the transaction of business with the municipality, and that company's stock is traded on a national recognized securities market, provided the interested member:
(i) publicly discloses the fact that he or she is an employee or holds an interest of 1 percent or less in a company before deliberation of the proposed award of the contract; (ii) refrains from evaluating, recommending, approving, deliberating, or otherwise participating in negotiation, approval, or both, of the contract, work, or business; (iii) abstains from voting on the award of the contract though he or she shall be considered present for purposes of establishing a quorum; and (iv) the contract is approved by a majority vote of those members currently holding office.

(4) A municipal officer shall not be deemed interested if the officer owns or holds an interest of 1 percent or less, not in the officer's individual name but through a mutual fund, in a company that company is involved in the transaction of business with the municipality, and that company's stock is traded on a nationally recognized securities market.

(C) *Pecuniary Interest Allowed in Contracts of Deposit and Financial Service with local Banks and Savings and Loan Associations*. Pursuant to state law (50 ILCS 104/3.2, 2001) pecuniary interests by an elected or appointed office holder are permitted, subject to the following conditions. Nothing in this Code, including the restrictions set forth in subparagraphs (B) (2) and (3) shall preclude a contract of deposit of monies, loans, or other financial services by a unit of local government or a police or firefighter's pension fund established under Article 3 or 4 of the Illinois Pension Code with a local bank or local savings and loan association, regardless of whether a member or members of the governing body of the unit are interested in the bank or savings and loan association as a director, an officer, employee, or holder of less than 7.5 percent of the total ownership interest. A member or members holding such an interest in such a contract shall not be deemed to be holding a prohibited interest for purposes of this Act. The interested member or members of the governing body must publicly state the nature and extent of their interest during deliberations concerning the proposed award of such a contract, but shall not participate in any further deliberations concerning the proposed award. The interested member or members shall not vote on such a proposed award and voting under this Section may be considered present for purposes of establishing a quorum. Award of such a contract shall require approval by a majority vote of those members presently holding office. Consideration and award of any such contract in which a member or members are interested may only be made at a regularly scheduled public meeting of the governing body of the unit or district.

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D. ***Ethics Acknowledgement***. All public officials and consultants shall file with the Village Clerk a verified ethics acknowledgement form in substantially the following form:

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

TO: The Mayor and Village Council of the Village of Palatine, Illinois

ETHICS ACKNOWLEDGEMENT FORM

I, _____, being first duly sworn, upon my oath, state as follows:

(1) I have been ***(please circle one:*** elected, or appointed or hired or I intend to run for election) as the _____ of the Village of Palatine.

(2) I have read and acknowledged the requirements in 50 ILCS 105/3 (the Prohibited Interests and Contracts Act), as fully set forth in Paragraph B above. I understand that I must abide by its terms.

(3) I have read and acknowledge the requirements of 5 ILCS 425/1, et seq, 2001, (the State Gift Ban Act). I understand that I must abide by its terms.

(4) I have read and acknowledge the requirements in 50 ILCS 105/3.2, 2001 (Pecuniary Interests and Contracts requirement), as fully set forth in paragraph C above. I understand that I must abide by its terms.

I, _____, declare that the foregoing statements have been examined by me and are, to the best of my knowledge and belief, true, correct and accurate. I have received from the Village Clerk copies of Article XXV, Chapter 2 of the Municipal Code of the Village of Palatine (Code of Ethics) and statutes of the State of Illinois pertaining to conflicts of interest, income disclosure and misconduct by public office holders (including the State Gift Ban Act, 5 ILCS 425/1, et seq and the Prohibited Interests and Contract Act, 50 ILCS 105/3, 2001). I understand that the penalty for willfully attesting to a false disclaimer is a fine not to exceed seven hundred and fifty dollars ($750.00).

Dated: _____ _____
Signature

Attachment: Chapter 2 Red Line (Amending Chapter 2 and 11 Code of Ordinances)

(E) Future Amendments or Declaration of Unconstitutionality of Prohibited Interests in Contracts Act (50 ILCS 105/3, 2001) and State Gift Ban Act (5 ILCS 425/1 et seq, 2001)

(a) Any amendment to the Prohibited Interests in Contracts Act (50 ILCS 105/3 et seq, 2001 or to the State Gift Ban Act (5 ILCS 425/1 et seq. 2001, that becomes effective after the passage of this ordinance, shall be incorporated into this Ordinance by reference and shall be applicable to the solicitation and acceptance of gifts. However, any language that makes its provisions optional for adoption by municipalities shall not be incorporated into this Section by reference without formal action by the Corporate Authorities of the Village.

(b) If the Illinois Supreme Court declares the Prohibited Interests in Contracts Act (50 ILCS 105/3, et seq., 2001) or the State Gift Ban Act (5 ILCS 425/1 et. seq., 2001), unconstitutional in its entirety, then this Section shall be repealed as of the date that the Supreme Court's decision becomes final and not subject to any further appeals or re-hearings.

(c) If the Illinois Supreme Court declares part(s) of the Prohibited Interests in Contracts Act (50 ILCS 105/3, et seq., 2001 or the State Gift Ban Act (5 ILCS 425/1 et. seq., 2001), unconstitutional but upholds the constitutionality of the remainder of these Acts or does not address the remainder of these Acts, then the remainder of these Acts as adopted by this Section, shall remain in full force and effect; however, that part of this Section relating to the part of the Acts found unconstitutional shall be deemed repealed without further action by the Corporate Authorities of the village.

(F) *Filing schedule.* The Economic Interest Statements and Ethics Acknowledgement Form required above shall be completed on forms approved by the Corporate Authorities and provided by the Village Clerk. Economic Interest Statements and/or Ethics Acknowledgement Form shall be filed pursuant to the following schedule:

(1) All public officials and consultants shall file their disclosure statements and/or Ethics Acknowledgement Form annually within thirty (30) days after May 1st.

2) Any candidate for elective public office within the village shall file within fifteen (15) days after his nominating petitions are filed.

(3) Any person appointed as a public official, retained as a consultant or hired as an employee shall, if required to do so by this article, file an Economic Interest Statement and Ethics Acknowledgement Form within thirty (30) days of his appointment, retention or hiring.

(4) Any person elected to public office within the village shall file within thirty (30) days of his election.

(5) Revised Economic Interest Statement and Ethics Acknowledgement Form shall be filed within thirty (30) days following any event which would require a change in any information or disclaimers contained in the statement or disclaimer on file with the Village Clerk.

Not less than fifteen (15) days before the filing dates specified above, except the filing date specified in subparagraph (5), the Village Clerk shall, by first class mail or personal delivery, notify the persons required to file Economic Interest Statements and Ethics Acknowledgement Form of their obligation to file. The Village Clerk shall provide each person filing such statements with a written receipt indicating the date on which the filing took place. In addition, the Village Clerk shall, at least fourteen (14) days prior to the filing dates specified above, provide each person required to file a an Economic Interest Statement and Ethics Acknowledgement Form with a copy of this article and those portions of the statutes of the State of Illinois deemed relevant to governmental ethics by the Village Council. (Ord. #0-16-09, §4, 1/19/09)

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(G) *Public access.* All statements and disclosures filed under this section shall be available for examination and copying by the public at all reasonable times. Each person examining a statement and disclosure must first fill out a form prepared by the Village Clerk identifying the examiner by name, occupation, address and telephone number, and listing the date of examination and reason for such examination. The Village Clerk shall promptly notify each person required to file a statement and disclosure under this article of each instance of an examination of his statement by sending him a duplicate original of the identification form filled out by the person examining his statement.

(H) Any person required to file the statement provided for in this section who knowingly fails to so file, or knowingly files a false or incomplete statement shall be guilty of a misdemeanor and shall be fined not more than seven hundred fifty dollars ($750.00). (Ord. No. O-96-74, § 1(B)--(F), 12-9-74; Ord. No. O-31-75, § 3, 4-28-75; Ord. No. O-37-75, § 1, 5-26-75; Ord. No. O-109-77, § 1, 10-10-77; Ord. No. O-1-79, § 2, 1-8-79; Ord. No. O-92-79, §§ 2, 3, 7-9-79; Ord.No.0-5-98§2,1-26-98)

Sec. 2-443. Supplier's statement.

All bidding forms and request for proposals for purchase transactions between the village and a supplier shall contain the following provision as one of the terms and conditions of such transaction:

The undersigned supplier hereby represents and warrants to the Village of Palatine as a term and condition of acceptance of this (bid or proposal) that none of the following Village officials is either an officer or director of supplier or owns five per cent (5%) or more of supplier: The Mayor; the members of the Village Council; the Village Clerk; the Village Treasurer; the members of the Planning and Zoning Commission; the Village Manager and his assistant or assistants; the heads of the various departments within the Village. If the foregoing representation and warranty is inaccurate, state the name of the Village official who either is officer or director of your business entity or owns five per cent (5%) or more thereof.

The Village Clerk shall promptly notify the Village Council of any person named by suppliers in response to the foregoing inquiry.

Any person who executes a contract knowing that the statement set out above or any part thereof is false shall be guilty of a misdemeanor and shall be fined not more than seven hundred fifty dollars ($750.00). (Ord. No. O-96-74, § 1 (G), 12-9-74; Ord.No.0-5-98§2,1-26-98)

Sec. 2-444. Use of public property for personal convenience or profit prohibited.

No public official shall request or permit the use of village-owned vehicles, equipment, materials or property for personal convenience or profit, except when such services are available to the public generally. Public officials may use village-owned vehicles, equipment, materials or property only in the conduct of official business, when consistent with village policy. (Ord. No. O-109-77, § 2, 10-10-77)

[Editor's Note: New Sections. 2-445—2-448 were added pursuant to Ord. 0-87-04, passed on May 10, 2004]

Attachment: Chapter 2 Red Line (Amending Chapter 2 and 11 Code of Ordinances)

Sec. 2-445. Prohibited political activities

Sec 2-445.1. Prohibited political activities.

(a) No officer or employee shall intentionally perform any prohibited political activity during any compensated time, as defined herein. No officer or employee shall intentionally use any property or resources of the Village of Palatine in connection with any prohibited political activity.

(b) At no time shall any officer or employee intentionally require any other officer or employee to perform any prohibited political activity (i) as part of that officer or employee's duties, (ii) as a condition of employment, or (iii) during any compensated time off (such as holidays, vacation or personal time off).

(c) No officer or employee shall be required at any time to participate in any prohibited political activity in consideration for that officer or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity.

(d) Nothing in this Section prohibits activities that are permissible for an officer or employee to engage in as part of his or her official duties, or activities that are undertaken by an officer or employee on a voluntary basis which are not prohibited by this Ordinance.

(e) No person either (i) in a position that is subject to recognized merit principles of public employment or (ii) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to giant-in-aid programs, shall be denied or deprived of employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club.

Sec. 2-446. Gift ban.

Sec. 2-446.1. Gift ban. Except as permitted by this Article, no officer or employee, and no spouse of or immediate family member living with any officer or employee (collectively referred to herein as "recipients"), shall intentionally solicit or accept any gift from any prohibited source, as defined herein, or which is otherwise prohibited by law or ordinance. No prohibited source shall intentionally offer or make a gift that violates this Section.

Sec. 2-446.2. Exceptions. Section 2-446.1 is not applicable to the following:

1) Opportunities, benefits, and services that are available on the same conditions as for the general public.

2) Anything for which the officer or employee, or his or her spouse or immediate family member, pays the fair market value.

3) Any (i) contribution that is lawfully made under the Election Code or (ii) activities associated with a fundraising event in support of a political organization or candidate.

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4) Educational materials and missions.

5) Travel expenses for a meeting to discuss business.

6) A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.

7) Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (ii) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iii) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other officers or employees, or their spouses or immediate family members.

8) Food or refreshments not exceeding *$75.00* per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purposes of this Section, "catered" means food or refreshments that are purchased ready to consume which are delivered by any means.

9) Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee), if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee, and are customarily provided to others in similar circumstances.

10) Intra-governmental and inter-governmental gifts. For the purpose of this Act, "intragovernmental gift" means any gift given to an officer or employee from another officer or employee, and "inter-governmental gift" means any gift given to an officer or employee by an officer or employee of another governmental entity.

11) Bequests, inheritances, and other transfers at death.

12) Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than $100.

Each of the exceptions listed in this Section is mutually exclusive and independent of every other.

Attachment: Chapter 2 Red Line (Amending Chapter 2 and 11 Code of Ordinances)

Sec. 2-446.3. Disposition of gifts.

An officer or employee, his or her spouse or an immediate family member living with the officer or employee, does not violate this Ordinance if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501 (c) (3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

Sec. 2-447 Ethics commission.

Sec. 2-447.1. There is hereby created a commission to be known as the "Ethics Commission of the Village of Palatine" ("Commission"). The Commission shall be comprised of the Mayor, the Village Clerk, and the senior Village Council Member. If any member of the Commission is the subject of a complaint filed under this Ordinance, for that complaint only, the next senior Village Council Member shall serve on the Commission.

Sec. 2-447.2. At the first meeting of the Commission, the commissioners shall choose a chairperson from their number. Meetings shall be held at the call of the chairperson or any 2 Commissioners. A quorum shall consist of two Commissioners, and official action by the Commission shall require the affirmative vote of two members.

Sec. 2-447.3. The Mayor, with the advice and consent of the Village Council, may remove a Commissioner in case of incompetency, neglect of duty or malfeasance in office after service on the Commissioner by certified mail, return receipt requested, of a copy of the written charges against the Commissioner and after providing an opportunity to be heard in person or by counsel upon not less than 10 days' notice. Any vacancy shall be filled by appointment of the next most senior Village Council Member. If in filling any vacancy it is determined that there is more than one Council Member with the same level of highest seniority, then the Commission chair shall decide who is then to be appointed.

Sec. 2-447.4. The Commission shall have the following powers and duties:

1) To meet periodically, if necessary, to promulgate procedures and rules governing the performance of its duties and the exercise of its powers.

2) Upon receipt of a signed, notarized, written complaint, to investigate, conduct

3) hearings and deliberations, issue recommendations for disciplinary actions, impose fines in accordance with Section 2-448.1(c) of this Ordinance and refer violations of Section 2-445 or Section 2-446 of this Ordinance to the appropriate attorney for prosecution. The Commission shall, however, act only upon the receipt of a written complaint alleging a violation of this Ordinance and not upon its own prerogative.

4) To receive information from the public pertaining to its investigations and to require additional information and documents from persons who may have violated the provisions of this Ordinance.

5) To compel the attendance of witnesses by subpoena and to compel the production of books and papers pertinent to an investigation. It is the obligation of all officers and employees of the Village to cooperate with the Commission during the course of its investigations. Failure or refusal to cooperate with requests by the Commission shall constitute grounds for discipline or discharge.

Attachment: Chapter 2 Red Line (Amending Chapter 2 and 11 Code of Ordinances)

6) The powers and duties of the Commission are limited to matters clearly within the purview of this Ordinance.

Sec. 2-447.5.

(a) Complaints alleging a violation of this Ordinance shall be filed with the Ethics Commission.

(b) Within three business days after the receipt of a complaint, the Commission shall send by certified mail, return receipt requested, a notice to the respondent that a complaint has been filed against him or her and a copy of the complaint. The Commission shall send by certified mail, return receipt requested, a confirmation of the receipt of the complaint to the complainant within three business days after receipt by the commission. The notices to the respondent and the complainant shall also advise them of the date, time, and place of the meeting to determine the sufficiency of the complaint and to establish whether probable cause exists to proceed.

(c) Upon not less than 48 hours public notice, the Commission shall meet to review the sufficiency of the complaint and, if the complaint is deemed sufficient to allege a violation of this Ordinance, to determine whether there is probable cause, based on the evidence presented by the complainant, to proceed. The meeting may be closed to the public to the extent authorized by the Open Meetings Act. The Commission shall issue notice to the complainant and the respondent of the Commission's ruling on the sufficiency of the complaint and, if necessary, on probable cause to proceed within seven business days after receiving the complaint.

If the complaint is deemed sufficient to allege a violation of Section 2-446 of this Ordinance and there is a determination of probable cause, then the Commission's notice to the parties shall include a hearing date scheduled within four weeks after the complaint's receipt. Alternatively, the Commission may elect to notify in writing the attorney designated by the corporate authorities to prosecute such actions and request that the complaint be adjudicated judicially. If the complaint is deemed not sufficient to allege a violation or if there is no determination of probable cause, then the Commission shall send by certified mail, return receipt requested, a notice to the parties of the decision to dismiss the complaint, and that notice shall be made public.

If the complaint is deemed sufficient to allege a violation of Section 2-445 of this Ordinance, then the Commission shall notify in writing the attorney designated by the corporate authorities to prosecute such actions and shall transmit to the attorney the complaint and all additional documents in the custody of the Commission concerning the alleged violation.

(d) On the scheduled date and upon at least 48 hours public notice of the meeting, the Commission shall conduct a hearing on the complaint and shall allow both parties the opportunity to present testimony and evidence. The hearing may be closed to the public only if authorized by the Open Meetings Act.

(e) Within 30 days after the date the hearing or any recessed hearing is concluded, the Commission shall either (i) dismiss the complaint or (ii) issue a recommendation for discipline of the alleged violator and to the Mayor, Village Council, and Village Manager, and in the instance where the Village Manager is the subject of the complaint, then such recommendation to the Mayor and the Assistant Village Manager, or impose a fine upon the violator, or both. The particular findings in the case, any recommendation for discipline, and any fine imposed shall be a matter of public information.

Attachment: Chapter 2 Red Line (Amending Chapter 2 and 11 Code of Ordinances)

(f) If the hearing was closed to the public, the respondent may file a written demand for a public hearing on the complaint within seven business days after the issuance of the recommendation for discipline or imposition of a fine, or both. The filing of the demand shall stay the enforcement of the recommendation or fine. Within fourteen days after receiving the demand, the Commission shall conduct a public hearing on the complaint upon at least 48 hours public notice of the hearing and allow both parties the opportunity to present testimony and evidence. Within seven days thereafter, the Commission shall publicly issue a final recommendation to the alleged violator and to the Mayor, Village Council, and Village Manager or impose a fine upon the violator, or both.

(g) If a complaint is filed during the sixty days preceding the date of any election at which the respondent is a candidate, the Commission shall render its decision as required under subsection (e) within seven days after the complaint is filed, and during the seven days preceding that election, the Commission shall render such decision before the date of that election, if possible.

(h) The Commission may fine any person who intentionally violates any provision of Section 2-446 of this Ordinance in an amount of not less than $1,001 and not more than $5,000. The Commission may fine any person who knowingly files a frivolous complaint alleging a violation of this Ordinance in an amount of not less than $1,001 and not more than $5,000. The Commission may recommend any appropriate discipline up to and including discharge.

(i) A complaint alleging the violation of this Act must be filed within one year after the alleged violation.

Sec. 2-448. Penalties

Sec. 2-448.1. Penalties.

(a) A person who intentionally violates any provision of Section 2-445 of this Ordinance may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed $2,500.

(b) A person who intentionally violates any provision of Section 2-446 of this Ordinance is subject to a fine in an amount of not less than $1,001 and not more than $5,000.

(c) Any person who intentionally makes a false report alleging a violation of any provision of this Ordinance to the local enforcement authorities, the State's Attorney or any other law enforcement official may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed $2,500.

(d) A violation of Section 2-445 of this Ordinance shall be prosecuted as a criminal offense by the Village attorney by filing in the circuit court an information, or sworn complaint, charging such offense. The prosecution shall be under and conform to the rules of criminal procedure. Conviction shall require the establishment of the guilt of the defendant beyond a reasonable doubt.

1. A violation of Section 2-446 of this Ordinance may be prosecuted as a quasi-criminal offense by the Village attorney, or by the Ethics Commission through the designated administrative procedure.

(e) In addition to any other penalty that may be applicable, whether criminal or civil, an officer or employee who intentionally violates any provision of Section 2-445 or Section 2-446 of this Ordinance is subject to discipline or discharge.

Attachment: Chapter 2 Red Line (Amending Chapter 2 and 11 Code of Ordinances)

Sec. 2-449. Use or disclosure of confidential information.

No current or former official or employee shall use or disclose, other than in the performance of his official duties and responsibilities, or as may be required by law, confidential information gained in the course of or by reason of his position or employment. For purposes of this section, "confidential information" means any information that may not be obtained pursuant to the Illinois Freedom of Information Act, as amended. (Ord. 0-51-05, §1, 3/14/05)

Sec. 2-450. Post-employment restrictions.

(a) 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 his term of office or employment.

(b) No former official or employee shall, for a period of one 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 the former official or employee, regarding any matter or transaction involving the village. (Ord. 0-51-05, §1, 3/14/05)

Secs. 2-451--2-458. Reserved.

ARTICLE XXVI. FINANCE

DIVISION 1. GENERALLY

Sec. 2-459. Office of Director of Finance.

There is hereby created the office of director of finance, an executive office of the village.

Sec. 2-460. Duties and functions, generally.

The director of finance shall be responsible for the oversight and management of all financial operations of the Village. The director shall be responsible for the supervision and direction of the department of finance and operations under the general direction of the Village Manager. The director shall advise the Village Manager on all financial needs of the village. (Ord. No. O-45-93 э 1 4-26-93)

Sec. 2-461. Budget.

Before the beginning of each fiscal year, the board shall enact a budget ordinance in which shall be itemized all estimated revenues and recommended expenditures to be met during such fiscal year. (Code 1961, э 8.201)

Sec. 2-462. Tax levy.

A tax levy ordinance shall be enacted, as required by law, levying such taxes as may be needed to meet the anticipated expenses of the coming year, together with such taxes as may be required to meet outstanding bond issues, or for purposes payable from special taxes properly authorized.

A certified copy of the tax levy ordinance shall be filed with the county clerk not later than the fourth Tuesday in December. Such ordinance shall show the total appropriated for each item, and the amount of tax levied therefor. (Code 1961, э 8.202; Ord.No.0-141-98, э1, 9-14-98)

Attachment: Chapter 2 Red Line (Amending Chapter 2 and 11 Code of Ordinances)

Sec. 2-463. Indebtedness.

Except as provided in section 2-490, no indebtedness shall be incurred, excepting such indebtedness as may be payable solely from the proceeds of a duly authorized bond issue or from a designated specified source, unless there is a prior appropriation out of which such indebtedness could be paid, as provided by statute. Provided that during the first quarter of any fiscal year, before the enactment of the current appropriation ordinance, the village may operate under the appropriation ordinance of the preceding year. (Code 1961, ə 8.203; Ord. No. O-127-79, ə 1, 11-13-79)

Sec. 2-464. Contracts.

The Mayor, or any other person designated by the council, may sign on behalf of the village any contract authorized by the Village Council. No contract may be entered into without the authority of the council or Village Manager (subject to Village Managers spending authority).
(Code 1961, ə 8.204)

Sec. 2-465. Bills; payroll.

All bills payable by the village, other than for the payment of salaries established by the Village Council and Village Manager, shall be submitted to the board for approval before payment except those budgeted expenses that are subject to the Village Manager's spending authority. (Code 1961, ə 8.205)

Sec. 2-466. Payment by treasurer.

The treasurer shall pay out money in payment of all bills, or for salaries, or for any other purpose other than the retirement of principal or interest on bonds or tax anticipation warrants only upon warrant signed by the Mayor and clerk as provided by statute. Such warrants shall designate the items to be paid and the funds from which they are to be paid. (Code 1961, ə 8.206)

Sec. 2-467. Audit.

As soon as practicable at the close of each fiscal year, and no later than six (6) months thereafter, there shall be an audit of all accounts of the village made by a competent person authorized to act as an auditor under the laws of this state, to be designated by the Village Council. Copies of such audit report shall be filed with the clerk and with the director of the state department of revenue and in such other places as may be required by law. (Code 1961, ə 8.207)

Sec. 2-468. Contracts for supplies, work or other public improvements.

Except as otherwise provided herein, any supplies, work or other public improvements which are not to be paid for in whole or in part by special assessment or special taxation, when the expense thereof will exceed those limits as set out in section 2-108(9), shall be purchased either:

(1) By a contract let to the lowest responsible, compliant bidder after advertising for bids, in the manner prescribed in section 2-469, except that any such contract may be entered into by the proper officers without advertising for bids, if authorized by a vote of two-thirds (2/3) of all Council Members then holding office; or

(2) In the following manner, if authorized by a vote of two-thirds (2/3) of all Council Members then holding office, to wit: The Village Manager or other proper person to be designated by him, shall superintend and cause to be carried out the construction of the work or other public improvement and shall employ exclusively for the performance of all manual labor thereon, laborers and artisans whom the village shall pay by the day or hour; and all material used in the construction of the work or other public improvement shall be purchased by contract in the manner prescribed in section 2-108(9).

However, nothing in this section shall apply to any contract by this village with the federal government or any agency thereof. (Ord. No. O-89-77, ə 1, 8-22-77; Ord. No. O-88-87, ə 1, 8-10-87)

Attachment: Chapter 2 Red Line (Amending Chapter 2 and 11 Code of Ordinances)

Sec. 2-469. Advertisement for bids; deposits.

All proposals to award purchase orders or contracts as designated in section 2-108(9) shall be published at least ten (10) days in advance of the date announced for the receiving of bids, in a newspaper of general circulation within the village or as otherwise determined by the Village Manager and shall be readily accessible in the office of the Village Manager. Nothing contained in this section shall be construed to prohibit the Village Manager from placing additional announcement in recognized trade journals. In addition, the Village Manager, in his discretion, may seek bids from any reputable firms by written solicitation to such firms. Such written solicitations shall be on an impartial basis and shall be made to such firms as the Village Manager in his sole discretion shall deem appropriate.

Advertisements for bids shall describe the character of the proposed contract or agreement in sufficient detail to enable the bidders thereon to know what their obligations will be, either in the advertisement itself, or by reference to detailed plans and specifications on file at the time of the publication of the first announcement. Such advertisements shall also state the date, time, and place assigned for the opening of bids, and no bids shall be received at any time subsequent to the time indicated in the announcement. However, an extension of time may be granted for the opening of such bids upon publication in a newspaper of general circulation within the village of the date to which the bid opening has been extended. The time of the bid extension opening shall not be less than five days after the publication thereof, Sundays and legal holidays excluded.

Bid bond, cash, cashier's check, a certified check or a comptroller's certificate of moneys owed the particular vendor, as a deposit of good faith, in a reasonable amount but not in excess of ten (10) per cent of the contract amount may be required of each bidder by the Village Manager on all bids involving amounts in excess of five thousand dollars ($5,000.00) and, if so required, the advertisements for bids shall so specify.
(Ord. No. O-89-77, ə 1, 8-22-77; Ord. No. O-88-87, ə 2, 8-10-87)

Sec. 2-470. Awarding of contracts; public inspection.

All bids shall be opened in public at the specified time and place designated in the Legal Notice. Recommendation for award shall be reviewed by the Village Manager and forwarded to the appropriate Standing Committee or directly to the Village Council.

The award of any contract shall be made to the lowest responsible bidder as provided in section 2-468. Every contract shall be signed by the Mayor or his duly designated agent and by the Village Clerk, respectively, of the Village. Each bid, with the name of the bidder, shall be entered on a record which record with the name of the successful bidder indicated thereon, shall, after award of contract, be open to public inspection in the office of the Village Manager.

An official copy of each awarded purchase order or contract together with all necessary attachments thereto, including assignments and written consents, shall be retained by the Village Manager in an appropriate file open to the public for such period of time after termination of the contract during which action against the Village might ensue applicable laws of limitation. After such period such purchase orders, contracts and attachments may be destroyed by direction of the Village Manager. (Ord. No. O-89-77, ə 1, 8-22-77, Ord. No. 0-28-04, ə1, 2-17-04)

Attachment: Chapter 2 Red Line (Amending Chapter 2 and 11 Code of Ordinances)

Sec. 2-471. Indexing of municipal fees.

Village fees, as set out in the Fee Schedule Supplement to the Code of Ordinances, shall be adjusted to reflect the percentage change in the Municipal Cost Index published in the September issue of the American City and County Magazine, with the following exceptions: (Ord.No.0-106-98, §4,5,9-14-98; Ord. No. 0-180-06, §1, 10/16/06)

(1) Chapter 7, Ambulance Service Fees, which are indexed to the Medicare Rate established by the U.S. Department of Health and Human Services Centers for Medicare and Medicaid Services (CMS);

(2) Chapter 8, Garbage and Refuse Fees, and Chapter 19, Water and Sewer Consumption Fees, which are adjusted each year based upon a financial review of the cost of service and contractual obligations.

The Village Manager is hereby authorized to update the fees as in accordance with the above on an annual basis, rounding to the nearest one- dollar. The Village Manager shall cause a schedule of such fees as amended, in accordance with this section, to be prepared, filed with the Mayor and Village Council and made available for public inspection no later than the adoption of the annual operating budget. The new fee schedule shall take effect on the first day of the new budget year; provided, however, that the Mayor and Village Council may modify any fees and cause an amended Fee Schedule Supplement to be published at any time during the year, as they deem necessary. (Ord. No. O-48-82, §1, 5-24-82; Ord. No. O-47-83, □□1, 8-8-83, Ord. No. 0-145-00, §1, 11-13-00; Ord. No. 0-163-12, §1 12-10-12)

Secs. 2-472--2-480. Reserved.

DIVISION 2. ISSUANCE OF BONDS*

***State law reference(s) --**For provisions controlling municipal bonds see 65ILCS5/8-1-1 et seq.

Sec. 2-481. Authority.

(a) The village, acting by its Mayor and Council, by vote of two-thirds (2/3) of the corporate authorities then holding office, may from time to time borrow money for proper public purposes and in evidence of such borrowing issue its full faith and credit bonds (general obligation) payable from ad valorem taxes to be levied without limitation as to rate or amount against all taxable property situated within the village, exclusive of any bonds issued after submitting the question of their issuance to the electors of the village for their approval, in an amount which, when added to the aggregate principal amount of all then outstanding general obligation bonds so issued without referendum, does not exceed an amount equal to three (3) per cent of the most recent equalized assessed valuation of all of the taxable property in the village. Such bonds may be issued without the submission of the question of their issuance to the electors of the village for their approval. Bonds issued pursuant to paragraph (d) of this section (and bonds which are listed in that paragraph as issued prior to January 1, 1985) and bonds issued pursuant to paragraph (f) or paragraph (g) of this section are deemed for purposes of this paragraph (a) to have been issued pursuant to the approval of the electors of the village of the question of the issuance at a referendum. (Ord. 0-125-00 ə2 10/9/00, 0-86-02 ə2 5/28/02)

Attachment: Chapter 2 Red Line (Amending Chapter 2 and 11 Code of Ordinances)

(b) In addition, the village, acting by its Mayor and Village Council, by vote of a majority of the corporate authorities then holding office may from time to time borrow money for proper public purposes and in evidence of such borrowing issue its full faith and credit bonds (general obligation) payable from ad valorem taxes to be levied without limitation as to rate or amount against all taxable property situated within the village if the question of authorizing such bonds has been submitted to the electors of the village and approved by a majority of the electors voting on that question. The question of issuing bonds may be submitted by the Mayor and Village Council of the village at any state or municipal election or at any special election called for that purpose. The submission of any such question and the call of any such special election shall be in the form and in the manner as prescribed by the Mayor and Village Council of the village. The procedures for the issuance of such bonds shall be substantially as herein provided.

(c) Any bond issue or portion thereof issued pursuant to an advisory referendum held prior to the issuance of such bonds shall be deemed to have been issued pursuant to referendum as provided in this section. In the event a portion of a bond issue is issued pursuant to referendum, that portion corresponding to the amount voted upon shall be deemed issued pursuant to the first two sentences of this section.

(d) In addition, the village acting by its Mayor and Village Council, by vote of a majority of the corporate authorities then holding office, may from time to time borrow money for the purpose of: (i) providing funds to the Northwest Water Commission or financing improvements to the water system of the village necessary to accommodate Lake Michigan water, and to pay the costs of borrowing for those purposes, including costs of issuance of bonds, discount and capitalized interest, or (ii) providing funds (either at or prior to maturity or redemption) to pay principal of (at maturity or upon redemption), and redemption premium and interest on the bonds issued pursuant to clause (i) above (or bonds issued pursuant to this clause (ii)) and to pay the costs of issuance and discount of the bonds issued for that purpose. In evidence of such borrowing, the village may issue its full faith and credit bonds (general obligation) payable from ad valorem taxes to be levied against all taxable property situated within the village without the submission of the question of the issuance of those bonds to the electors of the village for their approval. Bonds may be issued pursuant to this paragraph

(f) In addition, the village, acting by its Mayor and Village Council, by vote of a majority of the corporate authorities then holding office may from time to time borrow money for the purpose of financing or refinancing redevelopment project costs as such term is defined in the Tax Increment Allocation Redevelopment Act, of any redevelopment project undertaken by the village pursuant to said Act. In evidence of such borrowing, the village may issue its full faith and credit bonds (general obligation) payable from ad valorem taxes to be levied against all taxable property situated within the village without the submission of the question of the issuance of those bonds to the electors of the village for their approval. A finding in a bond ordinance as to the purpose for which bonds are issued shall be conclusive as to compliance with the requirements of this paragraph. This paragraph (f) constitutes full authority for the issuance of bonds for purposed of refunding bonds issued pursuant to this paragraph (f). (Ord. 0-125-00 ə3 10/9/00)

(g) In addition, the village, acting by its Mayor and Village Council, by vote of a majority of the corporate authorities then holding office may from time to time borrow money for the purpose of financing or refinancing flood control projects (including the flood control projects described in Village Resolution R-53-02 and such additional flood control projects as may be determined from time to time by the Mayor and Village Council). In evidence of such borrowing, the village may issue its full faith and credit bonds (general obligation) payable from ad valorem taxes to be levied against all taxable property situated within the village without the submission of the question of the issuance of those bonds to the electors of the village for their approval. A finding in a bond ordinance as to the purpose for which bonds are issued shall be conclusive as to compliance with the requirements of this paragraph. This paragraph (g) constitutes full authority for the issuance of bonds for purposes of refunding bonds issued pursuant to this paragraph (g). (Ord. 0-86-02 ə3 5/28/02)

Sec. 2-482. Bond ordinance.

The village shall adopt an ordinance, hereinafter designated as the bond ordinance, describing the public purpose or purposes to be accomplished by such borrowing and in such bond ordinance shall make a finding and determination that such borrowing of money is necessary for the welfare of the government and affairs of the village, is for a proper public purpose or purposes and is in the public interest, which finding and determination shall be deemed conclusive. (Code 1961, ə 29.102)

Attachment: Chapter 2 Red Line (Amending Chapter 2 and 11 Code of Ordinances)

Sec. 2-483. Bond details and contract for sale.

The bond ordinance shall indicate the amount of money necessary to be borrowed, the amount of bonds to be issued in evidence thereof, shall fix the details of such bonds, including the date, number, denomination and maturity, which shall not exceed forty (40) years from the date of said bonds, and the rate or rates of interest, which shall not exceed the legal rate then in effect for Illinois municipal corporations under "An Act to Authorize Public Corporations to Issue Bonds, Other Evidences of Indebtedness and Tax Anticipation Warrants Subject to Interest Rate Limitations Set Forth Therein", as from time to time in effect. If the bonds are sold to bear interest at the maximum rate, they shall be sold at a price of not less than par. If the bonds are sold to bear interest at a rate less than the maximum interest rate, they may be sold at a price of less than par, provided the price shall be such that the interest cost to the village of the money received as proceeds of the sale of said bonds shall not exceed the maximum interest rate per annum, based on the average maturity of all bonds sold as a single issue, computed according to standard tables of bond values.

A contract for the sale of such bonds may be entered into prior to the adoption of the bond ordinance or the bond ordinance may provide for the subsequent sale of the bonds therein authorized. In the event of such subsequent sale and bonds are sold bearing interest at a rate or rates less than that authorized in the bond ordinance, prior to the delivery of such bonds the taxes levied in the bond ordinance shall be abated by that amount representing the savings resulting from the sale of said bonds at a lower rate of interest than authorized in the bond ordinance.

Notwithstanding any other provision of this section, if the Mayor and Village Council shall determine that prevailing market rates of interest for the bonds are greater than the maximum rate provided by the state statute described above, and that it is necessary for the village to issue the bonds without delay, then the bonds may bear interest at such rate or rates as shall be specified in the bond ordinance, adopted pursuant to the home rule powers of the village, without regard to the rate authorized by the state statute described above. (Code 1961, ə 29.103; Ord. No. O-8-80, ə 2, 1-28-80; Ord. No. O-13-82, ə 1, 2-8-82; Ord. No. O-84-82, ə 2, 9-13-82)

Sec. 2-484. Execution.

The bond ordinance shall direct the execution of the bonds therein authorized on behalf of the village by the signatures of the Mayor and the clerk, shall require the seal of the village to be affixed to such bonds, shall determine whether such bonds to be issued shall be registered in the name of the owner as to principal only or whether the same shall be fully registered as to both principal and interest, and shall set forth the form of bonds. The place or places of payment of the maturing principal and interest on said bonds shall be designated by the Mayor and Village Council either in the bond ordinance or in the proceedings confirming the sale of the bonds.

The Mayor may designate a deputy to affix his signature to any full faith and credit bonds of the village which are required to be signed by the Mayor. In such case, the Mayor shall deliver to the board a written notice of such designation, such notice stating the name of the person so selected and the specific bonds which such person shall have authority to sign as proxy for the Mayor. Said notice shall have attached thereto a written signature of the Mayor executed by the person so designated to sign, together with the personal signature of the deputy authorized to sign on behalf of the Mayor. Each such notice shall be recorded in the official journal of the proceedings of the Mayor and board and then filed with the clerk. When the signature of the Mayor is placed on a full faith and credit bond of the village at his direction in the specified manner, such signature in all respects shall have the same legal effect as if signed by the Mayor in person. The bond ordinance may provide for the use of a facsimile signature of the Mayor and the Village Clerk to execute bonds authorized to be issued by the bond ordinance. (Code 1961, ə 29.104; Ord. No. O-41-82, ə 3, 5-10-82; Ord. No. O-9-85, ə 3, 2-11-85)

Attachment: Chapter 2 Red Line (Amending Chapter 2 and 11 Code of Ordinances)

Sec. 2-485. Tax levy.

The bond ordinance shall make provision for the payment of such bonds, both principal thereof and interest thereon until maturity, by the levy of a direct annual tax upon all the taxable property within the village sufficient for such purposes. A copy of such bond ordinance, as adopted, certified to by the clerk, shall be filed in the offices of the county clerk of the county or counties within which any part of the village may be situated. Such bond ordinance, as so filed, shall constitute the authority for the county clerk or county clerks in and for each of the years for which taxes are levied in said bond ordinance, to extend such taxes for collection against all the taxable property situated within the village. The taxes so levied for the payment of principal of and interest on the bonds shall be extended annually by the several county clerks without limitation as to rate or amount and such taxes shall be in addition to and in excess of all other taxes levied or authorized to be levied by the village. Except as provided herein, such taxes so levied shall not be subject to repeal or abatement in any manner whatsoever until such time as all the bonds authorized and issued under the terms of said bond ordinance shall have been paid in full, both principal thereof and interest thereon up to and including the date of maturity; provided, however, that if the village has other funds available, the Mayor and Village Council may appropriate such funds and deposit them in trust with the paying agent for the purpose of the payment of any of the maturities of bonds or interest thereon, in which event the taxes so levied to pay such principal or interest may be abated by the amount so deposited, such abatement to be directed by ordinance of the village duly adopted and placed on file with the respective county clerks at any time prior to the extension of such taxes for collection. (Code 1961, ə 29.105)

Sec. 2-486. This Code not a contract with bondholders.

The terms, provisions and limitations of this Code shall not constitute a contract with any holder of bonds or other evidences of indebtedness of the village. The terms, provisions and limitations contained in this Code may be amended, modified or revoked by action of the Mayor and Village Council of the village, at any time before or after the issuance of any bonds or other obligations of the village pursuant to the provisions hereof, provided that no subsequent action may invalidate or modify the constituent terms of any such outstanding obligations as set forth in the ordinance providing for their issuance. (Ord. No. O-8-80, ə 3, 1-28-80)

Sec. 2-487. Bond ordinance as appropriation; publication.

The provisions of any bond ordinance shall constitute an appropriation of the amounts required as therein referred to and described, and upon the delivery of the bonds therein authorized the proceeds thereof shall be used solely and only for the purpose or purposes for which the bonds were authorized.

Upon the adoption of any bond ordinance by the village, and its approval by the Mayor, the same shall: (1) be printed or published in book or pamphlet form, published by authority of the corporate authorities, or (2) be published in a newspaper published and of general circulation in the village if there be one and if there is no such newspaper then in a newspaper published and of general circulation in the county in which the village or the major portion thereof is situated, and said ordinance shall become effective ten (10) days after the date of either such publication. (Code 1961, ə 29.106; Ord. No. O-9-85, ə 4, 2-11-85)

Sec. 2-488. Refunding bonds.

Any bonds authorized and issued pursuant to the provisions of any bond ordinance adopted pursuant to the provisions hereof, and also any bonds heretofore issued and outstanding, which by their terms are payable from taxes unlimited as to rate or amount and levied against all the taxable property within the village, may be refunded prior to their maturity or at their maturity, and including the refunding of matured interest coupons evidencing interest upon such unpaid bonds. The issuance of refunding bonds shall be authorized by a refunding bond ordinance, which shall be adopted in the manner and subject to the terms, conditions and provisions as herein required for the issuance of bonds for public purposes. (Code 1961, ə 29.107; Ord. No. O-185-89, ə 1, 12-11-89)

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Sec. 2-489. Constitutional home rule power.

Pursuant to the authority granted by Section 6 of Article VII of the Constitution of Illinois 1970, the procedures hereinabove set forth for the issuance of full faith and credit bonds, general obligation, shall be controlling and shall be complied with by the village in the borrowing of money through the issuance of general obligation bonds of the village, notwithstanding any provisions to the contrary contained in the Illinois Municipal Code and all acts amendatory thereof and supplementary thereto and in any other law or laws of the state. (Code 1961, ə 29.108)

Sec. 2-490. Loans.

The village, acting by its Mayor and Village Council by vote of two-thirds of the corporate authorities then holding office, may borrow money for proper public purposes from state or federally chartered banks or savings and loan associations, repayable over not to exceed five (5) years, at such rates of interest and on such other terms and conditions as the Mayor and Village Council in their sole judgment deem to be in the best interests of the village. (Ord. No. O-127-79, ə 2, 11-13-79)

Sec. 2-491. Issuance of industrial revenue bonds.

(a) *Legislative declaration of purpose.* It is hereby determined and declared to be the purpose of this section to provide a financing device which will aid in financing the cost of projects in order to relieve conditions of unemployment and to encourage the increase of industry and business within the village thereby reducing the evils attendant upon unemployment, and to provide for the increased welfare and prosperity of the residents of the village; it is hereby further determined and declared to be the purpose of this section to provide a financing device which will aid in financing the cost of pollution control facilities in order to eliminate, abate or reduce the serious dangers to the public health and welfare caused by environmental pollutions; it is hereby further determined and declared to be the purpose of this section to provide a financing device which will aid in financing the cost of new and rehabilitated residential rental housing in order to provide decent, safe and sanitary housing; and the same are hereby declared and determined to be public purposes and functions declared pertaining to the government and affairs of the village.

(b) *Definitions.* Whenever in this section unless a different meaning clearly appears from the context:

(1) "Economic development project" means any land, interest in land, building, structure, facility, system, fixture, improvement, addition, appurtenance, machinery or equipment or any combination thereof, and all real and personal property deemed necessary in connection therewith, for use by any person, provided that the existence of such economic development project will create or retain employment opportunities in the village or provide decent, safe and sanitary residential rental housing.

(2) "Lease" includes a lease containing an option to purchase the project for a nominal sum upon payment in full, or provision therefor, of all bonds issued in connection with the project and all interest thereon and all other expenses in connection with the project.

(3) "Loan agreement" means an agreement providing for the village to loan the proceeds derived from the issuance of bonds pursuant to this section to one or more persons to be used to pay or finance the cost of one or more projects and providing for the repayment of such loan by the other persons, and which may provide for such loans to be secured or evidenced by one or more notes, debentures, bonds or other secured or unsecured debt obligations of the persons, delivered to the village or to the trustee under the indenture pursuant to which the bonds were issued.

(4) "Person" means any individual, partnership, co-partnership, firm, company, corporation (including public utilities), association, joint stock company, trust, estate, political subdivision, state agency or any other legal entity, or its legal representatives, agent or assigns.

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(5) "Pollution" means any form of environmental pollution including but not limited to, water pollution, air pollution, land pollution, solid waste pollution, thermal pollution, radiation contamination or noise pollution as determined by the various standards prescribed by this state, the federal government or other governmental entities and including but not limited to, anything which is considered as pollution or environmental damage in the Environmental Protection Act, compiled as 415ILCS5/1 through 5/51, and any amendment thereto and substitution therefor.

(6) "Pollution control facility" means any land, interest in land, building, structure, facility system, fixture, improvement, appurtenance, addition, machinery or equipment, or any combination thereof, and all real and personal property deemed necessary in connection therewith, having to do with or the end purpose of which is, reducing, controlling or preventing pollution.

(7) "Project" means any economic development project or pollution control facility or any combination thereof.

(8) "Project cost" means and includes the sum total of all reasonable or necessary costs incidental to the acquisition, construction, reconstruction, repair, alteration, improvement and extension of a project including without limitation the cost of studies and surveys; plans, specifications, architectural and engineering services; legal, marketing or other special services; financing, acquisition, demolition, construction, equipment and site development of new and rehabilitated buildings, rehabilitation, reconstruction, repair or remodeling of existing buildings and all other necessary and incidental expenses including an initial bond and interest reserve together with interest on bonds issued to finance a project to a date six (6) months subsequent to the estimated date of completion.

(9) "Revenues" of a project, or derived from a project, include payments under a lease or sale contract and repayments under a loan agreement, or under notes, debentures, bonds and other secured or unsecured debt obligations of a person delivered as herein provided.

(10) "Sale contract" means a contract providing for the sale of one or more projects to one or more persons and includes a contract providing for payment of the purchase price in one or more installments. If the sale contract permits title to the project to pass to the other person prior to payment in full of the entire purchase price, it shall also provide for the other person to deliver to the municipality or to the trustee under the indenture pursuant to which the bonds were issued one or more notes, debentures, bonds or other secured or unsecured debt obligations of such person providing for timely payments, including, without limitation, interest thereon for the balance of the purchase price at or prior to the passage of such title.

(c) *Additional powers of village.* In addition to powers which it may now have, the village shall have the power under this section:

(1) To finance one or more projects, whether or not now or hereafter in existence, within or without the village or partially within or partially without the village, but in no event further than ten (10) miles from the territorial boundaries of such village.

(2) To acquire, construct, improve, extend, rehabilitate, renovate, and equip one or more projects including any property, real or personal, improved or unimproved, necessary in connection therewith.

(3) To issue its revenue bonds to defray in whole or in part the project costs of any project and to designate an appropriate name for such bonds.

(4) To rent, lease or sell any project to any person pursuant to a lease agreement or sale contract or to enter into a loan agreement with any person with respect to any project in such manner that payments to be received with respect to the project shall produce revenues and receipts sufficient to provide for the prompt payment at maturity or principal, interest and redemption premiums, if any, upon all bonds issued to finance the cost of such project.

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(5) To pledge to the punctual payment of bonds authorized under this article, the interest thereon, and the redemption premiums, and if any, the revenues to be received from such project.

(6) To mortgage such project in favor of the holder or holders of bonds issued therefor.

(7) To sell and convey such project, including without limitations the sale and conveyance thereof subject to a mortgage, if any, as provided in this section, for such price and at such time as the governing body of the village may determine. However, no sale or conveyance of such project shall ever be made in such manner as to impair the rights or interests of the holder or holders of any bonds issued to finance the project costs of such project.

(8) To issue its bonds to refund in whole or in part, bonds theretofore, issued by such village under authority of this section.

Any property which is acquired by the village pursuant to the provisions of this section shall be exempt from the imposition and collection of taxes thereon while owned by the village but the use of such property is subject to taxation to be paid by the lessee or occupant as provided in Section 26 of the "Revenue Act of 1939" filed May 17, 1939, or as may hereafter be amended.

(d) *Exercise of powers; bonds generally.* The exercise of all powers granted by this section may be authorized and bonds may be authorized to be issued under this section for the purposes set forth in this section by ordinance of the Mayor and Village Council which may be adopted at the same meeting at which it is introduced and shall take effect immediately upon adoption.

The bonds shall bear interest at such rate or rates, payable at such times, may be in one or more series, may bear such date or dates, may mature at such time or times, may be payable in such medium of payment at such place or places, may carry such registration privileges, may be executed in such manner, may contain such terms, covenants and conditions, and may be in such form, including coupon and registered, as such ordinance may provide or as may be subsequently determined by the governing body before the bonds are issued. The bonds may be sold at public or private sale in such manner and upon such terms as may be deemed advisable by the governing body of the village. Pending the preparation of the definitive bonds, interim receipts of certificates in such form and with such provisions as the Mayor and Village Council of the village may determine, may be issued to the purchaser or purchasers of bonds sold pursuant to this section. The bonds and interim receipts or certificates shall be deemed to be securities and negotiable instruments within the meaning and for all purposes of the "Uniform Commercial Code."

(e) *Covenants in bonds; mortgage or indenture of trust.* Any ordinance authorizing the issuance of bonds under this section may contain covenants as to:

(1) The use and disposition of the revenues from the project for which the bonds are to be issued, including the creation and maintenance of reserves;

(2) The issuance of other or additional bonds relating to the project or any rehabilitation, improvements, renovations, enlargements or additions thereto;

(3) The maintenance and repair of such project;

(4) The insurance to be carried thereon and the use and disposition of insurance monies;

(5) The appointment of any bank or trust company within or outside the State of Illinois, having the necessary trust powers as trustee for the benefit of the bondholders, paying agent, and bond registrar;

(6) The investment of any funds held by such trustee; and

(7) The terms and conditions upon which the holders of the bonds or any portion thereof or any trustees therefor, are entitled to the appointment of a receiver.

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Any ordinance authorizing the issuance of bonds under this section may provide that the principal of and interest on any bonds issued under this section shall be secured by a mortgage or indenture of trust covering such project for which the bonds are issued and may include any improvements or extensions thereafter made. Such mortgage or indenture of trust may contain such covenants and agreements to properly safeguard the bonds as may be provided for in the ordinance authorizing such bonds and shall be executed in the manner as may be provided for in the ordinance. The provisions of this section and any such ordinance or ordinances and any such mortgage or indenture of trust shall constitute a contract with the holder or holders of the bonds and continue in effect until the principal of, interest on, and the redemption premiums, if any on the bonds so issued have been fully paid and the duties of the village and its corporate authorities and officers under this article and any such ordinance or ordinances and any such mortgage or indenture of trust shall be enforceable by any bondholder by mandamus, foreclosure of any such mortgage or indenture of trust or other appropriate suit, action or proceedings in any court of competent jurisdiction; provided the ordinance or any mortgage or indenture of trust under which the bonds are issued may provide that all such remedies and rights to enforcement may be vested in a trustee for the benefit of all the bondholders which trustee shall be subject to the control of a majority of the holders or owners of any outstanding bonds.

(f) *Signatures of officers on bonds; validity of bonds.* The bonds shall bear the manual or facsimile signatures of such officers of the village as may be designated in the ordinance authorizing such bonds, and such signatures shall be the valid and binding signatures of the officers of the village, notwithstanding that before the delivery thereof and payments thereof any or all of the persons whose signatures appear thereon have ceased to be officers of the village issuing such bonds. The validity of the bonds is not dependent on nor affected by the validity or regularity of any proceedings relating to the acquisition, purchase, construction, reconstruction, improvement, equipping, betterment or extension of the project for which the bonds are issued. The ordinance authorizing the bonds may provide that the bonds shall contain a recital that they are issued pursuant to this section, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

(g) *Revenue bonds.* All bonds issued under this section have a lien upon the revenues derived from the project for which the bonds have been issued, and the governing body may provide in the ordinance or ordinances authorizing such bonds for the issuance of additional bonds to be equally and ratably secured by a lien upon such revenues or may provide that the lien upon such revenues is subordinate.

(h) *Liability of bonds.* All bonds issued under and pursuant to this section shall be limited obligations of the village payable solely out of the revenues derived from the project with respect to which such bonds are issued. No holder of any bonds issued under this section has the right to compel any exercise of taxing powers of the village to pay the bonds, the interest or premium, if any, thereon, and the bonds do not constitute an indebtedness of the village or a loan of credit thereof within the meaning of any constitutional or statutory provision. It shall be plainly stated on the face of each bond that it has been issued under the provisions of this section and that it does not constitute an indebtedness of the village or a loan of credit thereof within the meaning of any constitutional or statutory provisions.

(i) *Investment of funds.* The village, or any duly appointed agent on behalf of the village, may invest any funds held by it pursuant to this section in bonds, notes, certificates of indebtedness, treasury bills or other securities issued or fully guaranteed by the United States of America; in certificates of deposit or time deposits constituting direct obligations of any bank as defined by the Illinois Banking Act, as heretofore and hereafter amended or in such other securities (including without limitation repurchase agreements and investment contracts with banks or other financial institutions) as the governing body may provide in the ordinance or ordinances authorizing such bonds. Any such securities may be purchased at the offering or market price thereof at the time of such purchase.

(j) *Exemption from construction and bidding requirements for public buildings.* The acquisition and construction of a project shall not be subject to any requirements relating to public buildings, structures, grounds, works or improvements imposed by the Illinois Revised Statutes or any other similar requirements which may be lawfully waived by this section, and any requirement of competitive bidding or restriction imposed on the procedure for award of contracts for such purpose or the lease, sale or other disposition of property of the village is not applicable to any action taken under authority of this section.

(k) *Powers conferred deemed additional and supplemental; effect of limitations imposed.* The powers conferred by this section are in addition and supplemental to, and the limitations imposed by this section shall not affect, the powers conferred by any law or any other ordinance. Projects may be acquired,

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purchased, constructed, reconstructed, improved, bettered, equipped, extended and financed, and bonds may be issued under this section for such purposes, notwithstanding that any law or any other ordinance may provide for the acquisition, purchase, construction, reconstruction, improvement, equipping, betterment, extension and financing of a like project, or the issuance of bonds for like purposes, and without regard to the requirements, restrictions, limitations or other provisions contained in any law or any other ordinance.

(l) *Applications.*

(1) Applications for industrial revenue bonds shall be filed with the Village Manager, on application forms issued by the village.

(2) The filing fee for industrial revenue bond applications shall be five thousand dollars ($5,000.00), payable to the Village of Palatine concurrently with the filing of the application. Said fees shall be nonrefundable.

In addition, applicant shall pay to the village all legal fees and other costs incurred incident to the review of industrial bond applications.

If the industrial revenue bond application is approved and such bonds issued, applicant shall pay the village an administrative fee of one per cent of the total amount of the authorized bond issue, together with any and all legal fees, bond consultant fees, printing fees, and all other fees and costs which may be incurred incident to issuance of such bonds.

Ten (10) per cent of the administrative fee shall be due and payable to the village within ten(10) days following adoption by the village of the inducement resolution approving the issuance of such bonds, and in the event such payment is not made within said ten-day period, the commitment by the village to issue said bonds or reserve such bonds for subsequent issuance under its state and federal allocation shall lapse and be of no further force or effect, and the applicant shall forfeit its priority position with respect to the issuance of industrial revenue bonds by the village.

(3)

The Mayor and Village Council shall determine whether the application shall be approved and the bonds issued. The determination of the Mayor and Village Council in all cases shall be final.

(Ord. No. 105-81, ə 1, 12-14-81; Ord. No. O-35-84, ə 1, 6-11-84; Ord. No. O-25-85, ə 2, 4-8-85)

Secs. 2-492--2-500. Reserved.

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ARTICLE XXVII. PALATINE EMERGENCY MANAGEMENT AGENCY (PEMA)*

***Editor's Note** - Ord. No. O-120-17 enacted Dec. 4, 2017, repealed former Art. XXVII PEMA, Sec. 2-501—2-514 and enacted a new Art. XXVII, Sec. 2-501—2-518 Palatine Emergency Management Agency (PEMA)

***Editor's Note--**Ord. No. O-95.77, ə 1, enacted Sept. 12, 1977, repealed former Art. XXVII, əə 2-501--2-513, pertaining to a local civil defense organization, and enacted in lieu thereof a new Art. XXVII, əə 2-501--2-513, as herein set out. Former Art XXVII was derived from Code 1961, əə 7.901--7.913, and Ord. No. O-10-75, ə 1, adopted Jan. 27, 1975. Ord. No. 0-172-96 repealed the former Emergency Services and Disaster Agency (ESDA) and replaces it with Palatine Emergency Management Agency (PEMA) Ordinance.

Cross reference(s) --State of emergency, ə 12-151 et seq.

State law reference(s) --Illinois Civil Defense Act of 1951, 20ILCS3305 et seq.; for provisions relating to local organization, etc., see 20ILCS3305/13.

Sec. 2-501. Establishment.

There is hereby created the Village of Palatine Emergency Management Agency, hereinafter designated as Village EMA, established to prevent, minimize, repair and alleviate injury or damage resulting from disaster caused by enemy attack, sabotage or other hostile actions or from natural or man-made disaster, in accordance with "The Illinois Emergency Management Agency Act", as amended. The Village EMA shall consist of the Village Manager, who shall serve as "EMA Director", and the "Coordinator", as designated by the EMA Director. The Coordinator shall be under the authority, command, and control of the EMA Director.

Sec. 2-502. Coordinator.

Duties: Under the supervision of the Mayor, the EMA Director shall have the responsibility for the management of the Emergency Management Agency, to include the Coordinator and support staff.

Sec. 2-503. Vacancy in office.

In the event of the absence, resignation, death, or inability to serve as the EMA Director, the Mayor or individual designated by the Mayor, shall be and act as EMA Director until a new appointment is made as provided in this Chapter.

Sec. 2-504. Coordinator.

Duties: Under the supervision of the EMA Director, the Coordinator shall have direct responsibility for the planning, coordination, and operation of the emergency management activity in the Village. The Coordinator shall maintain liaison with the State and Federal authorities and the authorities of other nearby political subdivisions to ensure the most effective operation of the Emergency Operations Plan (EOP). The Coordinator's duties shall include, but not be limited to, the following:

A. Coordinating the recruitment of volunteer personnel and agencies to augment the personnel and facilities of the Village for emergency management purposes.

B. Development and coordination of plans for the immediate use of all Village facilities, equipment, manpower and other resources for the purposes of minimizing or preventing damage to persons and property and protecting and restoring to usefulness governmental services and public utilities necessary for the public health, safety and welfare.

C. Negotiating and concluding agreements with owners or persons in control of buildings or other property for the use of such buildings or other property for emergency management purposes, and designating suitable buildings as public shelters.

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D. Conducting public practice alerts to ensure the efficient operation of emergency management regulations, procedures, and operations.

E. Coordinating the activity of all other public and private agencies engaged in any emergency management activity.

F. Assuming such authority and conducting such activity as the EMA Director may direct to promote and execute the Emergency Operations Plan.

G. Vacancy in Office: In the event of the absence, resignation, death, or inability to serve as the Coordinator, the EMA Director or any person designated by the Mayor, shall be and act as Coordinator until a new appointment is made as provided in this Chapter.

Sec. 2-505. Membership with the Joint Emergency Management System.

The Village of Palatine is a member of the Joint Emergency Management System (JEMS), a regional agreement between neighboring municipalities for emergency management support. The Joint Emergency Management System is over seen by a board which is composed of the Chief Administrative Officer, or their designee, from each of the member communities. The board is led by a Chairman and Vice-Chairman, who are elected by the board members. As a member of JEMS, the Village of Palatine coordinates their emergency management program activities with the JEMS Coordinator in order to establish regional standardization.

Sec. 2-506. Joint Emergency Management System (JEMS) Coordinator.

Duties: In cooperation with the EMA Director, the JEMS Coordinator will have the responsibility for planning, training and exercise coordinator of the emergency management activity in the Village. The JEMS Coordinator's duties shall include, but not be limited to, the following:

A. Maintain, coordinate, and recommend for adoption or amendment, an EOP.

B. Be on-call 24-hours a day.

C. Monitor news and severe weather.

D. Maintain, update and monitor the subscriber community Continuity of Operations Plan (COOP).

E. Serve as the liaison for Subscribers to state emergency management agencies and emergency service and disaster agencies.

F. Act as the NIMS Compliance Officer under the National Incident Management System.

G. Ensure that the Subscribers' Emergency Operations Centers (EOC's) are maintained and ready.

H. Provide training on the use of EOC equipment and readiness including regional disaster exercises to measure the subscriber's preparedness to respond to emergencies and to develop action plans to address any deficiencies identified during such exercises.

I. Oversee the maintenance and evaluation of the emergency warning systems including the outdoor warning sirens or additional warning systems in place in each subscriber community.

J. Assist in the preparation and distribution of Incident Action Plans (IAP) for planned special events.

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Sec. 2-507. Functions.

The Village of Palatine EMA shall perform such EMA functions within the Village as shall be prescribed in and by the State of Illinois EMA plan and program prepared by the Governor, and, in addition, shall perform such duties outside the corporate limits as may be required pursuant to any mutual aid agreement with any other political subdivision, municipality, or quasi- municipality entered into as provided in "The Illinois Emergency Management Agency Act", as amended.

Sec. 2-508. Service as mobile support team.

All or any member of the Village of Palatine EMA organization may be designated as a member of a mobile support team created by the Director of the State of Illinois Emergency Management Agency, as provided by law. The leader of the mobile support team shall be designated by the EMA Director. Any member of a mobile support team who is a Village employee or officer while serving on call to duty by the Governor, or the State Director, shall receive the compensation and have the powers, duties, rights and immunities incident to such employment or office. Any such member who is not a paid officer or employee of the Village, while so serving, shall receive from the State of Illinois, reasonable compensation as provided by law.

Sec. 2-509. Agreement with other political subdivisions.

The EMA Director may negotiate mutual aid agreements with other cities or political subdivisions of the State of Illinois, but no such agreement shall be effective until it has been approved by the Mayor and Village Council.

Sec. 2-510. Emergency action.

If the Governor proclaims that a disaster or state of emergency exists in the event of actual enemy attack upon the United States or the occurrence within the State of Illinois of a major disaster resulting from enemy sabotage or other hostile action, or from man-made or natural disaster, it shall be the duty of the Village of Palatine EMA to cooperate fully with the State of Illinois EMA and with the Governor in the exercise of emergency powers as provided by law.

Sec. 2-511. Emergency powers and duties.

A. The Mayor may exercise the emergency power and authority necessary to fulfill his general powers and duties as defined in the Village Code of Ordinances. The judgment of the Mayor shall be the sole criteria necessary to invoke emergency powers provided by ordinance and other appropriate authorities. The Village Council may convene to perform its legislative and administrative powers as the situation demands and shall receive reports relative to emergency management activities. Nothing in this Chapter shall be construed as abridging or curtailing the powers or restrictions of the Village Council.

B. During any period when disaster threatens or when the Village has been struck by disaster, within the definition of this Chapter, the Mayor or the EMA Director may promulgate such regulations as deemed necessary to protect life and property and preserve critical resources. Such regulations may include, but shall not be limited to, the following:

1. Regulations prohibiting or restricting the movement of vehicles in order to facilitate the work of emergency management personnel or to facilitate the mass movement of persons from critical areas within or without the Village.

2. Regulations pertaining to the movement of persons from areas deemed to be hazardous or vulnerable to disaster.

3. Such other regulations necessary to preserve public peace, health and safety.

4. Regulations promulgated in accordance with the authority above will be given widespread circulation by proclamations published and expressed by newspaper, radio, televised media and social media.

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C. Emergency Locations; Governmental Powers: Whenever, due to an emergency resulting from the effects of natural or manmade disaster or hostile act or the anticipated effects thereof, it becomes imprudent, inexpedient or impossible to conduct the affairs of local government at the regular or usual place or places, the Village Council may meet at any place within or without the Village limits on the call of the presiding officer or any two members of such governing body and shall proceed to establish and designate by ordinance, resolution, or other manner alternate or substitute sites or places as the emergency temporary location or locations of government where all, or any part of, the public business may be transacted and conducted during the emergency situation. Such sites or places may be within or without the territorial limits of the Village.

D. During the period when the public business is being conducted at the emergency temporary location or locations, the governing body and other officers of the Village shall have and possess and shall exercise, at such location or locations, all of the executive, legislative, and judicial powers and functions conferred upon such body and officers by or under the laws of this State. Such powers and functions may be exercised in the light of the exigencies of the emergency situation without regard to or compliance with time- consuming procedures and formalities prescribed by law and pertaining thereto, and all acts of such body and officers shall be valid and binding as if performed within the territorial limits of their Village.

E. Continuity in office: In the event that the Mayor is unavailable, the powers of the office shall be exercised and duties shall be discharged by the designated emergency interim successors in the order specified. The emergency interim successor shall exercise the powers and discharge the duties of the office to which designated until such time as a vacancy which may exist shall be filled in accordance with the constitution or statutes; or until the officer, or their deputy or a preceding emergency interim successor, again becomes available to exercise the powers and discharge the duties of the office. Based on the authority of 5 ILCS 275/3 the line of succession for the executive branch of government will be: Mayor, most Senior Council Member, and second most Senior Council Member.

In the event that, at the time or as a consequence of any disaster or occurrence described in this Chapter, the Mayor and their three successors on file with the Village shall be absent, killed, or rendered incapable of performing the duties of such office, such office shall be filled until such time as a successor can be selected in the manner prescribed by law, in the following line of succession: the remaining members of the Village Council based on tenure, the Village Manager, the Director of Finance, the Chief of Police, the Fire Chief, the Public Works Director. In the event that, at the time or as a consequence of any disaster or occurrence described in this Chapter, the incumbent of any Municipal office or position shall be absent, killed, or rendered incapable of performing the duties of such office or position, such office or position shall be filled, until such time as a successor can be selected in the manner prescribed by law, by appointment by the Mayor. The Mayor shall give due consideration to the list of three successors on file with the Village but is not required to select from said list.

Sec. 2-512. Emergency management agency and emergency plans.

A. A comprehensive EOP shall be adopted and maintained by resolution of the Corporate Authorities upon the recommendations of the Mayor. In the preparation of the Plan as it pertains to the Village organization, it is the intent that the services, equipment, facilities and approved, it shall be the duty of the EMA Director, all departments, and all employees to perform personnel of all existing departments and agencies shall be utilized to the fullest extent. When the functions assigned by the Plan and to maintain their portion of the Plan in a current state of readiness at all times. The EOP shall be considered supplementary to this Chapter and have the effect of law whenever a disaster has been proclaimed.

B. Each department head assigned responsibility in the EOP shall be responsible for carrying out all duties and functions assigned therein. Duties will include the organization and training of assigned Village employees and volunteers.

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C. The Mayor shall prescribe in a Continuity of Operations and Continuity of Government Plan those positions within the disaster organization, in addition to their own, for which lines of succession are necessary. In each instance, the responsible person will designate and keep on file with the Village a current list of three persons as successors to the position. The list will be in order of succession and will as nearly as possible designate persons best capable of carrying out all assigned duties and functions.

D. When a required competency or skill for a disaster function is not available within the Village government, the Mayor is authorized to seek assistance from persons outside of government. The assignment of duties, when of a supervisory nature, shall also grant authority for the persons so assigned to carry out such duties prior to, during, and after a disaster. The Village may accept such services from persons outside of government on a volunteer basis. Such persons shall be enrolled as emergency management volunteers in cooperation with the heads of departments affected.

E. Some of the duties ascribed to the Mayor in this Section will ordinarily be handled as a matter of routine by the EMA Director or Coordinator, but the responsibility and authority stem from and remain with the Mayor.

Sec. 2-513. Compensation.

Members of the Village EMA who are paid employees or officers of the Village, if called for training by the State of Illinois Director of EMA, shall receive for the time spent in such training, the same rate of pay as is attached to the position held; members who are not such Village employees or officers shall receive for such training time, such compensation as may be established by the Mayor and Village Council.

Sec. 2-514. Reimbursement by state.

The Treasurer may receive and allocate to the appropriate fund any reimbursement by the State of Illinois to the Village for expenses incident to training members of the EMA as prescribed by the State EMA Director, compensation for services and expenses of members of a mobile support team while serving outside the Village in response to a call by the Governor or State Director of EMA, as provided by law, and any other reimbursement made by the State incident to EMA activities as provided by law.

Sec. 2-515. Purchases and expenditures.

The Village Council, may, on recommendation of the EMA Director, authorize any purchase or contracts necessary to place the Village in a position to combat effectively any enemy attack upon the United States or the occurrence within the State of Illinois of a major disaster resulting from enemy sabotage or other hostile action, or from man-made or natural disasters and to protect the public health and safety, protect property, and provide emergency assistance to victims in the case of such disaster.

In the event of enemy caused or other disaster, the EMA Director is authorized, on behalf of the Village, to procure such services, supplies, equipment or material as may be necessary for such purposes, in view of the emergency without regard to the statutory procedures or formalities normally prescribed by law pertaining to Village contracts or obligations, as authorized by "The Illinois Emergency Management Agency Act", as amended; provided, that if the Mayor is available at such time, the Village Coordinator shall act subject to the direction and restrictions imposed by the Mayor.

Sec. 2-516. Oath.

Every person appointed to serve in any capacity in the EMA organization shall, before entering upon his or her duties, subscribe to the following oath:

"I (state your name) of the Emergency Management Agency of the Village of Palatine do solemnly swear (or affirm) that I will support and defend and bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of Illinois, and the territory, institutions and facilities thereof, both public and private, against all enemies, foreign and domestic; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter, and I do further swear (or affirm) that I do not advocate, nor am I nor have I been a

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member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence; and that during such time as I am affiliated with the Village of Palatine EMA organization, I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence."

Sec. 2-517. Office.

The Village Manager is authorized to designate space in any Village building or elsewhere, as may be provided for by the Village Corporate Authorities for the Village of Palatine EMA organization as its office.

Sec. 2-518. Local disaster emergencies.

See Chapter 12, Article IX of the Village Code of Ordinances regarding Declaration of Emergencies.

Secs. 2-519--2-614. Reserved.

ARTICLE XXIX. DEPARTMENT OF INFORMATION TECHNOLOGY

Sec. 2-620. Department created; composition.

There is hereby created a department of information technology. (Ord. No. O-57-92, ə 1, 4-27-93)

Sec. 2-621. Office of director of information technology.

There is hereby created the office of director of information technology, an executive office of the village. (Ord. No. O-57-92, ə 1, 4-27-93)

Sec. 2-622. Duties and functions generally.

The director of information technology shall be responsible for the oversight and management of all information technology and information systems operations of the village. The director shall be responsible for the supervision and direction of the department of information technology under the general direction of the Village Manager. The director shall advise the Village Manager on all information management needs of the village and shall coordinate all purchases of equipment, systems and maintenance of operations. The director shall coordinate the information management program of the village and such other quality assurance related and management programs as assigned by the Village Manager. (Ord. No. O-57-92, ə 1, 4-27-93)

ARTICLE XXX - ADMINISTRATIVE HEARING DIVISION

[Editor's Note: Ordinance 0-132-03 enacted October 20, 2003, added a new Article XXX]
[Editor's Note: Ordinance 0-109-05 enacted June 6, 2005, amended Article XXX]

Sec. 2-700. Preamble

Pursuant to its powers as a home rule municipality and pursuant to the express grant of authority as set forth in Division 2.1 of Article I of the Illinois Municipal Code (65 ILCS 5/1-2.1-1 et seq.), the Village is authorized to provide by ordinance for a system of administrative adjudication of certain Village code violations.

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The corporate authorities of the Village of Palatine have determined that it is in the best interests of the Village of Palatine that a system of administrative adjudication of Village code violations be created, as a non-exclusive method of enforcing the various provisions of the Village Code of Ordinances.

Sec. 2-701. Recitals

The foregoing recitals are adopted as express findings of the corporate authorities of the Village of Palatine and are incorporated herein by specific reference.

Sec. 2-702. Purpose

The stated purpose of this Ordinance is to provide for fair and efficient enforcement of the Village Code of Ordinances as may be allowed by law and directed by ordinance, through an administrative adjudication of violations of such Village Code of Ordinances and by establishing a schedule of fines and penalties, and authority and procedures for collection of unpaid fines and penalties.

Sec. 2-703. Creation of Administrative Hearing Division; Jurisdiction.

There is hereby created within the Village of Palatine a Administrative Hearing Division, which is authorized to provide for and operate a "system of administrative adjudication," which shall be defined as the adjudication of a violation of any of the following Chapters of the Village of Palatine Code of Ordinances:

(1) Chapter 4, Ambulance and Mobile Intensive Care Units

(2) Chapter 5, Animals

(3) Chapter 6, Building Codes and Building Regulations, as it may be amended from time to time, including the following Codes which have been adopted by reference:
- (a) International Residential Code/2000 Edition (with amendments).
  - (1) Swimming pools, Spas and hot tubs, Appendix G
  - (2) Patio covers, Appendix H
  - (2) Existing buildings and structures, Appendix J
- (b) International Building Code, 2000 Edition (with amendments).
- (c) International Mechanical Code, 2000 Edition (with amendments).
- (d) International Fuel Gas Code, 2000 Edition.
- (e) International Energy Conservation Code, 2000 Edition (with amendments).
- (f) International Code Council Electrical Code – Administrative Provisions, 2000 Edition (with amendments).
- (g) National Electrical Code, 1999 Edition (with amendments).
- (h) Illinois Plumbing Code, 1998 (with amendments).
- (i) Illinois Accessibility Code, 1997 Edition

(4) Chapter 7, Fire Prevention and Protection, as it may be amended from time to time, including the following Code which has been adopted by reference:
- (a) Life Safety Code, NFPA 101, Edition (with amendments)
- (b) International Fire Code, 2000 Edition (with amendments)
- (c) Building Officials and Code Administrators National Fire Prevention Code;

(5) Chapter 8, Garbage and Refuse, as it may be amended from time to time.

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(6) Chapter 9, Health and Sanitation, as it may be amended from time to time.

(7) Chapter 10, Existing Structures' Maintenance and Occupancy, as it may be amended from time to time, including the following Codes which have been adopted by reference:
- (a) Building Officials and Code Administrators Building Code
- (b) Property Maintenance Code
- (c) International Mechanical Code
- (d) International Plumbing Code
- (e) National Electrical Code

(8) Chapter 11, Licenses, Permits and Business Regulations, as it may be amended from time to time, including the following Codes which have been adopted by reference:
- (a) State of Illinois, Department of Health, Food Service Sanitation Rules and Regulations of 1975
- (b) State of Illinois, Department of Public Health, Division of Food and Drugs, Rules of Regulations Pertaining of the Sanitation of Retail Food Stores of January 1983

(9) Chapter 12, Offenses and Miscellaneous Provisions, as it may be amended from time to time.

(10) Chapter 15, Emergency Energy Plan, as it may be amended from time to time.

(11) Chapter 16, Construction and Maintenance of Facilities in the Public Rights-of-Way, as it may be amended from time to time.

(12) Chapter 17, Taxes, as it may be amended from time to time.

(13) Chapter 18, Traffic, as it may be amended from time to time, including the following Codes which have been adopted by reference:
- (a) Illinois Vehicle Code, 625IL5/1-100 through 5/20-402

(14) Chapter 19, Water and Sewer Services, as it may be amended from time to time.

(15) Appendix A, Zoning, as it may be amended from time to time.

(16) Appendix B, Subdivisions, as it may be amended from time to time.

Sec. 2-704. Hearing Procedures Non-Exclusive.

The provisions of this Ordinance shall not preclude the Village from using other methods or proceedings to enforce the ordinances of the Village of Palatine, including, but not limited to, the institution of any action in the Circuit Court of Cook County, Illinois or any administrative proceeding.

Sec. 2-705. Administrative Hearing Division.

The Administrative Hearing Division shall be composed of an Administrative Hearing Officer (Administrative Law Judge), an Administrative Hearing Director (or Village Manager), the Chief of Police or his designee, Hearing Room personnel, and any other duly appointed person or persons deemed necessary for the efficient administration of the Administrative Hearing Division, with the following powers, duties and authority:

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(a) All adjudicatory hearings shall be presided over by an Administrative Hearing Officer who shall be appointed by the Village Mayor with the consent of the Village Council.

Prior to conducting administrative adjudication hearings, the Administrative Hearing Officers must be an attorney licensed to practice law in the State of Illinois for at least three (3) years and shall have successfully completed a formal training program, which includes the following:

(1) instruction on the rules of procedure of the administrative hearings which they will conduct;
(2) orientation to each subject area of the code violations that they will adjudicate;
(3) observation of administrative hearings; and
(4) participation in hypothetical cases, including ruling on evidence and issuing final orders.

(b) Administrative Hearing Officers are hereby authorized, empowered and directed to:

(1) hold conferences for the settlement or simplification of the issues;
(2) administer oaths and affirmations to witnesses;
(3) hear testimony and accept evidence that is relevant to the existence of an ordinance violation;
(4) rule upon motions, objections, and the admissibility of evidence;
(5) issue subpoenas directing witnesses to appear and give relevant testimony at the hearing, upon the request of the parties or their representatives or upon the initiative of the Administrative Hearing Officer
(6) preserve and authenticate the record of the hearing, including all exhibits and evidence introduced at the hearing;
(7) issue a determination, based on the evidence presented at the hearing, of whether a code violation occurred or exists. The Administrative Hearing Officer's determination shall be in writing and shall include a written finding of fact, decision, and order including the fine, penalty, or other action with which the respondent must comply;
(8) impose penalties consistent with applicable Village of Palatine Code provisions and assess costs upon finding a party liable for the charged violation, except, however, that in no event shall the Administrative Hearing Officer have authority to (i) impose a penalty of incarceration, or (ii) impose a fine in excess of $50,000. The maximum monetary fine under this item (8) shall be exclusive of costs of enforcement or costs incurred by the Village to secure compliance with the Village's ordinances and shall not be applicable to cases to enforce the collection of any tax imposed and collected by the Village.
(9) ordering, regardless of fines imposed or costs assessed, the respondent to perform a term of community service;
(10) imposing, in addition to fines imposed and penalties or costs assessed, administrative and/or enforcement costs;
(11) ordering the respondent to comply with the code provision(s) found to have been violated;
(12) waive any court costs and fine upon a finding of compliance for a violation where that violation required the respondent to take corrective action to comply with the Code of Ordinance;
(13) waive any court costs and fine for one or more code violations upon a finding that the violation(s) occurred under such circumstances as to a reasonable person would constitute an excuse for the violation(s); and

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(14) grant equitable relief as otherwise authorized by law or local ordinance.

(c) The Administrative Hearing Director shall either be an employee of the Village of Palatine appointed by the Manager, the Village Manager, or an independent contractor or agency contracted by the Village to perform such duties as enumerated herein. The Administrative Hearing Director is hereby authorized, empowered and directed to:

(1) operate and manage the system of administrative adjudication of vehicular standing and/or parking regulation violations, vehicle compliance violations, vehicle license or sticker requirement violations, building, fire and health code violations, and all other Village ordinance violations as may be permitted by law and directed by ordinance;
(2) adopt, distribute and process all notices as may be required under this Ordinance or as may reasonably be required to carry out the purpose of this ordinance;
(3) collect moneys paid as fines and/or penalties assessed after a final determination of liability;
(4) certify copies of final determinations of vehicular standing and/or parking regulation violation liability, vehicle compliance violations, vehicle license or sticker requirement violations, building, fire and health code violations or any other ordinance violation adjudicated pursuant to this Ordinance, and any factual reports verifying the final determination of any violation liability which were issued in accordance with this Ordinance or the laws of the State of Illinois, including 625 ILCS 5/11-208.3, as from time to time amended;
(5) certify reports to the Secretary of State concerning initiation of suspension of driving privileges in accordance with the provisions of this Article and those of 625 ILCS 5/6-306.5;
(6) promulgate rules and regulations reasonably required to operate and maintain the system of administrative adjudication hereby established; and
(7) collect unpaid fines and penalties through private collection agencies that may be retained by the Village or by filing complaints in the County Circuit Court, or by selecting or appointing an individual or agency to act on behalf of the Village in filing complaints, seeking judgments for unpaid fines or penalties and pursuing all post-judgment remedies available under current law.

(d) The Administrative Hearing Director is hereby further authorized, empowered and directed to operate and maintain the computer programs for the system of administrative adjudication hereby established, on a day-to-day basis, including, but not limited to:

(1) inputting of violation notice information;
(2) establishing hearing dates and notice dates;
(3) recording fine and penalty assessment and payments;
(4) issuing payment receipts;
(5) issuing succeeding notice of hearing dates and/or final determination of liability, issuing notices of immobilization, issuing notices of impending impoundment, and issuing notices of impending driver's license suspension as may be required, in accordance with the Illinois Vehicle Code;
(6) keeping accurate records of appearances and non-appearances at administrative hearings, pleas entered and fines and other penalties assessed and paid.

(e) Hearing room personnel appointed by the Chief of Police shall be any police officer or auxiliary police officer, and such persons are hereby authorized and directed to:

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(1) maintain hearing room decorum;
(2) execute authority as is granted to courtroom deputies of the Circuit Court;
(3) perform such other duties or acts as may reasonably be required and as directed by the Administrative Hearing Officer or the Administrative Hearing Director.

Sec. 2-706. Compensation of Administrative Hearing Division Personnel

Authorization for compensation for each of the above-stated positions shall be made by the Village Council through the annual budget process. Compensation shall be determined by the Village Manager within approved budget limitations.

Sec. 2-707. Complaints and Notices of Hearings

(a) A proceeding before an Administrative Hearing Officer shall be instituted upon the filing of a written sworn pleading or complaint by any authorized official of the Village, including police officers, code enforcement officers, and such other employees as authorized.

(b) Respondents shall be served with a copy of the written sworn pleading or complaint along with a notice of adjudicatory hearing in any manner reasonably calculated to give them actual notice of the proceeding instituted against them including:
(1) personal service upon a party or its employees or agents;
(2) service by first class mail, certified mail return receipt requested, express mail or overnight mail, at the party's address;
(3) service by posting a copy of the sworn pleading or complaint upon the property where the violation is found when the party is the owner or manager of the property.

(c) Notices of the adjudicatory hearing shall include:
(1) the type and nature of the ordinance violation to be adjudicated;
(2) the date and location of the adjudicatory hearing;
(3) the legal authority and jurisdiction under which the hearing is to be held; and
(4) the penalties for failure to appear at the hearing.

Sec. 2-708. Administrative Hearing Procedures

(a) Hearings shall be scheduled with reasonable promptness, provided that for hearings scheduled in all non-emergency situations, if requested by the respondent, the respondent shall have at least 15 days after service of process to prepare for a hearing. For purposes of this subsection, "non-emergency situation" means any situation that does not reasonably constitute a threat to the public interest, safety, health or welfare. If service is provided by mail, the 15-day period shall begin to run on the day that the notice is deposited in the mail.

(b) All hearings shall be open to the public and conducted before an Administrative Hearing Officer.

(c) The Village shall not be represented by an employee of the Administrative Hearing Division; however documentary evidence including the notice of violation, complaint and attached exhibits may be presented by the Administrative Hearing Officer.

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(d) Any person appearing on behalf of the Respondent shall file with the Administrative Hearing Officer a written appearance on a form provided by the Administrative Hearing Division.

(e) All testimony shall be given under oath or affirmation.

(f) The formal and technical rules of evidence shall not apply in an adjudicatory hearing authorized under this ordinance. Evidence, including hearsay, may be admitted only if it is of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs.

(g) Parties shall be provided with an opportunity for a hearing during which they may be represented by counsel, present witnesses, and cross-examine opposing witnesses. Parties may request the Administrative Hearing Officer to issue subpoenas to direct the attendance and testimony of a relevant witness and the production of relevant documents. Issuance of the subpoena shall be at the discretion of the Administrative Hearing Officer where it is determined the witness or documents are material and do not constitute a needless presentation of cumulative or repetition evidence.

(h) Continuances may be granted at the discretion of the Administrative Hearing Officer upon a finding of good cause.

(i) No violations may be established except by proof by a preponderance of the evidence; however, the notice of violation, or a copy hereof, issued and signed in accordance with Section 2-707 shall be prima facie evidence of the correctness of the facts specified therein.

(j) Upon the conclusion of a hearing, the Administrative Hearing Officer shall issue a final determination of liability or no liability. Upon issuance, the Administrative Hearing Officer may impose penalties and or fines that are consistent with applicable provisions of the Code of Ordinance, impose a term of community service, assess costs reasonable related to instituting the administrative adjudication proceeding, and, if applicable, order the respondent to immediately correction of the violation.

Sec. 2-709. Judicial Review

Any final decision by an Administrative Hearing Officer that a code violation does or does not exist shall constitute a final determination for purposes of judicial review and shall be subject to review under the Illinois Administrative Review Law (735 ILCS 5/3-101 *et seq.*).

Section 2-710. Enforcement of Judgment

(a) Any fine, other sanction, or costs imposed, or part of any fine, other sanction, or costs imposed, remaining unpaid after the exhaustion of or the failure to exhaust judicial review procedures under the Illinois Administrative Review Law are a debt due and owing the Village of Palatine and may be collected in accordance with applicable law.

(b) After expiration of the period in which judicial review under the Illinois Administrative Review Law may be sought for a final determination of an ordinance violation, unless stayed by a court of competent jurisdiction, the findings, decision, and order of the Administrative Hearing Officer may be enforced in the same manner as a judgment entered by a court of competent jurisdiction.

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(c) In any case in which a respondent has failed to comply with a judgment ordering that respondent to correct an ordinance violation or imposing any fine or other sanction as a result of an ordinance violation, any expenses incurred by the Village to enforce the judgment entered against that defendant, including, but not limited to, attorney's fees, court costs, and costs related to property demolition or foreclosure, after they are fixed by a court of competent jurisdiction or a hearing officer, shall be a debt due and owing the Village of Palatine and may be collected in accordance with applicable law. Prior to any expenses being fixed by the Administrative Hearing Officer pursuant to this subsection (C), the Village shall provide a notice to the respondent that states that the respondent shall appear at a hearing before the Administrative Hearing Officer to determine whether the respondent has failed to comply with the judgment. The notice shall set the date for such hearing, which shall not be less than seven (7) days from the date that notice is served. If notice is served by mail, the 7-day period shall begin to run on the date that the notice was deposited in the mail.

(d) Upon being recorded in the manner required by Article XII of the Illinois Code of Civil Procedure (735 ILCS 5/12-10 1 *et seq*.), or by the Uniform Commercial Code (810 ILCS 5/1-101 *et seq*.), a lien shall be imposed on the real estate or personal estate, or both, of the respondent in the amount of any debt due and owing the Village under this ordinance. The lien may be enforced in the same manner as a judgment lien pursuant to a judgment of a court of competent jurisdiction.

(e) The Administrative Hearing Officer may set aside any judgment entered by default and set a new hearing date, upon a petition filed by the respondent within twenty-one (21) days after the issuance of the order of default, if the Administrative Hearing Officer determines that the defendant's failure to appear at the hearing was for good cause, or at any time if the respondent establishes, by a preponderance of the evidence, that the Village did not provide proper service of process. If any judgment is set aside pursuant to this subsection, the Administrative Hearing Officer shall have authority to enter an order extinguishing any lien which has been recorded for any debt due and owing the Village as a result of the vacated default judgment. When a judgment is vacated, the Administrative Hearing Officer shall proceed immediately with a new hearing set a new date for a hearing on the underlying violation(s) as soon as practical.

(f) After an order of liability become final, the Village department or agency which instituted or prosecuted an administrative adjudication before the Administrative Hearing Division may file a written petition for relief for a final order of liability entered in error with the Administrative Hearing Division. If the petitioner is granted, the final order of liability shall be vacated and the Administrative Hearing Officer shall have the authority to enter an order extinguishing any lien which has been recorded for any debt due and owning as a result of the vacated order and directing the Village to refund any fines and/or penalties as a resulted of the vacated order.

Section 2-711. Election of Remedies.

In no case may the Administrative Hearing Division conduct an administrative adjudication proceeding for an alleged violation of the Code of Ordinance where the remedy provided is a punishment of imprisonment; provided, however, where a violation of the code is punishable by fines and other penalties in addition to imprisonment, the Village may elect to institute an action with the Administrative Hearing Division and waive any imprisonment for the code violation. Nothing in this Article, however, shall preclude the Village from seeking the remedy of imprisonment in a court of competent jurisdiction.

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Section 2-712. Severability.

The provisions of this article shall be interpreted so as not to be in conflict with the laws of the State of Illinois or any other limitations imposed by law. In the event however that any provision, sentence, or clause of this Article is declared unconstitutional by a court of competent jurisdiction shall not affect the remaining provisions of this Article.

ARTICLE XXXI.
ADMINISTRATIVE ADJUDICATION OF VEHICULAR STANDING, PARKING, AUTOMATED TRAFFIC LAW, AND COMPLIANCE REGULATION VIOLATIONS

[Editor's Note: Ordinance 0-185-08 enacted December 8, 2008, added a new Article XXXI]

Sec. 2-720. Purpose.

The stated purpose of this article is to provide a fair and efficient enforcement of municipal vehicular standing, parking, automated traffic law, and condition of vehicle regulation, compliance regulation violations and municipal wheel tax licenses within the Village, as may be allowed by law, through an administrative adjudication of violations of Village ordinances regulating the standing, parking, automated traffic law, and condition of vehicles within the geographic boundaries of the Village of Palatine and authority and procedures for collection of unpaid fines and penalties, and procedure for vehicle immobilization which shall be in addition to any other system for administrative adjudication of ordinance violations. (Ord. #0-145-12, §1, 10/15/12)

Sec. 2-721. Definitions.

For purposes of this article:

1) *Compliance* regulation *violation* means a violation of a Village of Palatine regulation governing the condition or use of equipment on a vehicle or governing the display of a municipal wheel tax license, or zoning ordinance violation within Appendix A of the Village of Palatine Code of Ordinances, or violations of Article 16 – Rights-of-way of the Village of Palatine Code of Ordinances. (Ord. #0-145-12, §1, 10/15/12)

2) *Nonresident* means a person that does not reside on a permanent or temporary basis within the corporate limits of the Village of Palatine, Cook County, Illinois or a business or corporation that does not have an office in or license to do business within the Village of Palatine, Cook County, Illinois.

Sec. 2-722 Administrative composition.

The system of administrative adjudication of vehicular standing, parking, automated traffic law, and compliance regulation violations shall provide for a traffic compliance administrator, hearing officer, computer operator/system coordinator and hearing room personnel, all with the power and authority, subject to the limitations, as are hereinafter set forth:

1) *Traffic compliance administrator and/or Village of Palatine Administrative Hearing Division.* The traffic compliance administrator and/or Village of Palatine Administrative Hearing Division shall be empowered and is hereby authorized and directed to:
(Ord. #0-145-12, §1, 10/15/12)

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a) Operate and manage the system of administrative adjudication of vehicular standing, parking, and compliance regulation violations.
b) Adopt, distribute and process standing, parking, and compliance regulation violation notices and other notices as may be required under this article or as may be reasonably required to carry out the purpose of this article. (Ord. #0-145-12, §1, 10/15/12)
c) Collect moneys paid as fines and/or penalties assessed after a final determination of vehicular standing, parking, or compliance regulation violations liability.
d) Certify copies of final determinations of vehicular standing, parking, and compliance regulation violation liability and factual reports verifying that the final determination of liability was issued in accordance with this article and 625 ILCS 5/11-208.3.
e) Review final determinations of vehicular standing, parking, and compliance regulation violations liability, validity of notices of impending impoundment and/or validity of notices of impending driver's license suspension, in accordance with the provisions of this article, hereinafter set forth.
f) Promulgate rules and regulations reasonably necessary to operate and maintain the administrative adjudication system hereby created.
g) Collect unpaid fines and penalties and authorize the Village attorney or prosecutor, or their designee, to file complaints in the circuit court of Cook County on behalf of the Village of Palatine for the purpose of seeking judgments for unpaid fines or penalties and pursue all post-judgment remedies available by current law on behalf of the Village.
h) Recommend to the Village Council selection or appointment of an individual, agency or firm to tow and impound vehicles in accordance with the provisions of this article.

2) *Hearing officer* shall be empowered and is hereby authorized and directed to:

a) Preside over the administrative hearings, established herein, as the adjudicator.
b) Administer oaths.
c) Issue subpoenas to secure the attendance of witnesses and production of relevant papers or documentation.
d) Assess fines and penalties for the violation of vehicular standing, parking, or compliance regulation violations as set forth in this Code provided no fine shall exceed $250.00 per violation, exclusive of costs excepting as such fines may be otherwise stipulated in the Village of Palatine Code of Ordinances. (Ord. #0-145-12, §1, 10/15/12)

e) Make final determinations of:
   (1) Vehicular standing, parking and compliance regulation violation liability,
   (2) Validity of notice of impending impoundment, and
   (3) Validity of notice of impending driver's license suspension in accordance with the provisions of this article.
   (4) Provide for the accurate recordation of the administrative adjudication hearings.

3) *System coordinator/computer operator.* The system coordinator/ computer operator is hereby authorized and directed to operate and maintain the computer programs for the administrative adjudication system hereby created, on a day-to-day basis, including but not limited to:

a) Input of violation notice information.
b) Issuance of hearing dates and other required notice dates.
c) Fine and penalty assessments and payment(s).
d) Issuance of payment receipts.

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e) Issuance of succeeding notices of Hearing dates, final determinations of liability, notices of impending impoundment, and notices of impending driver's license suspension, as directed by the traffic compliance administrator as hereinafter set forth.
f) Keeping of accurate records of appearances and non-appearances at administrative hearings, pleas entered, and fines and penalties assessed and paid.

4) *Hearing room personnel.* The hearing room personnel shall:

a) Maintain hearing room decorum.
b) Have and execute authority as is granted to courtroom deputies of the Circuit Court of Cook County.
c) Perform such other duties or acts as may reasonably be required and as directed by the hearing officer or traffic compliance administrator.

Sec. 2-723. Appointments

1) All adjudicatory hearings shall be presided over by a Hearing Officer who shall be appointed by the Village Mayor with the consent of the Village Council.

2) All other positions shall either be an employee of the Village of Palatine appointed by the Village Manager, or an independent contractor or agency contracted by the Village to perform such duties as enumerated above.

Sec. 2-724. Compensation of Administrative Hearing Division Personnel

Authorization for compensation for each of the above-stated positions shall be made by the Village Council through the annual budget process. Compensation shall be determined by the Village Manager within approved budget limitations.

Sec. 2-725. Procedure.

The system of administrative adjudication of vehicular standing, parking, automated traffic law, and compliance regulation violations shall be in accordance with the following procedures and final determinations of vehicular standing, parking, and compliance regulation violations liability, validity of notice of impending impoundment, validity of notice of impending driver's license suspension, impoundment of vehicles and collections shall be made only in accordance with the provisions set forth below:

1) *Violation notice.* Vehicular standing, parking, and compliance regulation violation notices ("violation notice") shall be issued by the persons authorized herein and shall contain information and shall be served, certified, and have evidentiary admissibility as is hereinafter set forth.

a) Authorization. All full-time and part-time, commissioned police officers, auxiliary police officers and community service officers, as well as other specifically appointed Village of Palatine employees or individuals shall have the authority to issue violation notices. (Ord. #0-145-12, §1, 10/15/12)
b) Detection of violations. Any individual authorized hereby to issue violation notices and who detects a violation of any section of any applicable Village Ordinance, shall issue a notice of violation thereof and shall make service thereof as is hereinafter set forth.

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2) The vehicular standing, parking, and compliance regulation violation "violation notice" shall contain, but shall not be limited to, the following information: (Ord. #0-145-12, §1, 10/15/12)

   a) The date, time and place of the violation (date of issuance).
   b) The particular vehicular standing, parking, or compliance regulation violated, including the Village Code section of the violation and sufficient description of the violation to inform the violator of the offense and thereby afford the violator an opportunity to defend against the violation.
   c) The fine and any penalty that may be assessed for late payment.
   d) The signature and identification or badge number of the person issuing the notice.
   e) A section entitled "request for hearing" which shall clearly set forth that the party named on the violation including the property owner, or registered owner, tenant, lessee, contractor, or lessee of the vehicle may request an opportunity for a hearing. (Ord. #0-145-12, §1, 10/15/12)

3) Service of the violation notice shall be made by the person issuing such notice by:

   a) Affixing the original or a facsimile of the notice to a violating vehicle, or
   b) Handing the notice to the property owner, registered owner, tenant, lessee, contractor, tenant operator or lessee of the vehicle, if present. (Ord. #0-145-12, §1, 10/15/12)
   c) Mailing the violation by standard mail to the property owner, or registered owner, tenant, lessee, contractor or lessee of the vehicle. (Ord. #0-145-12, §1, 10/15/12)

4) The correctness of facts contained in the vehicular standing, parking, or compliance regulation violation notice shall be certified by the person issuing said notice by signing his/her name to the notice at the time of service; or

5) The original, facsimile or electronic copy of the violation notice shall be retained by the traffic compliance administrator and/or Village of Palatine Administrative Hearing Division and kept as a record in the ordinary course of business. (Ord. #0-145-12, §1, 10/15/12)

6) Prima facie evidence of correctness. Any violation notice issued, signed and properly served in accordance with this section, or a copy of the notice, shall be prima facie correct and shall be prima facie evidence of the correctness of the facts shown on the notice. The violation notice or a copy of the notice shall be admissible in any subsequent administrative or legal proceeding.

Sec. 2-726. Request of Hearing Procedure.

The party named on the violation, including the property owner, registered owner, tenant, lessee, contractor, or other registered owner or lessee of a vehicle who have been served vehicular standing, parking, or compliance regulation violation notices may contest the alleged violation on its merits in person or may contest the validity without personally appearing at an administrative hearing within 14 days of the issue date of violation notice. (Ord. #0-145-12, §1, 10/15/12)

The Administrative Hearing Division or System coordinator/computer operator shall provide the registered owner, property owner, tenant, lessee, contractor, or lessee of a vehicle cited in the violation notice requesting a hearing with the following: (Ord. #0-145-12, §1, 10/15/12)

1) In-Person Administrative Hearing Option

   a) The date, time and place of an administrative hearing at which the violation may be contested on its merits.

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b) That payment of the indicated fine and any late payment penalty shall operate as a final disposition of the violation.
c) The request of hearing shall be deemed filed upon receipt by the traffic compliance administrator and/or Village of Palatine Administrative Hearing Division. (Ord. #0-145-12, §1, 10/15/12)

2) Mail-In Administrative Hearing Option

a) Signing a Mail-In Administrative Hearing Option request form and acknowledging that their personal appearance is waived and that they submit to an adjudication based upon the notarized statement filed by them and the facts contained in the violation notice; and
b) Filing the Mail-In Administrative Hearing Option request form fully completed with the traffic compliance administrator and/or Village of Palatine Administrative Hearing Division postmarked within ten days of requesting a Mail-In Administrative Hearing. The request shall be deemed filed upon receipt by the traffic compliance administrator and/or Village of Palatine Administrative Hearing Division. (Ord. #0-145-12, §1, 10/15/12)
c) The hearing officer shall make an adjudication based upon a review of the facts set forth in the notarized statement of facts filed by the party requesting the hearing, as well as, the factual allegations contained in the violation notice. (Ord. #0-145-12, §1, 10/15/12)
d) Notice of the hearing officer's determination shall be served upon the party requesting the hearing, as well as, the registered owner or lessee of a vehicle by first class mail, postage prepaid, addressed to the registered owner or lessee of a vehicle at the address set forth in the statement of facts submitted and service of the notice shall be complete on the date the notice is placed in the United States mail. (Ord. #0-145-12, §1, 10/15/12)

Sec. 2-727. Administrative hearings.

The administrative hearing to adjudicate the alleged standing, parking, or compliance regulation violation on its merits:

1) Shall be granted to the registered owner, property owner, tenant, lessee, contractor, or other registered owner or operator of the "cited vehicle," pursuant to 625 ILCS 5/11-208.3 or the lessee of the "cited vehicle," pursuant to 625 ILCS 5/11-1306, incorporated herein by reference. (Ord. #0-145-12, §1, 10/15/12)

2) Hearings shall be at the date, time and place as is set forth in Section 2-276 of this article.

3) Shall be tape recorded or recorded by a certified court reporter.

4) Shall result in a determination of liability or non-liability, made by the hearing officer, who shall consider testimony and other evidence without the application of the formal or technical rules of evidence. The hearing officer shall, upon a determination of liability, assess fines and penalties in accordance with Village Code of Ordinances.

5) Persons appearing to contest the alleged standing parking, or compliance regulation violation on its merits may be represented by counsel at their own expense. (Ord. #0-145-12, §1, 10/15/12)

6) Judicial review. The final determination of any matter which may be decided by the hearing officer may be reviewed pursuant to the Illinois Administrative Review Act (735 ILCS 5/3-101 et seq.).

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Sec. 2-728. Additional notices.

1) If the registered owner or lessee of the "cited vehicle" fails to appear at the administrative hearing on the date as is set forth in Section 2-276 of this article, the traffic compliance administrator and/or Village of Palatine Administrative Hearing Division shall send or cause to be sent additional notices which:

   a) Shall be sent to registered owner or lessee of the "cited vehicle," or the party who requested the hearing, or the registered owner, property owner, tenant, lessee, contractor, or other registered owner where the ordinance violation occurred, or at the address as is recorded with the Secretary of State or to the lessee of the "cited vehicle" at the address last known to the lessor of the "cited vehicle" at the time of the lease or the last best known address of the party. (Ord. #0-145-12, §1, 10/15/12)

2) All such additional notices shall be sent by first class mail, postage prepaid, and service of additional notices shall be complete as of the date of deposit in the United States mail.

3) The additional notices sent pursuant to this section shall be in the following sequence and shall at a minimum contain the following information:

   a) Upon the failure of the party who requested the hearing to appear at the hearing set forth in Section 2-276 of this article additional notices shall be sent and shall contain, but not be limited to, the following information: (Ord. #0-145-12, §1, 10/15/12)

      i) Date and location of violation cited in the vehicular standing, parking, or compliance regulation violation notice;
      ii) Particular standing, parking, or compliance regulation violated, including code section and description of violation sufficient to allow owner or lessee to understand the offense and to prepare a defense;
      iii) Fine and any penalty that may be assessed for late payment;
      iv) Notice to the registered owner or property owner, tenant, lessee, contractor, or other registered owner where the ordinance violation occurred, or lessee of the current status, other than paid in full; (Ord. #0-145-12, §1, 10/15/12)
      v) Date, time and place of the administrative hearing at which the owner, registered owner, or property owner, business owner, contractor, tenant, lessee, or other registered owner or lessee may contest the violation notice on its merits; (Ord. #0-145-12, §1, 10/15/12)
      vi) Failure to either pay fine and any applicable late payment penalty or failure to appear at the hearing on its merits on the date and at the time and place specified will result in a final determination of violation liability in the amount of the fine and late payment penalty indicated; and
      vii) Statement that upon the entry of a final determination of liability for the failure to appear, or the failure to exhaust available administrative or judicial procedures for review, any remaining unpaid fine and/or late payment penalty will constitute a debt due and owing the Village of Palatine.

4) A notice of final determination of vehicular standing, parking, or compliance regulation violation liability shall be sent following a final determination of liability and the conclusion of administrative review and judicial review procedures as hereinafter set forth. The notice shall state that:

   a) The unpaid fine and any late penalty assessed is a debt due and owing the Village of Palatine;

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b) A warning that failure to pay the fine and any late penalty due and owing the Village within the time specified may result in the Village filing a complaint in the circuit court to have the unpaid fine or penalty rendered a judgment in accordance with Illinois law including 625 ILCS 5/11-208.3(f); and (Ord. #0-145-12, §1, 10/15/12)
c) The vehicle may be impounded for failure to pay fines or penalties after a final determination of liability for five or more vehicular standing, parking, or compliance regulation violations, or driver's license suspension for failure to pay fines or penalties for ten or more such violations.

Sec. 2-729. Final determination of liability.

A final determination of vehicular standing, parking, or compliance regulation violation liability shall:

1) Occur following the failure to pay the total assessed fine and/or penalty after the hearing officer's determination of vehicular standing, parking, or compliance regulation violation liability and the exhaustion of or the failure to exhaust any administrative review procedures hereinafter set forth; or

2) Where a person fails to appear at a prior hearing or by the third and final administrative hearing (provided proper notice has been given), the hearing officer's determination of liability shall become final:
   a) Upon denial of a timely petition to set aside the determination of liability; or
   b) Upon the expiration of the period for filing petition to set aside a final determination of liability without such filing having been made.

3) When a person fails to request a hearing or fails to pay the fine in conformance with the time frame specified on the violation.

Sec. 2-730. Schedule of fines/penalties.

1) The fines and penalties which shall be imposed for the violation of vehicular standing, parking, or compliance regulation violation shall be as set forth in Village Code of Ordinances and the fines and penalties therein set forth shall be uniformly applied for each violation of any applicable Village Code of Ordinances.

Sec. 2-731. Illinois Compiled Statues governing the standing, parking, or condition of vehicles--Adopted.

The Village of Palatine adopts by reference all current and future provisions of the Illinois Compiled Statues governing the standing, parking, or condition of vehicles, for its enforcement and adjudication within the corporate boundaries of the Village and in those areas subject to off-street parking agreements, as well as, those sections allowing for the administrative adjudication or municipal code violations.. (Ord. #0-145-12, §1, 10/15/12)

Sec. 2-732. Immobilization/towing and impoundment.

Any motor vehicle may be immobilized or towed and impounded if:

1) The traffic compliance administrator has determined that a person has been found to be liable for five or more vehicular standing, parking, or compliance regulation violations, the fines and penalties for which remain unpaid,

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2) The person determined to be liable for the five or more violations is the registered owner of a motor vehicle that is located within the corporate limits of the Village of Palatine at the time of immobilization, impoundment or towing; and

3) A pre towing notice has been sent to the registered owner of the motor vehicle which notice contains the following:

   a) Final determinations of liability have been made on five or more vehicular standing, parking, or compliance regulation violations, the fines and penalties for which remain unpaid;
   b) A list of the violations for which the person has been determined to be liable, which shall include for each violation:
      i) The vehicular standing, parking, or compliance regulation violation notice number.
      ii) Date of issuance.
      iii) Total amount of fine and penalty assessed.
      iv) The motor vehicles owned by the person and located within the Village is subject to immobilization and/or towing and impoundment if the fines and penalties are not paid within 14 days of the date of the notice.
      v) The registered owner may contest the validity of the notice by fully completing and signing the "request for hearing" portion of one notice and by filing the request for hearing with the traffic compliance administrator within, but not later than 14 days of the date of the notice.
      vi) The request for hearing shall be deemed filed upon receipt by the traffic compliance administrator.

4) The motor vehicle of the registered owner to whom notice is sent has failed to make payment of the fines or penalties as specified in the notice and no timely request for hearing has been filed with the traffic compliance administrator to contest the validity of the notice.

Sec. 2-733 Impoundment or pre towing hearing.

Upon the receipt of the request for hearing to contest the validity of the notice of impending immobilization or towing and impoundment, the traffic compliance administrator shall schedule an administrative hearing whereby the registered owner of the vehicle may contest the validity of said notice, by disproving liability for the unpaid Final Determinations of liability listed on the notice. The hearing shall be scheduled on the next available hearing date, if practicable, but in no event shall the hearing be scheduled later than 60 days after the request for hearing is filed.

1) The traffic compliance administrator shall serve notice of the hearing date upon the registered owner by first class mail, postage prepaid to the address on the request for hearing; and
2) Service of the notice shall be complete on the date it is placed in the United States mail.

Sec. 2-734. Post towing hearing.

The registered owner of a vehicle already immobilized or towed and impounded pursuant to this section, shall have the right to a prompt administrative hearing without the requirement of payment of the outstanding fines and penalties for which final determination has been made.

1) The traffic compliance administrator shall serve a post towing hearing notice upon the registered owner of a vehicle immobilized or towed and impounded and the notice shall contain the following information:

   a) Date of immobilization or towing and date of impoundment.

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b) Location of vehicle.
c) That the vehicle was immobilized under this section of the Village Code of Ordinances for nonpayment of fines or penalties assessed for five or more violations of vehicular standing, parking, or compliance regulations violations for which there has been a final determination of liability and for which the owner was previously notified of impending immobilization or towing and impoundment.
d) Date of notice of impending immobilization or towing and impoundment.
e) The registered owner may contest the validity of the immobilization or towing and impoundment by completing and signing the "request for hearing" portion of the notice and filing the request for hearing with the traffic compliance administrator within 14 days of the date of the notice.

2) Upon the receipt of the request for hearing to contest the validity of the immobilization or towing and impoundment, the traffic compliance administrator shall schedule an administrative hearing to contest the validity of the immobilization or towing and impoundment on the next available hearing date, if practicable, or sooner if scheduled by the traffic compliance administrator for good cause shown, but in no case shall the hearing be scheduled later than 60 days after the request for hearing is filed.

a) The traffic compliance administrator shall serve notice of the hearing date upon the registered owner.
b) Notice shall be sent by first class mail, postage prepaid to the address as is set forth on the request for hearing and service of the notice shall be complete on the date it is placed in the United States mail.

3) An order entered after the hearing to contest the validity of the immobilization or towing and impoundment is a final administrative decision within the meaning of 735 ILCS 5/3-101 et seq.

Sec. 2-735. Release of impounded vehicle.

A vehicle impounded pursuant to this section shall be released to its registered owner or agent, upon payment of the fines and penalties due and owing the Village as specified in the notice plus the payment of towing charges and accrued daily impound charges. Notwithstanding the foregoing, a vehicle may be released upon written order of the hearing officer following a hearing contesting the validity of the impoundment.

Sec. 2-736 Impoundment facility.

The Village shall retain the services of an individual agency or company to tow and impound vehicles and such agency or company shall be:

1) Fully licensed according to local and state law;
2) Fully insured; and
3) Have available a secured impound area within which to retain vehicles impounded hereunder. For the purpose of this section a secured area shall mean an area bounded by a fence, chain-link or otherwise, of a sufficient height and with locking gates so as to minimize or prevent unauthorized entry into the impounded vehicles.

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Sec. 2-737. Judicial review.

Judicial review of final determinations of vehicular standing, parking, or compliance regulation violations and final administrative decisions issued after hearings regarding vehicle immobilization or towing and impoundment made under this section shall be subject to judicial review pursuant to the provisions of the Administrative Review Act, 735 ILCS 5/301, et seq.

Sec. 2-738. Debt to municipality.

Any fine or penalty assessed in accordance with the provisions of this article and remaining unpaid after the exhaustion of, or the failure to exhaust, administrative remedies and the conclusion of any judicial review procedures shall be a debt due and owing the Village and such debt may be collected in accordance with the applicable law. Payment in full of any fine or penalty shall constitute a final disposition of that violation.

Sec. 2-739. Judgment.

1) The traffic compliance administrator and/or Village of Palatine Administrative Hearing Division shall, following the expiration of the period within which administrative or judicial review may be sought for a final determination of violation, take all necessary action, execute all required documents and direct the Village attorney or Village prosecutor to obtain a judgment against and collect moneys from the person who has been assessed fines or penalties which remain unpaid and have become a debt due and owing the Village by: (Ord. #0-145-12, §1, 10/15/12)

   a) Filing a complaint in the Circuit Court of Cook County praying for the entry of a judgment against the person(s) for whom a final determination of liability has been made.
   b) The complaint filed on behalf of the Village shall have appended:
      i) A certified copy of a final determination of the standing, parking, or compliance regulation violations, and
      ii) A certification that recites facts sufficient to show that the final determination of standing, parking, or compliance regulation violations were issued in accordance with this article and/or 625 ILCS 5/11-208.3.
   c) Nothing herein shall prevent the Village from consolidating multiple final determinations of standing, parking, or compliance regulation violations liability in an action against an individual.

2) Service of summons and a copy of the complaint may be served upon the person against whom a judgment is sought under the provisions of this section by any method provided under 735 ILCS 5/2-203, or by certified mail, return receipt requested, provided the total amount of fines and penalties levied does not exceed $2,500.00, excepting as such fines may be otherwise stipulated in the Village of Palatine Code of Ordinances. (Ord. #0-145-12, §1, 10/15/12)

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ARTICLE XXXII. DEPARTMENT OF HUMAN RESOURCES

Sec. 2-620. Department created; composition.

There is hereby created a department of human resources

Sec. 2-621. Office of director of human resources.

There is hereby created the office of director of human resources, an executive office of the village. (Ord. No. O-57-92, э 1, 4-27-93)

Sec. 2-622. Duties and functions generally.

The director of human resources shall be responsible for the oversight and management of all personnel, health insurance and other non-pension benefit related operations of the village. The director shall be responsible for the supervision and direction of the department of human resources under the general direction of the Village Manager. The director shall advise the Village Manager on all human resources needs of the village and shall coordinate the human resource management program of the village and such other quality assurance related and management programs as assigned by the Village Manager.

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Chapter 2 ADMINISTRATION*

***Cross reference(s) --**Eminent domain, Ch. 20.

Editor's Note: Ordinance #0-15-02 enacted January 28, 2001 replaced Articles II through X, and XXV
Editor's Note: Ordinance #0-132-03 enacted October 20, 2003, added a new Article XXX
Editor's Note: Ordinance #0-109-05 enacted June 6, 2005, amended Article XXX
Editor's Note: Ordinance #0-15-08 enacted January 21, 2008 replaced Article XIX Board of Health
Editor's Note: Ordinance #0-110-11 enacted October 10, 2011 replaced Article XIII Peer Review Board
Editor's Note: Ordinance #0-101-12, enacted July 9, 2012 replaced Article XX Fire & Police
Editor's Note: Ordinance #O-91-21, enacted August 9, 2021 replaced Chapter 2 in its entirety
Editor's Note: Ordinance #O-27-23, enacted March 20, 2023 replaced Article XXIII Planning and Zoning Commission

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Art. I. In General, §§ 2-1--2-15
Art. II. Village Council, §§ 2-16--2-41
Art. III. Officers and Employees, §§ 2-42--2-65
Art. IV. Village Clerk, §§ 2-66--2-90
Art. V. Village Mayor, §§ 2-91--2-105
Art. VI. Village Manager, §§ 2-106--2-120
Art. VII. Village Attorney, §§ 2-121--2-135
Art. VIII. Village Prosecutor, §§ 2-136--2-150
Art. IX. Village Treasurer, §§ 2-151--2-170
Art. X. Department of Public Works, §§ 2-171--2-190
Art. XI. Department of Community Development, §§ 2-191--2-210
Art. XII. RESERVED
Art. XIII. Peer Jury and Youth Officer, §§ 2-226--2-250
Art. XIV. Board of Local Improvements, §§ 2-251--2-270
Art. XV. District Citizen Advisory Councils, §§ 2-271--2-290
Art. XVI. RESERVED
Art. XVII. Beautification Committee, §§ 2-306--2-325
Art. XVIII. Director of Environmental Health, §§ 2-326--2-340
Art. XIX. Reserved
Art. XX. Fire and Police Commission, §§ 2-361--2-380
Art. XXI. Police Pension Board, §§ 2-381--2-400
Art. XXII. Firefighter's Pension Board, §§ 2-401--2-420
Art. XXIII. Planning and Zoning Commission, §§ 2-421--2-430
Art. XXIV. RESERVED §§ 2-431—2-436
Art. XXV. Code of Ethics, §§ 2-441--2-458
Art. XXVI. Finance, ээ 2-459--2-500
Div. 1. Generally, §§ 2-459--2-480
Div. 2. Issuance of Bonds, §§ 2-481--2-500
Art. XXVII. Palatine Emergency Management Agency (PEMA), §§ 2-501--2-614
Art. XXVIII. RESERVED
Art. XXIX. Department of Information Technology §§ 2-620--2-622
Art. XXX. Administrative Hearing Division §§ 2-700 – 2-712
Art. XXX1. Administrative Adjudication of Vehicular Standing, Parking, Automated Traffic Law and Compliance Violations §§ 2-720 – 2-739
Art. XXXII Department of Human Resources

Attachment: Chapter 2 Final Version (Amending Chapter 2 and 11 Code of Ordinances)

ARTICLE I. IN GENERAL

Sec. 2-1. Corporate seal.

The corporate seal of the village shall be as follows: An oval emblem with the words "VILLAGE OF" around the top of the oval border with the words "Est 1866" around the bottom of the border; the center of the oval will contain the word "PALATINE" in Black on a taupe colored background. A likeness of the image is:



Sec. 2-1-1. Organizational structure.

Council Manager Form of Government

The Village operates under the Council Manager Form of Government as that form of Government is defined in the Illinois Statutes. This statement is declarative of the existing form of Government of the Village.
(Ord. #0-16-09, §1, 1/19/09

Sec. 2-2. Fiscal year.

The fiscal year of the village shall begin on the first day of January and end on the thirty-first day of December of each year. (Code 1961, ə 8.602; Ord.No.0-141-98, ə1, 9-14-98)

State law reference(s) --Similar provisions, 65ILCS5/1-1-2.

Sec. 2-3. Elections.

Elections for municipal offices shall be held as is provided by statute, and at the time prescribed by statute. (Code 1961, ə 8.605)

State law reference(s) --For provisions controlling local elections see 10ILCS5/4-1.

Sec. 2-4. Surety bonds.

Whenever a surety bond to indemnify the village is required as a prerequisite to exercising the duties of any office or position, or to the issuance of a license or permit or for the exercise of any special privilege, the surety on such bond shall be a corporation licensed and authorized to do business in this state as a surety company, in the absence of specific provision to the contrary by ordinance. Whenever in its opinion additional sureties or an additional surety may be needed on any bond to indemnify the village against any loss or liability because of the insolvency of the existing surety or sureties or for any other reason, the board may order a new surety or sureties to be secured on such bond. If such new surety or sureties are not procured within ten (10) days from the time such order is transmitted to the principal on the bond, or his assignee, the board shall declare the bond to be void, and thereupon such principal or assignee, shall be deemed to have surrendered the privilege or position as condition of which the bond was required. (Code 1961, ə 8.606

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Sec. 2-5. Use of village-owned or leased building.

No person, group or organization, excepting boards, and agencies of the village, shall be granted a permit to use or occupy a building owned or leased by the village other than meeting rooms unless such person, group or organization shall first furnish and deliver to the village a certificate of insurance, issued by an insurance carrier and approved by the village, providing the Village of Palatine with public liability (and dram shop liability when necessary) insurance covering such use or occupancy, with a policy limit of not less than one million dollars ($1,000,000.00) or any other conditions and requirements set forth by the Corporate Authorities or Village Manager. (Ord. No. O-82-75, §1, 11-24-75; Ord. 0-16-09, §2, 1-19-09)

Editor's note: Ord. No. O-82-75, §1, amended 1961 Code by adding the provisions included herein as § 2-5.

Sec. 2-6. Disposition of unclaimed security deposits.

(a) In all cases where monies are deposited with the village as a bond or security for the satisfactory construction, repair or installation of improvements to property or for the performance of any other act, which monies are refundable upon the satisfactory completion or performance of the same pursuant to this Code or any other ordinance of the village, said monies will be considered abandoned, unclaimed and forfeited to the village if not claimed by the person or persons entitled thereto within two (2) years after the time when such monies have become refundable (hereinafter referred to as the "forfeiture date"). For purposes of this section, "refundable" shall mean repayable by the village to the party depositing such monies with the village, upon such party's meeting or performing the work, improvements or other act for which the same monies were deposited as security under the requirements of the village Code or ordinances.

(b) Except as provided in subparagraph (c) below, not more than ninety (90) nor less than thirty (30) days before the forfeiture date, the Village Clerk shall notify the depositor or any successors or assigns of the depositor of which said clerk has notice, by registered mail to such persons at their last known address or addresses, that the deposit will be forfeited to the village if not claimed on or before the forfeiture date. In the event said monies are not claimed by the person or persons entitled thereto on or before the forfeiture date, said monies shall be deemed forfeited to the village and the village clerk shall notify the village treasurer that the monies have been forfeited to the village. The village treasurer thereupon shall promptly transfer said monies to the Palatine General Fund.

(c) In the case of cash deposits made pursuant to section 2.07(a)(9) of the Building Code of Palatine before commencing any work for which a building permit has been issued, such deposits shall become refundable following final inspection and approval by the village of the project for which the building permit has been issued. Refunds shall be made by the village directly to the permittee; provided, however, that final inspection must be requested by the permittee within the two-year term of the building permit, or any extension or renewal thereof. Failure by the permittee to request final inspection within said term, extension or renewal, shall cause the deposit to be forfeited to the village. The village shall send notice of the forfeiture date to the permittee as provided in subparagraph (b) above not more than ninety (90) days nor less than thirty (30) days before the forfeiture date.

Sec. 2-7. Use of village name, departments, agencies, etc., in solicitations and promotions.

No person, firm or corporation, including any employee, department, division or agency of the village, shall use the name: "The Village of Palatine" or the name of any department, agency, committee, commission or office of the village, or the seal or other insignia or symbol of the village, in the promotion of or solicitation for funds or donations, including fund-raising events or benefits, without the prior written permission of the Village Manager. Any application for a permit to promote, solicit or conduct a benefit or fund-raising event shall be made to the Village Manager in writing. Such applications shall set forth the proposed plan for fund raising, including methods of solicitation and promotion, and shall designate a reasonable amount or percent of the proceeds to be allocated for village expenses to be incurred in connection with the event, promotion or solicitation. Any approval or fund-raising event shall specify the amount or percent of the proceeds which will be allocated to the village to cover its expenses.

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Any denial of an application for such permit may be appealed by a written letter of appeal to the Mayor and Village Council of the village. Such letter of appeal must be delivered to the Village Manager within ten (10) days following his denial. The Mayor and Village Council shall hear and act on said appeal at their next regular meeting following receipt of the letter of appeal by the Village Manager. The decision of the Mayor and Village Council shall be final. (Ord. No. O-70-81, э 1, 8-10-81)

Sec. 2-8. Displaying the flag.

All Village public buildings shall display the flag(s) at in accordance of the Flag Code, Title 4, United States Code, Chapter 1. The following flags shall be the only flags authorized to be flown or otherwise displayed on Village owned, leased, or otherwise controlled buildings or property: the flags of the United States, the State of Illinois, the Village of Palatine, and POW / MIA can be flown at half-staff upon the death of public officials. The flags shall remain at half-staff during each day they are normally flown until lowered at the end of the day on which the funeral is solemnized.

On occasions where Village public safety personnel or military personnel residing in Palatine or employed by the Village are killed in the line of duty or as otherwise determined by the Mayor, the Mayor may deem it appropriate to order all flags flown at half-staff. The flags shall remain at half-staff during each day they are normally flown until lowered at the end of the day on which the funeral is solemnized.

The honor and reverence accorded this solemn act shall not be diminished by the display of the Nation's and State's flags at half-staff on occasions of local tragedy wherein the Village's flag flown at half-staff would be more appropriate. (Ord. No. 0-268-04, §1, 12/13/04)

Secs. 2-9--2-15. Reserved.

ARTICLE II. VILLAGE COUNCIL

Editor's Note: Ordinance 0-15-02 enacted January 28, 2002, replaced Article II in its entirety.

Sec. 2-16. Election; functions.

The Village Council shall consist of six (6) council members. Each council member shall be elected from a district as established by Ordinance 0-100-80, a true copy of which shall be maintained in the office of the Village Clerk. Each of the districts established under said ordinance shall be represented by one council member who shall have been an actual resident of the district for at least six (6) months prior to his or her election. Only the electors of a district shall elect the council member from that district. Council members shall serve in staggered terms with three (3) districts up for election every two (2) years. Council members in Districts 1, 4 and 6 shall serve four (4) year terms elected in 2021 and every four (4) years thereafter and council members in Districts 2, 3 and 5 shall serve four (4) year terms elected in 2019 and every four (4) years thereafter. All council shall hold office for a four-year term, and until their successors are elected and have qualified. This Village Council shall be the legislative department of the village government, and shall perform such duties and have such powers as may be delegated to it by statute, this code or ordinance. All policies, directives and requests from the Village Council or a council member to any department director or employee shall be made or transmitted through the Village Manager. (Code 1961, § 2.101; Ord. No. O-34-81, § 1, 4-20-81)

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On and after April 14, 1997, the Board of Trustees of the Village of Palatine shall be the Village Council of the Village of Palatine, and shall be known as Council Members.

The term "Trustee" as used in any ordinance, resolution, motion or other action of the corporate authorities shall mean "Council Member." (Ord. No. O-190-96, § 1, 10-14-96)

The term "Corporate Authorities" as used in this Code, any ordinance, resolution, motion or other action shall mean collectively the "Mayor" and the "Village Council". Nothing contained herein, however, in the use of the term "Corporate Authorities" shall be deemed to modify or otherwise expand the limits on the Mayor's authority to vote pursuant to 2-96 of the Village Code or pursuant to the Illinois Municipal Code.

The terms of the elected municipal officials shall commence at the first regular or special meeting of the corporate authorities following the proclamation of the results of the regular municipal election at which the officers were elected. (Ord. #0-26-09, §2, 3/2/09)

Sec. 2-17. Oath; Salary.

Each Council Member shall take the following oath of office:

"I, _____, having been elected to the office of Council Member of the Village of Palatine in the Village of Palatine, County of Cook, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of Council Member according to the best of my ability."

and shall receive such compensation as may be from time to time provided by ordinance.
(Code 1961, § 2.102)

State law reference(s)--Similar provisions, 65ILCS5/3-14-3.

Sec. 2-18. Meetings--Regular.

The regular meetings of the Corporate Authorities shall be held on the first, second and third Monday of each month, except when such regular meeting falls on one of the following holidays: Memorial Day, Independence Day, Labor Day or any other day that has been designated by the Village Manager as a holiday for employees in a given year. In each such case, the regular meeting shall be held on the Tuesday following such holiday. All regular meetings shall begin at 7:00 p.m. and no notice thereof shall be required. (Code 1961, § 2.103; Ord. No. O-143-86, § 1, 10-13-86, Ord. 0-31-03, § 1 2-3-03)

Sec. 2-19. Same--Special.

Special meetings may be called by the Mayor or by any three (3) Council Members upon at least forty-eight (48) hours' notice to all Council Members and the Mayor; provided that the Mayor and all Council Members are present at a special meeting, no notice of the meeting shall be necessary other than the public notice required by statute. (Code 1961, § 2.104; Ord. No. 0-55-95, §1, 5-22-95.)

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Sec. 2-20. Committees--Standing.

The following shall be the standing committees of the Village Council:

(1) Administration, Technology and Community Health;

(2) Business, Finance and Budget;

(3) Community and Economic Development;

(4) Fire Policy and Community Information;

(5) Infrastructure and Environment;

(6) Police Policy and Code Services.

The Chair and Vice Chair of each committee shall be appointed by the Mayor, with the consent of the Village Council for a one year term starting May 1. The Chair and Vice Chair shall rotate each year by District. (District 1 shall be succeeded by District 2 on the following May 1, etc.) Each member of the Village Council, including the Mayor, shall, by virtue of his office, be a member of all committees with the right to vote. A quorum of the committee shall be determined to be present whenever four (4) members are present. In the event that the Chair and Vice Chair are not present for a quorum, the remaining members shall select an Acting Chair for that meeting.

Each committee shall have such powers and consider such matters as may be referred to it from time to time by the Mayor and Village Council or assigned to it by the Village Manager. However, each committee shall only make policy recommendations to the Village Council and shall not provide administrative direction to the departments that report to the Village Manager. (Code 1961, § 2.106; Ord. No. O-44-76, § 1, 4-26-76; Ord. No. O-43-77, § 1, 5-23-77; Ord. No. O-60-85, § 1, 7-22-85; Ord. No. O-33-91, § 1, 4-15-91; Ord. No. 0-49-95, § 1, 5-22-95; Ord. No. 0-157-96, §1, 8-26-96)

Sec. 2-21. Same--Special.

Special committees shall be created from time to time as is directed by the Mayor and Village Council. (Code 1961, § 2.107)

Sec. 2-22. Advisory referenda.

It shall be the policy of the Corporate Authorities to submit questions of public policy to the voters of the village in special advisory referenda upon receipt of a petition therefor, signed by not less than twenty per cent (20%) of the registered voters residing in the village.

Such special advisory referenda shall be held not more than ninety (90) days after the receipt of such petition. Notice of such election shall be published and given not less than fifteen (15) or more than thirty (30) days prior to the date of such election.

Such petition may be filed with the Corporate Authorities and/or with the clerk. (Code 1961, § 2.108)

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Sec. 2-23. Ordinances; approval; veto.

All ordinances, resolutions and motions:

(1) Which create any liability against the village, or
(2) Which provide for the expenditure or appropriation of its money, or
(3) Sell any village property and all ordinances passed by the Corporate Authorities.

shall be deposited with the clerk. If the Mayor approves of them, the Mayor shall sign them. Those of which the Mayor disapproves, the Mayor shall return to the Village Council, with the Mayor's written objections, at the next regular meeting of the Village Council occurring not less than five (5) days after their passage. The Mayor may disapprove of any one (1) or more sums appropriated in any ordinance, resolution, or motion making an appropriation, and if so, the remainder shall be effective. However, the Mayor may disapprove entirely of an ordinance, resolution or motion making an appropriation. If the Mayor fails to return any ordinance or any specified resolution with the Mayor's written objections, within the designated time, it shall become effective despite the absence of the Mayor's signature. (Code 1961, § 2.111)

Sec. 2-23.1 Ordaining clause.

The ordaining clause of ordinances in the Village of Palatine shall be: "Be it ordained by the Mayor and Village Council of the Village of Palatine". (Ord. No. 0-90-97, 5-27-97)

Sec. 2-24. Reconsideration; passing over veto.

Every ordinance, resolution and motion specified in the preceding section, and every ordinance, which is returned to the Village Council by the Mayor shall be reconsidered by the Village Council. If, after such reconsideration of two-thirds (2/3) of all the Council Members then holding office the Village Council shall agree to pass an ordinance, resolution, or motion notwithstanding the Mayor's refusal to approve it, then it shall be effective. The vote on the question of passage over the Mayor's veto shall be by yeas and nays, and shall be recorded in the journal. (Code 1961, § 2.112)

Sec. 2-25. Order of business.

The order of business to be observed at all meetings of the Corporate Authorities shall be as follows:

1. Roll call;
2. Pledge to the flag;
3. Public hearings;
4. Approval of minutes of previous meeting or meetings;
5. Mayor’s Report;
6. Committee of the Whole Meeting
   (Individual Committee Meetings);
7. Consent agenda;
8. Reports of standing committees;
9. Reports of village officers;
10. Closed Session, as required;
11. Recognition of audience-non-agenda items

(Code 1961, § 2.201; Ord. No. O-67-78, § 1, 8-14-78; Ord. No. O-172-86, § 1, 12-8-86; Ord. No. 0-166-96, §1, 9/23/96, Ord. No. 0-149-04, §1, 7-12-04)

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Sec. 2-26. Consent agenda.

The Village Manager shall prepare and list on the agenda for each regular meeting of the Corporate Authorities under "consent agenda" all items to be submitted to the Corporate Authorities for a vote which are deemed by the Village Manager to be non-controversial. The monthly warrant covering the approval of payment of bills shall be a consent agenda item unless the Mayor or any Council Member(s) advise the Village Manager to the contrary. A copy of the consent agenda shall be posted on the village hall bulletin board not later than 10:00 a.m. of the third calendar day preceding the day of the regular meeting at which it will be considered. The public records of all proceedings held and action taken on each consent agenda item shall be available for public inspection at all reasonable times during normal business hours. Upon request of the Mayor or any Council Member, made prior to the vote on consent agenda items, any item listed on the consent agenda shall be removed therefrom and considered separately.

When the consent agenda shall be reached in the order of business, a single motion shall be in order to act on all such items and a single roll call shall be taken on such motion. The resulting vote shall be deemed to be the vote of the Corporate Authorities on each item on the consent agenda. (Ord. No. O-67-78, § 2, 8-14-78; Ord. No. O-64-81, § 1, 6-22-81)

Sec. 2-27. Resolutions.

Any resolutions submitted to the Corporate Authorities shall be reduced to writing before being voted upon, on request of any two (2) members of the Village Council. (Code 1961, § 2.203)

Sec. 2-28. Addressing meetings.

For non-agenda items, members of the general public may address the Corporate Authorities with concerns or comments regarding issues that are relevant to Village business. Issues that are not relevant to Village business shall not be allowed. Comments shall not include any disrespectful remarks or comments relating to individuals. All members of the public addressing the Corporate Authorities shall, at all times, maintain proper decorum. All public comments shall be addressed to the Corporate Authorities as a whole, and no comments shall be addressed to individual members of the Corporate Authorities, Village staff or other members of the public. Speakers shall use every attempt to not be repetitive of points that have been made by others. Individual citizens may be allotted three (3) minutes to address the Corporate Authorities as determined by the Mayor.

The Corporate Authorities may refer any matter of public comments to the Village Manager or an appropriate agency or other governmental unit for review, or may place the matter on a subsequent agenda for discussion, at their sole discretion.

For matters on the published agenda, comments shall be made during the agenda item, when recognized by the Mayor or Chairman of the respective Committee on which said agenda item is scheduled.

No person other than the Mayor, a member of the Village Council, or the Village Manager shall address that body at any regular or special meeting except upon consent of a majority of the members present.
(Code 1961, § 2.204)

Sec. 2-29. Procedure for passing ordinances.

(a) Except as otherwise provided in section 2-24 of this Code, each ordinance to be passed shall be introduced at a regular, adjourned or special meeting of the Corporate Authorities. At that time,

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notwithstanding any state statute pertaining to the requirement for an extraordinary vote, if a majority of the Corporate Authorities then holding office vote to accept the ordinance as to its first reading, the ordinance will be held over until the next regular, special or adjourned meeting. At such subsequent meeting or at any subsequent meeting, said ordinance may be passed as to its final passage. Provided, however, that by a majority of the corporate authorities then holding office any ordinance may be passed at its first reading without following the procedure set forth in this section.

(b) Where any member of the Corporate Authority believes that he or she has a conflict of interest on any matter before the Corporate Authority, that member shall publicly so state the existence and general nature of the interest prior to the time a vote is taken and shall recuse him or herself from voting on that matter. Where recusal occurs, that member's failure to vote shall not be counted as either an "aye" or "nay" vote, and that member shall be counted toward a quorum, but shall not be counted toward the number of members upon which a majority is based.

(c) This section shall not otherwise effect the instances in which the Mayor is required to vote under Illinois Municipal Code (65 ILCS 5/5-3-5. (Code 1961, § 2.205; Ord. No. O-154-89, § 1, 10-16-90; Ord. No. O-146-91, § 1, 10-14-91)

Sec. 2-30. Suspension of rules.

The rules of order, other than those prescribed by statute, may be suspended at any time by the consent of a majority of the Corporate Authorities present at any meeting. (Code 1961, § 2.206)

Sec. 2-31. Committee of the whole.

The rules of order governing the Village Council shall permit the committee of the whole to rise to standing or special committees as may from time to time be appointed by the Mayor and Village Council. (Code 1961, § 2.206.1)

Sec. 2-32. Robert's Rules of Order.

Robert's Rules of Order shall govern the deliberations of the Village Council except when in conflicts with any of the foregoing rules. (Code 1961, § 2.207)

Secs. 2-33--2-41. Reserved.

ARTICLE III. OFFICERS AND EMPLOYEES

Editor's Note: Ordinance 0-15-02 enacted January 28, 2002, replaced Article III in its entirety.

Sec. 2-42. Effect.

The provisions of this article shall apply alike to all officers and employees of the village, regardless of the time of the creation of the office or position or the time of the appointment of the officer or employee. (Code 1961, § 8.101)

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Sec. 2-43. Term of office; vacancies.

Every appointed officer of the village shall hold office until his successor is appointed and qualified, unless otherwise provided by statute, any other provision of this Code or other ordinance. A vacancy in any such office shall be filled in the same manner as the original appointment. (Code 1961, § 8.103)

Sec. 2-44. Reserved.

Sec. 2-45. Oath.

Every officer of the village shall, before entering upon his duties, take an oath of office.
(Code 1961, § 8.105)

State law reference(s)--Similar provisions, 65ILCS5/3-14-3.

Sec. 2-46. Salaries.

All officers and employees of the village shall receive such salary as may be from time to time provided by ordinance. (Code 1961, § 8.106)

Sec. 2-47. Assignment of duties.

In the event of a conflict between an appointed officer and the Village Manager, the Corporate Authorities shall have the power to resolve any dispute over an assignment to any appointed officer or over any duty which is not assigned by ordinance to some other specific appointed officer; and shall determine disputes or questions relating to the respective powers or duties of such officers. (Code 1961, § 8.107)

Sec. 2-48. Records.

All records kept by any officer of the village shall be open to inspection by the Corporate Authorities at all reasonable times, whether or not such records are required to be kept by statute or ordinance. (Code 1961, § 8.108)

Sec. 2-49. Bond.

Every officer and employee shall, if required by the Corporate Authorities, and at the expense of the village, upon entering upon the duties of his office, to give a bond in such amount and with such sureties as may be determined by said Corporate Authorities, conditioned upon the faithful performance of the duties of the office or position.
(Code 1961, § 8.109)

Sec. 2-50. Termination of office.

Every officer and employee of the village, upon the expiration of his term for any cause whatsoever, shall deliver to his successor all books and records and other items which may be the property of the village, and if no successor has been appointed within one week after the termination of office such property shall be delivered to the Village Manager. (Code 1961, § 8.111)

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Sec. 2-51. Campaigning and political involvement.

No employee, or compensated officer, other than an elected officer of the village shall campaign for, or make a contribution, either in cash or kind, to the campaign of any candidate for office within the village. 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 village office within the village. 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 village office with the village.

The Village Manager shall set forth the text of this section in the Employee Handbook, and in addition, shall serve copies of the same upon each employee of the village as part of their initial employee orientation

Sec. 2-52. Power to arrest.

The Mayor, members of the Village Council, the Village Manager, sworn members of the fire department and sworn member of the police department are hereby declared to be conservators of the peace, with such powers to make arrests as are given to conservators of the peace by statute. (Code 1961, § 8.110)

Sec. 2-53. Actions against employee; defend and indemnify.

For the purposes of only this section, the word "employee" includes the Mayor, a Council Member, the Village Clerk, the Village Manager, the village attorney, the village prosecutor, the treasurer, an officer, member of a board, commission or committee, servant or employee, whether or not compensated, but does not include an independent contractor.

If any claim or action is instituted against an employee or former employee of the village based on an injury allegedly arising out of an act or omission occurring within the scope of his employment as such employee, the village may elect to do any one or more of the following:

(1) Appear and defend against claim or action;

(2) Indemnify the employee or former employee for his court costs incurred in the defense of such claim or action;

(3) Pay, or indemnify the employee or former employee for a judgment based on such claim or action, or

(4) Pay, or indemnify the employee or former employee for, a compromise or settlement of such a claim or action. (Ord. No. O-58-82, § 1, 6-14-82)

Secs. 2-54--2-65. Reserved.

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ARTICLE IV. VILLAGE CLERK*

***State law reference(s)--**For powers and duties of clerk see 65ILCS5/3-10-9.

Editor's Note: Ordinance 0-15-02 enacted January 28, 2002, replaced Article IV in its entirety.

Sec. 2-66. Election; term.

The clerk shall be elected and serve for a four (4) year term and until a successor is elected and qualified. (Code 1961, § 3.001)

Sec. 2-67. Bond.

Before entering upon the duties of office the clerk shall execute a bond in such amount and with such sureties as is provided by statute, conditioned upon the faithful performance of the clerk's duties. (Code 1961, § 3.002)

Sec. 2-68. Signatures.

The clerk shall seal and attest all ordinances, resolutions and motions adopted by the Corporate Authorities and all contracts of the village and all licenses, permits and such documents that require the clerk's seal and signature. (Code 1961, § 3.003)

Sec. 2-69. Money collected.

The clerk shall turn over all money received on behalf of the village to the village treasurer promptly upon receipt of the same; and with such money he shall give a statement as to the source thereof. (Code 1961, § 3.004)

Sec. 2-70. Reserved.

Sec. 2-71. Records.

The clerk shall keep a record of ordinances and such other records as may be required by the board. (Code 1961, § 3.006)

Sec. 2-72. Seal.

The clerk shall be the custodian of the village seal, and shall affix its impression on documents whenever this is required. (Code 1961, § 3.007)

Sec. 2-73. Documents.

The clerk shall be the custodian of all documents belonging to the village which are not assigned to the custody of some other officer. (Code 1961, § 3.008)

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Sec. 2-74. Same--Indices.

The clerk shall keep and maintain a proper index to all documents and records kept, so that ready access thereto may be had. (Code 1961, § 3.009)

Sec. 2-75. Additional duties.

In addition to the duties herein provided the clerk shall perform such other duties and functions which may be required by this Code or ordinance. (Code 1961, § 3.010)

Sec. 2-76. Vacancies.

In case the office of clerk shall become vacant for any reason, the Corporate Authorities shall appoint a successor. (Code 1961, § 3.011)

Sec. 2-77. Deputy.

There is hereby created office of deputy clerk, to be appointed by the clerk.

The deputy clerk may perform any duty and exercise any power delegated to the clerk. (Code 1961, § 3.012)

State law reference(s)--Appointment of deputy, 65ILCS5/3-6-3.

Secs. 2-78--2-90. Reserved.

ARTICLE V. MAYOR

Editor's Note: Ordinance 0-15-02 enacted January 28, 2002, replaced Article V in its entirety.

Sec. 2-91. Election and term of office.

The Mayor shall be elected for a term of four (4) years. (Code 1961, § 1.001)

On and after April 14, 1997, the Village President shall be the Mayor of the Village of Palatine.

The term "Village President" as used in any ordinance, resolution, motion or other action of the corporate authorities shall mean "Mayor". (Ord. No. 0-190-96, §2, 10-14-96)

State law reference(s)--For provisions relating to election of the Mayor, see 65ILCS5/3-5-1.

Sec. 2-92. Duties.

Pursuant to the Illinois Municipal Code (65 ILCS 5/3.1-15-10 (2001)), the Mayor is recognized as the chief executive officer. The Mayor shall be recognized as the presiding officer at all meetings of the Village Council and on all ceremonial occasions. The Mayor shall be recognized as the official head of the village by the courts for the purpose of serving process and by the governor for all legal purposes. The

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Mayor shall perform all duties that may be required by statute, this Code or ordinance and shall have the power and authority to inspect all books and records kept by any village officer or employee at any reasonable time. All policies, directives and requests from the Mayor to any department director or employee shall be made or transmitted through the manager. The Mayor shall execute all ordinances, resolutions and motions of the Corporate Authorities, all contracts of the village and all licenses, permits and such and other documents that require the Mayor's signature.

Sec. 2-93. Designation of duties. [Intentionally Deleted]

Sec. 2-94. Bond; oath; salary.

Before entering upon the duties of his office, the Mayor shall give a bond with sureties to be approved by the Village Council and at the expense of the Village, conditioned upon the faithful performance of the Mayor's duties, in the sum of at least three thousand dollars ($3,000.00), or such higher sum as may be directed by the Village Council. The Mayor shall take the following oath of office:

> "I, _____, having been elected to the office of Mayor of the Village of Palatine in the Village of Palatine, County of Cook aforesaid, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of Mayor according to the best of my ability."

and shall receive such compensation as may be set from time to time by the Village Council. (Code 1961, § 1.004)

Sec. 2-95. Mayor Pro-Tem.

During a temporary absence from the village, or disability of the Mayor, the Village Council shall at the next meeting of the Village Council after the temporary absence or disability is known, elect one of its members to act as Mayor pro-tem, who in the event of a temporary absence shall perform the duties and possess the rights and powers pertaining to the office for the length of that meeting, and in the event of a longer term disability or absence shall perform the duties and possess the rights and powers pertaining to the office for the term specified by the Village Council, but for no longer than the length of the Mayor's disability or absence.. (Code 1961, § 1.005)

Sec. 2-96. Mayor to preside; deciding vote.

The Mayor shall preside at all meetings of the Village Council. The Mayor shall not vote on any ordinance, resolution or motion except:

(1) Where the vote of the Council Members has resulted in a tie; or

(2) Where three (3) of the Council Members have voted in favor of an ordinance, resolution or motion even though there is no tie vote; or

(3) Where a vote greater than a majority of the Corporate Authorities is required by this Code to adopt an ordinance, resolution or motion.

In each instance specified, the Mayor shall vote.

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Nothing in this section shall deprive a Mayor Pro-Tem from voting in the capacity as a Council Member, but the Council Member shall not be entitled to another vote in the capacity as Mayor Pro-Tem. (Code 1961, § 2.110; Ord. No. O-42-81, § 1, 4-27-81)

Secs. 2-97--2-105. Reserved.

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ARTICLE VI. VILLAGE MANAGER

Editor's Note: Ordinance 0-15-02 enacted January 28, 2002, replaced Article VI in its entirety.
Editor's Note: Ordinance 0-16-09 enacted January 19, 2009, replaced several sections in Article VI.

Sec. 2-106. Creation of office.

The office of the Village Manager is hereby created. (Code 1961, § 4.101)

Sec. 2-107. Appointment.

The Village Manager shall be appointed by the Mayor by and with the advice and consent of the Village Council for an indefinite term. The Village Manager shall be chosen on the basis of executive and administrative qualifications with special reference to actual experience in or knowledge of accepted practice in respect to the duties set forth in this Chapter. The Village Manager shall only be removed by a two- thirds vote of the Corporate Authorities.

Neither the Mayor nor any Council Member of the village shall receive such appointment during the term for which the Mayor or any Council Member has been elected. (Code 1961, §4.102)

This Section shall only be amended by a two-thirds vote of the Corporate Authorities.

Sec. 2-108. Powers and duties.

The manager shall be the chief administrative officer of the village with full authority to carry out the executive and ministerial functions of government. The manager shall be responsible to the Corporate Authorities for the proper administration of all the affairs of the village and shall perform all duties that may be required by statute, this Code or ordinance. The manager shall be empowered and required to:

(1) Enforce all laws and ordinances of the village.

(2) Attend all meetings of the Corporate Authorities. The manager shall have the right to take part in the discussion of all matters coming before the Corporate Authorities but shall have no right to vote. The manager shall be entitled to notice of all special and regular meetings of the Corporate Authorities.

(3) Recommend to the Corporate Authorities adoption of such measures as the manager may deem necessary or expedient.

(4) Appoint, suspend or remove all department directors and employees of the village, except the village attorney, village prosecutor, village treasurer, members of any advisory bodies appointed by the Corporate Authorities; and such appointments, suspensions or removals shall be based upon the merit and fitness of such employee, without regard to political belief or affiliation. The manager may authorize a department director to appoint, suspend or remove subordinates in such department.

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(5) Whenever there is a question as to the respective duties or powers of any appointed officers of the village in the first instance (subject to the Village Council's authority to settle any disputes between the appointed officer and the manager), this shall be settled by the manager and the manager shall have the power to delegate to any such officer any duty which is to be performed when no specific officer has been directed to perform that duty.

(6) Exercise control and supervision over all department directors, appointed officers and employees of the village.

(7) Make recommendations to the Corporate Authorities concerning compensation ranges for each department director, appointed officer, and employee in the village service, including minimum, intermediate and maximum rates.

(8) Recommend to the Corporate Authorities the creating, consolidating and combining of offices, positions, departments or units of the village.

(9) Investigate all complaints in relation to matters concerning the administration of the government of the village and services maintained by the public utilities in the village and see that all franchises, permits and privileges granted by the village are faithfully observed. Such investigation shall include the authority to retain special outside counsel.

(10)

a. The Village Manager is hereby authorized to make expenditures of forty thousand dollars ($40,000.00) or less for which funds were provided in the annual budget ordinance for all items necessary for the running of the village.

b. For all materials, supplies, and equipment that for a purchase of more than twenty thousand dollars ($20,000.00), he shall solicit quotations and for all purchases of more than forty thousand dollars ($40,000.00) he shall be required to received sealed bids unless quotations are deemed by the Manager to be more appropriate and present such bids or quotations to the Corporate Authorities for approval or rejection.

c. When a purchase that is unbudgeted or exceeds $40,000 and is deemed by the Village Manager to be an emergency, meaning an imminent threat to the public health, safety or welfare of the general public, the Village Manager shall be authorized to make such purchase and advise the Village Council of said purchase immediately. The Village Council shall affirm said purchase at the next regularly scheduled meeting.

(Ord.No. 0-2-99,§1,1-11-99, Ord. No. 0-69-07, §1, 5/7/07)

(11) Prepare or cause to be prepared, on or before December 15 of each year, a report of estimated funds necessary to defray the expenses of the village for the fiscal year; prepare, or cause to be prepared the annual budget ordinance in time for consideration and enactment by the Corporate Authorities during the fourth quarter of the fiscal year; and, prepare, or cause to be prepared, the tax levy ordinance and upon enactment thereof file a certified copy with the county clerk before the end of the fourth quarter.(Ord. No. 0-141-98, §2, 9-14-98)

(12) Submit to the Corporate Authorities, promptly following the end of the fiscal year, a complete report on the finances and administrative activities of the village for said fiscal year.

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(13) Present to the Corporate Authorities each quarter a statement showing the exact financial condition of the village as of the end of the preceding quarter and showing amounts appropriated, amounts expended and unexpended balances in the several items of appropriation.

(14) Keep a current inventory of all real and personal property of the village and the location of such property. He shall be responsible for the care and custody of all village property which is not by law assigned to some other officer or body for care and control.

(15) Devote his entire time to the discharge of his official duties.

(16) Perform such other duties as may be required by resolution or ordinance of the Corporate Authorities. (Code 1961, § 4.103; Ord. No. O-83-83, § 1, 12-12-83)

(17) Negotiate and execute all leases and license agreements of Village owned property on behalf of the village. (Ord. No. 0-67-99, §1, 5-24-99)

(18) Waive or otherwise discount required fees associated with Village services and permits when deemed by the Village Manager to be in the best interest of the Village or community.

(19) When more than twenty-one (21) days elapse between regularly scheduled Council meetings and in concurrence with the recommendation of the Director of Finance, approve interim warrants of expenditures as appropriate. Each interim warrant approved by the Village Manager shall be presented to the Corporate Authorities for ratifications at the next regularly scheduled Village Council meeting.

Sec. 2-109. Bond.

The manager shall furnish a bond, if required by the Corporate Authorities and at the expense of the village in such amount and with such surety as may be approved by the Village Council, said bond to be conditioned on the faithful performance of the manager's duties. (Code 1961, § 4.104)

Sec. 2-110. Acting manager.

During an extended absence or extended disability of the manager the Corporate Authorities shall appoint an acting manager, with all the powers and duties of that office. The acting manager shall perform all the duties thereof without furnishing any additional bond, if such appointee shall already be under bond to the village in any other capacity. If such appointment shall be of a person not already under bond to the village such appointee shall furnish a bond, if required by the Corporate Authorities and at the expense of the village, in such amount and with such surety as may be approved by the Village Council. During a temporary absence or temporary disability, the manager may appoint an acting manager. (Code 1961, § 4.105)

Sec. 2-111. Settlement of litigation.

In the event there is litigation or potential litigation involving the Village of Palatine or Workers Compensation claims, the Village Manager shall be authorized settlement authority on behalf of the Village under the following limitations:

(1) Settlements of $30,000 or less – Authorized by the Village Manager

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(2) Settlements between $30,001 and $75,000 – Village Manager shall advise the Corporate Authorities of the proposed settlement and allow the Corporate Authorities the opportunity to discuss the matter at the first regularly scheduled Council Meeting following such notice. Should the Corporate Authorities not elect to discuss the matter and provide other direction, then the Manager shall be authorized to settle.
(3) Settlements over $75,000 – Corporate Authority discussion and action will be required.

As it relates to workers compensation claims, the above-guidelines would be for settlement purposes of payments to employees. Medical related expenses and workers compensation wages are paid separately and required under law.

Sec. 2-112. Disposal of property.

(1) Property Less Than $1,000 in Value.

Whenever the village owns any personal property which is determined by the Village Manager to be no longer necessary or useful to, or for the best interest of the village and having an original value of less than $1,000, the Village Manager, at his discretion, may authorize the disposal of said property, without any further action of the corporate authorities.

(2) Property between $1,000 and $10,000 in Value

Whenever the Village owns any personal property which is determined by the Village Manager, in accordance with this section, to be no longer necessary or useful to, or for the best interest of the Village, and said property originally having a value of $1,000 or more and currently having a value of less than $10,000, the Village Manager shall be authorized to dispose of such personal property in accordance with the following conditions and procedures:

(A) The Village Manager or his designee shall make a written determination that the property is no longer needed by the village and shall set forth reasons therefor.

(B) The Village Manager or his designee shall set forth in writing, attaching such documentation as he deems necessary, the basis for his determination when the property is of a value of $10,000 or less.

(C) The Village Manager shall solicit proposals for the purchase of such property, sell it at public auction, scrap the property, or authorize a trade of it for the purchase of other property, whichever, in his judgment, such activity will generate a greater return and efficiency to the village. If the Village Manager chooses to solicit proposals, he may do so by such means as he deems suited to generate the best response. If the property cannot be disposed of through the preceding means, the Village Manager shall at his discretion authorize disposal without any further action of the corporate authority.

(D) Following the sale or disposition of such property, the Village Manager shall prepare a written report thereof and file the same with the Mayor and Village Council, on an annual basis.

(E) Disposal or sale of the property hereunder shall not be made to an officer or employee of the village or to a person related by blood or marriage to an officer or employee of the village, except items sold at public auction.

(3) Property over $10,000 in Value; Having Title.

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Whenever the village owns any personal property which is determined by the Village Manager to be no longer necessary or useful to, or for the best interest of the village, and having a value of more than $10,000, or consisting of an item having a title (i.e., vehicle), the items may only be disposed in accordance with the Village Council action.

(Ord. No. O-85-86, § 1, 8-11-86; Ord. No. 0-69-07, §2, 5/7/07)

(4) Real Estate Property Owned by the Village

The Corporate Authorities of the Village of Palatine has the power to direct the conveyance of any real estate owned by the Village, when, in the opinion of the Corporate Authorities, the real estate is no longer necessary, appropriate, required for the use of, profitable to, or for the best interests of the Village. This power shall be exercised by an ordinance passed by three-fourths of the Village Council then holding office, at any regular or at any special meeting called for that purpose.

Except as otherwise required by State statute and in exercise of its Home Rule authority, the Village Manager shall determine the appropriate method to dispose of real estate owned by the Village. At a minimum, the location of the real estate to be disposed of shall be published on the Village website for a minimum of fourteen (14) calendar days prior to Village Council action to dispose of the property.

(Ord. No. O-73-22, 07/11/22)

Secs. 2-113--2-120. Reserved.

ARTICLE VII. VILLAGE ATTORNEY*

***State law reference(s)--**Appointment of municipal attorney, 65ILCS5/3-7-1, 65ILCS5/3-7-3.

Editor's Note: Ordinance 0-15-02 enacted January 28, 2002, replaced Article VII in its entirety.

Sec. 2-121. Employment; special counsel.

The village attorney shall be appointed by the Mayor by and with the advice and consent of the Village Council. The village attorney shall represent or advise the village on legal matters; and he may likewise retain special counsel to advise or represent the village on special matters or to assist the attorney for the village. The village attorney may be removed by a majority vote of the Corporate Authorities. (Code 1961, § 4.201)

Sec. 2-122. Suits and actions.

The attorney shall prosecute or defend any and all suits or actions at law or equity to which the village may be a party, or in which it may be interested, or which may be brought against or by, any officer of the village on behalf of the village or in the capacity of such person as an officer of the village, except for suits assigned to the village prosecutor. (Code 1961, § 4.202)

Sec. 2-123. Judgments.

It shall be the duty of the attorney to see to the full enforcement of all judgments or decrees entered in favor of the village, and of all similar interlocutory orders. (Code 1961, § 4.203)

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Sec. 2-124. Advice.

The attorney shall be the legal adviser of the village and shall render advice on all legal questions affecting it, whenever requested to do so by any village official. Upon request by the Mayor, the Manager or a Council Member, the attorney shall reduce any such opinion to writing. (Code 1961, § 4.204)

Secs. 2-125--2-135. Reserved.

ARTICLE VIII. VILLAGE PROSECUTOR

Editor's Note: Ordinance 0-15-02 enacted January 28, 2002, replaced Article VIII in its entirety.

Sec. 2-136. Creation of office.

There is hereby created the office of village prosecutor. (Code 1961, § 4.901)

Sec. 2-137. Appointment and qualifications.

The village prosecutor shall be appointed by the Mayor by and with the advice and consent of the Village Council. The village prosecutor may be removed by a majority vote of the Corporate Authorities. The village prosecutor shall be an attorney, duly licensed to practice in the state. (Code 1961, § 4.902)

Sec. 2-138. Duties.

(a) The village prosecutor shall be responsible for the prosecution under this Code and all other village ordinances, except those which may be from time to time, assigned to the village attorney for prosecution.

(b) The village prosecutor shall consult with the village attorney relative to practices and procedures employed in the discharge of the duties as village prosecutor and shall make recommendations to the village attorney, when deemed advisable or necessary, for improvements of the administration of justice in the area for which the village prosecutor is responsible.

(c) The village prosecutor shall make such other and further reports as may be required by the Corporate Authorities. (Code 1961, § 4.903)

Secs. 2-139--2-150. Reserved.

ARTICLE IX. VILLAGE TREASURER*

***State law reference(s)--**Duties of treasurer, 65ILCS5/3-10-1.

Editor's Note: Ordinance 0-15-02 enacted January 28, 2002, replaced Article IX in its entirety.

Sec. 2-151. Appointment.

There is hereby created the office of village treasurer. The village treasurer shall be appointed by the Mayor by and with the advice and consent of the Village Council. The treasurer shall serve for one (1)

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year. The village treasurer may be removed by a majority vote of the Corporate Authorities. (Code 1961, § 4.301)

State law reference(s)--Power to appoint treasurer, 65ILCS5/3-8-1.

Sec. 2-151.1. Qualifications.

The village treasurer shall have competence, derived from a combination of education and employment in one (1) or more of the following areas of financial and investment management:

(1) Certified public accountant.

(2) Registered security principal.

(3) Registered investment adviser.

(4) Certified financial planner.

(5) Public finance.

(Ord. No. O-43-90, § 1, 4-23-90)

Sec. 2-152. Ex-officio collector.

The village treasurer shall be ex-officio collector and shall perform all duties of the office. (Code 1961, § 4.302)

Sec. 2-153. Bond.

The village treasurer shall give the Village a bond, before entering upon the duties of the office, in the sum required by the Corporate Authorities, and at the expense of the village, but such amount shall not be less than that required by statute. This bond shall be conditioned upon the faithful performance of the duties by the treasurer, and shall be conditioned to indemnify the village for any loss by reason of any neglect of duty or any act of the treasurer. (Code 1961, § 4.303)

State law reference(s)--Bonding of officers, 65ILCS3/3-13-3.

Sec. 2-154. General duties.

The treasurer shall perform such duties as may be prescribed by ordinance. The treasurer shall receive all money paid into the village whether directly from the person paying the money or from the hands of such other officer or employee as may receive it, and he shall pay out money only on vouchers or orders properly signed by the Mayor and attested to by the clerk.

In the event that the Village Treasurer is unable to perform the duties set forth in this section, the Director of Finance shall be authorized to perform all said duties.

(Code 1961, § 4.304)

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Sec. 2-155. Deposit of funds.

The treasurer shall deposit the village funds in such depositories, as may be selected from time to time as provided by law; and shall keep the deposit of the village money separate and distinct from the treasurer's own money, and shall not make private or personal use of any village money. (Code 1961, § 4.305)

Sec. 2-156. Records.

The treasurer shall keep records showing all money received showing the source from which it is received and the purpose for which it is paid and the disposition of it, and shall keep records at all times showing the financial status of the village. (Code 1961, § 4.306)

Sec. 2-157. Accounting.

The treasurer shall keep such books and accounts as may be required by statute, this Code or ordinance, and shall keep them in the manner required by the Corporate Authorities. (Code 1961, § 4.307)

Sec. 2-157.1 Publication of Annual Treasurer's Report.

The Village Clerk shall, within six months after the end of each fiscal year, and after having received a copy of the annual treasurer's report, publish a notice in a newspaper advising of the availability of said annual report and that the same may be inspected or copied at the office of the Village Clerk. (Ord. No. O-33-93, 4-12-93)

Sec. 2-158. Special assessment funds.

All moneys received on any special assessment shall be held by the treasurer as a special fund to be applied only to the payment of the improvement, or bonds and vouchers issued therefor, together with interest thereon, for which the assessment was made, and said money shall be used for no other purpose, unless to reimburse the village for money expended for such improvement. Payments on bonds or vouchers shall be made in accordance with the statutes and the law and the treasurer shall keep the books and accounts in such a manner so that proper proration's in payments of principal and interest can be made and ascertained. (Code 1961, § 4.308)

Sec. 2-159. Warrants--Transfer of funds.

All warrants drawn on the treasurer must be signed by the Mayor and countersigned by the clerk, stating the particular fund or appropriation to which the same is chargeable, and no money shall be otherwise paid except as may be provided by statute. Money shall not be transferred by the treasurer from one fund to another, after it has been received, nor appropriated to any other purpose than that for which it has been collected or paid, except as may be ordered by the Corporate Authorities. (Code 1961, § 4.309)

Secs. 2-160--2-170. Reserved.

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ARTICLE X. DEPARTMENT OF PUBLIC WORKS AND ENGINEERING*

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*Editor's note--Ord. No. O-100-77, § 1, enacted Sept. 12, 1977, repealed former Art. X, §§ 2-171--2-177, relative to the director of public works, and enacted in lieu thereof a new Art. X, §§ 2.171--2-181, as herein set out. Former Art. X was derived from Code 1961, §§ 4.401--4.407.

Subsequent to the above amendment, Ord. No. O-17-92, adopted Feb. 24, 1992, amended Art. X to read as herein set out.

Editor's Note: Ordinance 0-15-02 enacted January 28, 2002, replaced Article X in its entirety.

Sec. 2-171. Department created; composition.

There is hereby created a department of public works and engineering which shall consist of the director of public works and engineering and such other members as may be provided from time to time by the Corporate Authorities.
(Ord. No. O-100-77, § 1, 9-12-77; Ord. No. O-17-92, § 1, 2-24-92)

Sec. 2-172. Office of director of public works and engineering created; appointment.

There is hereby created the office of director of public works and engineering, an executive office of the village. (Ord. No. O-100-77, § 1, 9-12-77; Ord. No. O-17-92, § 1, 2-24-92)

Sec. 2-173. Duties and functions of department.

The department of public works and engineering shall be responsible for the repair and maintenance of all property, facilities and improvements owned by or under the jurisdiction of the village, the landscaping and planting of all trees and shrubs on village property, the design and location of all traffic control devices, the planning, designing and construction of all public streets, alleys and driveways, sewers, sewage disposal plants, street lighting systems, and water systems and all engineering requirements of the village. (Ord. No. O-100-77, § 1, 9-12-77; Ord. No. O-17-92, § 1, 2.24-92)

ARTICLE XI. DEPARTMENT OF COMMUNITY DEVELOPMENT*

***Editor's note--**Ord. No. O-100-77, ə 1, enacted Sept. 12, 1977, repealed former Art. XI, əə 2-191--2-197, relative to the building and zoning administrator, and enacted in lieu thereof a new Art. XI, əə 2-191--2-196, as herein set out. Former Art. XI was derived from Code 1961, əə 4.501--4.506, 4.508.

Sec. 2-191. Department created; composition.

There is hereby created a department of community development which shall consist of the director of community development and such other members as may be provided from time to time by the Corporate Authorities. (Ord. No. O-100-77, ə 1, 9-12-77)

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Sec. 2-192. Office of director of community development created; appointment.

There is hereby created the office of director of community development, an executive office of the village. (Ord. No. O-100-77, ə 1, 9-12-77)

Cross reference(s) --Director of community development, ə 6-1.03.

Sec. 2-193. Duties and functions of director generally.

The director of community development shall be responsible for enforcement of all ordinance and Code provisions relating to building and zoning, inspection of all buildings and structures being erected or altered, as frequently as may be necessary to ensure compliance with village ordinances, the design, construction and erection of all facilities, buildings, structures and improvements on village-owned property and all planning and zoning requirements of the village.. The director of community development also shall have and perform the duties assigned to him in the building code. (Ord. No. O-100-77, ə 1, 9-12-77)

Cross reference(s)--Building codes and building regulations generally, Ch. 6; qualifications and duties of enforcement of community development director, ə 6-1.03; housing, Ch. 10; streets and sidewalks, Ch. 16; trees and shrubs, ə 16-101 et seq.; traffic, Ch. 18; water and sewer services, Ch. 19; zoning, App. A; subdivisions, App. B.

Sec. 2-194. Duty of director to act as electrical inspector.

The director of community development shall have the authority and be charged with the duty of enforcing all ordinance provisions relating to electrical wiring and equipment. (Ord. No. O-100-77, ə 1, 9-12-77)

Sec. 2-195. Duty of director to act as plumbing inspector.

The director of community development shall have the authority and be charged with the duty of enforcing all ordinance provisions relating to the installation, care and standards of plumbing. (Ord. No. O-100-77, ə 1, 9-12-77)

Sec. 2-196. Duty of director to forward copies of permits to assessor.

In addition to all other duties, the director of community development shall forward to the township assessor and county assessor a copy of each building permit issued as required by law or by statute. (Ord. No. O-100-77, ə 1, 9-12-77)

Secs. 2-197--2-210. Reserved.

ARTICLE XII. RESERVED

Sec. 2-211-213. Reserved

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ARTICLE XIII. PEER JURY AND YOUTH OFFICER

[Editor's Note: Ord. 0-110-11 enacted October 3, 2011 replaced Article XIII]

Sec. 2-226. Establishment.

A peer jury is hereby established for the Village of Palatine. The peer jury shall be operated and conducted in accordance with the provisions of this article. The Palatine Police Department shall designate a police department youth officer to have the duties and perform the functions described in this article. (Ord. No. O-5-80, □ 1, 1-14-80)

Sec. 2-227. General policy.

The peer jury shall provide a youth charged with an offense defined in section 2-229 and referred by the youth officer an alternative to criminal prosecution by the Palatine village prosecutor or Cook County States' Attorney by appearing before the peer jury for sentencing to the following, but limited to: community service hours**,** writing a letter of apology to the victim, writing a report that is related to the crime, attending educational workshops and/or counseling, attending an adult bond hearing and, where applicable, making restitution, if directed. It will be the function of the peer jury to conduct hearings, assign appropriate sentences and where applicable, to direct restitution. (Ord. No. O-5-80, □§1, 1-14-80)

Sec. 2-228. Peer jury membership.

Membership on the peer jury shall be voluntary. The roster of jurors shall be comprised of no more than twenty-five (25) youth volunteers or any such other number as determined by the Chief of Police and Village Manager. All members shall be at least thirteen (13) years of age but less than eighteen (18) years of age. Members shall be selected by the youth officer, youth unit supervisor, and peer jury moderator. Members of the peer jury shall be residents of Palatine or attend a school in Palatine. Members shall be selected for a term that will end upon graduation from high school, or when they turn 18 whichever comes first or until they resign or are removed. There shall be no limit other than the age limitation provided herein on the length of terms members may serve. (Ord. No. O-5-80, §1, 1-14-80; Ord. No. O-13-81, □§1, 2-9-81)

Sec. 2-229. Offenses.

Offenses for which the peer jury may be selected shall be violations of the Code of Ordinances of the Village of Palatine, including but not limited to, curfew violations, vandalism, theft, bicycle safety or possession of alcohol or cannabis and minor crimes found in the Illinois Criminal Statutes. (Ord. No. O-5-80, □ §1, 1-14-80)

Sec. 2-230. Eligibility to appear before peer jury.

Any person under the age of eighteen (18) charged with an offense described in section 2-229, together with his or her parents or legal guardian, may elect to have his or her case presented to the jury upon the express approval of the youth officer in the manner described in section 2-231. (Ord. No. O-5-80, □ § 1, 1-14-80)

Sec. 2-231. Procedure.

Upon being charged with an offense described in section 2-229, the youth officer shall determine whether the accused is eligible to appear before the peer jury. Upon a determination that the case may be heard by the peer jury, the youth officer will inform the parents or legal guardian of the accused of the peer jury program and the possibility of having the case referred to the peer jury. If the accused and his or her parents or legal guardian consent to having the accused appear before the peer jury, each of them shall sign a sworn statement evidencing such consent and accepting the provisions of this article, in the following form:

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CONSENT TO APPEAR
BEFORE THE PALATINE PEER JURY

I, _____, "the accused" (a person under the age of eighteen (18) years) and _____ (parent(s) or legal guardian) and each of us, do hereby consent to the appearance of the accused, _____, before the Village of Palatine peer jury for sentencing to but not limited to: community service hours, writing a letter of apology to the victim, writing a report that is related to the crime, attending educational workshops and/or counseling, attending an adult bond hearing and, where applicable, to make restitution, if directed, in accordance with Art. XIII of the Code of Ordinances of the Village of Palatine. We, and each of us, understand and agree that in the event the accused, _____, does not satisfactorily complete the sentence and, where applicable, make restitution, if directed, the Village of Palatine shall be free to prosecute the accused, _____, for the offense of _____ violation of the Code of Ordinances of the Village of Palatine, Sec. _____ or in violation of chapter_____ **Illinois Criminal Statutes act_____/Section_____**; and each of the undersigned having been fully informed of the rights of the accused, _____, to reject referral to the peer jury nevertheless have freely and voluntarily consented to such referral.

The undersigned further consent to having the accused, _____, assume such reasonable risks as may be involved in the performance of the assigned work project.

_____
(Signature of Accused)

_____
(Signature of Parent or Guardian)

Upon proper completion and execution of the above consent form, a date shall be assigned for the accused appearance before the peer jury.

The youth officer shall have complete discretion, even in the case of first offenders, in deciding whether to refer a case to the peer jury. The peer jury may not hear a case without it first having been referred by the youth officer.

On the date assigned, the accused shall appear before the peer jury, and the charges against the accused shall be read to him or her. All sessions of the peer jury shall be closed to the public. The accused may offer an explanation of his conduct with any mitigating or extenuating circumstances. The youth officer may also make a statement to the jury. Members of the peer jury may question the accused **(a**nd may hear testimony from such other voluntary witnesses as they deem appropriate.) Thereafter, the peer jury will adjourn to private deliberation and members will determine an appropriate sentence) and restitution, if any, for the accused. A sentence, shall be executed by the moderator of the peer jury and delivered to the youth officer. The peer jury will then reconvene and the moderator shall read the sentence) in the presence of the accused.

The youth officer or a person assigned by the youth officer shall be responsible for enforcing the sentence of the peer jury. Upon satisfactory completion of the sentence, the youth officer shall notify the peer jury. If the sentence is not completed satisfactorily within the time period assigned, the youth officer shall determine whether the matter shall be turned over to the Palatine village sentence or payment of restitution, if any. (Ord. No. O-5-80, § 1, 1-14-80; Ord. No. O-33-80, § 1, 4-14-80)

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Sec. 2-232. Rules, regulations and procedure.

The youth officer shall attend all meetings of the peer jury and shall prepare a docket) of the proceedings. Under no circumstances shall the docket or the events of any proceeding before the peer jury be part of any public record, or the name and address of the accused or his or her parents or legal guardian be made available for public inspection. (Ord. No. O-5-80, § 1, 1-14-80)

Sec. 2-233. Peer jury moderator.

All meetings of the peer jury shall be presided over by the moderator, who shall be selected by the youth officer, youth unit supervisor and approved by the chief of police. The peer jury adult moderator will be a voluntary position and a resident of Palatine who is licensed to practice law or an attorney that has a law practice within Palatine. The peer jury moderator term will be indefinite. (Ord. No. O-5-80, □ 1, 1-14-80; Ord. No. O-13-81, □ 1, 2-9-81)

Sec. 2-234. Schedule.

The peer jury shall meet monthly on a pre-established weekday evening at 7:00 p.m. and may adjourn and reconvene from time to time as it sees fit. The youth officer may call an extraordinary meeting of the peer jury in his discretion when the situation warrants. (Ord. No. O-5-80, □ § 1, 1-14-80)

Secs. 2-235--2-250. Reserved.

ARTICLE XIV. BOARD OF LOCAL IMPROVEMENTS*

***State law reference(s) --**Authority for board of local improvement, 65ILCS5/5-3-11.

Sec. 2-251. Appointments.

There is hereby established the board of local improvements for the village, which shall consist of the Mayor and all members of the Village Council. (Code 1961, ə 7.101)

Sec. 2-252. General duties.

The board of local improvements shall have the powers and perform the duties assigned to it by statute or ordinance. (Code 1961, ə 7.102)

Sec. 2-253. Meetings.

Meetings of the board of local improvements may be called by the Mayor or any three (3) Council Members in the manner provided for calling special meetings of the Village Council. (Code 1961, ə 7.103)

Secs. 2-254--2-270. Reserved.

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ARTICLE XV. DISTRICT CITIZEN ADVISORY MEETINGS*

***Editor's note--**Ord. No. O-79-83, ə 1, adopted Nov. 14, 1983, repealed former Art. XV, əə 2-271--2-280, "Palatine Advisory Board," and enacted a new Art. XV, əə 2-271--2-278, as set out herein. The repealed sections derived from Ord. No. O-86-74, adopted Oct. 28, 1974, and Ord. No. O-56-78, adopted July 10, 1978.

Sec. 2-271. General policy.

The purpose of the district citizen advisory meetings is to provide forums for all citizens of the village to have an increased understanding of village projects, issues and initiatives as well as participate in and affect the policy and decision-making process of the Village Council. In order to foster widespread participation by all areas of the village, one such advisory group may exist for each council district. The district citizen advisory meeting shall communicate the ideas, concerns, suggestions, and proposed solutions to problems of the citizens of their district to their council member and local government. The citizen advisory meeting shall seek to increase citizen and community participation and influence upon its local government, and to foster and promote a sense of community pride and responsibility. (Ord. No. O-79-83, § 1, 11-14-83)

Sec. 2-272. Meetings The district citizen advisory meetings shall meet at the discretion of the council member.

ARTICLE XVI. RESERVED

ARTICLE XVII. BEAUTIFICATION COMMISSION*

***Editor's note--**Section 1 of Ord. No. O-131-89, adopted Sept. 25, 1989, deleted provisions formerly codified as Art. XVII, əə 2-306--2-310, of Ch. 2 in their entirety, such provisions pertaining to the Palatine Environmental Coordinating Council and derived from Ord. No. O-7-78, ə 1, adopted Feb. 13, 1978; Ord. No. O-60-78, ə 1, adopted July 24, 1978; and Ord. No. O-46-82, ə 1, adopted May 24, 1982. In addition, Ord. No. O-131-89 substituted provisions set out as a new Art. XVII.

Sec. 2-306. Palatine Beautification Commission.

There is hereby created a committee of the Village of Palatine to be named the Palatine Beautification Commission, which shall consist of seven (7) members appointed by the Mayor with the consent of the Village Council. The Mayor shall designate one (1) member to act as chair of the commission. Commission members shall be either village residents or individuals operating businesses physically located within the Village of Palatine. (Ord. No. O-131-89, §1, 9/25/89; Ord. No. 0-46-06, §1, 3/6/06; Ord. No. 0-101-11, §§1 & 2, 9/6/11; Ord. No. 0-54-14, §1, 5/5/14)

Sec. 2-307. Terms of office.

The term of office shall be for two (2) years coinciding with the village fiscal year commencing May 1, 1989. The Mayor may, with the consent of the Village Council, fill vacancies that may from time to time occur. (Ord. No. O-131-89, ə 1, 9-25.89)

Sec. 2-308. Compensation and meetings.

Members of the commission shall serve without compensation. A meeting schedule shall be established by the commission and filed with the Village Clerk. The Village Manager, or his designee, shall serve as executive secretary of the commission and shall provide such staff as he deems appropriate to assist the commission. (Ord. No. O-131-89, ə 1, 9-25-89)

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Sec. 2-309. Duties.

The duties of the beautification commission are:

(1) To define beautification objectives and recommend a beautification plan to the Village Council.

(2) To encourage civic awareness in beautification efforts and foster increased awareness in beautification.

(3) To encourage improvement of commercial property by establishing a recognition program.

(4) To influence quality of new development and improvement of existing properties by reviewing existing ordinances and petitioning for modification as appropriate.

(5) To review and recommend specific beautification projects and programs to the Village Manager and/or Village Council as may be appropriate.

(6) To encourage and coordinate volunteer efforts to instill or maintain plantings or other beautification projects on public rights of way.

(Ord. No. O-131-89, э 1, 9-25-89)

Secs. 2-310--2-325. Reserved.

ARTICLE XVIII. DIRECTOR OF ENVIRONMENTAL HEALTH

Sec. 2-326. Office created.

There is hereby created the office of director of environmental health.

Sec. 2-327. Duties.

(a) The director of environmental health hereby is designated the village health officer and shall be appointed by the Village Manager.

(b) The director of environmental health hereby is designated as the village law enforcement officer and his duly authorized agent(s) are charged with enforcement responsibilities under the Illinois Environmental Protection Act (415ILCS5/1). As such he shall file complaints and may cite violations or seek other authorized remedies. The director of environmental health shall receive and investigate complaints or violations of the act and regulations thereunder or any rules, regulations and orders of the Illinois Department of Public Health, Cook County Department of Public Health or any ordinances relating to Environmental Health, Public Health and Sanitation, subject to the supervision of the Village Manager and the Mayor and Village Council.

(c) The director of environmental health shall:

(1) Execute and enforce all ordinances of the village relating to public health and sanitation.

(2) Issue such orders as may be necessary to carry out the rules approved by the Mayor and Village Council.

(3) Execute and enforce all provisions of this Code and other ordinances of the village relating to the health standards maintained in every place of business in the village where services of a personal nature are furnished to the public or where foods, food products, milk, milk products and beverages of every nature and description whatsoever are either handled, sold, given away, stored, manufactured or processed.

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(4) Investigate the existence of any contagious disease within the village and report the same to the Cook County Department of Public Health, and act without delay in carrying out such measures for controlling the progress of the same as the Cook County Department of Public Health of Health shall propose.

(5) Make all necessary sanitation and health investigations and inspections and cause all nuisances, whether public or private, affecting the health of persons in private employment and the public generally, to be abated with reasonable promptness.

(6) Initiate plans for dealing with public health problems not included in the public health program.

(7) Perform such other duties relating to health and sanitation as the manager shall direct.

(8) Request the police department and such other state or municipal authorities to provide such assistance as he may deem necessary in the performance of the duties of his office and cause the arrest of offenders violating any of this Code and other, village ordinances relating to public or private nuisances, public health and sanitation.

(d) The director of environmental health shall assist all duly constituted authorities, and other municipal organizations within and without the village, to promote and protect the public health, safety, comfort and general welfare of the people with respect to air, sound, water, and land resources of the village.

(e) The director of environmental health shall establish and maintain liaison as necessary, with the Illinois Environmental Protection Agency, Illinois Attorney General, States Attorney of Cook County, Illinois Department of Public Health, Cook County Department of Public Health, and other branches of state and local government in order to assist and cooperate with them in matters of environmental health law enforcement.

(f) The director of environmental health shall investigate any complaint and report his findings to the appropriate Village authorities. His responsibilities shall be:

(1) To investigate any and all appropriate complaints.

(2) To report findings of these complaints to the appropriate village authorities.

(3) To attend, at the request of the appropriate chairman, all regularly scheduled meetings.

(4) To act, advise and consult with the appropriate village authorities in environmental and public health problems of special interest and significance.

(Code 1961, э 4.1002)

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Sec. 2-328. Entry powers.

The director of environmental health shall have authority to enter at all reasonable times upon any private or public property for the purpose of inspecting and investigating to ascertain possible violations of the act or of regulations thereunder or of this Code or other village ordinances and regulations concerning environmental health in accordance with constitutional limitations. (Code 1961, ə 4.1003)

Sec. 2-329. Reports.

The director of environmental health shall make reports to the Corporate Authorities as the Village Manager may request. He may initiate recommendations through the manager to the Corporate Authorities for ordinances or resolutions concerning public health and he will prepare and submit such recommendations when directed to do so by the manager or the Village Council. (Code 1961, ə 4.1004)

Secs. 2-330--2-340. Reserved.

ARTICLE XIX. RESERVED.

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ARTICLE XX. FIRE AND POLICE COMMISSION*

***Editor's note--**Ord. No. O-106-76, ə 1, enacted Dec. 13, 1976, repealed former Art. XX; relative to the police and fire commission, and enacted in lieu thereof a new Art. XX pertaining to the same subject matter. Former Art. XX was derived from Code 1961, əə 7.501, 7.502, 7.505, and Ord. No. O-19-75, ə 2, adopted Feb. 10, 1975. - Ord. No. 0-68-98 ə1, enacted May 26, 1998, repealed former Art. XX; and enacted a new Art. XX.

Cross reference(s) --Police pension board, Ch. 2, Art. XXI; firemen's pension fund, Ch. 2, Art. XXII; fire department, Ch. 7, Art. II; police department, Ch. 13; appointments to police department, ə 13-2.

Editor's Note: Ord. No. 0-101-12, enacted July 9, 2012 replaced Article XX Fire & Police Commission

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Sec. 2-361. Creation; composition; term of members.

This Article XX is expressly created and shall be administered pursuant to the home rule powers of the Village of Palatine unless otherwise pre-empted by state statute. There is hereby created a Fire and Police Commission consisting of five (5) members whose terms of office shall be three (3) years and shall continue until their respective successors are appointed and have qualified.

Sec. 2-362. Appointment, qualifications, oath, and removal of members.

The Mayor, with the consent of the Village Council, shall appoint members of the Fire and Police commission. The members shall be considered officers of the Village and shall file an oath. No person shall be appointed a member who is related either by blood or marriage, up to the degree of first cousin, to any elected official of the Village. Members shall not be considered subject to removal except for cause upon written charges, and after an opportunity to be heard within thirty (30) days in his or their own defense, before a regular meeting of the Village Council. A majority vote of the elected members shall be required to remove any such member from office.

Sec. 2-363. Officers.

The Fire & Police commission will elect one of its own members to act as Chair and another to act as Secretary. The Village Administration shall provide staff support to the Commission and will have the responsibility for the keeping of minutes of the proceedings of the Fire and Police Commission, shall be custodian of all papers pertaining to the business of the Commission, shall keep a record of all examinations held, shall provide all official notices in compliance with State Statute and shall perform or cause to be performed such other duties as the Fire and Police Commission shall prescribe.

Sec. 2-364. Meeting and quorum.

The Fire and Police Commission shall meet at such time and place as shall be specified by the call of the Chair, by three (3) other members acting jointly, or by the Village Manager. Meetings also may be called by the Chair or by the other three (3) members acting jointly upon the request of the Fire Chief or the Police Chief. Meetings shall be held on an as-needed basis. The Village Administration shall give written notice of all meetings to each member and notify the public in accordance with the necessary posting requirements. Three (3) members shall constitute a quorum for the transaction of business.

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Sec. 365. Duty to make and/or change rules to establish system of personnel administration for fire and police departments.

The Fire and Police Commission shall make (and have the power to as necessary recommend changes to) rules to establish a system of personnel administration based on merit principles governing the appointment, promotion, dismissal, suspension, demotion and discipline of certified employees of the fire and police departments, all pursuant to 65 ILCS 5/10-2.1-5 through 65 ILCS 5/10-2.1-6.3 inclusive. Changes to the rules shall be approved by the Village Council and shall go into effect ten (10) calendar days subsequent to their publication on the Village's website.

Sec. 2-366. Attorney for commission.

The Fire Chief or the Police Chief may retain Counsel to prosecute charges brought before the Commission with prior approval of the Village Manager. The Commission will be represented by an attorney approved by the Village Manager.

Sec. 2-366.1. Police Lateral Entry Applicants.

Lateral entry to the police department shall be open to any full-time police officer who is employed by any municipal, township, county, parish, university, state, commonwealth, federal or regularly constituted law enforcement agency. In addition to requirements set forth in 65 ILCS 5/10-2.16, applicants must:

a) Provide documentation of continuous service as a police officer for a minimum of two years, and

(b) Be in good standing in the police department in which the person currently serves, and

1. If currently serving as a police officer within the State of Illinois, certification from the Illinois Training and Standards Board as a certified full-time police officer, or

2. If currently serving as a police officer outside the State of Illinois, be eligible to be granted a waiver of basic training from the Illinois Law Enforcement Training and Standards Board.

(Ord. No. O-4-22, 01-10-22)

Sec. 2-367 – 2-380 Reserved.

ARTICLE XXI. POLICE PENSION BOARD*

***Cross reference(s) --**Police and fire commission, Ch. 2, Art. XX; police department, Ch. 13.

Sec. 2-381. Creation.

There is hereby created a police pension board as provided by statute. (Code 1961, ə 7.601)

Sec. 2-382. Members.

The board shall consist of five (5) members; two (2) of whom shall be appointed by the Mayor and two, (2) of whom shall be elected from the regular police force and one (1) from the beneficiaries under the Police Pension Fund Act as created by statute; the term of such members shall be two (2) years as is provided by statute. (Code 1961, ə 7.602)

State law reference(s) --Similar provisions, 40ILCS5/3-131.

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Sec. 2-383. Duties.

The Police Pension Board shall have the powers and duties delegated to it by statute. (Code 1961, ə 7.603)

State law reference(s) --Similar provisions, 40ILCS5/4-122.

Secs. 2-384--2-400. Reserved.

ARTICLE XXII. FIREFIGHTERS' PENSION BOARD*

***Cross reference(s) --**Police and fire commission, Ch. 2, Art. XX; fire department, Ch. 7, Art. II.

Sec. 2-401. Creation.

There is hereby created and established a Firefighters' Pension Fund in and for the Village, in accordance with 40ILCS5/4-101 et. seq. (Code 1961, ə 7.1001)

Sec. 2-402. Definitions.

For the purposes of this article the term *fireman* or *firemen* and *board or board of trustees* are defined, respectively, as: full-time fireman or full-time firemen entitled to participate in the benefits of said pension fund as provided by said Article 4 of said statute and the Village Council of said pension fund. (Code 1961, ə 7.1002)

Sec. 2-406. Members.

A board of trustees of the Firefighters' Pension Fund is hereby created for the administration of said fund. The board shall consist of 5 members. Two (2) members of the board shall be appointed by the Mayor. Two (2) members of the board shall be active participants of the pension fund who are elected from the active participants of the fund. One (1) member of the board shall be a person who is retired under the Firefighters' Pension Fund Act of 1919 or this Article who is elected from persons retired under the Firefighters' Pension Fund Act of 1919 or this Article. (Code 1961, □ 7.1006; Ord. #0-117-07, §1, 7/9/07) State law reference(s) -- 40ILCS5/4-121.

Sec. 2-407. Duties.

The Firefighters' Pension Board shall have the powers and duties delegated to it by statute. 40ILCS5/4-122.

Sec. 2-408. Village treasurer to be fund treasurer.

The Village Treasurer shall be ex-officio treasurer and custodian of the pension fund. (Code 1961, § 7.1008)

State law reference(s) --Similar provisions, 40ILCS5/4-130.

Secs. 2-409--2-420. Reserved.

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ARTICLE XXIII. PLANNING AND ZONING COMMISSION*

Sec. 2-421. Creation; composition; term; compensation.

There is hereby created a Planning and Zoning Commission for the Village which shall consist of up to nine (9) members, all of whom shall be Village of Palatine residents, to be appointed by the Mayor with the consent of the Village Council and whose terms of office shall be three (3) years and until their respective successors are appointed, however that the terms of the members shall be staggered. The Mayor shall designate a chairperson and vice chairperson of the Planning and Zoning Commission. No person shall be appointed to or serve on the Planning and Zoning Commission who receives compensation for employment with the Village.

Sec. 2-422. Quorum.

A majority of the Planning and Zoning Commission shall constitute a quorum, but no final action shall be taken on any measure before it except with the concurrence of a majority of those members present. The chairperson and vice chairperson shall vote with the other members of the Planning and Zoning Commission.

Sec. 2-423. Meetings.

The Planning and Zoning Commission shall meet at such times as it may determine. Special meetings may be called by the Mayor, the chairperson, or the Village Manager.

Sec. 2-424. Powers and duties.

The Planning and Zoning Commission shall have power:

(1) To prepare and recommend to the Village Council a comprehensive plan looking to the present and future development of the Village, and to provide reasonable requirements in reference to streets, alleys, and public grounds in unsubdivided lands within the corporate limits and in contiguous territory outside and distant not more than one and one-half (1 1/2) miles from the corporate limits of the Village, insofar as the same are not included in any city, village, or incorporated towns. After its adoption by the Village Council, this shall be known as the Village's "Comprehensive Plan."

(2) To recommend from time to time changes to the Comprehensive Plan adopted by the Village Council.

(3) To analyze and make recommendations upon housing, commercial, office, industrial, mixed use, or other plans.

(4) To prepare and recommend to the Village Council from time to time plans for specific improvements in pursuance of such Comprehensive Plan or with respect to other matters referred to it by the Village Council.

(5) To rule upon all appeals from the Village Manager on questions of zoning.

(6) To exercise those powers provided by law to a plan commission and a zoning board of appeals.

(7) To exercise such other powers as may be provided by statute, this Code, or ordinance.

Sec. 2-425. Rules.

The Planning and Zoning Commission may adopt rules regulating the procedure of all meetings of the Planning and Zoning Commission. Such rules shall be filed in the office of the Village Clerk and may be amended at any meetings, such rules to be effective upon filing in the office of the Village Clerk.

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Secs. 2-426--2-430. Reserved.

ARTICLE XXIV. Reserved

Secs. 2-431—2-436. Reserved.

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ARTICLE XXV. Code of Ethics

Editor's Note: Ordinance 0-15-02 enacted January 28, 2002, replaced Article XXV in its entirety.
Editor's Note: Ordinance 0-232-03 enacted October 20, 2003 replaced Article XXV in its entirety.

Sec. 2-441. Definitions.

Unless the contrary is stated, or clearly appears from the context, when used in this Article, the following words and phrases shall have the meanings indicated, and where there may be any variation in interpretation between or among such phrases or terms in this Article, the more restrictive shall apply: (Ord.No.0-87-04, §1, 5-10-04)

Business entity means any organization or enterprise operated for profit, including, but not limited to a proprietorship, partnership, firm, business trust, joint venture, syndicate, corporation or association.

Campaign for elective office means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, State, or local public office or office in a political organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official duties. (Ord.No.0-87-04, §2, 5-10-04)

Candidate means a person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election, as def*ined in section 1-3 of the Election Code (10* ILCS 5/1-3). (Ord.No.0-87-04, §2, 5-10-04)

Collective bargaining has the same meaning as that term is *defined in Section 3 of the Illinoi*s Public Labor Relations Act *(5* ILCS 315/3). (Ord.No.0-87-04, §2, 5-10-04)

Compensated time means, with respect to an employee, any time worked by or credited to the employee that counts toward any minimum work time requirement imposed as a condition of his or her employment, but for purposes of this Ordinance, does not include any designated holidays, vacation periods, personal time, compensatory time off or any period when the employee is on a leave of absence. With respect to officers or employees whose hours are not fixed, "compensated time" includes any period of time when the officer is on premises under the control of the employer and any other time when the officer or employee is executing his or her official duties, regardless of location. (Ord.No.0-87-04, §2, 5-10-04)

Compensatory time off means authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of his or her employment. (Ord.No.0-87-04, §2, 5-10-04)

Consultant means the village attorney, the village planner, the village engineer and any person with professional or technical expertise retained by the village to provide professional or technical advice to the village.

Contribution has the same meaning as *that term is defined in section 9-1.4 of the Election Co*de (10 ILCS *5/9-1.4).* (Ord.No.0-87-04, §3, 5-10-04)

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Employee means a person employed by the Village of Palatine, whether on a fulltime or part-time basis or pursuant to a contract, whose duties are subject to the direction and control of an employer with regard to the material details of how the work is to be performed, but does not include an independent contractor. (Ord.No.0-87-04, §3, 5-10-04)

Employer means the Village of Palatine. (Ord.No.0-87-04, §3, 5-10-04)

Gift means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an officer or employee. Gifts of informational material such as books, pamphlets, reports, calendars, or periodicals shall not be considered gifts for the purposes of this definition. (Ord.No.0-87-04, §4, 5-10-04)

Immediate family means an individual's spouse, dependent children, or others claimed by the individual as dependents for Federal income tax purposes.

Income means salary, wage, advance, payment, fee, honorarium or any other consideration for personal, professional, or commercial services, rent, dividends, interest, capital gains received from the sale of real or personal property, stocks or bonds, return of capital, forgiveness or payment of indebtedness, discount in the price of anything of value unless the discount is available to members of the public without regard to official status, rebate, reimbursement for expenses, contribution to an insurance or pension program paid by any person other than all employer. Income also includes a pro rata share of any income of any business entity or trust in which the individual or spouse owns directly, indirectly or beneficially, a five percent or greater interest.

Interest in real property includes, but is not limited to the following: legal or equitable title; a beneficial interest in any trust (including a land trust); any assignment of any interest from a beneficiary or any other party of an interest; a power to direct conveyance; a right to receive rents or proceeds from the property; a lien; a tax sale certificate; an option; or any other financial interest, real or personal, direct or indirect in such property including status as a nominee or undisclosed principal.

Leave of absence means any period during which an employee does not receive (i) compensation for employment, (ii) service credit towards pension benefits, and (iii) health insurance benefits paid for by the employer. (Ord.No.0-87-04, §5, 5-10-04)

Liquor licensed premises owner means the owner or owners of the legal or beneficial interest in the ideal property for which any liquor license application is filed with the village.

Officer means a person who holds, by election or appointment, an office created by statute or ordinance, regardless of whether the officer is compensated for service in his or her official capacity. (Ord.No.0-87-04, §6, 5-10-04)

Payment means a payment, distribution, transfer, loan, advance, deposit, gift or other rendering of money, property, services or anything else of value, whether tangible or intangible.

Person means an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, association, committee, and any other organization or group of persons acting in concert.

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Political activity means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official duties. (Ord.No.0-87-04, §7, 5-10-04)

Political organization means a party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a county clerk *under Section 9*-3 of the Election Code (10 ILCS *5/9-3),* but only with regard to those activities that require filing with the State Board of Elections or a county clerk. (Ord.No.0-87-04, §7, 5-10-04)

Prohibited political activity means:

1. Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
2. Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
3. Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.
4. Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
5. Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
6. Assisting at the polls on Election Day on behalf of any political organization or candidate for elective office or for or against any referendum question.
7. Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.
8. Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
9. Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
10. Preparing or reviewing responses to candidate questionnaires.
11. Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
12. Campaigning for any elective office or for or against any referendum question.
13. Managing or working on a campaign for elective office or for or against any referendum question.
14. Serving as a delegate, alternate, or proxy to a political party convention.
15. Participating in any recount or challenge to the outcome of any election.

(Ord.No.0-87-04, §7, 5-10-04)

Prohibited source means any person or entity who:

1. is seeking official action (i) by an officer or (ii) by an employee, or by the officer or another employee directing that employee;
2. does business or seeks to do business (i) with the officer or (ii) with an employee, or with the officer or another employee directing that employee;
3. conducts activities regulated (i) by the officer or (ii) by an employee, or by the officer or another employee directing that employee; or

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4. has interests that may be substantially affected by the performance or non-performance of the official duties of the officer or employee. (Ord.No.0-87-04, §7, 5-10-04)

Public official means any person who seeks to be elected or is elected to any public office in the village, the village treasurer, all members of the Planning and Zoning Commission of the Village, the Village Manager and his assistant or assistants, the heads of the various Departments within the Village and the Deputy Village Clerk.

Purchase transaction means a purchase, or a contract to purchase goods or services of any kind.

Sole supplier means any person or business entity which is the only available supplier to the village of a product or service required by the village. Examples of "sole supplier" are such entities as electric, gas and telephone companies.

Supplier means any individual, firm, corporation, association, partnership, joint venture, sole proprietor, or other business entity which enters into a "purchase transaction" with the village. (Ord. No. O-96-74, § 1 (A), 12-9-74; Ord. No. O-31-75, § 1, 4-28-75; Ord. No. O-1-79, § 1, 1-8-79; Ord. No. O-92-79, §§ 1, 7-9-79)

Village shall mean Village of Palatine. (Ord.No.0-87-04, §8, 5-10-04)

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Sec. 2-442. Economic Interest Statements and Ethics Acknowledgement Form

(A) Statement of *Economic Interest*. All public officials shall file, with the County clerk and with the Village Clerk, a verified Statement of Economic Interest responding in detail to the following questions:

1. List the name and instrument of ownership in any entity doing business with the unit of local government in relation to which the person is required to file, in which the ownership interest held by the person at the date of filing is in excess of $5,000 fair market value or from which dividends in excess of $1,200 were received during the preceding calendar year. (In the case of real estate, location thereof shall be listed by street address, or if none, then by legal description.) No time or demand deposit in a financial institution, nor any debt instrument shall be listed.

Business Entity	Instrument of Ownership
_____	_____
_____	_____

2. List the name, address and type of practice of any professional organization in which the person making the statement was an officer, director, associate, partner or proprietor or served in any advisory capacity, from which income in excess of $1,200 was derived during the preceding calendar year.

Name	Address	Type of Practice
_____	_____	_____
_____	_____	_____

3. List the nature of professional services rendered (other than to the unit of government in relation to which the person is required to file) and the nature of the entity to which they were rendered if fees exceeding $5,000 were received during the preceding calendar year from the entity for professional services rendered by the person making the statement. ("Professional services" means services rendered in the practice of law, accounting, engineering, medicine, architecture, dentistry or clinical psychology.)

_____

_____

4. List the identity (including the address or legal description of real estate) of any capital asset from which a capital gain of $5,000 or more was realized during the preceding calendar year.

_____

_____

5. List the name of any entity and the nature of the governmental action requested by any entity which has applied to the unit of local government in relation to which the person must file for any license, franchise or permit for annexation, zoning or rezoning of real estate during the preceding calendar year if the ownership interest of the person filing is in excess of $5,000 fair market value at the time of filing or if income or dividends in excess of $1,200 were received by the person filing from the entity during the preceding calendar year.

_____

_____

6. List the name of any entity doing business with the unit of local government in relation to which the person is required to file from which income in excess of $1,200 was derived during the preceding calendar year other than for professional services and the title or description of any position held in that entity. No time or demand deposit in a financial institution nor any debt instrument need be listed.

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7. List the name of any unit of government which employed the person making the statement during the preceding calendar year other than the unit of government in relation to which the person is required to file.

8. List the name of any entity from which a gift or gifts, or honorarium or honoraria, valued singly or in the aggregate in excess of $500, was received during the preceding calendar year.

VERIFICATION

I declare that this statement of economic interests (including any accompanying schedules and statements) has been examined by me and to the best of my knowledge and belief is a true, correct and complete statement of any economic interests as required by the Illinois Governmental Ethics Act. I understand that the penalty for willfully filing a false or incomplete statement shall be a fine not to exceed $750.

_____

Signature of person making the statement Date

(B) *Prohibited Interests In Contracts.* The following interests by an elected or appointed officer in a contract are hereby prohibited as a matter of law (50 ILCS 105/3, 2001)

(1) No person holding any office, either by election or appointment under the laws or Constitution of this State, may be in any manner financially interested directly in his own name or indirectly in the name of any other person, association, trust or corporation in any contract or the performance of any work in the making or letter of which such officer may be called upon to act or vote. No such officer may represent, either as agent or otherwise, any person, association, trust or corporation, with respect to any application or bid for any contract or work in regard to which such officer may be called upon to vote. Nor may any such officer take or receive, or offer to take or receive, either directly or indirectly, any money or other thing of value as a gift or bribe or means of influencing his vote or action in his official character. Any contract made and procured in violation hereof is void. This Section shall not apply to any person serving on an advisory panel or commission or to any director serving on a hospital district board as provided under subsection (a-5) of Section 13 of the Hospital District Law.

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(2) However, any elected or appointed member of the governing body may provide materials, merchandise, property, services, or labor, subject to the following provisions under either subparagraph (a) or (b):

(a) If:

i. the contract is with a person, firm, partnership, association, corporation, or cooperative association in which such interested member of the governing body of the municipality has less than a 7.5% share in the ownership; and

ii. such interested member publicly discloses the nature and extent of his interest prior to or during deliberations concerning the proposed award of the contract; and

iii. such interested member abstains from voting on the award of the contract, though he shall be considered present for the purposes of establishing a quorum; and

iv. such contract is approved by a majority vote of those members presently holding office; and

v. the contract is awarded after sealed bids to the lowest responsible bidder if the amount of the contract exceeds $1,500, or awarded without bidding if the amount of the contract is less than $1,500; and

vi. the award of the contract would not cause the aggregate amount of all such contracts so awarded to the same person, firm, association, partnership, corporation, or cooperative association in the same fiscal year to exceed $25,000.

(b) If:

i. the award of the contract is approved by a majority vote of the governing body of the municipality provided that any such interested member shall abstain from voting; and

ii. the amount of the contract does not exceed $2,000; and

iii. the award of the contract would not cause the aggregate amount of all such contracts so awarded to the same person, firm, association, partnership, corporation, or cooperative association in the same fiscal year to exceed $4,000; and

iv. such interested member publicly discloses the nature and extent of his interest prior to or during deliberations concerning the proposed award of the contract; and

v. such interested member abstains from voting on the award of the contract, though he shall be considered present for the purposes of establishing a quorum.

(c) In addition to the above exemptions, any elected or appointed member of the governing body may provide materials, merchandise, property, services, or labor if:

i. the contract is with a person, firm, partnership, association, corporation, or cooperative association in which the interested member of the governing body of the municipality, advisory panel, or commission has less than a 1 percent share in the ownership; and

ii. the award of the contract is approved by a majority vote of the governing body of the municipality provided that any such interested member shall abstain from voting; and

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iii. such interested member publicly discloses the nature and extent of his interest before or during deliberations concerning the proposed award of the contract; and

iv. such interested member abstains from voting on the award of the contract, though he shall be considered present for the purposes of establishing a quorum.

(3) For the purposes of this Section only, a municipal officer shall not be deemed interested if the officer is an employee of a company or owns or holds an interest of 1 percent or less in the municipal officer's individual name in a company, or both, that company is involved in the transaction of business with the municipality, and that company's stock is traded on a national recognized securities market, provided the interested member:
(i) publicly discloses the fact that he or she is an employee or holds an interest of 1 percent or less in a company before deliberation of the proposed award of the contract; (ii) refrains from evaluating, recommending, approving, deliberating, or otherwise participating in negotiation, approval, or both, of the contract, work, or business; (iii) abstains from voting on the award of the contract though he or she shall be considered present for purposes of establishing a quorum; and (iv) the contract is approved by a majority vote of those members currently holding office.

(4) A municipal officer shall not be deemed interested if the officer owns or holds an interest of 1 percent or less, not in the officer's individual name but through a mutual fund, in a company that company is involved in the transaction of business with the municipality, and that company's stock is traded on a nationally recognized securities market.

(C) *Pecuniary Interest Allowed in Contracts of Deposit and Financial Service with local Banks and Savings and Loan Associations*. Pursuant to state law (50 ILCS 104/3.2, 2001) pecuniary interests by an elected or appointed office holder are permitted, subject to the following conditions. Nothing in this Code, including the restrictions set forth in subparagraphs (B) (2) and (3) shall preclude a contract of deposit of monies, loans, or other financial services by a unit of local government or a police or firefighter's pension fund established under Article 3 or 4 of the Illinois Pension Code with a local bank or local savings and loan association, regardless of whether a member or members of the governing body of the unit are interested in the bank or savings and loan association as a director, an officer, employee, or holder of less than 7.5 percent of the total ownership interest. A member or members holding such an interest in such a contract shall not be deemed to be holding a prohibited interest for purposes of this Act. The interested member or members of the governing body must publicly state the nature and extent of their interest during deliberations concerning the proposed award of such a contract, but shall not participate in any further deliberations concerning the proposed award. The interested member or members shall not vote on such a proposed award and voting under this Section may be considered present for purposes of establishing a quorum. Award of such a contract shall require approval by a majority vote of those members presently holding office. Consideration and award of any such contract in which a member or members are interested may only be made at a regularly scheduled public meeting of the governing body of the unit or district.

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D. ***Ethics Acknowledgement***. All public officials and consultants shall file with the Village Clerk a verified ethics acknowledgement form in substantially the following form:

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

TO: The Mayor and Village Council of the Village of Palatine, Illinois

ETHICS ACKNOWLEDGEMENT FORM

I, _____, being first duly sworn, upon my oath, state as follows:

(1) I have been ***(please circle one:*** elected, or appointed or hired or I intend to run for election) as the _____ of the Village of Palatine.

(2) I have read and acknowledged the requirements in 50 ILCS 105/3 (the Prohibited Interests and Contracts Act), as fully set forth in Paragraph B above. I understand that I must abide by its terms.

(3) I have read and acknowledge the requirements of 5 ILCS 425/1, et seq, 2001, (the State Gift Ban Act). I understand that I must abide by its terms.

(4) I have read and acknowledge the requirements in 50 ILCS 105/3.2, 2001 (Pecuniary Interests and Contracts requirement), as fully set forth in paragraph C above. I understand that I must abide by its terms.

I, _____, declare that the foregoing statements have been examined by me and are, to the best of my knowledge and belief, true, correct and accurate. I have received from the Village Clerk copies of Article XXV, Chapter 2 of the Municipal Code of the Village of Palatine (Code of Ethics) and statutes of the State of Illinois pertaining to conflicts of interest, income disclosure and misconduct by public office holders (including the State Gift Ban Act, 5 ILCS 425/1, et seq and the Prohibited Interests and Contract Act, 50 ILCS 105/3, 2001). I understand that the penalty for willfully attesting to a false disclaimer is a fine not to exceed seven hundred and fifty dollars ($750.00).

Dated: _____ _____
Signature

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(E) Future Amendments or Declaration of Unconstitutionality of Prohibited Interests in Contracts Act (50 ILCS 105/3, 2001) and State Gift Ban Act (5 ILCS 425/1 et seq, 2001)

(a) Any amendment to the Prohibited Interests in Contracts Act (50 ILCS 105/3 et seq, 2001 or to the State Gift Ban Act (5 ILCS 425/1 et seq. 2001, that becomes effective after the passage of this ordinance, shall be incorporated into this Ordinance by reference and shall be applicable to the solicitation and acceptance of gifts. However, any language that makes its provisions optional for adoption by municipalities shall not be incorporated into this Section by reference without formal action by the Corporate Authorities of the Village.

(b) If the Illinois Supreme Court declares the Prohibited Interests in Contracts Act (50 ILCS 105/3, et seq., 2001) or the State Gift Ban Act (5 ILCS 425/1 et. seq., 2001), unconstitutional in its entirety, then this Section shall be repealed as of the date that the Supreme Court's decision becomes final and not subject to any further appeals or re-hearings.

(c) If the Illinois Supreme Court declares part(s) of the Prohibited Interests in Contracts Act (50 ILCS 105/3, et seq., 2001 or the State Gift Ban Act (5 ILCS 425/1 et. seq., 2001), unconstitutional but upholds the constitutionality of the remainder of these Acts or does not address the remainder of these Acts, then the remainder of these Acts as adopted by this Section, shall remain in full force and effect; however, that part of this Section relating to the part of the Acts found unconstitutional shall be deemed repealed without further action by the Corporate Authorities of the village.

(F) *Filing schedule.* The Economic Interest Statements and Ethics Acknowledgement Form required above shall be completed on forms approved by the Corporate Authorities and provided by the Village Clerk. Economic Interest Statements and/or Ethics Acknowledgement Form shall be filed pursuant to the following schedule:

(1) All public officials and consultants shall file their disclosure statements and/or Ethics Acknowledgement Form annually within thirty (30) days after May 1st.

2) Any candidate for elective public office within the village shall file within fifteen (15) days after his nominating petitions are filed.

(3) Any person appointed as a public official, retained as a consultant or hired as an employee shall, if required to do so by this article, file an Economic Interest Statement and Ethics Acknowledgement Form within thirty (30) days of his appointment, retention or hiring.

(4) Any person elected to public office within the village shall file within thirty (30) days of his election.

(5) Revised Economic Interest Statement and Ethics Acknowledgement Form shall be filed within thirty (30) days following any event which would require a change in any information or disclaimers contained in the statement or disclaimer on file with the Village Clerk.

Not less than fifteen (15) days before the filing dates specified above, except the filing date specified in subparagraph (5), the Village Clerk shall, by first class mail or personal delivery, notify the persons required to file Economic Interest Statements and Ethics Acknowledgement Form of their obligation to file. The Village Clerk shall provide each person filing such statements with a written receipt indicating the date on which the filing took place. In addition, the Village Clerk shall, at least fourteen (14) days prior to the filing dates specified above, provide each person required to file a an Economic Interest Statement and Ethics Acknowledgement Form with a copy of this article and those portions of the statutes of the State of Illinois deemed relevant to governmental ethics by the Village Council. (Ord. #0-16-09, §4, 1/19/09)

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(G) *Public access.* All statements and disclosures filed under this section shall be available for examination and copying by the public at all reasonable times. Each person examining a statement and disclosure must first fill out a form prepared by the Village Clerk identifying the examiner by name, occupation, address and telephone number, and listing the date of examination and reason for such examination. The Village Clerk shall promptly notify each person required to file a statement and disclosure under this article of each instance of an examination of his statement by sending him a duplicate original of the identification form filled out by the person examining his statement.

(H) Any person required to file the statement provided for in this section who knowingly fails to so file, or knowingly files a false or incomplete statement shall be guilty of a misdemeanor and shall be fined not more than seven hundred fifty dollars ($750.00). (Ord. No. O-96-74, § 1(B)--(F), 12-9-74; Ord. No. O-31-75, § 3, 4-28-75; Ord. No. O-37-75, § 1, 5-26-75; Ord. No. O-109-77, § 1, 10-10-77; Ord. No. O-1-79, § 2, 1-8-79; Ord. No. O-92-79, §§ 2, 3, 7-9-79; Ord.No.0-5-98§2,1-26-98)

Sec. 2-443. Supplier's statement.

All bidding forms and request for proposals for purchase transactions between the village and a supplier shall contain the following provision as one of the terms and conditions of such transaction:

The undersigned supplier hereby represents and warrants to the Village of Palatine as a term and condition of acceptance of this (bid or proposal) that none of the following Village officials is either an officer or director of supplier or owns five per cent (5%) or more of supplier: The Mayor; the members of the Village Council; the Village Clerk; the Village Treasurer; the members of the Planning and Zoning Commission; the Village Manager and his assistant or assistants; the heads of the various departments within the Village. If the foregoing representation and warranty is inaccurate, state the name of the Village official who either is officer or director of your business entity or owns five per cent (5%) or more thereof.

The Village Clerk shall promptly notify the Village Council of any person named by suppliers in response to the foregoing inquiry.

Any person who executes a contract knowing that the statement set out above or any part thereof is false shall be guilty of a misdemeanor and shall be fined not more than seven hundred fifty dollars ($750.00). (Ord. No. O-96-74, § 1 (G), 12-9-74; Ord.No.0-5-98§2,1-26-98)

Sec. 2-444. Use of public property for personal convenience or profit prohibited.

No public official shall request or permit the use of village-owned vehicles, equipment, materials or property for personal convenience or profit, except when such services are available to the public generally. Public officials may use village-owned vehicles, equipment, materials or property only in the conduct of official business, when consistent with village policy. (Ord. No. O-109-77, § 2, 10-10-77)

[Editor's Note: New Sections. 2-445—2-448 were added pursuant to Ord. 0-87-04, passed on May 10, 2004]

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Sec. 2-445. Prohibited political activities

Sec 2-445.1. Prohibited political activities.

(a) No officer or employee shall intentionally perform any prohibited political activity during any compensated time, as defined herein. No officer or employee shall intentionally use any property or resources of the Village of Palatine in connection with any prohibited political activity.

(b) At no time shall any officer or employee intentionally require any other officer or employee to perform any prohibited political activity (i) as part of that officer or employee's duties, (ii) as a condition of employment, or (iii) during any compensated time off (such as holidays, vacation or personal time off).

(c) No officer or employee shall be required at any time to participate in any prohibited political activity in consideration for that officer or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity.

(d) Nothing in this Section prohibits activities that are permissible for an officer or employee to engage in as part of his or her official duties, or activities that are undertaken by an officer or employee on a voluntary basis which are not prohibited by this Ordinance.

(e) No person either (i) in a position that is subject to recognized merit principles of public employment or (ii) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to giant-in-aid programs, shall be denied or deprived of employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club.

Sec. 2-446. Gift ban.

Sec. 2-446.1. Gift ban. Except as permitted by this Article, no officer or employee, and no spouse of or immediate family member living with any officer or employee (collectively referred to herein as "recipients"), shall intentionally solicit or accept any gift from any prohibited source, as defined herein, or which is otherwise prohibited by law or ordinance. No prohibited source shall intentionally offer or make a gift that violates this Section.

Sec. 2-446.2. Exceptions. Section 2-446.1 is not applicable to the following:

1) Opportunities, benefits, and services that are available on the same conditions as for the general public.

2) Anything for which the officer or employee, or his or her spouse or immediate family member, pays the fair market value.

3) Any (i) contribution that is lawfully made under the Election Code or (ii) activities associated with a fundraising event in support of a political organization or candidate.

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4) Educational materials and missions.

5) Travel expenses for a meeting to discuss business.

6) A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.

7) Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (ii) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iii) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other officers or employees, or their spouses or immediate family members.

8) Food or refreshments not exceeding *$75.00* per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purposes of this Section, "catered" means food or refreshments that are purchased ready to consume which are delivered by any means.

9) Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee), if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee, and are customarily provided to others in similar circumstances.

10) Intra-governmental and inter-governmental gifts. For the purpose of this Act, "intragovernmental gift" means any gift given to an officer or employee from another officer or employee, and "inter-governmental gift" means any gift given to an officer or employee by an officer or employee of another governmental entity.

11) Bequests, inheritances, and other transfers at death.

12) Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than $100.

Each of the exceptions listed in this Section is mutually exclusive and independent of every other.

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Sec. 2-446.3. Disposition of gifts.

An officer or employee, his or her spouse or an immediate family member living with the officer or employee, does not violate this Ordinance if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501 (c) (3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

Sec. 2-447 Ethics commission.

Sec. 2-447.1. There is hereby created a commission to be known as the "Ethics Commission of the Village of Palatine" ("Commission"). The Commission shall be comprised of the Mayor, the Village Clerk, and the senior Village Council Member. If any member of the Commission is the subject of a complaint filed under this Ordinance, for that complaint only, the next senior Village Council Member shall serve on the Commission.

Sec. 2-447.2. At the first meeting of the Commission, the commissioners shall choose a chairperson from their number. Meetings shall be held at the call of the chairperson or any 2 Commissioners. A quorum shall consist of two Commissioners, and official action by the Commission shall require the affirmative vote of two members.

Sec. 2-447.3. The Mayor, with the advice and consent of the Village Council, may remove a Commissioner in case of incompetency, neglect of duty or malfeasance in office after service on the Commissioner by certified mail, return receipt requested, of a copy of the written charges against the Commissioner and after providing an opportunity to be heard in person or by counsel upon not less than 10 days' notice. Any vacancy shall be filled by appointment of the next most senior Village Council Member. If in filling any vacancy it is determined that there is more than one Council Member with the same level of highest seniority, then the Commission chair shall decide who is then to be appointed.

Sec. 2-447.4. The Commission shall have the following powers and duties:

1) To meet periodically, if necessary, to promulgate procedures and rules governing the performance of its duties and the exercise of its powers.

2) Upon receipt of a signed, notarized, written complaint, to investigate, conduct

3) hearings and deliberations, issue recommendations for disciplinary actions, impose fines in accordance with Section 2-448.1(c) of this Ordinance and refer violations of Section 2-445 or Section 2-446 of this Ordinance to the appropriate attorney for prosecution. The Commission shall, however, act only upon the receipt of a written complaint alleging a violation of this Ordinance and not upon its own prerogative.

4) To receive information from the public pertaining to its investigations and to require additional information and documents from persons who may have violated the provisions of this Ordinance.

5) To compel the attendance of witnesses by subpoena and to compel the production of books and papers pertinent to an investigation. It is the obligation of all officers and employees of the Village to cooperate with the Commission during the course of its investigations. Failure or refusal to cooperate with requests by the Commission shall constitute grounds for discipline or discharge.

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6) The powers and duties of the Commission are limited to matters clearly within the purview of this Ordinance.

Sec. 2-447.5.

(a) Complaints alleging a violation of this Ordinance shall be filed with the Ethics Commission.

(b) Within three business days after the receipt of a complaint, the Commission shall send by certified mail, return receipt requested, a notice to the respondent that a complaint has been filed against him or her and a copy of the complaint. The Commission shall send by certified mail, return receipt requested, a confirmation of the receipt of the complaint to the complainant within three business days after receipt by the commission. The notices to the respondent and the complainant shall also advise them of the date, time, and place of the meeting to determine the sufficiency of the complaint and to establish whether probable cause exists to proceed.

(c) Upon not less than 48 hours public notice, the Commission shall meet to review the sufficiency of the complaint and, if the complaint is deemed sufficient to allege a violation of this Ordinance, to determine whether there is probable cause, based on the evidence presented by the complainant, to proceed. The meeting may be closed to the public to the extent authorized by the Open Meetings Act. The Commission shall issue notice to the complainant and the respondent of the Commission's ruling on the sufficiency of the complaint and, if necessary, on probable cause to proceed within seven business days after receiving the complaint.

If the complaint is deemed sufficient to allege a violation of Section 2-446 of this Ordinance and there is a determination of probable cause, then the Commission's notice to the parties shall include a hearing date scheduled within four weeks after the complaint's receipt. Alternatively, the Commission may elect to notify in writing the attorney designated by the corporate authorities to prosecute such actions and request that the complaint be adjudicated judicially. If the complaint is deemed not sufficient to allege a violation or if there is no determination of probable cause, then the Commission shall send by certified mail, return receipt requested, a notice to the parties of the decision to dismiss the complaint, and that notice shall be made public.

If the complaint is deemed sufficient to allege a violation of Section 2-445 of this Ordinance, then the Commission shall notify in writing the attorney designated by the corporate authorities to prosecute such actions and shall transmit to the attorney the complaint and all additional documents in the custody of the Commission concerning the alleged violation.

(d) On the scheduled date and upon at least 48 hours public notice of the meeting, the Commission shall conduct a hearing on the complaint and shall allow both parties the opportunity to present testimony and evidence. The hearing may be closed to the public only if authorized by the Open Meetings Act.

(e) Within 30 days after the date the hearing or any recessed hearing is concluded, the Commission shall either (i) dismiss the complaint or (ii) issue a recommendation for discipline of the alleged violator and to the Mayor, Village Council, and Village Manager, and in the instance where the Village Manager is the subject of the complaint, then such recommendation to the Mayor and the Assistant Village Manager, or impose a fine upon the violator, or both. The particular findings in the case, any recommendation for discipline, and any fine imposed shall be a matter of public information.

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(f) If the hearing was closed to the public, the respondent may file a written demand for a public hearing on the complaint within seven business days after the issuance of the recommendation for discipline or imposition of a fine, or both. The filing of the demand shall stay the enforcement of the recommendation or fine. Within fourteen days after receiving the demand, the Commission shall conduct a public hearing on the complaint upon at least 48 hours public notice of the hearing and allow both parties the opportunity to present testimony and evidence. Within seven days thereafter, the Commission shall publicly issue a final recommendation to the alleged violator and to the Mayor, Village Council, and Village Manager or impose a fine upon the violator, or both.

(g) If a complaint is filed during the sixty days preceding the date of any election at which the respondent is a candidate, the Commission shall render its decision as required under subsection (e) within seven days after the complaint is filed, and during the seven days preceding that election, the Commission shall render such decision before the date of that election, if possible.

(h) The Commission may fine any person who intentionally violates any provision of Section 2-446 of this Ordinance in an amount of not less than $1,001 and not more than $5,000. The Commission may fine any person who knowingly files a frivolous complaint alleging a violation of this Ordinance in an amount of not less than $1,001 and not more than $5,000. The Commission may recommend any appropriate discipline up to and including discharge.

(i) A complaint alleging the violation of this Act must be filed within one year after the alleged violation.

Sec. 2-448. Penalties

Sec. 2-448.1. Penalties.

(a) A person who intentionally violates any provision of Section 2-445 of this Ordinance may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed $2,500.

(b) A person who intentionally violates any provision of Section 2-446 of this Ordinance is subject to a fine in an amount of not less than $1,001 and not more than $5,000.

(c) Any person who intentionally makes a false report alleging a violation of any provision of this Ordinance to the local enforcement authorities, the State's Attorney or any other law enforcement official may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed $2,500.

(d) A violation of Section 2-445 of this Ordinance shall be prosecuted as a criminal offense by the Village attorney by filing in the circuit court an information, or sworn complaint, charging such offense. The prosecution shall be under and conform to the rules of criminal procedure. Conviction shall require the establishment of the guilt of the defendant beyond a reasonable doubt.

1. A violation of Section 2-446 of this Ordinance may be prosecuted as a quasi-criminal offense by the Village attorney, or by the Ethics Commission through the designated administrative procedure.

(e) In addition to any other penalty that may be applicable, whether criminal or civil, an officer or employee who intentionally violates any provision of Section 2-445 or Section 2-446 of this Ordinance is subject to discipline or discharge.

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Sec. 2-449. Use or disclosure of confidential information.

No current or former official or employee shall use or disclose, other than in the performance of his official duties and responsibilities, or as may be required by law, confidential information gained in the course of or by reason of his position or employment. For purposes of this section, "confidential information" means any information that may not be obtained pursuant to the Illinois Freedom of Information Act, as amended. (Ord. 0-51-05, §1, 3/14/05)

Sec. 2-450. Post-employment restrictions.

(a) 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 his term of office or employment.

(b) No former official or employee shall, for a period of one 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 the former official or employee, regarding any matter or transaction involving the village. (Ord. 0-51-05, §1, 3/14/05)

Secs. 2-451--2-458. Reserved.

ARTICLE XXVI. FINANCE

DIVISION 1. GENERALLY

Sec. 2-459. Office of Director of Finance.

There is hereby created the office of director of finance, an executive office of the village.

Sec. 2-460. Duties and functions, generally.

The director of finance shall be responsible for the oversight and management of all financial operations of the Village. The director shall be responsible for the supervision and direction of the department of finance and operations under the general direction of the Village Manager. The director shall advise the Village Manager on all financial needs of the village. (Ord. No. O-45-93 э 1 4-26-93)

Sec. 2-461. Budget.

Before the beginning of each fiscal year, the board shall enact a budget ordinance in which shall be itemized all estimated revenues and recommended expenditures to be met during such fiscal year. (Code 1961, э 8.201)

Sec. 2-462. Tax levy.

A tax levy ordinance shall be enacted, as required by law, levying such taxes as may be needed to meet the anticipated expenses of the coming year, together with such taxes as may be required to meet outstanding bond issues, or for purposes payable from special taxes properly authorized.

A certified copy of the tax levy ordinance shall be filed with the county clerk not later than the fourth Tuesday in December. Such ordinance shall show the total appropriated for each item, and the amount of tax levied therefor. (Code 1961, э 8.202; Ord.No.0-141-98, э1, 9-14-98)

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Sec. 2-463. Indebtedness.

Except as provided in section 2-490, no indebtedness shall be incurred, excepting such indebtedness as may be payable solely from the proceeds of a duly authorized bond issue or from a designated specified source, unless there is a prior appropriation out of which such indebtedness could be paid, as provided by statute. Provided that during the first quarter of any fiscal year, before the enactment of the current appropriation ordinance, the village may operate under the appropriation ordinance of the preceding year. (Code 1961, ə 8.203; Ord. No. O-127-79, ə 1, 11-13-79)

Sec. 2-464. Contracts.

The Mayor, or any other person designated by the council, may sign on behalf of the village any contract authorized by the Village Council. No contract may be entered into without the authority of the council or Village Manager (subject to Village Managers spending authority).
(Code 1961, ə 8.204)

Sec. 2-465. Bills; payroll.

All bills payable by the village, other than for the payment of salaries established by the Village Council and Village Manager, shall be submitted to the board for approval before payment except those budgeted expenses that are subject to the Village Manager's spending authority. (Code 1961, ə 8.205)

Sec. 2-466. Payment by treasurer.

The treasurer shall pay out money in payment of all bills, or for salaries, or for any other purpose other than the retirement of principal or interest on bonds or tax anticipation warrants only upon warrant signed by the Mayor and clerk as provided by statute. Such warrants shall designate the items to be paid and the funds from which they are to be paid. (Code 1961, ə 8.206)

Sec. 2-467. Audit.

As soon as practicable at the close of each fiscal year, and no later than six (6) months thereafter, there shall be an audit of all accounts of the village made by a competent person authorized to act as an auditor under the laws of this state, to be designated by the Village Council. Copies of such audit report shall be filed with the clerk and with the director of the state department of revenue and in such other places as may be required by law. (Code 1961, ə 8.207)

Sec. 2-468. Contracts for supplies, work or other public improvements.

Except as otherwise provided herein, any supplies, work or other public improvements which are not to be paid for in whole or in part by special assessment or special taxation, when the expense thereof will exceed those limits as set out in section 2-108(9), shall be purchased either:

(1) By a contract let to the lowest responsible, compliant bidder after advertising for bids, in the manner prescribed in section 2-469, except that any such contract may be entered into by the proper officers without advertising for bids, if authorized by a vote of two-thirds (2/3) of all Council Members then holding office; or

(2) In the following manner, if authorized by a vote of two-thirds (2/3) of all Council Members then holding office, to wit: The Village Manager or other proper person to be designated by him, shall superintend and cause to be carried out the construction of the work or other public improvement and shall employ exclusively for the performance of all manual labor thereon, laborers and artisans whom the village shall pay by the day or hour; and all material used in the construction of the work or other public improvement shall be purchased by contract in the manner prescribed in section 2-108(9).

However, nothing in this section shall apply to any contract by this village with the federal government or any agency thereof. (Ord. No. O-89-77, ə 1, 8-22-77; Ord. No. O-88-87, ə 1, 8-10-87)

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Sec. 2-469. Advertisement for bids; deposits.

All proposals to award purchase orders or contracts as designated in section 2-108(9) shall be published at least ten (10) days in advance of the date announced for the receiving of bids, in a newspaper of general circulation within the village or as otherwise determined by the Village Manager and shall be readily accessible in the office of the Village Manager. Nothing contained in this section shall be construed to prohibit the Village Manager from placing additional announcement in recognized trade journals. In addition, the Village Manager, in his discretion, may seek bids from any reputable firms by written solicitation to such firms. Such written solicitations shall be on an impartial basis and shall be made to such firms as the Village Manager in his sole discretion shall deem appropriate.

Advertisements for bids shall describe the character of the proposed contract or agreement in sufficient detail to enable the bidders thereon to know what their obligations will be, either in the advertisement itself, or by reference to detailed plans and specifications on file at the time of the publication of the first announcement. Such advertisements shall also state the date, time, and place assigned for the opening of bids, and no bids shall be received at any time subsequent to the time indicated in the announcement. However, an extension of time may be granted for the opening of such bids upon publication in a newspaper of general circulation within the village of the date to which the bid opening has been extended. The time of the bid extension opening shall not be less than five days after the publication thereof, Sundays and legal holidays excluded.

Bid bond, cash, cashier's check, a certified check or a comptroller's certificate of moneys owed the particular vendor, as a deposit of good faith, in a reasonable amount but not in excess of ten (10) per cent of the contract amount may be required of each bidder by the Village Manager on all bids involving amounts in excess of five thousand dollars ($5,000.00) and, if so required, the advertisements for bids shall so specify.
(Ord. No. O-89-77, ə 1, 8-22-77; Ord. No. O-88-87, ə 2, 8-10-87)

Sec. 2-470. Awarding of contracts; public inspection.

All bids shall be opened in public at the specified time and place designated in the Legal Notice. Recommendation for award shall be reviewed by the Village Manager and forwarded to the appropriate Standing Committee or directly to the Village Council.

The award of any contract shall be made to the lowest responsible bidder as provided in section 2-468. Every contract shall be signed by the Mayor or his duly designated agent and by the Village Clerk, respectively, of the Village. Each bid, with the name of the bidder, shall be entered on a record which record with the name of the successful bidder indicated thereon, shall, after award of contract, be open to public inspection in the office of the Village Manager.

An official copy of each awarded purchase order or contract together with all necessary attachments thereto, including assignments and written consents, shall be retained by the Village Manager in an appropriate file open to the public for such period of time after termination of the contract during which action against the Village might ensue applicable laws of limitation. After such period such purchase orders, contracts and attachments may be destroyed by direction of the Village Manager. (Ord. No. O-89-77, ə 1, 8-22-77, Ord. No. 0-28-04, ə1, 2-17-04)

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Sec. 2-471. Indexing of municipal fees.

Village fees, as set out in the Fee Schedule Supplement to the Code of Ordinances, shall be adjusted to reflect the percentage change in the Municipal Cost Index published in the September issue of the American City and County Magazine, with the following exceptions: (Ord.No.0-106-98, §4,5,9-14-98; Ord. No. 0-180-06, §1, 10/16/06)

(1) Chapter 7, Ambulance Service Fees, which are indexed to the Medicare Rate established by the U.S. Department of Health and Human Services Centers for Medicare and Medicaid Services (CMS);

(2) Chapter 8, Garbage and Refuse Fees, and Chapter 19, Water and Sewer Consumption Fees, which are adjusted each year based upon a financial review of the cost of service and contractual obligations.

The Village Manager is hereby authorized to update the fees as in accordance with the above on an annual basis, rounding to the nearest one- dollar. The Village Manager shall cause a schedule of such fees as amended, in accordance with this section, to be prepared, filed with the Mayor and Village Council and made available for public inspection no later than the adoption of the annual operating budget. The new fee schedule shall take effect on the first day of the new budget year; provided, however, that the Mayor and Village Council may modify any fees and cause an amended Fee Schedule Supplement to be published at any time during the year, as they deem necessary. (Ord. No. O-48-82, §1, 5-24-82; Ord. No. O-47-83, □□1, 8-8-83, Ord. No. 0-145-00, §1, 11-13-00; Ord. No. 0-163-12, §1 12-10-12)

Secs. 2-472--2-480. Reserved.

DIVISION 2. ISSUANCE OF BONDS*

***State law reference(s) --**For provisions controlling municipal bonds see 65ILCS5/8-1-1 et seq.

Sec. 2-481. Authority.

(a) The village, acting by its Mayor and Council, by vote of two-thirds (2/3) of the corporate authorities then holding office, may from time to time borrow money for proper public purposes and in evidence of such borrowing issue its full faith and credit bonds (general obligation) payable from ad valorem taxes to be levied without limitation as to rate or amount against all taxable property situated within the village, exclusive of any bonds issued after submitting the question of their issuance to the electors of the village for their approval, in an amount which, when added to the aggregate principal amount of all then outstanding general obligation bonds so issued without referendum, does not exceed an amount equal to three (3) per cent of the most recent equalized assessed valuation of all of the taxable property in the village. Such bonds may be issued without the submission of the question of their issuance to the electors of the village for their approval. Bonds issued pursuant to paragraph (d) of this section (and bonds which are listed in that paragraph as issued prior to January 1, 1985) and bonds issued pursuant to paragraph (f) or paragraph (g) of this section are deemed for purposes of this paragraph (a) to have been issued pursuant to the approval of the electors of the village of the question of the issuance at a referendum. (Ord. 0-125-00 ə2 10/9/00, 0-86-02 ə2 5/28/02)

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(b) In addition, the village, acting by its Mayor and Village Council, by vote of a majority of the corporate authorities then holding office may from time to time borrow money for proper public purposes and in evidence of such borrowing issue its full faith and credit bonds (general obligation) payable from ad valorem taxes to be levied without limitation as to rate or amount against all taxable property situated within the village if the question of authorizing such bonds has been submitted to the electors of the village and approved by a majority of the electors voting on that question. The question of issuing bonds may be submitted by the Mayor and Village Council of the village at any state or municipal election or at any special election called for that purpose. The submission of any such question and the call of any such special election shall be in the form and in the manner as prescribed by the Mayor and Village Council of the village. The procedures for the issuance of such bonds shall be substantially as herein provided.

(c) Any bond issue or portion thereof issued pursuant to an advisory referendum held prior to the issuance of such bonds shall be deemed to have been issued pursuant to referendum as provided in this section. In the event a portion of a bond issue is issued pursuant to referendum, that portion corresponding to the amount voted upon shall be deemed issued pursuant to the first two sentences of this section.

(d) In addition, the village acting by its Mayor and Village Council, by vote of a majority of the corporate authorities then holding office, may from time to time borrow money for the purpose of: (i) providing funds to the Northwest Water Commission or financing improvements to the water system of the village necessary to accommodate Lake Michigan water, and to pay the costs of borrowing for those purposes, including costs of issuance of bonds, discount and capitalized interest, or (ii) providing funds (either at or prior to maturity or redemption) to pay principal of (at maturity or upon redemption), and redemption premium and interest on the bonds issued pursuant to clause (i) above (or bonds issued pursuant to this clause (ii)) and to pay the costs of issuance and discount of the bonds issued for that purpose. In evidence of such borrowing, the village may issue its full faith and credit bonds (general obligation) payable from ad valorem taxes to be levied against all taxable property situated within the village without the submission of the question of the issuance of those bonds to the electors of the village for their approval. Bonds may be issued pursuant to this paragraph

(f) In addition, the village, acting by its Mayor and Village Council, by vote of a majority of the corporate authorities then holding office may from time to time borrow money for the purpose of financing or refinancing redevelopment project costs as such term is defined in the Tax Increment Allocation Redevelopment Act, of any redevelopment project undertaken by the village pursuant to said Act. In evidence of such borrowing, the village may issue its full faith and credit bonds (general obligation) payable from ad valorem taxes to be levied against all taxable property situated within the village without the submission of the question of the issuance of those bonds to the electors of the village for their approval. A finding in a bond ordinance as to the purpose for which bonds are issued shall be conclusive as to compliance with the requirements of this paragraph. This paragraph (f) constitutes full authority for the issuance of bonds for purposed of refunding bonds issued pursuant to this paragraph (f). (Ord. 0-125-00 ə3 10/9/00)

(g) In addition, the village, acting by its Mayor and Village Council, by vote of a majority of the corporate authorities then holding office may from time to time borrow money for the purpose of financing or refinancing flood control projects (including the flood control projects described in Village Resolution R-53-02 and such additional flood control projects as may be determined from time to time by the Mayor and Village Council). In evidence of such borrowing, the village may issue its full faith and credit bonds (general obligation) payable from ad valorem taxes to be levied against all taxable property situated within the village without the submission of the question of the issuance of those bonds to the electors of the village for their approval. A finding in a bond ordinance as to the purpose for which bonds are issued shall be conclusive as to compliance with the requirements of this paragraph. This paragraph (g) constitutes full authority for the issuance of bonds for purposes of refunding bonds issued pursuant to this paragraph (g). (Ord. 0-86-02 ə3 5/28/02)

Sec. 2-482. Bond ordinance.

The village shall adopt an ordinance, hereinafter designated as the bond ordinance, describing the public purpose or purposes to be accomplished by such borrowing and in such bond ordinance shall make a finding and determination that such borrowing of money is necessary for the welfare of the government and affairs of the village, is for a proper public purpose or purposes and is in the public interest, which finding and determination shall be deemed conclusive. (Code 1961, ə 29.102)

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Sec. 2-483. Bond details and contract for sale.

The bond ordinance shall indicate the amount of money necessary to be borrowed, the amount of bonds to be issued in evidence thereof, shall fix the details of such bonds, including the date, number, denomination and maturity, which shall not exceed forty (40) years from the date of said bonds, and the rate or rates of interest, which shall not exceed the legal rate then in effect for Illinois municipal corporations under "An Act to Authorize Public Corporations to Issue Bonds, Other Evidences of Indebtedness and Tax Anticipation Warrants Subject to Interest Rate Limitations Set Forth Therein", as from time to time in effect. If the bonds are sold to bear interest at the maximum rate, they shall be sold at a price of not less than par. If the bonds are sold to bear interest at a rate less than the maximum interest rate, they may be sold at a price of less than par, provided the price shall be such that the interest cost to the village of the money received as proceeds of the sale of said bonds shall not exceed the maximum interest rate per annum, based on the average maturity of all bonds sold as a single issue, computed according to standard tables of bond values.

A contract for the sale of such bonds may be entered into prior to the adoption of the bond ordinance or the bond ordinance may provide for the subsequent sale of the bonds therein authorized. In the event of such subsequent sale and bonds are sold bearing interest at a rate or rates less than that authorized in the bond ordinance, prior to the delivery of such bonds the taxes levied in the bond ordinance shall be abated by that amount representing the savings resulting from the sale of said bonds at a lower rate of interest than authorized in the bond ordinance.

Notwithstanding any other provision of this section, if the Mayor and Village Council shall determine that prevailing market rates of interest for the bonds are greater than the maximum rate provided by the state statute described above, and that it is necessary for the village to issue the bonds without delay, then the bonds may bear interest at such rate or rates as shall be specified in the bond ordinance, adopted pursuant to the home rule powers of the village, without regard to the rate authorized by the state statute described above. (Code 1961, ə 29.103; Ord. No. O-8-80, ə 2, 1-28-80; Ord. No. O-13-82, ə 1, 2-8-82; Ord. No. O-84-82, ə 2, 9-13-82)

Sec. 2-484. Execution.

The bond ordinance shall direct the execution of the bonds therein authorized on behalf of the village by the signatures of the Mayor and the clerk, shall require the seal of the village to be affixed to such bonds, shall determine whether such bonds to be issued shall be registered in the name of the owner as to principal only or whether the same shall be fully registered as to both principal and interest, and shall set forth the form of bonds. The place or places of payment of the maturing principal and interest on said bonds shall be designated by the Mayor and Village Council either in the bond ordinance or in the proceedings confirming the sale of the bonds.

The Mayor may designate a deputy to affix his signature to any full faith and credit bonds of the village which are required to be signed by the Mayor. In such case, the Mayor shall deliver to the board a written notice of such designation, such notice stating the name of the person so selected and the specific bonds which such person shall have authority to sign as proxy for the Mayor. Said notice shall have attached thereto a written signature of the Mayor executed by the person so designated to sign, together with the personal signature of the deputy authorized to sign on behalf of the Mayor. Each such notice shall be recorded in the official journal of the proceedings of the Mayor and board and then filed with the clerk. When the signature of the Mayor is placed on a full faith and credit bond of the village at his direction in the specified manner, such signature in all respects shall have the same legal effect as if signed by the Mayor in person. The bond ordinance may provide for the use of a facsimile signature of the Mayor and the Village Clerk to execute bonds authorized to be issued by the bond ordinance. (Code 1961, ə 29.104; Ord. No. O-41-82, ə 3, 5-10-82; Ord. No. O-9-85, ə 3, 2-11-85)

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Sec. 2-485. Tax levy.

The bond ordinance shall make provision for the payment of such bonds, both principal thereof and interest thereon until maturity, by the levy of a direct annual tax upon all the taxable property within the village sufficient for such purposes. A copy of such bond ordinance, as adopted, certified to by the clerk, shall be filed in the offices of the county clerk of the county or counties within which any part of the village may be situated. Such bond ordinance, as so filed, shall constitute the authority for the county clerk or county clerks in and for each of the years for which taxes are levied in said bond ordinance, to extend such taxes for collection against all the taxable property situated within the village. The taxes so levied for the payment of principal of and interest on the bonds shall be extended annually by the several county clerks without limitation as to rate or amount and such taxes shall be in addition to and in excess of all other taxes levied or authorized to be levied by the village. Except as provided herein, such taxes so levied shall not be subject to repeal or abatement in any manner whatsoever until such time as all the bonds authorized and issued under the terms of said bond ordinance shall have been paid in full, both principal thereof and interest thereon up to and including the date of maturity; provided, however, that if the village has other funds available, the Mayor and Village Council may appropriate such funds and deposit them in trust with the paying agent for the purpose of the payment of any of the maturities of bonds or interest thereon, in which event the taxes so levied to pay such principal or interest may be abated by the amount so deposited, such abatement to be directed by ordinance of the village duly adopted and placed on file with the respective county clerks at any time prior to the extension of such taxes for collection. (Code 1961, ə 29.105)

Sec. 2-486. This Code not a contract with bondholders.

The terms, provisions and limitations of this Code shall not constitute a contract with any holder of bonds or other evidences of indebtedness of the village. The terms, provisions and limitations contained in this Code may be amended, modified or revoked by action of the Mayor and Village Council of the village, at any time before or after the issuance of any bonds or other obligations of the village pursuant to the provisions hereof, provided that no subsequent action may invalidate or modify the constituent terms of any such outstanding obligations as set forth in the ordinance providing for their issuance. (Ord. No. O-8-80, ə 3, 1-28-80)

Sec. 2-487. Bond ordinance as appropriation; publication.

The provisions of any bond ordinance shall constitute an appropriation of the amounts required as therein referred to and described, and upon the delivery of the bonds therein authorized the proceeds thereof shall be used solely and only for the purpose or purposes for which the bonds were authorized.

Upon the adoption of any bond ordinance by the village, and its approval by the Mayor, the same shall: (1) be printed or published in book or pamphlet form, published by authority of the corporate authorities, or (2) be published in a newspaper published and of general circulation in the village if there be one and if there is no such newspaper then in a newspaper published and of general circulation in the county in which the village or the major portion thereof is situated, and said ordinance shall become effective ten (10) days after the date of either such publication. (Code 1961, ə 29.106; Ord. No. O-9-85, ə 4, 2-11-85)

Sec. 2-488. Refunding bonds.

Any bonds authorized and issued pursuant to the provisions of any bond ordinance adopted pursuant to the provisions hereof, and also any bonds heretofore issued and outstanding, which by their terms are payable from taxes unlimited as to rate or amount and levied against all the taxable property within the village, may be refunded prior to their maturity or at their maturity, and including the refunding of matured interest coupons evidencing interest upon such unpaid bonds. The issuance of refunding bonds shall be authorized by a refunding bond ordinance, which shall be adopted in the manner and subject to the terms, conditions and provisions as herein required for the issuance of bonds for public purposes. (Code 1961, ə 29.107; Ord. No. O-185-89, ə 1, 12-11-89)

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Sec. 2-489. Constitutional home rule power.

Pursuant to the authority granted by Section 6 of Article VII of the Constitution of Illinois 1970, the procedures hereinabove set forth for the issuance of full faith and credit bonds, general obligation, shall be controlling and shall be complied with by the village in the borrowing of money through the issuance of general obligation bonds of the village, notwithstanding any provisions to the contrary contained in the Illinois Municipal Code and all acts amendatory thereof and supplementary thereto and in any other law or laws of the state. (Code 1961, ə 29.108)

Sec. 2-490. Loans.

The village, acting by its Mayor and Village Council by vote of two-thirds of the corporate authorities then holding office, may borrow money for proper public purposes from state or federally chartered banks or savings and loan associations, repayable over not to exceed five (5) years, at such rates of interest and on such other terms and conditions as the Mayor and Village Council in their sole judgment deem to be in the best interests of the village. (Ord. No. O-127-79, ə 2, 11-13-79)

Sec. 2-491. Issuance of industrial revenue bonds.

(a) *Legislative declaration of purpose.* It is hereby determined and declared to be the purpose of this section to provide a financing device which will aid in financing the cost of projects in order to relieve conditions of unemployment and to encourage the increase of industry and business within the village thereby reducing the evils attendant upon unemployment, and to provide for the increased welfare and prosperity of the residents of the village; it is hereby further determined and declared to be the purpose of this section to provide a financing device which will aid in financing the cost of pollution control facilities in order to eliminate, abate or reduce the serious dangers to the public health and welfare caused by environmental pollutions; it is hereby further determined and declared to be the purpose of this section to provide a financing device which will aid in financing the cost of new and rehabilitated residential rental housing in order to provide decent, safe and sanitary housing; and the same are hereby declared and determined to be public purposes and functions declared pertaining to the government and affairs of the village.

(b) *Definitions.* Whenever in this section unless a different meaning clearly appears from the context:

(1) "Economic development project" means any land, interest in land, building, structure, facility, system, fixture, improvement, addition, appurtenance, machinery or equipment or any combination thereof, and all real and personal property deemed necessary in connection therewith, for use by any person, provided that the existence of such economic development project will create or retain employment opportunities in the village or provide decent, safe and sanitary residential rental housing.

(2) "Lease" includes a lease containing an option to purchase the project for a nominal sum upon payment in full, or provision therefor, of all bonds issued in connection with the project and all interest thereon and all other expenses in connection with the project.

(3) "Loan agreement" means an agreement providing for the village to loan the proceeds derived from the issuance of bonds pursuant to this section to one or more persons to be used to pay or finance the cost of one or more projects and providing for the repayment of such loan by the other persons, and which may provide for such loans to be secured or evidenced by one or more notes, debentures, bonds or other secured or unsecured debt obligations of the persons, delivered to the village or to the trustee under the indenture pursuant to which the bonds were issued.

(4) "Person" means any individual, partnership, co-partnership, firm, company, corporation (including public utilities), association, joint stock company, trust, estate, political subdivision, state agency or any other legal entity, or its legal representatives, agent or assigns.

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(5) "Pollution" means any form of environmental pollution including but not limited to, water pollution, air pollution, land pollution, solid waste pollution, thermal pollution, radiation contamination or noise pollution as determined by the various standards prescribed by this state, the federal government or other governmental entities and including but not limited to, anything which is considered as pollution or environmental damage in the Environmental Protection Act, compiled as 415ILCS5/1 through 5/51, and any amendment thereto and substitution therefor.

(6) "Pollution control facility" means any land, interest in land, building, structure, facility system, fixture, improvement, appurtenance, addition, machinery or equipment, or any combination thereof, and all real and personal property deemed necessary in connection therewith, having to do with or the end purpose of which is, reducing, controlling or preventing pollution.

(7) "Project" means any economic development project or pollution control facility or any combination thereof.

(8) "Project cost" means and includes the sum total of all reasonable or necessary costs incidental to the acquisition, construction, reconstruction, repair, alteration, improvement and extension of a project including without limitation the cost of studies and surveys; plans, specifications, architectural and engineering services; legal, marketing or other special services; financing, acquisition, demolition, construction, equipment and site development of new and rehabilitated buildings, rehabilitation, reconstruction, repair or remodeling of existing buildings and all other necessary and incidental expenses including an initial bond and interest reserve together with interest on bonds issued to finance a project to a date six (6) months subsequent to the estimated date of completion.

(9) "Revenues" of a project, or derived from a project, include payments under a lease or sale contract and repayments under a loan agreement, or under notes, debentures, bonds and other secured or unsecured debt obligations of a person delivered as herein provided.

(10) "Sale contract" means a contract providing for the sale of one or more projects to one or more persons and includes a contract providing for payment of the purchase price in one or more installments. If the sale contract permits title to the project to pass to the other person prior to payment in full of the entire purchase price, it shall also provide for the other person to deliver to the municipality or to the trustee under the indenture pursuant to which the bonds were issued one or more notes, debentures, bonds or other secured or unsecured debt obligations of such person providing for timely payments, including, without limitation, interest thereon for the balance of the purchase price at or prior to the passage of such title.

(c) *Additional powers of village.* In addition to powers which it may now have, the village shall have the power under this section:

(1) To finance one or more projects, whether or not now or hereafter in existence, within or without the village or partially within or partially without the village, but in no event further than ten (10) miles from the territorial boundaries of such village.

(2) To acquire, construct, improve, extend, rehabilitate, renovate, and equip one or more projects including any property, real or personal, improved or unimproved, necessary in connection therewith.

(3) To issue its revenue bonds to defray in whole or in part the project costs of any project and to designate an appropriate name for such bonds.

(4) To rent, lease or sell any project to any person pursuant to a lease agreement or sale contract or to enter into a loan agreement with any person with respect to any project in such manner that payments to be received with respect to the project shall produce revenues and receipts sufficient to provide for the prompt payment at maturity or principal, interest and redemption premiums, if any, upon all bonds issued to finance the cost of such project.

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(5) To pledge to the punctual payment of bonds authorized under this article, the interest thereon, and the redemption premiums, and if any, the revenues to be received from such project.

(6) To mortgage such project in favor of the holder or holders of bonds issued therefor.

(7) To sell and convey such project, including without limitations the sale and conveyance thereof subject to a mortgage, if any, as provided in this section, for such price and at such time as the governing body of the village may determine. However, no sale or conveyance of such project shall ever be made in such manner as to impair the rights or interests of the holder or holders of any bonds issued to finance the project costs of such project.

(8) To issue its bonds to refund in whole or in part, bonds theretofore, issued by such village under authority of this section.

Any property which is acquired by the village pursuant to the provisions of this section shall be exempt from the imposition and collection of taxes thereon while owned by the village but the use of such property is subject to taxation to be paid by the lessee or occupant as provided in Section 26 of the "Revenue Act of 1939" filed May 17, 1939, or as may hereafter be amended.

(d) *Exercise of powers; bonds generally.* The exercise of all powers granted by this section may be authorized and bonds may be authorized to be issued under this section for the purposes set forth in this section by ordinance of the Mayor and Village Council which may be adopted at the same meeting at which it is introduced and shall take effect immediately upon adoption.

The bonds shall bear interest at such rate or rates, payable at such times, may be in one or more series, may bear such date or dates, may mature at such time or times, may be payable in such medium of payment at such place or places, may carry such registration privileges, may be executed in such manner, may contain such terms, covenants and conditions, and may be in such form, including coupon and registered, as such ordinance may provide or as may be subsequently determined by the governing body before the bonds are issued. The bonds may be sold at public or private sale in such manner and upon such terms as may be deemed advisable by the governing body of the village. Pending the preparation of the definitive bonds, interim receipts of certificates in such form and with such provisions as the Mayor and Village Council of the village may determine, may be issued to the purchaser or purchasers of bonds sold pursuant to this section. The bonds and interim receipts or certificates shall be deemed to be securities and negotiable instruments within the meaning and for all purposes of the "Uniform Commercial Code."

(e) *Covenants in bonds; mortgage or indenture of trust.* Any ordinance authorizing the issuance of bonds under this section may contain covenants as to:

(1) The use and disposition of the revenues from the project for which the bonds are to be issued, including the creation and maintenance of reserves;

(2) The issuance of other or additional bonds relating to the project or any rehabilitation, improvements, renovations, enlargements or additions thereto;

(3) The maintenance and repair of such project;

(4) The insurance to be carried thereon and the use and disposition of insurance monies;

(5) The appointment of any bank or trust company within or outside the State of Illinois, having the necessary trust powers as trustee for the benefit of the bondholders, paying agent, and bond registrar;

(6) The investment of any funds held by such trustee; and

(7) The terms and conditions upon which the holders of the bonds or any portion thereof or any trustees therefor, are entitled to the appointment of a receiver.

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Any ordinance authorizing the issuance of bonds under this section may provide that the principal of and interest on any bonds issued under this section shall be secured by a mortgage or indenture of trust covering such project for which the bonds are issued and may include any improvements or extensions thereafter made. Such mortgage or indenture of trust may contain such covenants and agreements to properly safeguard the bonds as may be provided for in the ordinance authorizing such bonds and shall be executed in the manner as may be provided for in the ordinance. The provisions of this section and any such ordinance or ordinances and any such mortgage or indenture of trust shall constitute a contract with the holder or holders of the bonds and continue in effect until the principal of, interest on, and the redemption premiums, if any on the bonds so issued have been fully paid and the duties of the village and its corporate authorities and officers under this article and any such ordinance or ordinances and any such mortgage or indenture of trust shall be enforceable by any bondholder by mandamus, foreclosure of any such mortgage or indenture of trust or other appropriate suit, action or proceedings in any court of competent jurisdiction; provided the ordinance or any mortgage or indenture of trust under which the bonds are issued may provide that all such remedies and rights to enforcement may be vested in a trustee for the benefit of all the bondholders which trustee shall be subject to the control of a majority of the holders or owners of any outstanding bonds.

(f) *Signatures of officers on bonds; validity of bonds.* The bonds shall bear the manual or facsimile signatures of such officers of the village as may be designated in the ordinance authorizing such bonds, and such signatures shall be the valid and binding signatures of the officers of the village, notwithstanding that before the delivery thereof and payments thereof any or all of the persons whose signatures appear thereon have ceased to be officers of the village issuing such bonds. The validity of the bonds is not dependent on nor affected by the validity or regularity of any proceedings relating to the acquisition, purchase, construction, reconstruction, improvement, equipping, betterment or extension of the project for which the bonds are issued. The ordinance authorizing the bonds may provide that the bonds shall contain a recital that they are issued pursuant to this section, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

(g) *Revenue bonds.* All bonds issued under this section have a lien upon the revenues derived from the project for which the bonds have been issued, and the governing body may provide in the ordinance or ordinances authorizing such bonds for the issuance of additional bonds to be equally and ratably secured by a lien upon such revenues or may provide that the lien upon such revenues is subordinate.

(h) *Liability of bonds.* All bonds issued under and pursuant to this section shall be limited obligations of the village payable solely out of the revenues derived from the project with respect to which such bonds are issued. No holder of any bonds issued under this section has the right to compel any exercise of taxing powers of the village to pay the bonds, the interest or premium, if any, thereon, and the bonds do not constitute an indebtedness of the village or a loan of credit thereof within the meaning of any constitutional or statutory provision. It shall be plainly stated on the face of each bond that it has been issued under the provisions of this section and that it does not constitute an indebtedness of the village or a loan of credit thereof within the meaning of any constitutional or statutory provisions.

(i) *Investment of funds.* The village, or any duly appointed agent on behalf of the village, may invest any funds held by it pursuant to this section in bonds, notes, certificates of indebtedness, treasury bills or other securities issued or fully guaranteed by the United States of America; in certificates of deposit or time deposits constituting direct obligations of any bank as defined by the Illinois Banking Act, as heretofore and hereafter amended or in such other securities (including without limitation repurchase agreements and investment contracts with banks or other financial institutions) as the governing body may provide in the ordinance or ordinances authorizing such bonds. Any such securities may be purchased at the offering or market price thereof at the time of such purchase.

(j) *Exemption from construction and bidding requirements for public buildings.* The acquisition and construction of a project shall not be subject to any requirements relating to public buildings, structures, grounds, works or improvements imposed by the Illinois Revised Statutes or any other similar requirements which may be lawfully waived by this section, and any requirement of competitive bidding or restriction imposed on the procedure for award of contracts for such purpose or the lease, sale or other disposition of property of the village is not applicable to any action taken under authority of this section.

(k) *Powers conferred deemed additional and supplemental; effect of limitations imposed.* The powers conferred by this section are in addition and supplemental to, and the limitations imposed by this section shall not affect, the powers conferred by any law or any other ordinance. Projects may be acquired,

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purchased, constructed, reconstructed, improved, bettered, equipped, extended and financed, and bonds may be issued under this section for such purposes, notwithstanding that any law or any other ordinance may provide for the acquisition, purchase, construction, reconstruction, improvement, equipping, betterment, extension and financing of a like project, or the issuance of bonds for like purposes, and without regard to the requirements, restrictions, limitations or other provisions contained in any law or any other ordinance.

(l) *Applications.*

(1) Applications for industrial revenue bonds shall be filed with the Village Manager, on application forms issued by the village.

(2) The filing fee for industrial revenue bond applications shall be five thousand dollars ($5,000.00), payable to the Village of Palatine concurrently with the filing of the application. Said fees shall be nonrefundable.

In addition, applicant shall pay to the village all legal fees and other costs incurred incident to the review of industrial bond applications.

If the industrial revenue bond application is approved and such bonds issued, applicant shall pay the village an administrative fee of one per cent of the total amount of the authorized bond issue, together with any and all legal fees, bond consultant fees, printing fees, and all other fees and costs which may be incurred incident to issuance of such bonds.

Ten (10) per cent of the administrative fee shall be due and payable to the village within ten(10) days following adoption by the village of the inducement resolution approving the issuance of such bonds, and in the event such payment is not made within said ten-day period, the commitment by the village to issue said bonds or reserve such bonds for subsequent issuance under its state and federal allocation shall lapse and be of no further force or effect, and the applicant shall forfeit its priority position with respect to the issuance of industrial revenue bonds by the village.

(3)

The Mayor and Village Council shall determine whether the application shall be approved and the bonds issued. The determination of the Mayor and Village Council in all cases shall be final.

(Ord. No. 105-81, ə 1, 12-14-81; Ord. No. O-35-84, ə 1, 6-11-84; Ord. No. O-25-85, ə 2, 4-8-85)

Secs. 2-492--2-500. Reserved.

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ARTICLE XXVII. PALATINE EMERGENCY MANAGEMENT AGENCY (PEMA)*

***Editor's Note** - Ord. No. O-120-17 enacted Dec. 4, 2017, repealed former Art. XXVII PEMA, Sec. 2-501—2-514 and enacted a new Art. XXVII, Sec. 2-501—2-518 Palatine Emergency Management Agency (PEMA)

***Editor's Note--**Ord. No. O-95.77, ə 1, enacted Sept. 12, 1977, repealed former Art. XXVII, əə 2-501--2-513, pertaining to a local civil defense organization, and enacted in lieu thereof a new Art. XXVII, əə 2-501--2-513, as herein set out. Former Art XXVII was derived from Code 1961, əə 7.901--7.913, and Ord. No. O-10-75, ə 1, adopted Jan. 27, 1975. Ord. No. 0-172-96 repealed the former Emergency Services and Disaster Agency (ESDA) and replaces it with Palatine Emergency Management Agency (PEMA) Ordinance.

Cross reference(s) --State of emergency, ə 12-151 et seq.

State law reference(s) --Illinois Civil Defense Act of 1951, 20ILCS3305 et seq.; for provisions relating to local organization, etc., see 20ILCS3305/13.

Sec. 2-501. Establishment.

There is hereby created the Village of Palatine Emergency Management Agency, hereinafter designated as Village EMA, established to prevent, minimize, repair and alleviate injury or damage resulting from disaster caused by enemy attack, sabotage or other hostile actions or from natural or man-made disaster, in accordance with "The Illinois Emergency Management Agency Act", as amended. The Village EMA shall consist of the Village Manager, who shall serve as "EMA Director", and the "Coordinator", as designated by the EMA Director. The Coordinator shall be under the authority, command, and control of the EMA Director.

Sec. 2-502. Coordinator.

Duties: Under the supervision of the Mayor, the EMA Director shall have the responsibility for the management of the Emergency Management Agency, to include the Coordinator and support staff.

Sec. 2-503. Vacancy in office.

In the event of the absence, resignation, death, or inability to serve as the EMA Director, the Mayor or individual designated by the Mayor, shall be and act as EMA Director until a new appointment is made as provided in this Chapter.

Sec. 2-504. Coordinator.

Duties: Under the supervision of the EMA Director, the Coordinator shall have direct responsibility for the planning, coordination, and operation of the emergency management activity in the Village. The Coordinator shall maintain liaison with the State and Federal authorities and the authorities of other nearby political subdivisions to ensure the most effective operation of the Emergency Operations Plan (EOP). The Coordinator's duties shall include, but not be limited to, the following:

A. Coordinating the recruitment of volunteer personnel and agencies to augment the personnel and facilities of the Village for emergency management purposes.

B. Development and coordination of plans for the immediate use of all Village facilities, equipment, manpower and other resources for the purposes of minimizing or preventing damage to persons and property and protecting and restoring to usefulness governmental services and public utilities necessary for the public health, safety and welfare.

C. Negotiating and concluding agreements with owners or persons in control of buildings or other property for the use of such buildings or other property for emergency management purposes, and designating suitable buildings as public shelters.

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D. Conducting public practice alerts to ensure the efficient operation of emergency management regulations, procedures, and operations.

E. Coordinating the activity of all other public and private agencies engaged in any emergency management activity.

F. Assuming such authority and conducting such activity as the EMA Director may direct to promote and execute the Emergency Operations Plan.

G. Vacancy in Office: In the event of the absence, resignation, death, or inability to serve as the Coordinator, the EMA Director or any person designated by the Mayor, shall be and act as Coordinator until a new appointment is made as provided in this Chapter.

Sec. 2-505. Membership with the Joint Emergency Management System.

The Village of Palatine is a member of the Joint Emergency Management System (JEMS), a regional agreement between neighboring municipalities for emergency management support. The Joint Emergency Management System is over seen by a board which is composed of the Chief Administrative Officer, or their designee, from each of the member communities. The board is led by a Chairman and Vice-Chairman, who are elected by the board members. As a member of JEMS, the Village of Palatine coordinates their emergency management program activities with the JEMS Coordinator in order to establish regional standardization.

Sec. 2-506. Joint Emergency Management System (JEMS) Coordinator.

Duties: In cooperation with the EMA Director, the JEMS Coordinator will have the responsibility for planning, training and exercise coordinator of the emergency management activity in the Village. The JEMS Coordinator's duties shall include, but not be limited to, the following:

A. Maintain, coordinate, and recommend for adoption or amendment, an EOP.

B. Be on-call 24-hours a day.

C. Monitor news and severe weather.

D. Maintain, update and monitor the subscriber community Continuity of Operations Plan (COOP).

E. Serve as the liaison for Subscribers to state emergency management agencies and emergency service and disaster agencies.

F. Act as the NIMS Compliance Officer under the National Incident Management System.

G. Ensure that the Subscribers' Emergency Operations Centers (EOC's) are maintained and ready.

H. Provide training on the use of EOC equipment and readiness including regional disaster exercises to measure the subscriber's preparedness to respond to emergencies and to develop action plans to address any deficiencies identified during such exercises.

I. Oversee the maintenance and evaluation of the emergency warning systems including the outdoor warning sirens or additional warning systems in place in each subscriber community.

J. Assist in the preparation and distribution of Incident Action Plans (IAP) for planned special events.

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Sec. 2-507. Functions.

The Village of Palatine EMA shall perform such EMA functions within the Village as shall be prescribed in and by the State of Illinois EMA plan and program prepared by the Governor, and, in addition, shall perform such duties outside the corporate limits as may be required pursuant to any mutual aid agreement with any other political subdivision, municipality, or quasi- municipality entered into as provided in "The Illinois Emergency Management Agency Act", as amended.

Sec. 2-508. Service as mobile support team.

All or any member of the Village of Palatine EMA organization may be designated as a member of a mobile support team created by the Director of the State of Illinois Emergency Management Agency, as provided by law. The leader of the mobile support team shall be designated by the EMA Director. Any member of a mobile support team who is a Village employee or officer while serving on call to duty by the Governor, or the State Director, shall receive the compensation and have the powers, duties, rights and immunities incident to such employment or office. Any such member who is not a paid officer or employee of the Village, while so serving, shall receive from the State of Illinois, reasonable compensation as provided by law.

Sec. 2-509. Agreement with other political subdivisions.

The EMA Director may negotiate mutual aid agreements with other cities or political subdivisions of the State of Illinois, but no such agreement shall be effective until it has been approved by the Mayor and Village Council.

Sec. 2-510. Emergency action.

If the Governor proclaims that a disaster or state of emergency exists in the event of actual enemy attack upon the United States or the occurrence within the State of Illinois of a major disaster resulting from enemy sabotage or other hostile action, or from man-made or natural disaster, it shall be the duty of the Village of Palatine EMA to cooperate fully with the State of Illinois EMA and with the Governor in the exercise of emergency powers as provided by law.

Sec. 2-511. Emergency powers and duties.

A. The Mayor may exercise the emergency power and authority necessary to fulfill his general powers and duties as defined in the Village Code of Ordinances. The judgment of the Mayor shall be the sole criteria necessary to invoke emergency powers provided by ordinance and other appropriate authorities. The Village Council may convene to perform its legislative and administrative powers as the situation demands and shall receive reports relative to emergency management activities. Nothing in this Chapter shall be construed as abridging or curtailing the powers or restrictions of the Village Council.

B. During any period when disaster threatens or when the Village has been struck by disaster, within the definition of this Chapter, the Mayor or the EMA Director may promulgate such regulations as deemed necessary to protect life and property and preserve critical resources. Such regulations may include, but shall not be limited to, the following:

1. Regulations prohibiting or restricting the movement of vehicles in order to facilitate the work of emergency management personnel or to facilitate the mass movement of persons from critical areas within or without the Village.

2. Regulations pertaining to the movement of persons from areas deemed to be hazardous or vulnerable to disaster.

3. Such other regulations necessary to preserve public peace, health and safety.

4. Regulations promulgated in accordance with the authority above will be given widespread circulation by proclamations published and expressed by newspaper, radio, televised media and social media.

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C. Emergency Locations; Governmental Powers: Whenever, due to an emergency resulting from the effects of natural or manmade disaster or hostile act or the anticipated effects thereof, it becomes imprudent, inexpedient or impossible to conduct the affairs of local government at the regular or usual place or places, the Village Council may meet at any place within or without the Village limits on the call of the presiding officer or any two members of such governing body and shall proceed to establish and designate by ordinance, resolution, or other manner alternate or substitute sites or places as the emergency temporary location or locations of government where all, or any part of, the public business may be transacted and conducted during the emergency situation. Such sites or places may be within or without the territorial limits of the Village.

D. During the period when the public business is being conducted at the emergency temporary location or locations, the governing body and other officers of the Village shall have and possess and shall exercise, at such location or locations, all of the executive, legislative, and judicial powers and functions conferred upon such body and officers by or under the laws of this State. Such powers and functions may be exercised in the light of the exigencies of the emergency situation without regard to or compliance with time- consuming procedures and formalities prescribed by law and pertaining thereto, and all acts of such body and officers shall be valid and binding as if performed within the territorial limits of their Village.

E. Continuity in office: In the event that the Mayor is unavailable, the powers of the office shall be exercised and duties shall be discharged by the designated emergency interim successors in the order specified. The emergency interim successor shall exercise the powers and discharge the duties of the office to which designated until such time as a vacancy which may exist shall be filled in accordance with the constitution or statutes; or until the officer, or their deputy or a preceding emergency interim successor, again becomes available to exercise the powers and discharge the duties of the office. Based on the authority of 5 ILCS 275/3 the line of succession for the executive branch of government will be: Mayor, most Senior Council Member, and second most Senior Council Member.

In the event that, at the time or as a consequence of any disaster or occurrence described in this Chapter, the Mayor and their three successors on file with the Village shall be absent, killed, or rendered incapable of performing the duties of such office, such office shall be filled until such time as a successor can be selected in the manner prescribed by law, in the following line of succession: the remaining members of the Village Council based on tenure, the Village Manager, the Director of Finance, the Chief of Police, the Fire Chief, the Public Works Director. In the event that, at the time or as a consequence of any disaster or occurrence described in this Chapter, the incumbent of any Municipal office or position shall be absent, killed, or rendered incapable of performing the duties of such office or position, such office or position shall be filled, until such time as a successor can be selected in the manner prescribed by law, by appointment by the Mayor. The Mayor shall give due consideration to the list of three successors on file with the Village but is not required to select from said list.

Sec. 2-512. Emergency management agency and emergency plans.

A. A comprehensive EOP shall be adopted and maintained by resolution of the Corporate Authorities upon the recommendations of the Mayor. In the preparation of the Plan as it pertains to the Village organization, it is the intent that the services, equipment, facilities and approved, it shall be the duty of the EMA Director, all departments, and all employees to perform personnel of all existing departments and agencies shall be utilized to the fullest extent. When the functions assigned by the Plan and to maintain their portion of the Plan in a current state of readiness at all times. The EOP shall be considered supplementary to this Chapter and have the effect of law whenever a disaster has been proclaimed.

B. Each department head assigned responsibility in the EOP shall be responsible for carrying out all duties and functions assigned therein. Duties will include the organization and training of assigned Village employees and volunteers.

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C. The Mayor shall prescribe in a Continuity of Operations and Continuity of Government Plan those positions within the disaster organization, in addition to their own, for which lines of succession are necessary. In each instance, the responsible person will designate and keep on file with the Village a current list of three persons as successors to the position. The list will be in order of succession and will as nearly as possible designate persons best capable of carrying out all assigned duties and functions.

D. When a required competency or skill for a disaster function is not available within the Village government, the Mayor is authorized to seek assistance from persons outside of government. The assignment of duties, when of a supervisory nature, shall also grant authority for the persons so assigned to carry out such duties prior to, during, and after a disaster. The Village may accept such services from persons outside of government on a volunteer basis. Such persons shall be enrolled as emergency management volunteers in cooperation with the heads of departments affected.

E. Some of the duties ascribed to the Mayor in this Section will ordinarily be handled as a matter of routine by the EMA Director or Coordinator, but the responsibility and authority stem from and remain with the Mayor.

Sec. 2-513. Compensation.

Members of the Village EMA who are paid employees or officers of the Village, if called for training by the State of Illinois Director of EMA, shall receive for the time spent in such training, the same rate of pay as is attached to the position held; members who are not such Village employees or officers shall receive for such training time, such compensation as may be established by the Mayor and Village Council.

Sec. 2-514. Reimbursement by state.

The Treasurer may receive and allocate to the appropriate fund any reimbursement by the State of Illinois to the Village for expenses incident to training members of the EMA as prescribed by the State EMA Director, compensation for services and expenses of members of a mobile support team while serving outside the Village in response to a call by the Governor or State Director of EMA, as provided by law, and any other reimbursement made by the State incident to EMA activities as provided by law.

Sec. 2-515. Purchases and expenditures.

The Village Council, may, on recommendation of the EMA Director, authorize any purchase or contracts necessary to place the Village in a position to combat effectively any enemy attack upon the United States or the occurrence within the State of Illinois of a major disaster resulting from enemy sabotage or other hostile action, or from man-made or natural disasters and to protect the public health and safety, protect property, and provide emergency assistance to victims in the case of such disaster.

In the event of enemy caused or other disaster, the EMA Director is authorized, on behalf of the Village, to procure such services, supplies, equipment or material as may be necessary for such purposes, in view of the emergency without regard to the statutory procedures or formalities normally prescribed by law pertaining to Village contracts or obligations, as authorized by "The Illinois Emergency Management Agency Act", as amended; provided, that if the Mayor is available at such time, the Village Coordinator shall act subject to the direction and restrictions imposed by the Mayor.

Sec. 2-516. Oath.

Every person appointed to serve in any capacity in the EMA organization shall, before entering upon his or her duties, subscribe to the following oath:

"I (state your name) of the Emergency Management Agency of the Village of Palatine do solemnly swear (or affirm) that I will support and defend and bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of Illinois, and the territory, institutions and facilities thereof, both public and private, against all enemies, foreign and domestic; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter, and I do further swear (or affirm) that I do not advocate, nor am I nor have I been a

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member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence; and that during such time as I am affiliated with the Village of Palatine EMA organization, I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence."

Sec. 2-517. Office.

The Village Manager is authorized to designate space in any Village building or elsewhere, as may be provided for by the Village Corporate Authorities for the Village of Palatine EMA organization as its office.

Sec. 2-518. Local disaster emergencies.

See Chapter 12, Article IX of the Village Code of Ordinances regarding Declaration of Emergencies.

Secs. 2-519--2-614. Reserved.

ARTICLE XXIX. DEPARTMENT OF INFORMATION TECHNOLOGY

Sec. 2-620. Department created; composition.

There is hereby created a department of information technology. (Ord. No. O-57-92, ə 1, 4-27-93)

Sec. 2-621. Office of director of information technology.

There is hereby created the office of director of information technology, an executive office of the village. (Ord. No. O-57-92, ə 1, 4-27-93)

Sec. 2-622. Duties and functions generally.

The director of information technology shall be responsible for the oversight and management of all information technology and information systems operations of the village. The director shall be responsible for the supervision and direction of the department of information technology under the general direction of the Village Manager. The director shall advise the Village Manager on all information management needs of the village and shall coordinate all purchases of equipment, systems and maintenance of operations. The director shall coordinate the information management program of the village and such other quality assurance related and management programs as assigned by the Village Manager. (Ord. No. O-57-92, ə 1, 4-27-93)

ARTICLE XXX - ADMINISTRATIVE HEARING DIVISION

[Editor's Note: Ordinance 0-132-03 enacted October 20, 2003, added a new Article XXX]
[Editor's Note: Ordinance 0-109-05 enacted June 6, 2005, amended Article XXX]

Sec. 2-700. Preamble

Pursuant to its powers as a home rule municipality and pursuant to the express grant of authority as set forth in Division 2.1 of Article I of the Illinois Municipal Code (65 ILCS 5/1-2.1-1 et seq.), the Village is authorized to provide by ordinance for a system of administrative adjudication of certain Village code violations.

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The corporate authorities of the Village of Palatine have determined that it is in the best interests of the Village of Palatine that a system of administrative adjudication of Village code violations be created, as a non-exclusive method of enforcing the various provisions of the Village Code of Ordinances.

Sec. 2-701. Recitals

The foregoing recitals are adopted as express findings of the corporate authorities of the Village of Palatine and are incorporated herein by specific reference.

Sec. 2-702. Purpose

The stated purpose of this Ordinance is to provide for fair and efficient enforcement of the Village Code of Ordinances as may be allowed by law and directed by ordinance, through an administrative adjudication of violations of such Village Code of Ordinances and by establishing a schedule of fines and penalties, and authority and procedures for collection of unpaid fines and penalties.

Sec. 2-703. Creation of Administrative Hearing Division; Jurisdiction.

There is hereby created within the Village of Palatine a Administrative Hearing Division, which is authorized to provide for and operate a "system of administrative adjudication," which shall be defined as the adjudication of a violation of any of the following Chapters of the Village of Palatine Code of Ordinances:

(1) Chapter 4, Ambulance and Mobile Intensive Care Units

(2) Chapter 5, Animals

(3) Chapter 6, Building Codes and Building Regulations, as it may be amended from time to time, including the following Codes which have been adopted by reference:
- (a) International Residential Code/2000 Edition (with amendments).
  - (1) Swimming pools, Spas and hot tubs, Appendix G
  - (2) Patio covers, Appendix H
  - (2) Existing buildings and structures, Appendix J
- (b) International Building Code, 2000 Edition (with amendments).
- (c) International Mechanical Code, 2000 Edition (with amendments).
- (d) International Fuel Gas Code, 2000 Edition.
- (e) International Energy Conservation Code, 2000 Edition (with amendments).
- (f) International Code Council Electrical Code – Administrative Provisions, 2000 Edition (with amendments).
- (g) National Electrical Code, 1999 Edition (with amendments).
- (h) Illinois Plumbing Code, 1998 (with amendments).
- (i) Illinois Accessibility Code, 1997 Edition

(4) Chapter 7, Fire Prevention and Protection, as it may be amended from time to time, including the following Code which has been adopted by reference:
- (a) Life Safety Code, NFPA 101, Edition (with amendments)
- (b) International Fire Code, 2000 Edition (with amendments)
- (c) Building Officials and Code Administrators National Fire Prevention Code;

(5) Chapter 8, Garbage and Refuse, as it may be amended from time to time.

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(6) Chapter 9, Health and Sanitation, as it may be amended from time to time.

(7) Chapter 10, Existing Structures' Maintenance and Occupancy, as it may be amended from time to time, including the following Codes which have been adopted by reference:
- (a) Building Officials and Code Administrators Building Code
- (b) Property Maintenance Code
- (c) International Mechanical Code
- (d) International Plumbing Code
- (e) National Electrical Code

(8) Chapter 11, Licenses, Permits and Business Regulations, as it may be amended from time to time, including the following Codes which have been adopted by reference:
- (a) State of Illinois, Department of Health, Food Service Sanitation Rules and Regulations of 1975
- (b) State of Illinois, Department of Public Health, Division of Food and Drugs, Rules of Regulations Pertaining of the Sanitation of Retail Food Stores of January 1983

(9) Chapter 12, Offenses and Miscellaneous Provisions, as it may be amended from time to time.

(10) Chapter 15, Emergency Energy Plan, as it may be amended from time to time.

(11) Chapter 16, Construction and Maintenance of Facilities in the Public Rights-of-Way, as it may be amended from time to time.

(12) Chapter 17, Taxes, as it may be amended from time to time.

(13) Chapter 18, Traffic, as it may be amended from time to time, including the following Codes which have been adopted by reference:
- (a) Illinois Vehicle Code, 625IL5/1-100 through 5/20-402

(14) Chapter 19, Water and Sewer Services, as it may be amended from time to time.

(15) Appendix A, Zoning, as it may be amended from time to time.

(16) Appendix B, Subdivisions, as it may be amended from time to time.

Sec. 2-704. Hearing Procedures Non-Exclusive.

The provisions of this Ordinance shall not preclude the Village from using other methods or proceedings to enforce the ordinances of the Village of Palatine, including, but not limited to, the institution of any action in the Circuit Court of Cook County, Illinois or any administrative proceeding.

Sec. 2-705. Administrative Hearing Division.

The Administrative Hearing Division shall be composed of an Administrative Hearing Officer (Administrative Law Judge), an Administrative Hearing Director (or Village Manager), the Chief of Police or his designee, Hearing Room personnel, and any other duly appointed person or persons deemed necessary for the efficient administration of the Administrative Hearing Division, with the following powers, duties and authority:

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(a) All adjudicatory hearings shall be presided over by an Administrative Hearing Officer who shall be appointed by the Village Mayor with the consent of the Village Council.

Prior to conducting administrative adjudication hearings, the Administrative Hearing Officers must be an attorney licensed to practice law in the State of Illinois for at least three (3) years and shall have successfully completed a formal training program, which includes the following:

(1) instruction on the rules of procedure of the administrative hearings which they will conduct;
(2) orientation to each subject area of the code violations that they will adjudicate;
(3) observation of administrative hearings; and
(4) participation in hypothetical cases, including ruling on evidence and issuing final orders.

(b) Administrative Hearing Officers are hereby authorized, empowered and directed to:

(1) hold conferences for the settlement or simplification of the issues;
(2) administer oaths and affirmations to witnesses;
(3) hear testimony and accept evidence that is relevant to the existence of an ordinance violation;
(4) rule upon motions, objections, and the admissibility of evidence;
(5) issue subpoenas directing witnesses to appear and give relevant testimony at the hearing, upon the request of the parties or their representatives or upon the initiative of the Administrative Hearing Officer
(6) preserve and authenticate the record of the hearing, including all exhibits and evidence introduced at the hearing;
(7) issue a determination, based on the evidence presented at the hearing, of whether a code violation occurred or exists. The Administrative Hearing Officer's determination shall be in writing and shall include a written finding of fact, decision, and order including the fine, penalty, or other action with which the respondent must comply;
(8) impose penalties consistent with applicable Village of Palatine Code provisions and assess costs upon finding a party liable for the charged violation, except, however, that in no event shall the Administrative Hearing Officer have authority to (i) impose a penalty of incarceration, or (ii) impose a fine in excess of $50,000. The maximum monetary fine under this item (8) shall be exclusive of costs of enforcement or costs incurred by the Village to secure compliance with the Village's ordinances and shall not be applicable to cases to enforce the collection of any tax imposed and collected by the Village.
(9) ordering, regardless of fines imposed or costs assessed, the respondent to perform a term of community service;
(10) imposing, in addition to fines imposed and penalties or costs assessed, administrative and/or enforcement costs;
(11) ordering the respondent to comply with the code provision(s) found to have been violated;
(12) waive any court costs and fine upon a finding of compliance for a violation where that violation required the respondent to take corrective action to comply with the Code of Ordinance;
(13) waive any court costs and fine for one or more code violations upon a finding that the violation(s) occurred under such circumstances as to a reasonable person would constitute an excuse for the violation(s); and

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(14) grant equitable relief as otherwise authorized by law or local ordinance.

(c) The Administrative Hearing Director shall either be an employee of the Village of Palatine appointed by the Manager, the Village Manager, or an independent contractor or agency contracted by the Village to perform such duties as enumerated herein. The Administrative Hearing Director is hereby authorized, empowered and directed to:

(1) operate and manage the system of administrative adjudication of vehicular standing and/or parking regulation violations, vehicle compliance violations, vehicle license or sticker requirement violations, building, fire and health code violations, and all other Village ordinance violations as may be permitted by law and directed by ordinance;
(2) adopt, distribute and process all notices as may be required under this Ordinance or as may reasonably be required to carry out the purpose of this ordinance;
(3) collect moneys paid as fines and/or penalties assessed after a final determination of liability;
(4) certify copies of final determinations of vehicular standing and/or parking regulation violation liability, vehicle compliance violations, vehicle license or sticker requirement violations, building, fire and health code violations or any other ordinance violation adjudicated pursuant to this Ordinance, and any factual reports verifying the final determination of any violation liability which were issued in accordance with this Ordinance or the laws of the State of Illinois, including 625 ILCS 5/11-208.3, as from time to time amended;
(5) certify reports to the Secretary of State concerning initiation of suspension of driving privileges in accordance with the provisions of this Article and those of 625 ILCS 5/6-306.5;
(6) promulgate rules and regulations reasonably required to operate and maintain the system of administrative adjudication hereby established; and
(7) collect unpaid fines and penalties through private collection agencies that may be retained by the Village or by filing complaints in the County Circuit Court, or by selecting or appointing an individual or agency to act on behalf of the Village in filing complaints, seeking judgments for unpaid fines or penalties and pursuing all post-judgment remedies available under current law.

(d) The Administrative Hearing Director is hereby further authorized, empowered and directed to operate and maintain the computer programs for the system of administrative adjudication hereby established, on a day-to-day basis, including, but not limited to:

(1) inputting of violation notice information;
(2) establishing hearing dates and notice dates;
(3) recording fine and penalty assessment and payments;
(4) issuing payment receipts;
(5) issuing succeeding notice of hearing dates and/or final determination of liability, issuing notices of immobilization, issuing notices of impending impoundment, and issuing notices of impending driver's license suspension as may be required, in accordance with the Illinois Vehicle Code;
(6) keeping accurate records of appearances and non-appearances at administrative hearings, pleas entered and fines and other penalties assessed and paid.

(e) Hearing room personnel appointed by the Chief of Police shall be any police officer or auxiliary police officer, and such persons are hereby authorized and directed to:

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(1) maintain hearing room decorum;
(2) execute authority as is granted to courtroom deputies of the Circuit Court;
(3) perform such other duties or acts as may reasonably be required and as directed by the Administrative Hearing Officer or the Administrative Hearing Director.

Sec. 2-706. Compensation of Administrative Hearing Division Personnel

Authorization for compensation for each of the above-stated positions shall be made by the Village Council through the annual budget process. Compensation shall be determined by the Village Manager within approved budget limitations.

Sec. 2-707. Complaints and Notices of Hearings

(a) A proceeding before an Administrative Hearing Officer shall be instituted upon the filing of a written sworn pleading or complaint by any authorized official of the Village, including police officers, code enforcement officers, and such other employees as authorized.

(b) Respondents shall be served with a copy of the written sworn pleading or complaint along with a notice of adjudicatory hearing in any manner reasonably calculated to give them actual notice of the proceeding instituted against them including:
(1) personal service upon a party or its employees or agents;
(2) service by first class mail, certified mail return receipt requested, express mail or overnight mail, at the party's address;
(3) service by posting a copy of the sworn pleading or complaint upon the property where the violation is found when the party is the owner or manager of the property.

(c) Notices of the adjudicatory hearing shall include:
(1) the type and nature of the ordinance violation to be adjudicated;
(2) the date and location of the adjudicatory hearing;
(3) the legal authority and jurisdiction under which the hearing is to be held; and
(4) the penalties for failure to appear at the hearing.

Sec. 2-708. Administrative Hearing Procedures

(a) Hearings shall be scheduled with reasonable promptness, provided that for hearings scheduled in all non-emergency situations, if requested by the respondent, the respondent shall have at least 15 days after service of process to prepare for a hearing. For purposes of this subsection, "non-emergency situation" means any situation that does not reasonably constitute a threat to the public interest, safety, health or welfare. If service is provided by mail, the 15-day period shall begin to run on the day that the notice is deposited in the mail.

(b) All hearings shall be open to the public and conducted before an Administrative Hearing Officer.

(c) The Village shall not be represented by an employee of the Administrative Hearing Division; however documentary evidence including the notice of violation, complaint and attached exhibits may be presented by the Administrative Hearing Officer.

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(d) Any person appearing on behalf of the Respondent shall file with the Administrative Hearing Officer a written appearance on a form provided by the Administrative Hearing Division.

(e) All testimony shall be given under oath or affirmation.

(f) The formal and technical rules of evidence shall not apply in an adjudicatory hearing authorized under this ordinance. Evidence, including hearsay, may be admitted only if it is of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs.

(g) Parties shall be provided with an opportunity for a hearing during which they may be represented by counsel, present witnesses, and cross-examine opposing witnesses. Parties may request the Administrative Hearing Officer to issue subpoenas to direct the attendance and testimony of a relevant witness and the production of relevant documents. Issuance of the subpoena shall be at the discretion of the Administrative Hearing Officer where it is determined the witness or documents are material and do not constitute a needless presentation of cumulative or repetition evidence.

(h) Continuances may be granted at the discretion of the Administrative Hearing Officer upon a finding of good cause.

(i) No violations may be established except by proof by a preponderance of the evidence; however, the notice of violation, or a copy hereof, issued and signed in accordance with Section 2-707 shall be prima facie evidence of the correctness of the facts specified therein.

(j) Upon the conclusion of a hearing, the Administrative Hearing Officer shall issue a final determination of liability or no liability. Upon issuance, the Administrative Hearing Officer may impose penalties and or fines that are consistent with applicable provisions of the Code of Ordinance, impose a term of community service, assess costs reasonable related to instituting the administrative adjudication proceeding, and, if applicable, order the respondent to immediately correction of the violation.

Sec. 2-709. Judicial Review

Any final decision by an Administrative Hearing Officer that a code violation does or does not exist shall constitute a final determination for purposes of judicial review and shall be subject to review under the Illinois Administrative Review Law (735 ILCS 5/3-101 *et seq.*).

Section 2-710. Enforcement of Judgment

(a) Any fine, other sanction, or costs imposed, or part of any fine, other sanction, or costs imposed, remaining unpaid after the exhaustion of or the failure to exhaust judicial review procedures under the Illinois Administrative Review Law are a debt due and owing the Village of Palatine and may be collected in accordance with applicable law.

(b) After expiration of the period in which judicial review under the Illinois Administrative Review Law may be sought for a final determination of an ordinance violation, unless stayed by a court of competent jurisdiction, the findings, decision, and order of the Administrative Hearing Officer may be enforced in the same manner as a judgment entered by a court of competent jurisdiction.

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(c) In any case in which a respondent has failed to comply with a judgment ordering that respondent to correct an ordinance violation or imposing any fine or other sanction as a result of an ordinance violation, any expenses incurred by the Village to enforce the judgment entered against that defendant, including, but not limited to, attorney's fees, court costs, and costs related to property demolition or foreclosure, after they are fixed by a court of competent jurisdiction or a hearing officer, shall be a debt due and owing the Village of Palatine and may be collected in accordance with applicable law. Prior to any expenses being fixed by the Administrative Hearing Officer pursuant to this subsection (C), the Village shall provide a notice to the respondent that states that the respondent shall appear at a hearing before the Administrative Hearing Officer to determine whether the respondent has failed to comply with the judgment. The notice shall set the date for such hearing, which shall not be less than seven (7) days from the date that notice is served. If notice is served by mail, the 7-day period shall begin to run on the date that the notice was deposited in the mail.

(d) Upon being recorded in the manner required by Article XII of the Illinois Code of Civil Procedure (735 ILCS 5/12-10 1 *et seq*.), or by the Uniform Commercial Code (810 ILCS 5/1-101 *et seq*.), a lien shall be imposed on the real estate or personal estate, or both, of the respondent in the amount of any debt due and owing the Village under this ordinance. The lien may be enforced in the same manner as a judgment lien pursuant to a judgment of a court of competent jurisdiction.

(e) The Administrative Hearing Officer may set aside any judgment entered by default and set a new hearing date, upon a petition filed by the respondent within twenty-one (21) days after the issuance of the order of default, if the Administrative Hearing Officer determines that the defendant's failure to appear at the hearing was for good cause, or at any time if the respondent establishes, by a preponderance of the evidence, that the Village did not provide proper service of process. If any judgment is set aside pursuant to this subsection, the Administrative Hearing Officer shall have authority to enter an order extinguishing any lien which has been recorded for any debt due and owing the Village as a result of the vacated default judgment. When a judgment is vacated, the Administrative Hearing Officer shall proceed immediately with a new hearing set a new date for a hearing on the underlying violation(s) as soon as practical.

(f) After an order of liability become final, the Village department or agency which instituted or prosecuted an administrative adjudication before the Administrative Hearing Division may file a written petition for relief for a final order of liability entered in error with the Administrative Hearing Division. If the petitioner is granted, the final order of liability shall be vacated and the Administrative Hearing Officer shall have the authority to enter an order extinguishing any lien which has been recorded for any debt due and owning as a result of the vacated order and directing the Village to refund any fines and/or penalties as a resulted of the vacated order.

Section 2-711. Election of Remedies.

In no case may the Administrative Hearing Division conduct an administrative adjudication proceeding for an alleged violation of the Code of Ordinance where the remedy provided is a punishment of imprisonment; provided, however, where a violation of the code is punishable by fines and other penalties in addition to imprisonment, the Village may elect to institute an action with the Administrative Hearing Division and waive any imprisonment for the code violation. Nothing in this Article, however, shall preclude the Village from seeking the remedy of imprisonment in a court of competent jurisdiction.

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Section 2-712. Severability.

The provisions of this article shall be interpreted so as not to be in conflict with the laws of the State of Illinois or any other limitations imposed by law. In the event however that any provision, sentence, or clause of this Article is declared unconstitutional by a court of competent jurisdiction shall not affect the remaining provisions of this Article.

ARTICLE XXXI.
ADMINISTRATIVE ADJUDICATION OF VEHICULAR STANDING, PARKING, AUTOMATED TRAFFIC LAW, AND COMPLIANCE REGULATION VIOLATIONS

[Editor's Note: Ordinance 0-185-08 enacted December 8, 2008, added a new Article XXXI]

Sec. 2-720. Purpose.

The stated purpose of this article is to provide a fair and efficient enforcement of municipal vehicular standing, parking, automated traffic law, and condition of vehicle regulation, compliance regulation violations and municipal wheel tax licenses within the Village, as may be allowed by law, through an administrative adjudication of violations of Village ordinances regulating the standing, parking, automated traffic law, and condition of vehicles within the geographic boundaries of the Village of Palatine and authority and procedures for collection of unpaid fines and penalties, and procedure for vehicle immobilization which shall be in addition to any other system for administrative adjudication of ordinance violations. (Ord. #0-145-12, §1, 10/15/12)

Sec. 2-721. Definitions.

For purposes of this article:

1) *Compliance* regulation *violation* means a violation of a Village of Palatine regulation governing the condition or use of equipment on a vehicle or governing the display of a municipal wheel tax license, or zoning ordinance violation within Appendix A of the Village of Palatine Code of Ordinances, or violations of Article 16 – Rights-of-way of the Village of Palatine Code of Ordinances. (Ord. #0-145-12, §1, 10/15/12)

2) *Nonresident* means a person that does not reside on a permanent or temporary basis within the corporate limits of the Village of Palatine, Cook County, Illinois or a business or corporation that does not have an office in or license to do business within the Village of Palatine, Cook County, Illinois.

Sec. 2-722 Administrative composition.

The system of administrative adjudication of vehicular standing, parking, automated traffic law, and compliance regulation violations shall provide for a traffic compliance administrator, hearing officer, computer operator/system coordinator and hearing room personnel, all with the power and authority, subject to the limitations, as are hereinafter set forth:

1) *Traffic compliance administrator and/or Village of Palatine Administrative Hearing Division.* The traffic compliance administrator and/or Village of Palatine Administrative Hearing Division shall be empowered and is hereby authorized and directed to:
(Ord. #0-145-12, §1, 10/15/12)

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a) Operate and manage the system of administrative adjudication of vehicular standing, parking, and compliance regulation violations.
b) Adopt, distribute and process standing, parking, and compliance regulation violation notices and other notices as may be required under this article or as may be reasonably required to carry out the purpose of this article. (Ord. #0-145-12, §1, 10/15/12)
c) Collect moneys paid as fines and/or penalties assessed after a final determination of vehicular standing, parking, or compliance regulation violations liability.
d) Certify copies of final determinations of vehicular standing, parking, and compliance regulation violation liability and factual reports verifying that the final determination of liability was issued in accordance with this article and 625 ILCS 5/11-208.3.
e) Review final determinations of vehicular standing, parking, and compliance regulation violations liability, validity of notices of impending impoundment and/or validity of notices of impending driver's license suspension, in accordance with the provisions of this article, hereinafter set forth.
f) Promulgate rules and regulations reasonably necessary to operate and maintain the administrative adjudication system hereby created.
g) Collect unpaid fines and penalties and authorize the Village attorney or prosecutor, or their designee, to file complaints in the circuit court of Cook County on behalf of the Village of Palatine for the purpose of seeking judgments for unpaid fines or penalties and pursue all post-judgment remedies available by current law on behalf of the Village.
h) Recommend to the Village Council selection or appointment of an individual, agency or firm to tow and impound vehicles in accordance with the provisions of this article.

2) *Hearing officer* shall be empowered and is hereby authorized and directed to:

a) Preside over the administrative hearings, established herein, as the adjudicator.
b) Administer oaths.
c) Issue subpoenas to secure the attendance of witnesses and production of relevant papers or documentation.
d) Assess fines and penalties for the violation of vehicular standing, parking, or compliance regulation violations as set forth in this Code provided no fine shall exceed $250.00 per violation, exclusive of costs excepting as such fines may be otherwise stipulated in the Village of Palatine Code of Ordinances. (Ord. #0-145-12, §1, 10/15/12)

e) Make final determinations of:
   (1) Vehicular standing, parking and compliance regulation violation liability,
   (2) Validity of notice of impending impoundment, and
   (3) Validity of notice of impending driver's license suspension in accordance with the provisions of this article.
   (4) Provide for the accurate recordation of the administrative adjudication hearings.

3) *System coordinator/computer operator.* The system coordinator/ computer operator is hereby authorized and directed to operate and maintain the computer programs for the administrative adjudication system hereby created, on a day-to-day basis, including but not limited to:

a) Input of violation notice information.
b) Issuance of hearing dates and other required notice dates.
c) Fine and penalty assessments and payment(s).
d) Issuance of payment receipts.

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e) Issuance of succeeding notices of Hearing dates, final determinations of liability, notices of impending impoundment, and notices of impending driver's license suspension, as directed by the traffic compliance administrator as hereinafter set forth.
f) Keeping of accurate records of appearances and non-appearances at administrative hearings, pleas entered, and fines and penalties assessed and paid.

4) *Hearing room personnel.* The hearing room personnel shall:

a) Maintain hearing room decorum.
b) Have and execute authority as is granted to courtroom deputies of the Circuit Court of Cook County.
c) Perform such other duties or acts as may reasonably be required and as directed by the hearing officer or traffic compliance administrator.

Sec. 2-723. Appointments

1) All adjudicatory hearings shall be presided over by a Hearing Officer who shall be appointed by the Village Mayor with the consent of the Village Council.

2) All other positions shall either be an employee of the Village of Palatine appointed by the Village Manager, or an independent contractor or agency contracted by the Village to perform such duties as enumerated above.

Sec. 2-724. Compensation of Administrative Hearing Division Personnel

Authorization for compensation for each of the above-stated positions shall be made by the Village Council through the annual budget process. Compensation shall be determined by the Village Manager within approved budget limitations.

Sec. 2-725. Procedure.

The system of administrative adjudication of vehicular standing, parking, automated traffic law, and compliance regulation violations shall be in accordance with the following procedures and final determinations of vehicular standing, parking, and compliance regulation violations liability, validity of notice of impending impoundment, validity of notice of impending driver's license suspension, impoundment of vehicles and collections shall be made only in accordance with the provisions set forth below:

1) *Violation notice.* Vehicular standing, parking, and compliance regulation violation notices ("violation notice") shall be issued by the persons authorized herein and shall contain information and shall be served, certified, and have evidentiary admissibility as is hereinafter set forth.

a) Authorization. All full-time and part-time, commissioned police officers, auxiliary police officers and community service officers, as well as other specifically appointed Village of Palatine employees or individuals shall have the authority to issue violation notices. (Ord. #0-145-12, §1, 10/15/12)
b) Detection of violations. Any individual authorized hereby to issue violation notices and who detects a violation of any section of any applicable Village Ordinance, shall issue a notice of violation thereof and shall make service thereof as is hereinafter set forth.

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2) The vehicular standing, parking, and compliance regulation violation "violation notice" shall contain, but shall not be limited to, the following information: (Ord. #0-145-12, §1, 10/15/12)

   a) The date, time and place of the violation (date of issuance).
   b) The particular vehicular standing, parking, or compliance regulation violated, including the Village Code section of the violation and sufficient description of the violation to inform the violator of the offense and thereby afford the violator an opportunity to defend against the violation.
   c) The fine and any penalty that may be assessed for late payment.
   d) The signature and identification or badge number of the person issuing the notice.
   e) A section entitled "request for hearing" which shall clearly set forth that the party named on the violation including the property owner, or registered owner, tenant, lessee, contractor, or lessee of the vehicle may request an opportunity for a hearing. (Ord. #0-145-12, §1, 10/15/12)

3) Service of the violation notice shall be made by the person issuing such notice by:

   a) Affixing the original or a facsimile of the notice to a violating vehicle, or
   b) Handing the notice to the property owner, registered owner, tenant, lessee, contractor, tenant operator or lessee of the vehicle, if present. (Ord. #0-145-12, §1, 10/15/12)
   c) Mailing the violation by standard mail to the property owner, or registered owner, tenant, lessee, contractor or lessee of the vehicle. (Ord. #0-145-12, §1, 10/15/12)

4) The correctness of facts contained in the vehicular standing, parking, or compliance regulation violation notice shall be certified by the person issuing said notice by signing his/her name to the notice at the time of service; or

5) The original, facsimile or electronic copy of the violation notice shall be retained by the traffic compliance administrator and/or Village of Palatine Administrative Hearing Division and kept as a record in the ordinary course of business. (Ord. #0-145-12, §1, 10/15/12)

6) Prima facie evidence of correctness. Any violation notice issued, signed and properly served in accordance with this section, or a copy of the notice, shall be prima facie correct and shall be prima facie evidence of the correctness of the facts shown on the notice. The violation notice or a copy of the notice shall be admissible in any subsequent administrative or legal proceeding.

Sec. 2-726. Request of Hearing Procedure.

The party named on the violation, including the property owner, registered owner, tenant, lessee, contractor, or other registered owner or lessee of a vehicle who have been served vehicular standing, parking, or compliance regulation violation notices may contest the alleged violation on its merits in person or may contest the validity without personally appearing at an administrative hearing within 14 days of the issue date of violation notice. (Ord. #0-145-12, §1, 10/15/12)

The Administrative Hearing Division or System coordinator/computer operator shall provide the registered owner, property owner, tenant, lessee, contractor, or lessee of a vehicle cited in the violation notice requesting a hearing with the following: (Ord. #0-145-12, §1, 10/15/12)

1) In-Person Administrative Hearing Option

   a) The date, time and place of an administrative hearing at which the violation may be contested on its merits.

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b) That payment of the indicated fine and any late payment penalty shall operate as a final disposition of the violation.
c) The request of hearing shall be deemed filed upon receipt by the traffic compliance administrator and/or Village of Palatine Administrative Hearing Division. (Ord. #0-145-12, §1, 10/15/12)

2) Mail-In Administrative Hearing Option

a) Signing a Mail-In Administrative Hearing Option request form and acknowledging that their personal appearance is waived and that they submit to an adjudication based upon the notarized statement filed by them and the facts contained in the violation notice; and
b) Filing the Mail-In Administrative Hearing Option request form fully completed with the traffic compliance administrator and/or Village of Palatine Administrative Hearing Division postmarked within ten days of requesting a Mail-In Administrative Hearing. The request shall be deemed filed upon receipt by the traffic compliance administrator and/or Village of Palatine Administrative Hearing Division. (Ord. #0-145-12, §1, 10/15/12)
c) The hearing officer shall make an adjudication based upon a review of the facts set forth in the notarized statement of facts filed by the party requesting the hearing, as well as, the factual allegations contained in the violation notice. (Ord. #0-145-12, §1, 10/15/12)
d) Notice of the hearing officer's determination shall be served upon the party requesting the hearing, as well as, the registered owner or lessee of a vehicle by first class mail, postage prepaid, addressed to the registered owner or lessee of a vehicle at the address set forth in the statement of facts submitted and service of the notice shall be complete on the date the notice is placed in the United States mail. (Ord. #0-145-12, §1, 10/15/12)

Sec. 2-727. Administrative hearings.

The administrative hearing to adjudicate the alleged standing, parking, or compliance regulation violation on its merits:

1) Shall be granted to the registered owner, property owner, tenant, lessee, contractor, or other registered owner or operator of the "cited vehicle," pursuant to 625 ILCS 5/11-208.3 or the lessee of the "cited vehicle," pursuant to 625 ILCS 5/11-1306, incorporated herein by reference. (Ord. #0-145-12, §1, 10/15/12)

2) Hearings shall be at the date, time and place as is set forth in Section 2-276 of this article.

3) Shall be tape recorded or recorded by a certified court reporter.

4) Shall result in a determination of liability or non-liability, made by the hearing officer, who shall consider testimony and other evidence without the application of the formal or technical rules of evidence. The hearing officer shall, upon a determination of liability, assess fines and penalties in accordance with Village Code of Ordinances.

5) Persons appearing to contest the alleged standing parking, or compliance regulation violation on its merits may be represented by counsel at their own expense. (Ord. #0-145-12, §1, 10/15/12)

6) Judicial review. The final determination of any matter which may be decided by the hearing officer may be reviewed pursuant to the Illinois Administrative Review Act (735 ILCS 5/3-101 et seq.).

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Sec. 2-728. Additional notices.

1) If the registered owner or lessee of the "cited vehicle" fails to appear at the administrative hearing on the date as is set forth in Section 2-276 of this article, the traffic compliance administrator and/or Village of Palatine Administrative Hearing Division shall send or cause to be sent additional notices which:

   a) Shall be sent to registered owner or lessee of the "cited vehicle," or the party who requested the hearing, or the registered owner, property owner, tenant, lessee, contractor, or other registered owner where the ordinance violation occurred, or at the address as is recorded with the Secretary of State or to the lessee of the "cited vehicle" at the address last known to the lessor of the "cited vehicle" at the time of the lease or the last best known address of the party. (Ord. #0-145-12, §1, 10/15/12)

2) All such additional notices shall be sent by first class mail, postage prepaid, and service of additional notices shall be complete as of the date of deposit in the United States mail.

3) The additional notices sent pursuant to this section shall be in the following sequence and shall at a minimum contain the following information:

   a) Upon the failure of the party who requested the hearing to appear at the hearing set forth in Section 2-276 of this article additional notices shall be sent and shall contain, but not be limited to, the following information: (Ord. #0-145-12, §1, 10/15/12)

      i) Date and location of violation cited in the vehicular standing, parking, or compliance regulation violation notice;
      ii) Particular standing, parking, or compliance regulation violated, including code section and description of violation sufficient to allow owner or lessee to understand the offense and to prepare a defense;
      iii) Fine and any penalty that may be assessed for late payment;
      iv) Notice to the registered owner or property owner, tenant, lessee, contractor, or other registered owner where the ordinance violation occurred, or lessee of the current status, other than paid in full; (Ord. #0-145-12, §1, 10/15/12)
      v) Date, time and place of the administrative hearing at which the owner, registered owner, or property owner, business owner, contractor, tenant, lessee, or other registered owner or lessee may contest the violation notice on its merits; (Ord. #0-145-12, §1, 10/15/12)
      vi) Failure to either pay fine and any applicable late payment penalty or failure to appear at the hearing on its merits on the date and at the time and place specified will result in a final determination of violation liability in the amount of the fine and late payment penalty indicated; and
      vii) Statement that upon the entry of a final determination of liability for the failure to appear, or the failure to exhaust available administrative or judicial procedures for review, any remaining unpaid fine and/or late payment penalty will constitute a debt due and owing the Village of Palatine.

4) A notice of final determination of vehicular standing, parking, or compliance regulation violation liability shall be sent following a final determination of liability and the conclusion of administrative review and judicial review procedures as hereinafter set forth. The notice shall state that:

   a) The unpaid fine and any late penalty assessed is a debt due and owing the Village of Palatine;

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b) A warning that failure to pay the fine and any late penalty due and owing the Village within the time specified may result in the Village filing a complaint in the circuit court to have the unpaid fine or penalty rendered a judgment in accordance with Illinois law including 625 ILCS 5/11-208.3(f); and (Ord. #0-145-12, §1, 10/15/12)
c) The vehicle may be impounded for failure to pay fines or penalties after a final determination of liability for five or more vehicular standing, parking, or compliance regulation violations, or driver's license suspension for failure to pay fines or penalties for ten or more such violations.

Sec. 2-729. Final determination of liability.

A final determination of vehicular standing, parking, or compliance regulation violation liability shall:

1) Occur following the failure to pay the total assessed fine and/or penalty after the hearing officer's determination of vehicular standing, parking, or compliance regulation violation liability and the exhaustion of or the failure to exhaust any administrative review procedures hereinafter set forth; or

2) Where a person fails to appear at a prior hearing or by the third and final administrative hearing (provided proper notice has been given), the hearing officer's determination of liability shall become final:
   a) Upon denial of a timely petition to set aside the determination of liability; or
   b) Upon the expiration of the period for filing petition to set aside a final determination of liability without such filing having been made.

3) When a person fails to request a hearing or fails to pay the fine in conformance with the time frame specified on the violation.

Sec. 2-730. Schedule of fines/penalties.

1) The fines and penalties which shall be imposed for the violation of vehicular standing, parking, or compliance regulation violation shall be as set forth in Village Code of Ordinances and the fines and penalties therein set forth shall be uniformly applied for each violation of any applicable Village Code of Ordinances.

Sec. 2-731. Illinois Compiled Statues governing the standing, parking, or condition of vehicles--Adopted.

The Village of Palatine adopts by reference all current and future provisions of the Illinois Compiled Statues governing the standing, parking, or condition of vehicles, for its enforcement and adjudication within the corporate boundaries of the Village and in those areas subject to off-street parking agreements, as well as, those sections allowing for the administrative adjudication or municipal code violations.. (Ord. #0-145-12, §1, 10/15/12)

Sec. 2-732. Immobilization/towing and impoundment.

Any motor vehicle may be immobilized or towed and impounded if:

1) The traffic compliance administrator has determined that a person has been found to be liable for five or more vehicular standing, parking, or compliance regulation violations, the fines and penalties for which remain unpaid,

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2) The person determined to be liable for the five or more violations is the registered owner of a motor vehicle that is located within the corporate limits of the Village of Palatine at the time of immobilization, impoundment or towing; and

3) A pre towing notice has been sent to the registered owner of the motor vehicle which notice contains the following:

   a) Final determinations of liability have been made on five or more vehicular standing, parking, or compliance regulation violations, the fines and penalties for which remain unpaid;
   b) A list of the violations for which the person has been determined to be liable, which shall include for each violation:
      i) The vehicular standing, parking, or compliance regulation violation notice number.
      ii) Date of issuance.
      iii) Total amount of fine and penalty assessed.
      iv) The motor vehicles owned by the person and located within the Village is subject to immobilization and/or towing and impoundment if the fines and penalties are not paid within 14 days of the date of the notice.
      v) The registered owner may contest the validity of the notice by fully completing and signing the "request for hearing" portion of one notice and by filing the request for hearing with the traffic compliance administrator within, but not later than 14 days of the date of the notice.
      vi) The request for hearing shall be deemed filed upon receipt by the traffic compliance administrator.

4) The motor vehicle of the registered owner to whom notice is sent has failed to make payment of the fines or penalties as specified in the notice and no timely request for hearing has been filed with the traffic compliance administrator to contest the validity of the notice.

Sec. 2-733 Impoundment or pre towing hearing.

Upon the receipt of the request for hearing to contest the validity of the notice of impending immobilization or towing and impoundment, the traffic compliance administrator shall schedule an administrative hearing whereby the registered owner of the vehicle may contest the validity of said notice, by disproving liability for the unpaid Final Determinations of liability listed on the notice. The hearing shall be scheduled on the next available hearing date, if practicable, but in no event shall the hearing be scheduled later than 60 days after the request for hearing is filed.

1) The traffic compliance administrator shall serve notice of the hearing date upon the registered owner by first class mail, postage prepaid to the address on the request for hearing; and
2) Service of the notice shall be complete on the date it is placed in the United States mail.

Sec. 2-734. Post towing hearing.

The registered owner of a vehicle already immobilized or towed and impounded pursuant to this section, shall have the right to a prompt administrative hearing without the requirement of payment of the outstanding fines and penalties for which final determination has been made.

1) The traffic compliance administrator shall serve a post towing hearing notice upon the registered owner of a vehicle immobilized or towed and impounded and the notice shall contain the following information:

   a) Date of immobilization or towing and date of impoundment.

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b) Location of vehicle.
c) That the vehicle was immobilized under this section of the Village Code of Ordinances for nonpayment of fines or penalties assessed for five or more violations of vehicular standing, parking, or compliance regulations violations for which there has been a final determination of liability and for which the owner was previously notified of impending immobilization or towing and impoundment.
d) Date of notice of impending immobilization or towing and impoundment.
e) The registered owner may contest the validity of the immobilization or towing and impoundment by completing and signing the "request for hearing" portion of the notice and filing the request for hearing with the traffic compliance administrator within 14 days of the date of the notice.

2) Upon the receipt of the request for hearing to contest the validity of the immobilization or towing and impoundment, the traffic compliance administrator shall schedule an administrative hearing to contest the validity of the immobilization or towing and impoundment on the next available hearing date, if practicable, or sooner if scheduled by the traffic compliance administrator for good cause shown, but in no case shall the hearing be scheduled later than 60 days after the request for hearing is filed.

a) The traffic compliance administrator shall serve notice of the hearing date upon the registered owner.
b) Notice shall be sent by first class mail, postage prepaid to the address as is set forth on the request for hearing and service of the notice shall be complete on the date it is placed in the United States mail.

3) An order entered after the hearing to contest the validity of the immobilization or towing and impoundment is a final administrative decision within the meaning of 735 ILCS 5/3-101 et seq.

Sec. 2-735. Release of impounded vehicle.

A vehicle impounded pursuant to this section shall be released to its registered owner or agent, upon payment of the fines and penalties due and owing the Village as specified in the notice plus the payment of towing charges and accrued daily impound charges. Notwithstanding the foregoing, a vehicle may be released upon written order of the hearing officer following a hearing contesting the validity of the impoundment.

Sec. 2-736 Impoundment facility.

The Village shall retain the services of an individual agency or company to tow and impound vehicles and such agency or company shall be:

1) Fully licensed according to local and state law;
2) Fully insured; and
3) Have available a secured impound area within which to retain vehicles impounded hereunder. For the purpose of this section a secured area shall mean an area bounded by a fence, chain-link or otherwise, of a sufficient height and with locking gates so as to minimize or prevent unauthorized entry into the impounded vehicles.

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Sec. 2-737. Judicial review.

Judicial review of final determinations of vehicular standing, parking, or compliance regulation violations and final administrative decisions issued after hearings regarding vehicle immobilization or towing and impoundment made under this section shall be subject to judicial review pursuant to the provisions of the Administrative Review Act, 735 ILCS 5/301, et seq.

Sec. 2-738. Debt to municipality.

Any fine or penalty assessed in accordance with the provisions of this article and remaining unpaid after the exhaustion of, or the failure to exhaust, administrative remedies and the conclusion of any judicial review procedures shall be a debt due and owing the Village and such debt may be collected in accordance with the applicable law. Payment in full of any fine or penalty shall constitute a final disposition of that violation.

Sec. 2-739. Judgment.

1) The traffic compliance administrator and/or Village of Palatine Administrative Hearing Division shall, following the expiration of the period within which administrative or judicial review may be sought for a final determination of violation, take all necessary action, execute all required documents and direct the Village attorney or Village prosecutor to obtain a judgment against and collect moneys from the person who has been assessed fines or penalties which remain unpaid and have become a debt due and owing the Village by: (Ord. #0-145-12, §1, 10/15/12)

   a) Filing a complaint in the Circuit Court of Cook County praying for the entry of a judgment against the person(s) for whom a final determination of liability has been made.
   b) The complaint filed on behalf of the Village shall have appended:
      i) A certified copy of a final determination of the standing, parking, or compliance regulation violations, and
      ii) A certification that recites facts sufficient to show that the final determination of standing, parking, or compliance regulation violations were issued in accordance with this article and/or 625 ILCS 5/11-208.3.
   c) Nothing herein shall prevent the Village from consolidating multiple final determinations of standing, parking, or compliance regulation violations liability in an action against an individual.

2) Service of summons and a copy of the complaint may be served upon the person against whom a judgment is sought under the provisions of this section by any method provided under 735 ILCS 5/2-203, or by certified mail, return receipt requested, provided the total amount of fines and penalties levied does not exceed $2,500.00, excepting as such fines may be otherwise stipulated in the Village of Palatine Code of Ordinances. (Ord. #0-145-12, §1, 10/15/12)

Attachment: Chapter 2 Final Version (Amending Chapter 2 and 11 Code of Ordinances)

ARTICLE XXXII. DEPARTMENT OF HUMAN RESOURCES

Sec. 2-620. Department created; composition.

There is hereby created a department of human resources

Sec. 2-621. Office of director of human resources.

There is hereby created the office of director of human resources, an executive office of the village. (Ord. No. O-57-92, э 1, 4-27-93)

Sec. 2-622. Duties and functions generally.

The director of human resources shall be responsible for the oversight and management of all personnel, health insurance and other non-pension benefit related operations of the village. The director shall be responsible for the supervision and direction of the department of human resources under the general direction of the Village Manager. The director shall advise the Village Manager on all human resources needs of the village and shall coordinate the human resource management program of the village and such other quality assurance related and management programs as assigned by the Village Manager.

Attachment: Chapter 2 Final Version (Amending Chapter 2 and 11 Code of Ordinances)

Chapter 11 LICENSES, PERMITS AND BUSINESS REGULATIONS

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Attachment: Chapter 11 Red Line (Amending Chapter 2 and 11 Code of Ordinances)

ARTICLE I. IN GENERAL

Sec. 11-1. Definitions.

For the purposes of this chapter the following words shall have the meanings indicated unless their context clearly requires otherwise:

Accessory use is a use customarily incidental and subordinate to the principal use of a building located on the same lot with the principal use of the building.

Corporate Authorities are the Mayor and Village Council.

Floor area is the sum total of the gross horizontal areas of all of the several floors of a building and its accessory buildings measured in square feet from the exterior faces of the exterior walls or from the center line of party walls separating two buildings or establishments on each of the respective floors, and shall include the basement floor, cellar floor, indoor motor vehicle parking space when such space is used in conjunction with a retail and wholesale establishment devoted to the sale, service or repair of motor vehicles, floor space used for storage of merchandise, whether open or enclosed, including such storage space as may be located on the roof, penthouse, attic space, balconies, mezzanines, porches and verandas and any other floor area devoted to and occupied by accessory uses.

Live Entertainment - shall consist of live music, dancing and/or singing performances, floor shows, D.J. shows and other entertainment performances, whether or not an admission fee is charged. Live entertainment shall not include ambient or incidental music provided for guests or patrons by musicians, such as a piano player, harpist, strolling violinist, traditional juke box, karaoke or guitarist. However, if there is an admission charge required to observe or attend such ambient or incidental music or entertainment, the music will be considered live entertainment. (Ord. 0-2-10, §1, 1/11/10)

Owner is any individual, firm, association, partnership, corporation, trust or any other legal entity having sufficient proprietary interest in any establishment to maintain and manage its operation.

Retail and wholesale establishment is a building or premises or portion thereof the principal use of which is for the sale or distribution of any commodity for a price or fee by a seller to a consumer or by one business to another business.

Service establishment is a building or premises or a portion thereof the principal use of which is for the rendering of a personal or material service, including a service intended to generate a sale by the person rendering the service or a person, firm, partnership or corporation represented by the person rendering the service, whether as a salesman, broker, manufacturer's representative or otherwise, regardless of whether or not a commodity is worked upon or exchanged; and also including clerical, administrative or other support services for or on behalf of a person, firm or corporation engaged in rendering a service, as described herein.

Village Manager - refers to the person in the position of Village Manager or his/her designee.

Sec. 11-2. Applications.

Applications for all licenses, permits and certificates of registration required by this chapter shall be made in writing to the Village Manager on forms supplied by the Village Manager, in the absence of

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provisions to the contrary. Each application shall state the names of the applicants, the permit, license or certificate of registration desired, and the location to be used, if any. Each application shall contain such additional information as may be requested for the proper guidance of the village officials in the issuing of the permit or license applied for. (Code 1961, § 10.001)

Sec. 11-3 License required.

It shall be unlawful for any person (which refers to, for purposes of this Chapter, any individual, partnership, corporation, entity which conducts, engages in, maintains, operates, carries on or manages a business or occupation within the Village of Palatine) to conduct, engage in, maintain, operate, carry on, or manage a business or occupation for which a license is required by any provision of this code, without a license first having been procured for such business or occupation. Any person violating this section shall be fined no less than $200 nor more than $1,000 for each offense, and every day such violation continues shall constitute a separate and distinct offense.

Any business or occupation for which a license is required under this chapter or any other provision of this code, and to which no license to operate for this period in question has been issued may be closed by the Village Manager until such license is procured.

11-3.1 License required for businesses and occupations not provided for by other code provisions.

All persons who conduct, engage in, maintain, operate, carry on or manage a business or occupation for which a license is not required under any other provision of this code, other than those businesses or occupations which are exempt from municipal licensing pursuant to law, shall be required to make application to the Village and obtain a general business license for such business or occupation. The license fee for said license shall be set forth in Section 11-20.

Sec. 11-4. Duty of Village Manager.

Forms for all licenses, permits, certificates of registration and applications therefor, shall be prepared and kept on file by the Village Manager. (Code 1961, § 10.003)

Sec. 11-5. Reserved.

Sec. 11-6. Investigations.

(a) Upon receipt of an application for a license or permit, where an investigation or inspection is required by this chapter before the issuance of such permit or license, or where an inspection or investigation shall be deemed reasonably necessary or appropriate, the Village Manager, within five (5) business days of such receipt, shall refer the application to the appropriate officials for the making of such investigation or inspection.

(b) The officials to whom the application has been referred shall make a report thereon, favorably or otherwise, within thirty (30) working days after receiving such application or a copy thereof.

(c) The health officer shall make or cause to be made an inspection regarding such permits and licenses as relate to the care and handling of food, the prevention of nuisances and the spread of disease, and the protection of health. The Department of Community Development shall make or cause to be made any inspections which relate to compliance with the building code, zoning ordinance, and other related

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regulations. All other investigations, except where otherwise provided, shall be made by the Chief of Police or by some other officer designated by the Village Manager.

(d) If, after due consideration of the information contained within the application and the related investigative reports, the Village Manager shall determine that the application is satisfactory, he shall approve the application and issue the license or permit.

(e) If, after due consideration of the information contained within the application and the related investigative reports, the Village Manager shall determine that the matters concerning the application are unsatisfactory, he may disapprove such application, indicating the reasons therefor. Thereupon, he shall promptly notify the applicant that his application is disapproved, and that no license or permit will be issued.

(f) In the event the Village Manager fails or refuses to issue a license, the Village Manager shall state in writing the basis of the denial. The denial may be appealed to the Corporate Authorities for a hearing. The person objecting to the denial shall present any facts or evidence showing compliance with Village ordinances, rules and regulations. The Village Manager shall detail the basis of the denial. The Corporate Authorities shall take final action on the recommendation and determine to issue or deny the license, permit or certificate of registration.

Sec. 11-7. Fees.

In the absence of provision to the contrary, all fees and charges for licenses, permits or certificates of registration shall be paid in advance at the time application therefor is made to the Village in the amounts prescribed in this Chapter or the Village's Fee Schedule Supplement to the Palatine Code of Ordinances.

Sec. 11-8. Termination.

All annual licenses shall be operative and the license year for the Village shall commence on the 1st day of January of each calendar year and shall terminate on the 31st day of December of the same year, where no provision to the contrary is made.

As directed by the Manager the business license division shall notify all licensees of the Village of the time of expiration three (3) weeks prior to the date of such expiration. Provided, however, that a failure to make such notification, or failure of the licensee to receive it, shall not excuse the licensee from the obligation to obtain a new license, or renewal thereof, nor shall it be a defense in an action based upon operation without a license. All payments are due on or before the last day of January. Starting on the first day of February a fifty (50) percent penalty will be added and after the last day of February an additional fifty (50) percent penalty plus a citation will be issued.

Sec. 11-9. Building and premises; compliance with laws required.

No license shall be issued for the conduct of any business, and no permit shall be issued for any purpose or activity, if the premises and building to be used for the purpose do not fully comply with all applicable provisions of this Code and other ordinances and regulations of the Village and the State.

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Sec. 11-10. Location--Limited to one per license.

No license for the operation of a business or establishment in the Village shall be construed to permit the operation of a licensed business or establishment in more than one (1) location in the Village; a separate license shall be required for each location of a licensed establishment. For the purposes of this chapter, the existence of a single location shall be evidenced by the fact that all buildings containing the principal or accessory uses shall be connected or shall be located on the same lot or parcel, shall be operated and managed by the same person or owner, and shall be an establishment with the same classification.

Sec. 11-11. Location --Changes.

The location of any licensed business or occupation, or the location of any permitted act, may be changed provided that ten (10) days' notice thereof is given to the Village in the absence of any provisions to the contrary; provided, however, that all applicable provisions of this Code and other ordinances and regulations of the village shall be complied with.

Sec. 11-12. Nuisances prohibited.

(a) *Generally:* No business or establishment, whether or not licensed, shall be so conducted or operated as to constitute a nuisance in fact; and no building, vehicle, structure, yard, lot, premises, or part thereof, shall be used, kept, maintained, or operated in connection with any business or establishment so as to occasion any nuisance, or so as to be dangerous to life or detrimental to health.

(b) *Unsafe or unhealthful business:*

(1) No building or structure, utilized, constructed, or maintained in connection with any business or occupation, shall evidence an unsanitary, unsafe, or dangerous condition.

(2) No substance, matter, or thing of any kind whatever, which shall be dangerous or detrimental to health, shall be allowed to exist in connection with any business or occupation, or be used in any work or labor performed in the Village.

(c) *Refuse disposal:*

(1) *Containers:* The standard refuse container required by this section shall be a receptacle of not less than twenty (20) nor more than thirty-two (32) gallons capacity, of impervious material and sturdy construction, with a tight fitting cover, and equipped with handles properly placed to facilitate handling.

(2) *Duty to provide containers:* The occupant of every building, structure, or premises used or maintained in connection with any business or occupation shall provide and maintain in good condition and repair a sufficient number of refuse containers for the temporary storage of all refuse accumulating between collections. All refuse which is placed for collection service outside any building or structure must be kept in standard refuse containers.

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(3) *Removal:* It shall be the duty of the occupant of every building, structure, or premises used or maintained in connection with any business or occupation to cause to be removed at his own cost and expense at least once each week all refuse produced therein.

(4) *Removal of restaurant garbage.* Every person owning or controlling any hotel, restaurant, cafe, or retail food establishment where more than thirty-two (32) gallons of refuse is normally produced weekly shall cause all garbage to be placed in sanitary refuse containers and shall cause all substances deposited in such containers to be removed daily from his premises and to be disposed of at his own expense.

Sec. 11-13. Working conditions.

(a) *Health requirements:* No owner, lessee, manager, or superintendent of any store, factory, workshop, or other place where persons are employed shall cause or permit such place, or any room or part thereof, to be overcrowded or inadequate or faulty in respect to light, ventilation, heat or cleanliness.

(b) *Sanitation:* All such places of employment shall be kept in a clean condition, free from the effluvia of a sewer, drain, privy, stable, or other nuisance; also as far as practicable such premises shall be free from all gases, vapors, dust, or other impurities generated by manufacturing processes or otherwise which are injurious to health. Sufficient washroom facilities for male and female employees shall be provided and such facilities shall be properly ventilated.

(c) *Heat required:*

(1) It shall be the duty of every person owning or controlling the heating plant which furnishes heat to any factory or workshop, to maintain a temperature within such factory or workshop of not less than sixty-eight (68) degrees Fahrenheit without such undue restriction of ventilation as to interfere with proper sanitary conditions therein; provided, however, that this requirement shall not apply to any factory or workshop where the business conducted therein is of such a nature that a higher or lower temperature than sixty-eight (68) degrees Fahrenheit is necessary or expedient for the work or manufacturing processes of such business.

(2) It shall be the duty of any person owning or controlling the heating plant which furnishes heat to any office, store, or other place of employment to maintain a temperature therein of not less than sixty-eight (68) degrees Fahrenheit without such undue restriction of ventilation as to interfere with proper sanitary conditions therein, between the hours of 8:00 a.m. and 6:00 p.m. from October 1 of each year to June 1 of the succeeding year, Sundays and legal holidays excepted.

(d) *Inspection:* The health officer and the Director of Community Development, or their designees, shall visit or cause to be visited all such places of employment in the Village as often as they shall deem necessary to assure compliance with the provisions of this section, and to have such arrangements made as may be deemed necessary for the health and safety of the employees.

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Sec. 11-14. Inspections

(a) Whenever inspections of the premises used for or in connection with the operation of a licensed business or occupation are provided for or required by any provision of this chapter, or are reasonably necessary to assure compliance with any provisions of this Code or other ordinance or regulation of the Village, or to detect violations thereof, it shall be the duty of the licensee or the person in charge of the premises to admit thereto for the purpose of making the inspection any officer or employee of the Village who is duly authorized to make such inspection at any reasonable time that such admission or entry is requested.

(b) Whenever an analysis of any commodity or material is reasonably necessary to assure compliance with the provisions of any ordinance or regulation, or to detect violations thereof, it shall be the duty of the licensee or the person in charge of the premises to give to any duly authorized officer or employee of the Village requesting the same sufficient sample of such material or commodity for such analysis upon official request.

(c) In addition to any other penalty which may be provided, the Village Manager may revoke the license of any owner or operator of a licensed business in the Village who refuses to permit any duly authorized officer or employee to make such inspection or to take an adequate sample of said commodity, or who interferes with such officer or employee while in the performance of his duties; provided, however, that no license shall be subject to revocation for such cause unless such officer or employee has been refused permission to enter upon the premises in the name of the Village after first having presented an administrative warrant authorizing such entry.

Sec. 11-15. Suspension or revocation of license or permit.

(a) Any license, permit, or certificate of registration issued under this Chapter may be suspended, revoked and/or a fine imposed for any of the following causes:

(1) Any fraud, misrepresentation, or false statement contained in the application for the license or permit;

(2) Any violation by the licensee or permittee of ordinance provisions relating to the license or permit or the premises occupied; violation of conditions of the license or permit; violation of or any other ordinance of the village; or violation of any state or federal law;

(3) Conviction of the licensee or permittee of any felony or of a misdemeanor involving moral turpitude;

(4) Failure of the licensee or permittee to pay any fee, tax, fine or penalty owing to the Village;

(5) Refusal to permit an inspection or sampling, or any interference with a duly authorized Village officer or employee while in the performance of his duties in making such inspections, as provided in section 11-14.

(6) Cause a nuisance or danger to public health, safety or welfare.

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(7) Disorderly conduct on the premises or in the parking lot or for such acts that occur on adjoining land or in any other area within the control of the licensee, attributable to patrons of the holder of the license or the holder of the license or its employees. (Ord. #106-13, §1, 9/9/13)

(8) Fraudulent or unfair business practices.

(9) Cessation of business for more than sixty (60) consecutive days.

Such suspension or revocation, if ordered, shall not preclude prosecution and imposition of any other penalties provided for the violation of other applicable ordinances of the Village.

(b) The Village Attorney shall notify the licensee, permittee, or registrant of a violation of one or more of the above causes and call a hearing before the Village Manager (or designee) for the purposes of determining whether or not the license, permit or certificate of registration should be suspended, revoked and/or a fine imposed. Notice of the hearing for suspension or revocation of a license or permit shall be given in writing setting forth specifically the grounds of the complaint and the time and place of the hearing. Such notice shall be mailed to the licensee or permittee at his last known address at least five (5) days prior to the date set for the hearing.

(c) The Village Manager (or designee) shall preside over any hearing pursuit to section (b) above. At the hearing, the Village Attorney shall present the complaint and shall represent the village. The licensee or permittee shall be permitted counsel and shall have the right to submit evidence and otherwise fully participate in the proceeding. A record shall be made of the proceedings. If the Village Manager, (or designee) determines that the licensee, permittee, or registrant is guilty of one or more of the charges in the complaint, he shall issue written findings and an order with respect to the evidence presented. A copy of such order shall be delivered as promptly as possible to the licensee or permittee. The order shall state the penalty to be imposed. The Village Manager, (or designee) may impose any one or any combination of the following penalties:

(1) Suspension of the license or permit for a period not to exceed thirty (30) days;
(2) Revocation of the license or permit;
(3) The payment of a fine not to exceed $2,500 for each offense, not including any other applicable fees or fines as outlined in this Chapter;
(4) Such other penalty or imposition of conditions on further operations designed to correct and prevent future violations that the licensee or permittee was found guilty of violating.
(5) Refer the matter of suspension or revocation or further penalty, with or without a recommendation, to a hearing body of the Corporate Authorities for proceedings consistent with Section 11-16. The Corporate Authorities shall have the authority to impose any of the penalties set forth herein.

In the event that the Village Manager has a reason to believe that the continued operation of a particular licensed business will immediately threaten the welfare of the community, the Village Manager shall have the authority to issue a written order requiring the licensed business to close for not more than seven (7) days, giving the licensed business the opportunity to be heard at a hearing pursuant to Section 11-15 (b) of this Chapter.

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(d) *Cessation of operation required*. If a suspension or revocation is imposed as a penalty, no activity at that location otherwise permitted under the license, permit, or certificate of registration shall be conducted by the licensee, permittee, or registrant until the suspension is served or the license, permit, or certificate of registration is reinstated.

(e) *Reinstatement*. Any licensee, permittee, or registrant whose license, permit, or certificate of registration has been revoked may make application for reinstatement. Following receipt of a written request, including a statement signed by the applicant that the conditions causing the revocation have been corrected, the Village Manager may reinstate or set a hearing which shall be conducted within not more than ten (10) working days. If a hearing is conducted, based upon the record of such hearing, the Village Manager shall make a finding, sustaining, modifying or rescinding the previous order. A written report of the hearing decision shall be furnished to the licensee, permittee, or registrant by mail.

Sec. 11-16. Appeal.

Any person aggrieved by the decision of the Village Manager, (or designee) in regard to the suspension or the revocation of a license or permit, or the failure to reinstate the same, as provided in section 11-15, shall make any such claim directly to the Circuit Court of Cook County pursuant to the Administrative Review Act (735 ILCS 5/3-101 et seq.). (Ord. No. O-17-75, § 2, 2-10-75) (Ord. No. O-112-23, 9-11-23)

Sec. 11-17. Costs and Expenses

All costs and expenses including but not limited to court reporter fees and attorneys' fees incurred by the Village in connection with any license suspension or revocation proceedings, shall be paid by the Licensee.

Sec. 11-18. Posting required.

It shall be the duty of every person conducting a licensed business in the Village to keep his license posted in a prominent place on the premises used for such business at all times.

Sec. 11-19. Required records.

The Village Clerk shall cause to be maintained a record of all establishments and regulatory documents which may from time to time be deemed necessary for the purpose of classifying, inspecting, serving, licensing and regulating all establishments in the Village.

Sec. 11-20. License suspension during liquor license suspension or revocation

Any license or permit issued under this chapter shall be suspended while a Village liquor license issued for the same premises, when the predominant use of the premises is the sale of alcoholic beverages, is suspended or revoked unless otherwise provided in the order of suspension

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Sec. 11-21. Business License Types and Fees.

Business License fees for the businesses license types set forth below shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances.

TYPE A--AMUSEMENT & ENTERTAINMENT ESTABLISHMENTS

Step	Floor Area in Square Feet
1	0--2,500
2	2,501—over

TYPE B--FOOD ESTABLISHMENTS

Step	Floor Area in Square Feet
1	0--2,500
2	2,501--5,000
3	5,001--7,500
4	7,501--over

TYPE C--SERVICE ESTABLISHMENTS

Step	Floor Area in Square Feet
1	0--2,500
2	2,501--over

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TYPE D--RETAIL, WHOLESALE & OTHER ESTABLISHMENTS

Step	Floor Area in Square Feet
1	0--2,500
2	2,501--5,000
3	5,001--7,500
4	7,501--over

TYPE E--INDUSTRIAL ESTABLISHMENTS

Step	Floor Area in Square Feet
1	0--10,000
2	10,001--20,000
3	20,001--over

TYPE F - HOME OCCUPATIONS

The Business License type used to calculate the applicable Business License fee shall be based on the use that occupies the majority of the businesses floor area. The total floor area applicable for the determination of the yearly license fee shall include the sum total of all the floor area in use or reserved for or retained for the use of the amusement and entertainment, food, service, retail and wholesale, or industrial establishment, including but not restricted to principal and accessory floor area, cellars and basements, storage or detached accessory buildings, even though any such floor area may be temporarily vacant or not in use.

For a business that has been issued a village food permit, but the majority of their floor area is occupied by some other business use, the business license fee shall be calculated as follows. The floor area dedicated to the food establishment shall be used to calculate the corresponding Type B license fee (which fee shall then be reduced by fifty percent) and shall not be included in the total floor area when calculating the applicable business license fee for the remainder of the business (Type A, C, D or E).
All measured area expressed in square feet shall be to the nearest integral square foot; if a fraction is one-half (1/2) square foot or more, the integral square foot next above shall be taken.

Excluding Home Occupations, when an applicant has not engaged in the business or activity until after the expiration of part of the current license year the license fee shall be prorated by quarters and the fee paid for each quarter or fraction thereof during which the business or activity has been or will be conducted.

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Except as otherwise provided, all license and permit fees shall become a part of the corporate fund. In no event shall any rebate or refund be made of any license fee, or part thereof, by reason of death or departure of the licensee or permittee; nor shall any rebate or refund be made by reason of non-use of the license or discontinuance of the operation or conduct of the licensed establishment, business or activity.

Sec. 11-22--11-29. Reserved.

ARTICLE II. AMUSEMENT FACILITIES

DIVISION 1. GENERALLY

Sec. 11-30. Definitions.

Amusement and entertainment establishment is a building or premises or a portion thereof the principal use of which is for the presentation to the public for a price or fee of any type of exhibition, athletic event, show or other amusement or entertainment, or the making available of such building or premises or portion thereof or facilities therein for the use, recreation, amusement or entertainment of a consumer thereof.

Sec. 11-31. Street shows.

No license or permit shall be granted or given for any carnival, exhibition, show or other amusement to be given on any public street or sidewalk or in such place that the only main accommodation for the public or the audience will be in a public place, except on order of the Village Council.

Sec. 11-32. Coin-operated amusement devices

(A) *Definition.* A "coin-operated amusement device" shall mean and include any machine which, upon the insertion of a coin, currency, slug, token, plate or disc, may be operated by the public generally for use as a game, entertainment or amusement, whether or not registering a score. It shall include such devices as marble machines, pinball machines, electronic games, skill ball, mechanical grab machines and all similar games, operations or devices however designated; but shall not include any music vending machine, contrivance or device, commonly known as a "juke box," which, upon the insertion of a coin, currency, slug, token, plate, disc or key into any slot or other opening, produces, plays or emits songs, music or other prerecorded entertainment.

(B) *License required.* No person, firm or corporation shall place, keep, install, maintain, operate or permit any coin-operated amusement device in any building or place within the Village for use by the public without first having obtained a license for each such device.

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(C) *Classification of licenses and number of devices.*

(1) Classification of licenses. Licenses of coin-operated amusement devices shall be issued only for use in the following establishments and categories:

(a) Type A licenses shall be granted only to the following establishments which are duly licensed as such by the Village: Hotels and motels containing more than one hundred fifty (150) rooms and restaurants. In the case of hotels and motels, all coin-operated amusement devices shall be located in a single game room, access to which shall be available only to registered guests through the use of a room key.

(b) Type B licenses shall be granted only to facilities (not including those in (a) above) which are duly licensed for the sale of alcoholic liquor for consumption upon the premises. In such facilities where the holder of the liquor license is also engaged in another business, coin-operated amusement devices may only be located in the area in which alcoholic liquors are sold and to which access is limited to no person, other than an employee of the licensee, less than age twenty-one (21).

(c) Type C licenses shall be granted only to community colleges.

(d) Type D licenses shall be granted only to social service facilities, sponsored by agencies of local governments, which provide counseling services for persons under the age of eighteen (18) and which provide on-site adult supervision during their hours of operation.

(e) Type E licenses shall be granted only to bowling centers. Persons under the age of eighteen (18) are prohibited from operating coin-operated amusement devices on any premises subject to a Type E license except between the hours of 4:00 p.m. and curfew other than on Saturdays, Sundays and school holidays on which days curfew hours shall apply.

(f) Type F licenses shall be granted only to indoor sports facilities which offer sports for participation of the customer, including but not limited to soccer and baseball with use of the coin-operated amusement devices strictly limited to the time or times when such indoor sports facilities are in use and operation.

(g) Type G licenses shall be granted only to not-for-profit community organizations providing recreational facilities and activities to its members.

(h) Type H licenses shall be granted only to establishments conducting light-beam enhanced competitions which operate coin-operated amusement devices in a separate enclosed room as an incidental or ancillary use to the primary business of the establishment.

(i) Type I licenses shall be granted only to establishments providing admittance to children 16 and under who are accompanied by an adult. Such establishments shall require an admission charge.

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(j) Type J licenses shall be granted only to restaurant establishments.

2) Number of devices.

(a) The number of coin-operated amusement devices permitted in Type A, B, D, G, H, and J, establishments shall be determined on the basis of the size of the establishment in accordance with the following schedule:

Size of Establishment (in square feet)	Number of Coin-Operated Amusement Devices Permitted
0—400	1
400—800	2
800--1,200	3
1,200--1,600	4
1,600--2,000	5
2,000--2,400	6
2,400--2,800	7
2,800--3,200	8
3,200--3,600	9
Over 3,600	10

(b) The number of coin-operated amusement devices permitted in Type E and F establishments shall be determined on the basis of the size of the establishment in accordance with the following schedule:

Size of Establishment (in square feet)	Number of Coin-Operated Amusement Devices Permitted
0—1,200	1
1,200--2,000	2
2,000--2,800	3
2,800--3,600	4
Over 3,600	5

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(c) The number of coin-operated amusement devices permitted in Type C establishments shall be limited to twenty-two (22) and their location be restricted to the Student Union only.

(d) No coin-operated amusement device shall be permitted within one thousand six hundred (1,600) feet of any public or private school, other than community colleges.

(e) The number of coin operated amusement devices permitted in Type I establishments shall be limited to twenty (20).

(D) *Amortization.* Any establishment not authorized to be licensed for the use and operation of coin-operated amusement devices hereunder, which nevertheless has one or more coin-operated amusement devices in use and operation on the effective date of this amendatory ordinance, being April 26, 1982, shall phase out and terminate the use thereof within a period of two (2) years following said date, or reduce the number of devices to the appropriate number permitted.

(E) *Generally.* Unless otherwise authorized pursuant to Chapter 3 of the Code of Ordinances, no coin-operated amusement device shall provide a monetary reward for skill in the operation thereof, nor shall gambling of any kind be permitted in connection with any coin-operated amusement device. No coin-operated amusement device upon which free replays are awarded shall award more than six (6) free replays in total, howsoever accumulated, nor shall any coin-operated amusement device be equipped with a so-called "knock-off button" or other mechanism which releases or cancels free replays.

(F) *Application for license.* Any person, firm or corporation desiring a license shall make application therefor to the Village Manager. Application forms shall be provided by the Village Manager. The application shall set forth the names and addresses of the applicant or if a corporation, partnership or association, the principal officers and registered agent thereof and their addresses, the owners of the machine(s) and the address of the building where such device(s) will be located, maintained and operated, the character of the existing license, trade name and general description and total number of devices to be licensed and the charge to be made to the customer for such operation.

No license shall be issued for coin-operated amusement devices for any premises which are not in full compliance with all applicable ordinances of the Village.

(G) *Fees.* License fees for each coin-operated amusement device shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances. In the event a coin-operated amusement device upon which an annual license fee has been paid is removed and replaced by another coin-operated amusement device, the full license fee shall be payable on the replacement device.

Sec. 11-32.1. Juke boxes.

It shall be unlawful to offer or maintain for public use any music vending machine, contrivance or device, commonly known as a "juke box," which, upon the insertion of a coin, currency, slug, token, plate, disc or key into any slot or other opening, or other payment method, produces, plays or emits songs, music or other prerecorded entertainment, without first having obtained a permit therefor. The annual fee for such permit shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances.

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Sec. 11-33. Athletic exhibitions.

It shall be unlawful to conduct, operate or exhibit any race between persons, animals or vehicles, or any baseball game, boxing or wrestling matches, light-beam enhanced competitions or any other athletic contest or exhibition for admission to which a fee is charged without having first procured a license therefor. Any sporting event held by a local school shall be exempt from this section. The fee for such license shall be one hundred dollars ($100.00).

The proprietor of such exhibition shall submit to the Village Manager a statement verified under oath of the gross receipts of each such game, contest or race, within one (1) week after such exhibition. At the same time, the proprietor or person exhibiting or operating such exhibition shall pay to the Village Manager a sum equal to three (3) per cent of the gross receipts, after deducting the license fee paid.

Sufficient members of the Police Department shall be admitted free of charge, to all such exhibitions for the purpose of preserving and maintaining order; and the Village Manager may post a person or any number of persons at the box office of each such performance; and may examine all the books pertaining to such performance showing or tending to show the gross receipts. (Code 1961, § 11.105; Ord. No. O-63-86, § 1, 6-23-86)

Sec. 11-34. Duty of audience to be orderly; crowding prohibited.

The audience of any amusement, show or theatrical must be orderly and quiet at all times, and it shall be unlawful for any person attending such amusement, show or theatrical to create a disturbance in the audience.

It shall be unlawful to permit or gather such a crowd to witness any amusement or show as to create a dangerous condition because of fire or other risks. (Code 1961, § 11.106)

Sec. 11-35. Inspections.

It shall be the duty of the Chief of Police and Fire Chief to see that every exhibition, amusement, theatrical or other public show or amusement is inspected by a member of the Police and Fire Departments, and to ensure conformity with the provisions concerning such amusements. (Code 1961, § 11.107)

Sec. 11-36. Indecency prohibited.

It shall be unlawful to permit any person to offer or present any theatricals or motion pictures which have a tendency to cause a riot or public disturbance of the peace, or any immoral, indecent, or blasphemous picture or performance.

Sec. 11-37. Exhibitions of criminals prohibited.

It shall be unlawful for any person, firm or corporation to exhibit any criminal or the body of any criminal or any person who shall have become notorious because of the commission of a crime, in any theatrical, exhibition, carnival, or other public place.

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Sec. 11-38. Riots; amusements to cause, prohibited.

It shall be unlawful to present any public amusement or show of any kind which tends to or is calculated to cause or promote any riot or disturbance.

Sec. 11-39. Smoking--Regulations.

It shall be unlawful to smoke or carry a lighted cigar, cigarette or pipe on or beneath the stage or in a dressing room of any building used as an assembly hall with seating accommodations for more than one hundred (100) persons or in which theatricals, shows, amusements, lectures, or other entertainment are offered, presented, operated or exhibited.

Sec. 11-40. Same--Signs.

It shall be the duty of the owner of such premises or of the occupant in charge, to provide and place printed signs on which the words "NO SMOKING" shall appear in letters at least four (4) inches high, in conspicuous places, at least two (2) signs being upon the stage or in the wings thereof and one (1) in each dressing room.

Sec. 11-41. Exit lights.

It shall be the duty of the owner or occupant in charge of any building or hall used as an assembly hall to comply with the Life Safety Code.

Sec. 11-42. Premises.

It shall be unlawful to operate or permit the operation of any amusement licensed in this article unless the premises in which such amusement is operated or permitted to be operated conforms with all the provisions or requirements in this code relating to public buildings and public gatherings.

Sec. 11-43. Bowling alleys and billiard halls, etc.; hours of operation.

No person shall keep open, operate, or use any bowling alley or billiard hall or any other hall between the hours of 1:00 a.m. and 6:00 a.m. If any bowling alley, billiard hall, or other hall holds a Village liquor license, such facility shall operate in compliance with the corresponding permitted hours of operation for such liquor license.

Sec. 11-44. Reserved.

Sec. 11-45. Circuses, carnivals--Sideshows, rides, games and concessions.

The license fee for a circus shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances.

The fee for a carnival license shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances.

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The fee for each sideshow, ride, game and concession (food or otherwise) operated in connection with any circus or carnival, shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances.

Fees can be waived only by the Corporate Authorities upon prior written request by the applicant.

Sec. 11-46. Same--Inspections required.

It shall be the duty of the Chief of Police and the Fire Marshal to see that inspections as provided for in article I of this chapter, shall be made of all circuses, circus performances, and of the premises used.

Sec. 11-47. Same--Bonding requirement.

It shall be unlawful to conduct any parade connected with a circus on any public street, alley or other public way or place in the Village, unless a permit therefor is first obtained from the Village Manager. Such permit shall specify the route to be followed, and shall be accompanied by a bond in the sum of ten thousand dollars ($10,000.00), conditioned to indemnify the Village for any loss, damage or liability incurred or caused by the conduct of such exhibition or such parade.

Sec. 11-48. Theaters--Seating of audience required.

It shall be unlawful to permit any person, excepting ushers or other theater employees, to remain standing in a hall or room in which a motion picture is presented during the time of such performance; and it shall be unlawful to admit to any such hall more persons than can be accommodated by the seating arrangements for the premises.

Sec. 11-49. Same--Scenery.

It shall be unlawful to use any scenery in any theater other than non-flammable scenery or such as shall have been rendered non-flammable by the application of fire preventive coatings.

Sec. 11-50. Same--Exits.

It shall be unlawful to obstruct or permit the obstruction of any aisles, corridors or exits leading from the room or enclosures in which a motion picture performance or theatrical is being given or in which an audience for such a performance is gathered.

Sec. 11-51. Same--Outdoor; compliance required; washrooms required.

Outdoor theaters, where the audience is not housed in a building, shall be conducted in full compliance with all applicable provisions of this article. Each outdoor theater shall be equipped with washrooms.

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Sec. 11-52. Public dance halls--Defined.

For the purposes of this article, a "public dance hall" shall mean an establishment offering dancing to music to the public. It shall include a club or other form of operation although admission may be open only to members, but not a dance sponsored by a public school, local government, or local unit of a recognized national fraternal or veterans organization.

Sec. 11-53. Same--regulations.

No public dance hall licensed hereunder may remain open between the hours of 1:00 a.m. and 1:00 p.m. Dance halls shall be supervised by at least one (1) adult employee, exclusive of checkroom or concession personnel, but including the proprietor or manager, for every one hundred (100) persons in attendance.

All areas designated for parking or driveways shall be illuminated to an average intensity of not less than two (2) foot candles. Luminaries height shall be not less than one-quarter (1/4) the distance between luminaries.

Sec. 11-54. Skating Rink; conduct restrictions.

It shall be unlawful to indulge in any improper conduct or to permit any improper conduct at any public ice-skating or roller skating rink, and it shall be unlawful to permit music at any public ice-skating or roller skating rink after the hour of 11:00 p.m.

Secs. 11-55--11-60. Reserved.

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DIVISION 2. LIVE ENTERTAINMENT*

Sec. 11-61. Special use permit required.

It shall be unlawful to conduct or allow to occur any live entertainment unless a special use permit shall have been granted therefore, pursuant to the special use provisions of the zoning ordinance of the Village of Palatine. Live entertainment conducted indoors at public institutions, schools, and religious facilities, or within or upon any Park District facilities, shall be exempt from all the requirements of this Division.

Sec. 11-62. Applications and standards.

Applications for such special use permits and the standards for authorizing such live entertainment shall be as set forth in paragraph (d)(4), of Section 14.05 Article XIV of the Zoning Ordinance of the Village of Palatine.

Sec. 11-63. Procedures and fees.

(a) *Necessity of license.* No person, firm or corporation shall offer, provide, procure, make available, allow, suffer or permit *ANY* live entertainment without having first complied with the terms of this section relating to same and having procured a live entertainment license to do so. All licenses shall be subject to periodic inspections to ensure continual compliance with the terms of this section.

(b) *Issuance.* Upon issuance by the Village Manager, such live entertainment license shall entitle the holder to conduct live entertainment subject to all of the conditions imposed upon the licensee pursuant to the special use approval and pursuant to the Palatine Code of Ordinances, only upon the licensed premises.

(c) *Appeal of denial of license.* In the event the Village Manager fails or refuses to issue a live entertainment license, the Village Manager shall state, in writing, the basis of the denial. The denial may be appealed to the Corporate Authorities pursuant to the provisions of Section 11-6 (e) and (f) for a hearing.

(d) *Licenses term.* All live entertainment licenses shall expire on the thirtieth day of June thereafter. Such license may in the discretion of the Village Manager be transferred to a new location. The new premises must comply in all respects with all provisions of this section as if a new application were being made. This same provision shall apply whenever a change of agent of a corporation occurs, a change in managers or a change of ownership of the corporation (which shall be defined as a change of five (5) percent or more in the ownership of the stock) and such live entertainment license may, in the discretion of the Village Council, be transferred to the new agent. Any change of agency, management or ownership as herein defined shall be reported to the Village Manager within five (5) business days.

(e) *Suspension/revocation.* A live entertainment license may be suspended by the Village Manager and subsequently revoked or other penalties imposed by the Corporate Authorities for disorderly or immoral conduct on the premises or in the parking lot or for such acts that occur on adjoining land attributable to patrons of the holder of the license or in any other area within the control of the licensee, or for the violation of any of the rules, regulations or laws governing or applying to entertainment licenses or premises licensed to sell intoxicating liquor, or for any other violation of the Palatine Code of Ordinances

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or on any of the grounds set forth in section 11-15 (a). The proceedings for suspension or revocation shall be pursuant to Section 11-15 through 11-17 of the Palatine Code of Ordinances.

(f) *Application terms.* No live entertainment license shall be granted hereunder unless the person or corporation desiring the same shall first have filed with the Village Manager a written application therefor under oath and on forms to be furnished by the Village Manager, designating the kind of license applied for, the address and description of the premises for which the license is desired and such other information as may be required to ensure compliance with this section, state law or such as may be required by the Village Council. No live entertainment license shall be granted under this section, however, unless the Village Council shall have approved the necessary special use. The Village Manager, in determining whether to issue or not issue such a license, may also consider as evidence the previous operating experience and past record of convictions or admissions of violations of the applicant related to the operation of entertainment establishments, restaurants, bars or other related businesses. The Village Manager may impose such reasonable conditions on the establishment including additional limitations on hours given the nature of the use, the location of the use and its environs and neighborhood and the past operating history of the applicant. Such live entertainment license shall be purely a personal privilege good for not more than one (1) year after issuance unless sooner revoked, as provided herein, and it shall not constitute property.

(g) *Minimum requirements and conditions:*

(1) Every room used for entertainment purposes shall comply with the special use requirements established by the Village Council.

(2) Effective means shall be employed to prevent ordinary sounds of music, dancing, singing or entertainment within the premises from being heard on adjoining premises or on the public street, and no unusually loud music, singing or entertainment or any boisterousness or noisy conduct on the part of the patrons shall be permitted.

(3) All licensed premises and the parking lot(s) shall be lighted in accordance with Village ordinance at all times when any patrons shall be therein and at all times when the same is open to the public.

(4) The licensee shall, at all times, maintain sufficient supervisory control over the patrons on the premises and on the parking lot to prevent disturbance to the residents of adjoining property and to secure the safety of the patrons.

(5) No dancer or entertainer shall be permitted to engage in any performance that is lewd, obscene or indecent. As used in this subsection, "lewd," "obscene" or "indecent" means a performance which, when taken as a whole, depicts or describes sexual conduct in any way that appeals to the prurient interest, portrays sexual conduct in a patently offensive way, and does not have serious literary, artistic, political or scientific value. As used in this subsection, "sexual conduct" means acts of sexual intercourse between humans, normal or perverted, actual or simulated; acts of masturbation, fellatio, cunnilingus; acts of excretory function; lewd exhibition of the genitals, especially in a stimulated condition; and sexual relations between animals and humans.

(6) No intoxicated person shall be permitted to remain in any licensed premises and no person bordering on intoxication shall be permitted to dance in any licensed premises.

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(7) The sale, service or consumption of commodities for which licenses are otherwise required shall not be permitted in any licensed premises unless the proper license or licenses therefor are obtained for the licensed premises in the name of the owner or manager of such licensed premises.

(8) As a condition of licensing, the licensee shall permit free and unobstructed access to the premises when licensed premises are open to the public by police, fire and health officers while acting on official duty.

(9) No person holding a live entertainment license under this chapter shall permit on the licensed premises any officer, director, associate, member, representative, agent, entertainer, patron or any employee of such licensee (whether the same are engaged in any live act, demonstration, dance, exhibition or otherwise) to:

a. Expose his or her genitals, pubic hair, buttocks, perineum and anal region or pubic hair region; or

b. Expose any device, costume or covering which gives the appearance of or simulates the genitals, pubic hair, buttocks, perineum, anal region or pubic hair region; or

c. Expose any portion of the female breasts at or below the areola thereof; or

d. Commit an act which constitutes public indecency under section 12-6 hereof.

(h) *Additional requirements and conditions for premises where the consumption of alcohol is permitted:*

(1) All premises shall comply with the Chapter 3 “Alcoholic Beverages” section of the Village’s code of ordinances.

(2) All premises shall be closed to the public and no patron shall be therein during the time that liquor or fermented malt beverages may not be sold.

(3) No minor under the age of twenty-one (21) years shall be permitted in any live entertainment licensed premises where alcohol is sold unless accompanied by parent or guardian.

Secs. 11-64 and 65. Reserved.

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ARTICLE III. FOOD ESTABLISHMENTS AND VENDING MACHINES

DIVISION 1. GENERALLY

Sec. 11-66. Definitions.

The following adopted codes and Village of Palatine Ordinances sets the standards for the management and personnel; food operations; and equipment and facilities; and provides for plan review; employee exclusion and restriction; permit and license issuance, inspection and permit suspension of food establishments.

Sec. 11-66.1. Minimum Standards.

The Village of Palatine hereby adopts by reference the current version of the Food Code, Title 77, Chapter I, and subchapter m, Part 750 of the Illinois Administrative Code, effective December 7, 2018, as now or hereafter amended.

Sec. 11-66.2. Definitions.

For the purposes of this article, the following words shall have the meanings indicated unless their context clearly requires otherwise:

Food establishment means any operation as defined in the minimum standards referenced in Sec. 11-66.1.

Health authority means the Environmental Health Division of the Village of Palatine.

Health Officer means the Field Director of the Environmental Health Division of the Village of Palatine or their designated representative.

Permit means the document issued by the Health Officer that authorizes a person to operate a food establishment and can be further defined as one of the following types.

(a) *Permanent Food Establishment Permit* allows a permanent food establishment to operate in a permanently constructed structure.

(b) *Temporary Food Establishment Permit* allows a temporary food establishment to operate for a period of no more than 14 consecutive days in conjunction with a single event.

(c) *Stationary Food Establishment Permit* allows a stationary food establishment to operate in a non-permanently constructed structure and does not include temporary or mobile food establishments.

(d) *Mobile Food Dispensing Unit Permit* allows a mobile food establishment to operate and serve only TCS food in individual servings that are prepared and prepackaged or commercially prepackaged in an approved processing plant.

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(e) *Vending Machine TCS Food Permit* allows the operation of a self-service device that dispenses unit servings of TCS food in bulk or packages that is not ancillary to a permanent food establishment.

(f) *Delivery Vehicle Residential Permit* allows the operation of a delivery service of TCS foods to residential properties that is not ancillary to a permanent food establishment.

(g) *Delivery Vehicle Retail Permit* allows the operation of a delivery service of TCS foods to commercial properties that is not ancillary to a permanent food establishment.

Time/Temperature Control for Safety (TCS) Food means a food or beverage as defined in the minimum standards referenced in section 11-66.1.

Sec. 11-67. Licenses, Permits and Fees Required.

(a) It shall be unlawful for any person to operate a food establishment in the Village of Palatine without having obtained a license and permit, pursuant to Sec. 11-3 and Article III of this Chapter. Such license and permit shall be valid only for the premises, machine, or vehicle for which it is issued. No license or permit may be transferable to any person other than to that issued. A valid license and permit shall be displayed on the premises, machine, or vehicle of any such food establishment at all times when such service is available to the public.

(b) Each of the following vending classifications shall require a separate annual license and license fee as provided in the fee schedule supplement to the Palatine Code of Ordinances:

(1) Vending machine that offers only prepackaged, non TCS food or beverages;

(2) Ice machine not ancillary to primary use;

(3) Machines vending general merchandise (no food or beverage of any kind).

(c) Each of the following vending classifications shall require a separate permit, annual license, and license fee as provided in the fee schedule supplement to the Palatine Code of Ordinances:

(1) Vending machine that offers TCS foods or beverages;

(2) Mobile food dispensing units and roadside stands;

(3) Vehicles used for the delivery of TCS foods or beverages.

(a) To individual residences;
(b) To retail establishments.

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Sec. 11-68. License and Permit Application.

(a) *In general*: All applications for a license and permit shall be made on forms supplied by the Village Manager.

(b) *Permits*: All such applications for a permit shall be referred to the health authority, who shall either issue said permit or refuse issuance with a report of its findings and reasons for such refusal.

(c) *Licenses*: Licenses shall be issued by the Village Manager when the applicant has complied with all provisions of this Chapter, including issuance of a permit.

Sec. 11-69. Summary Suspension and Revocation of Food Establishment Permits

(a) *Suspension of permits by the Health Officer:*

(1) *Suspension of food establishment permits*: Whenever the Health Officer finds an imminent health hazard or other condition or circumstance that may endanger public health during the course of the inspection of a food establishment; the Health Officer may, in addition to any other action taken, order the immediate suspension of such permit. When a permit is suspended, business operations shall immediately cease. The holder of the permit shall be afforded, upon written request to the Health Officer an opportunity for hearing before the Village Manager or designee to occur pursuant to Section 11-69 (a)(3). ~~within two (2) business days of receipt of a request for hearing.~~

(2) *Reinstatement of suspended permits*: Any person whose permit has been suspended may, at any time, make application for a re-inspection for the purpose of reinstatement of the permit to the Health Officer. Following receipt of a written request, including a statement signed by the permit holder that the condition causing the suspension of the food establishment permit has been corrected; the Health Officer shall make a re-inspection. If the permit holder is found to be in compliance with the requirements of this Code, the permit shall be reinstated.

(3) *Hearings*: The hearings provided for in this section shall be conducted by the Village Manager or designee assigned by the Village Manager at the time and place designated by the Village Manager or designee within five (5) business days after receipt of a request for hearing from the permit holder. Based upon the record of such hearing, the Village Manager shall make a finding and shall sustain, modify, or rescind any official notice or order considered at the hearing. A written report of the hearing decision shall be furnished to the permit holder by the Village Manager or designee. The decision of the Village Manager or designee shall be final.

(4) *Appeal*: ~~The permit holder may appeal the decision of the Village Manager to the Board of Health by filing written notice of such appeal with the Village Manager within five (5) days after receipt of the Village Manager's written report of the hearing decision. The Board of Health shall hear such appeal within five (5) days after the permit holder files written notice thereof. The Board of Health shall promptly notify the permit holder of the time and place of such hearing. The decision of the Board of Health shall be final.~~ Any

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appeal from a decision of the ~~Board of Health~~Village Manager or designee made pursuant to Section 11-69(a)(3) shall be made directly to the Circuit Court of Cook County pursuant to the Administrative Review Act.

(b) *Suspension or revocation of licenses by Village Manager*: In the alternative and in addition the remedies set forth above, any license issued to a food establishment may be suspended or revoked by the Village Manager in accordance with Sec. 11- 15 of this Chapter.

Sec. 11-70. Food Establishment Noncompliance Inspection Service Fee.

When the Health Officer determines after an initial inspection of a food establishment, that additional follow-up inspections are necessary for enforcement of the code, two additional follow-up inspections for noncompliance shall be granted each permittee without charge. In the event more than two follow-up inspections are needed, the permittee shall be assessed a noncompliance service charge of $50. The $50 noncompliance service charge shall be assessed for each and every follow-up inspection after the initial inspection and two follow-up inspections per inspection cycle. Payment must be made in full prior to the business license being renewed. Failure to pay any balance will serve as grounds to deny further permits or licenses from being issued by the Village.

Sec. 11-71--11-89. Reserved.

DIVISION 2. DELIVERY VEHICLES

Sec. 11-90. Restrictions on Sales in School Zones.

It shall be unlawful for any person to sell, offer to sell, barter or exchange ice cream or other food products from mobile food dispensing units and delivery vehicles on any public street, alley, highway or public way within five hundred (500) feet of a school between the hours of 7:30 a.m. and 4:30 p.m. on a day when school is in session; provided, however, that this section shall not preclude the delivery of any items previously ordered where the purchaser has requested the seller, in writing, to deliver such merchandise.

For the purpose of this section, school property shall be measured from the property line of any lands owned by a public school district or a private or parochial school authorized to provide education by the state.

Sec. 11-91. Restrictions on Hours of Operation.

It shall be unlawful for any person to sell, offer to sell, barter or exchange ice cream or other food products from mobile food dispending units and delivery vehicles on any public street, alley, highway, or public way between the hours of 8:30 p.m. and 6:30 a.m.

Sec. 11-92--11-115. Reserved.

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ARTICLE IV. MERCHANTS

DIVISION 1. RESERVED

Sec. 11-116--11-125. Reserved.

DIVISION 2. AUCTIONEERS

Sec. 11-126. License required.

It shall be unlawful for any person to conduct an auction in the Village or to do business as an auctioneer without having first obtained a license as is herein required, and paying the fee herein set forth.

Sec. 11-127. Fee.

The fee, payable in advance, for auctioneers shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances; and a daily license fee shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances.

Sec. 11-128. Application.

Applications for an auctioneer's license shall be made in writing to the Village Manager and shall state thereon the place of business, if any, intended to be occupied; and the names of any employees, not to exceed two (2), who are to be authorized to conduct auctions under the authority of the license.

Sec. 11-129. Investigations.

The Chief of Police, or any other officer designated by the Village Manager, shall investigate the character of every applicant for an auctioneer's license, and no such license shall he issued to any person who is not of good character.

Sec. 11-130. Employees.

Every person, licensed as an auctioneer, may designate not to exceed two (2) employees who may be authorized by him to conduct auctions. Notice containing the names of the employees so designated must be given to the Village, and an employee's license shall be issued on the payment of a fee as provided in the fee schedule supplement to the Palatine Code of Ordinances. This license shall be good for one year, and it shall be unlawful for any person, not licensed under this section to conduct an auction, or for any auctioneer to permit an auction to be conducted by an unlicensed employee.

Sec. 11-131. On streets prohibited.

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No person shall sell or attempt to sell or offer for sale at public auction, any goods, chattels, or personal or real property of any kind upon the public streets or sidewalks of the Village.

Sec. 11-132. Exemptions.

Nothing in this article shall apply to any public auction or sale made or conducted by a public officer by virtue of any judicial order or process or by virtue of any power or authority contained in a mortgage or trust deed.

Sec. 11-133. Suspension or revocation of licenses and permits by Village Manager.

Any license or permit issued may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Chapter.

Sec. 11-134--11-140. Reserved.

DIVISION 3. CIGARETTE AND TOBACCO DEALERS

Sec. 11-141. License required.

It shall be unlawful to engage in the sale at retail of cigarettes, cigars or tobacco in any form, or in any number without having obtained first a license therefor. Applications for such licenses shall be made to the Village Clerk; and no such license shall be issued to any person who is not a person of good character, or to any corporation that is not represented in the Village by a person of good character.

Sec. 11-142. Fee.

The annual fee for such licenses shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances.

Sec. 11-143. Sanitation.

Premises and buildings used for the sale of cigarettes, cigars or tobacco shall be kept in a clean and sanitary condition; the health officer shall investigate such places sufficiently often to insure compliance with the provisions of this section.

Sec. 11-144. Minors.

It shall be unlawful to sell or give tobacco products, alternative nicotine products or electronic smoking devices to any person under twenty-one (21) years of age.

Sec. 11-145. Sale and Possession of Tobacco Products, Alternative Nicotine Products or Electronic Smoking Devices

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(a) Possession. It shall be unlawful for any person under the age of twenty-one (21) to possess any tobacco products, alternative nicotine products or electronic smoking devices.

(b) Sales, delivery. It shall be unlawful for any person, including any licensee, to sell, offer for sale, give away or deliver tobacco products, alternative nicotine products or electronic smoking devices to any person under the age of twenty-one (21).

(c) Purchase. It shall be unlawful for any person under the age of twenty-one (21) to purchase tobacco products, alternative nicotine products or electronic smoking devices or to misrepresent their identity or age, or to use false or altered identification for the purpose of purchasing tobacco products, alternative nicotine products or electronic smoking devices.

Sec. 11-146. Signage.

Signs informing the public of the age restrictions provided for herein shall be posted by every licensee at or near every display of tobacco products which offers tobacco products for sale. Each such sign shall be compliant with signage required by the Illinois Department of Human Services.

Sec. 11-147. Vending Machines.

It shall be unlawful for any licensee to sell or offer for sale, give away, deliver or to keep with the intention of selling, giving away or delivering tobacco products by use of a vending machine.

Sec. 11-148. Fines.

Fines for violations of this Division shall be assessed per the Village Fee Schedule Supplement.

Sec. 11-149. Suspension or revocation of licenses or permits by Village Manager.

Any license or permit issued may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Chapter.

Sec. 11-150--11-189. Reserved.

DIVISION 4. RESERVED

Sec. 11-190--11-200. Reserved.

DIVISION 5. ITINERANT MERCHANTS

Sec. 11-201. License required.

No itinerant merchant shall do business in the Village without having first obtained a license therefor. The fee for doing business as an itinerant merchant shall be as provided in the fee schedule

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supplement, except that the fee for doing business as an itinerant dealer in gold and silver shall be as provided in section 11-512, Division 16, of this chapter. Itinerant merchants operating in a Village-authorized farmer's market shall pay a fee as indicated in the fee schedule supplement.

Sec. 11-202. Fraud.

No itinerant merchant shall make any fraudulent statements in regard to the articles or merchandise with which he deals.

Sec. 11-203. Premises or conveyances.

Premises or conveyances used for business by an itinerant merchant must be kept in a clean and sanitary condition. It shall be unlawful to permit a collection or accumulation of combustible materials so as to create a fire hazard. The Village Manager shall be authorized to issue appropriate health and safety regulations for Village-authorized farmer's market merchants.

Sec. 11-204. Suspension or revocation of licenses or permits by Village Manager.

Any license or permit issued may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Chapter.

Sec. 11-205--11-210. Reserved.

DIVISION 6. RESERVED

Sec. 11-211--11-220. Reserved.

DIVISION 7. PAWNBROKERS

Sec. 11-221. 1 License required.

It shall be unlawful to operate or carry on the business of a pawnbroker without having obtained a license therefore, pursuant to Sec. 11-2 of this Chapter.

Sec. 11-221.2 Required records.

Every pawnbroker doing business in the Village shall keep a record of every article pledged with him or sold to him. This record shall be open to the inspection of any police officer And reported in a manner specified by the Palatine Police Department. Pawnbrokers shall remain compliant with the Pawnbrokers Regulation Act, 205 ILCS 510/.

Sec. 11-222. Weapons; restrictions on purchase and display.

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No pawnbroker shall receive as a pledge or purchase any revolver, pistol, blackjack, or sawed-off shot gun. And no pawnbroker shall display in his window or shop any such weapons for sale.

Sec. 11-223. Minors.

No pawnbroker's license shall be issued to any person who is not twenty-one (21) years of age or over; and no pawnbroker shall employ a person of less than twenty-one (21) years of age to assist him in his business. No pawnbroker shall have any business dealings as pawnbroker with any person less than twenty-one (21) years of age, except with the written consent of the parent or guardian of the minor to each particular transaction.

Sec. 11-224. Stolen goods.

It shall be the duty of every pawnbroker to report to the police any article pledged with him, or which it is sought to pledge with him, if he shall have reason to believe that the article was stolen or lost, and found by the person attempting to pledge in the case of a lost article.

Sec. 11-225. Separate license for second-hand dealer required.

No pawnbroker shall conduct the business of a second-hand dealer without having obtained the license required for such dealer in addition to his pawnbroker's license.

Sec. 11-226. Suspension or revocation of licenses or permits by Village Manager.

Any license or permit issued may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Chapter.

Sec, 11-227. Violations.

Any violation of this Division shall be fined according to the Village Fee Schedule Supplement.

DIVISION 8. RESERVED

Sec. 11-228--11-240. Reserved.

DIVISION 9. RESERVED

Sec. 11-241--11-250. Reserved.

ARTICLE V. MISCELLANEOUS BUSINESS OPERATIONS

DIVISION 1. RESERVED

Sec. 11-251--11-259. Reserved.

DIVISION 2. RESERVED

Sec. 11-260--11-269. Reserved.

DIVISION 3. RESERVED

Sec. 11-270--11-280. Reserved.

DIVISION 4. RESERVED

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Sec. 11-281 – 11-300. Reserved

DIVISION 5. ELECTRICAL CONTRACTORS

Sec. 11-301. Defined.

The term "electrical contractor" as used in this Chapter is hereby defined and shall be construed to mean any person engaged in the business of installing or altering by contract, equipment and electrical appliances, for the utilization of electricity supplied by light, heat or power, not including radio apparatus or equipment for wireless reception of sounds and signals, and not including apparatus, conductors and other equipment installed for or by public utilities, including common carriers, which are under the jurisdiction of the Illinois Commerce Commission for use in their operation as public utilities, but the term "electrical contractor" does not include employees employed by such contractor to do or supervise such work.

Sec. 11-302. Registration required.

No person shall engage in the business of electrical contractor without having first obtained a certificate of registration therefor as herein required. Every person doing business in the Village as an electrical contractor shall show proof of a certificate of licensure. This certificate of licensure can be from any other city or village in this state that issues an electrical license or by other authorized agencies.

Sec. 11-303. Fees.

The required annual registration fee shall be as outlined in Section 11-473 of this Chapter.

Sec. 11-304. Regulations.

It shall be unlawful for any person registered under the provisions of this division to install any electrical appliances, wiring or fixtures without strict compliance with the ordinances relating to such fixtures, and it shall be unlawful for any such person to do any such work without having obtained such permits as may be required.

Sec. 11-305. Completion, Compliance and Damage Surety Bond

The provisions of Section 11-474 shall apply.

Sec. 11-306. Suspension or revocation of certificate of registration by Village Manager.

Any certificates of registration may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Chapter.

Sec. 11-307--11-310. Reserved.

DIVISION 6. RESERVED

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Sec. 11-311--11-325. Reserved.

DIVISION 7. LAUNDRIES

Sec. 11-326. License required.

No person shall operate or conduct a laundry in the Village without having first obtained a license. Pursuant to Section 11-2 of this Chapter, applications for such license shall be made in writing to the Village Manager and shall state thereon the location intended to be occupied.

Sec. 11-327. Sanitation requirements.

Premises used for laundries must be kept in a clean and sanitary condition.

No refuse of any kind shall be permitted to accumulate on such premises; and the premises must be kept free from rats, mice and vermin.

It shall be unlawful to employ any person afflicted with a venereal or any contagious disease in a laundry.

Sec. 11-328. Inspections required.

It shall be the duty of the health officer or other official designated by the Corporate Authorities to inspect or cause to be inspected every establishment licensed under this division at least once every six (6) months. Any violation under the terms of this article, which are discovered, shall be reported to the Corporate Authorities.

Sec. 11-329. Suspension or revocation of licenses or permits by Village Manager.

Any license or permit issued may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Chapter.

Sec. 11-330. Operation.

As of January 1, 2023, any laundromat shall provide continuous on-site staffing during its hours of operation. Any laundromat in operation prior to January 1, 2023, that did not provide continuous on-site staffing as of January 1, 2023, shall, by not later than January 1, 2024, adjust their business operations to provide continuous on-site staffing during its hours of operation or provide video surveillance equipment, in a manner acceptable to the Village, that will function at any time that on-site staffing is not provided within the laundromat during hours of operation.

Sec. 11-331--11-350. Reserved.

DIVISION 8. RESERVED

Sec. 11-351--11-365. Reserved.

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DIVISION 9. OUTDOOR ADVERTISERS

Sec. 11-366. Defined.

The term "advertiser" as used in this division is hereby defined, and for the purpose of this division shall be construed to mean any person engaged in the business of placing, posting, or painting any advertisements, notices, or displays in or on any place for the purpose of outdoor advertising so that the resultant display is visible from any street, alley, sidewalk or other public place. The term "advertiser" includes the owner or operator of a billboard. In connection with a billboard or any other advertisement, notice or display the issuance of such a license shall be conditioned upon the applicant obtaining the necessary zoning approvals to permit the establishment of same on a premises.

Sec. 11-367. License required.

It shall be unlawful for any outdoor advertiser to do business in the municipality without having first secured a license therefor pursuant to Section 11-2 and 11-368 of this Chapter, provided that no license, issued under this division shall be construed to permit the use of any structures, natural or artificial, which are located in any public street, sidewalk, alley or other public place for advertising purposes.

Sec. 11-368. Application.

Applications for such licenses shall be made in writing to the Village Manager, and shall be accompanied by a list of all places, including billboards or natural structures on which it is intended to place signs or advertisements. This list shall be amended from time to time by the licensee as the right to post or place advertisements or signs on additional places is required.

Sec. 11-369. Fee.

The annual fee for outdoor advertisers' licenses shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances.

Sec. 11-370. Use of billboards.

No person shall post or maintain any advertisement or sign on any billboard or signboard which does not fully comply with this Code or any other ordinances of this municipality.

Sec. 11-371. Consent of owner.

It shall be unlawful to post any advertisement on any premises in the municipality without the consent of the owner of such premises. Such consents must be in writing and must be filed with the Village Manager.

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Sec. 11-372. Refuse.

It shall be unlawful for any person engaged in outdoor advertising to permit any refuse resulting from this work to accumulate anywhere in the municipality except by placing it in properly established refuse receptacles. It shall be unlawful to permit any loose or flapping combustible materials to hang from or to be attached to any billboard, signboard or other place used for display or advertising purposes. All refuse resulting from the operating of this business must be carefully gathered and properly disposed of.

Sec. 11-373. Weeds and material at base of billboards.

It shall be the duty of every outdoor advertiser to keep all grass, weeds and other growths except trees and ornamental shrubbery, cut so that the same shall not grow to be a greater height than ten (10) inches within six (6) feet of any billboard or signboard used by him, provided that this obligation shall extend only to property controlled by the advertiser.

Sec. 11-374. Unlawful advertising.

It shall be unlawful for any person to post or display any advertisement of an obscene or immoral character, any advertisement tending to promote or cause a riot or breach of peace, any advertisement for an unlawful gathering, or advertisements of unlawful sales.

Sec. 11-375. Disfiguring signs.

It shall be unlawful to mutilate or disfigure any lawful sign or advertisement in the municipality.

Sec. 11-376. Name of advertiser.

It shall be unlawful for any outdoor advertiser to carry on his business unless the name of such advertiser is attached, displayed or printed on all billboards or signboards used by him, or in any notice, placard or advertisement posted by him, in such lettering as to be visible from a distance of at least five (5) feet from the notice or advertisement.

Sec. 11-377. Exemptions.

The provisions of this division shall not be construed to apply to the posting of a sign or notices by order of any court or by any public officer in the performance of his duties.

Sec. 11-378. Suspension or revocation of licenses or permits by Village Manager.

Any license or permit issued may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Chapter.

Sec. 11-379--11-390. Reserved.

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DIVISION 10. RESERVED

Sec. 11-391--11-420. Reserved.

DIVISION 11. SCAVENGERS*

Sec. 11-421. License required.

It shall be unlawful for any person, firm or corporation to engage in the business of scavenger, or recycling, or the collection or disposal of animal, human or vegetable refuse, offal or refuse of any kind, without first having secured a license therefor.

Sec. 11-422. Classification of licenses.

(a) *Residential scavenger license.* Only one (1) public scavenger license shall be issued for the purpose of performing refuse collection from all residential property, including multifamily residences. That person, firm or corporation shall be awarded the contract with the Village which also includes the right to the collection or disposal of animal, human or vegetable refuse, offal or refuse of any kind from commercial, industrial and institutional properties, and no additional license will be required, therefor.

(b) *Commercial, industrial and institutional license.* The number of licenses issued for servicing commercial, industrial and institutional facilities, but not residential properties, are unlimited. A license for this purpose will be issued to each qualified applicant who presents evidence that he has adequate and proper equipment and approved disposal facilities. Each licensee will be issued vehicle licenses as are necessary. Such license shall be provided by the Village and displayed on each vehicle of the licensee used in the Village.

Sec. 11-423. Application.

(a) *Residential scavenger license.* The residential scavenger license shall be issued to the person, firm or corporation which has been awarded the contract for the collection and removal of all residential waste and shall also be subject to all conditions established in said contract. This contract shall be subject to the approval of the Corporate Authorities.

(b) *Commercial, industrial and institutional license.* Applications for the commercial, industrial and institutional license shall be made pursuant to section 11-2 of this chapter. The Director of Environmental Health shall review the application and make recommendations to the Village Manager for approval or denial. No such license shall be issued except on the order of the Village Manager.

(c) *Denial of license.* The Village Manager shall have the right to deny any applicant a license, and may require any reasonable proof necessary for assurance as to the applicant's compliance and ability to comply with the provisions this division or any other ordinance of the Village.

Sec. 11-424. Fees.

The annual fee for such licenses shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances. Licenses issued in the midst of the, year shall be prorated.

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Sec. 11-425. Term of license.

All scavenger licenses will be valid for a period of one (1) year, which shall begin January 1 of the year for which such license is issued and shall terminate on December 31 of the same year.

Sec. 11-426. Bond and liability insurance.

No license which has been otherwise approved shall be issued until the applicant furnishes a bond in the penal sum of fifty thousand dollars ($50,000.00) executed by a responsible surety company for the period of the license, which bond shall guarantee that the scavenger shall perform scavenger service in accordance with the regulations of the Village as ordered from time to time and shall indemnify the Village from any loss or damage resulting from any failure of the scavenger to so perform. Nor shall any license be issued until the scavenger has filed with the Village Manager a certificate or other evidence that the scavenger carries insurance of the following types of at least the limits specified below:

(1) Workman's compensation--Statutory as amended for time to time.

(2) Employer's liability--$500,000.00

(3) Bodily injury liability except automobile--$500,000.00 each occurrence, $1,000,000.00 aggregate

(4) Property damage liability except automobile--$500,000.00 each occurrence, $1,000,000.00 aggregate

(5) Automobile bodily injury liability--$500,000.00 each person, $1,000,000.00 each occurrence

(6) Automobile property damage--$500,000.00 each occurrence

(7) Excess umbrella liability--$5,000,000.00 each occurrence

Sec. 11-427. Equipment; inspection.

(a) Every scavenger must demonstrate that he has adequate and sufficient equipment to render service to any customer requesting service in accordance with the requirements of this division of this Code.

(b) All scavenger trucks and refuse containers shall be subject to inspection and approval by the Director of Environmental Health or his authorized representatives.

(1) *Truck requirements.* No scavenger truck shall be operated unless it is a modern enclosed leak proof truck with a load packer. Such equipment shall be cleaned at sufficient frequency to prevent nuisance and insect breeding and shall be maintained in good condition and repair. All scavenger trucks will be clearly identified with the name of the scavenger, lettering must be at least four inches in height.

(2) *Container requirements.* Refuse containers must have a tight-fitting cover, be in a state of good repair, be leak proof, free from rust and periodically painted. The name and phone number of the scavenger must be clearly visible on the container. All containers must meet all applicable safety standards as established by the ~~Board of Health~~Village. Covers

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for the storage of trade and construction waste shall not be necessary. The use of drums as refuse bins is prohibited.

Sec. 11-428. Service standards.

(a) All applicants and licensed scavengers shall provide evidence that all materials collected are being deposited at a lawful site designated and maintained for such purposes under the laws of the State of Illinois. The Village reserves the right to designate specific sites or locations in conjunction with its participation with the Solid Waste Agency of Northern Cook County or its successor.

(b) All licensed scavengers shall maintain an office telephone for the receipt of service calls or complaints and shall be available for such calls on all business days from 8:00 a.m. until 4:30 p.m. and between 8:00 a.m. and 12:00 noon on Saturdays.

(c) All licensed scavengers shall be responsible for the closing of all container lids after emptying and shall immediately clean up in a neat and workmanlike manner any refuse that it may have caused to spill anywhere in the Village.

(d) All licensed scavengers shall furnish capable employees for use in the crews performing the disposal services. The scavenger will prohibit any drinking of alcoholic beverages or use of illegal narcotics by its drivers and crew members while on duty.

(e) The hours of scavenger or recycling operations shall be limited to 6:30 a.m. to l2:00 midnight, and 6:30 a.m. to 8:00 p.m. within or adjacent to residential areas.

Sec. 11-429. Penalties.

(a) Any person who violates, disobeys, omits, neglects or refuses to comply with, or resists the enforcement of any of the provisions of this division, shall be fined not less than two hundred dollars ($200.00) nor more than one thousand dollars ($2,500.00) for each offense. Each day that a violation exists shall constitute a separate offense.

(b) In the event a licensed scavenger violates any provisions of any ordinance of the Village, or fails to remove the refuse as contracted with the customer, the Village Manager shall have the right to suspend or revoke the license pursuant to Section 11-15 of this Chapter, and/or abate the violation by any means available to the village, and any and all expense incurred by the Village thereby may be charged against the licensed scavenger and the performance bond furnished by the scavenger.

Sec. 11-430. Reserved.

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DIVISION 12. TAXICABS*

Sec. 11-431. Definitions.

Unless otherwise expressly stated or the context clearly indicates a different intention, the following terms shall, for the purpose of this division, have the meanings indicated in this section:

(1) The term "livery cab" means any public passenger vehicle, having a rated seating capacity of not more than seven (7) persons, transporting passengers for hire, as a result of individual contract, on a trip or hourly basis.

(2) The term "public passenger vehicle" means taxicabs and livery cabs used for the transportation of passengers for hire.

(3) The term "public passenger vehicle license" means that license issued to each public passenger vehicle upon successful compliance with the applicable provisions of this division for the issuance of such license.

(4) The term "public passenger vehicle driver's license" means that license issued to a driver or operator of any public passenger vehicle when such driver or operator has complied with the applicable provisions of this division for the issuance thereof.

(5) The term "taxicab" means all motor-propelled vehicles, having a rated seating capacity of not more than seven (7) persons, carrying passengers for hire indiscriminately, accepting and discharging all such persons as may offer themselves for transportation

(6) The term "taximeter" means any instrument or fare-registering device attached to a taxicab and designed to register mechanically the distance traveled by the vehicle, to record the time the vehicle is in waiting, and to indicate upon the records, by figures, the fare to be charged in dollars and cents.

Sec. 11-432. Penalty.

Any person, firm or corporation violating any provision of this division shall be fined not less than two hundred dollars ($200.00) nor more than one thousand dollars ($1000.00) for each offense.

Sec. 11-433. Public passenger vehicle license required.

It shall be unlawful for any person to drive or operate any public passenger vehicle or engage in the business of operating public passenger vehicles in the Village, including the operation of one or more such vehicles, without obtaining a public passenger vehicle license for each such vehicle operated as provided in this division and otherwise conforming to the requirements of this Code, and applicable provisions of other ordinances of the Village.

Sec. 11-434. Application and fee for public passenger vehicle driver's license.

Any person desiring to secure a license as a driver or operator of any public passenger vehicle licensed under this division and used for the carriage of passengers for hire, shall be at least eighteen (18) years of age. Any person desiring to secure such a license shall make an application in writing therefor to

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the Chief of Police upon the form provided, and shall pay the required annual fee as provided in the fee schedule supplement to the Palatine Code of Ordinances. The application shall set forth the following:

(1) Name, residence and occupation;

(2) Names and addresses of four (4) persons who have known the applicant for a period of at least two (2) years and who will vouch for the sobriety, honesty and general good character of the applicant;

(3) The experience of the applicant in the transportation of passengers, education background, and a concise history of employment;

(4) A statement whether or not the applicant has been convicted of a felony or of driving while intoxicated;

(5) Applicant's state chauffeur's license number;

(6) Applicant shall attach to the application two (2) recent one by one and one-half (1 X 1 1/2) inch photographs of himself, together with a set of his fingerprints for examination by the police chief;

(7) A statement whether applicant has made application for a similar license other than described in said application, and the disposition thereof;

(8) A statement that applicant is not disqualified to receive a license by reason of any matter or thing contained in this Code, laws of this state, or other ordinances of this Village;

(9) A statement whether a previous license by any state or subdivision thereof, or by the federal government, has been revoked, and the reasons therefor;

(10) A statement that the applicant will not violate any of the laws of the state or of the United States, or any provision of his Code or other ordinances of the Village in the conduct of his business;

(11) A statement as to whether such applicant's license issued under this Code or any other communities' Code has been revoked for a cause; and

(12) A statement as to whether the applicant has been convicted of a violation of any federal or state law concerning the manufacture, possession or sale of alcoholic liquor, subsequent to the passage of this Code or shall have forfeited his bond to appear in court to answer charges for any such violation.

Inquiry shall be made as to the character and record of the applicant for honesty, sobriety and capability. The Corporate Authorities may authorize the issuance of a public passenger vehicle driver's license to an applicant convicted of a felony provided that in their judgment the applicant has been rehabilitated and provided further that more than seven (7) years have elapsed since said conviction.

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Sec. 11-435. Examination of applicant; issuance or refusal of public passenger vehicle driver's license.

(a) The Chief of Police, or person designated by him, shall satisfy himself:

(1) As to the truth of the statements made in the application for the public passenger vehicle driver's license.

(2) The applicant's knowledge of the provisions of this division, the traffic regulations of the village and the geography of the Village.

(3) The ability of the applicant to comply with the provisions of this division and the ordinances of the Village.

(4) Be able to effectively communicate with and receive directions from passengers.

(b) No public passenger vehicle driver's license shall be issued to any applicant if the results of the foregoing examination are unsatisfactory in any respect, nor to an applicant who makes false statements in his application, nor shall such license be issued (except as permitted under section 11-434 above) to:

(1) A person who has been convicted of a felony under the laws of the State of Illinois or of the United States;

(2) A person who has been convicted of reckless driving or a similar provision of a local ordinance or any like offense of another state or country, within the past five (5) years; (Ord. No. 0-149-11 §1, 12/5/11)

(3) A person whose license issued under this Code or any other communities' Code has been revoked for a cause; (Ord. No. 0-149-11 §1, 12/5/11)

(4) A person who has been convicted of pandering or other crime or misdemeanor opposed to decency and morality;

(5) A person who has been convicted of a violation of any federal or state law concerning the manufacture, possession or sale of alcoholic liquor, subsequent to the passage of this Code or shall have forfeited his bond to appear in court to answer charges for any such violation.

Sec. 11-435.1 Suspension or revocation by Village Manager.

In addition, any public passenger vehicle driver's license may be suspended or revoked by the Village Manager in accordance with Section 11-15 of the Code.

Sec. 11-436. Summary suspension of public passenger vehicle license.

(a) *Suspension of public passenger vehicle license by the Chief of Police.* The Chief of Police is empowered and directed to immediately suspend the operation of any public passenger vehicle found not to be in a safe condition.

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(1) Not in a safe condition.

(2) Not in good condition with respect to appearance, cleanliness and mechanical operation.

(3) Not in accord with the provisions of this division.

(b) *Reinstatement of suspended permits:* Any person whose permit has been suspended or revoked may, at any time, make application for a re-inspection for the purpose of reinstatement of the permit. Following receipt of a written request, including a statement signed by the applicant that the condition causing the suspension of the permit has been corrected, the Chief of Police shall make a re-inspection. If the applicant is found to be in compliance with the requirements of this Code, the permit shall be reinstated.

(c) *Hearings:* The hearings provided for in this section shall be conducted by the Village Manager at the time and place designated pursuant to the procedures set forth in Section 11-15(b) and (c)

(d) *Appeal:* An appeal from the decision or order of the Village Manager shall be pursuant to Section 11-16.

Sec. 11-436.1 Suspension or revocation of public passenger vehicle licenses by Village Manager.

In addition, any public passenger vehicle license issued may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Code.

Sec. 11-437. Insurance and bond required.

Each application for a public passenger vehicle license or for renewal of a public passenger vehicle license to operate a public passenger vehicle in the Village shall be accompanied by:

(1) A certificate from the secretary of state showing compliance by the owner for each public passenger vehicle with the provisions of the statutes of the state now or hereafter in force, relating to the bonding or insurance of motor vehicles used for the carriage of passengers for hire.

(2) A policy of insurance or certificate of insurance showing that there is in full force and effect a policy of insurance which complies with this section, by a solvent and responsible insurance company to be approved by the board insuring the owner, his consent or any person operating the public passenger vehicle with the owner's express or implied consent against liability for injury to or death of any person or for damage to property other than the public passenger vehicle resulting from the negligence of the owner, his agent or any person operating the public passenger vehicle with his express or implied consent in the operation of the public passenger vehicle. Every application for any type of public passenger vehicle license shall be accompanied by a surety bond to insure payment of property damage in the amount of five thousand dollars ($5,000.00) and public liability insurance in the amount of fifty thousand dollars ($50,000.00) for each individual and two hundred thousand dollars ($200,000.00) for each accident, or a

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certificate of insurance for such amount of property damage and public liability coverage. In the event the authority of the issuing company to do business in the state is revoked, the owner shall not operate nor permit any person to operate within the Village the public passenger vehicle covered by such policy, without replacing the policy with another policy or a bond which complies with the provisions of this section. If, at any time, in the judgment of the Corporate Authorities a policy of insurance given pursuant to this section is not sufficient for any good cause, the Corporate Authorities may require the owner of the public passenger vehicle who filed the same, to replace that policy of insurance with another good and sufficient bond or insurance policy which complies with the provisions of this section.

Sec. 11-438. Revocation of public passenger vehicle license upon failure to obtain insurance or bond.

The Village Manager is hereby empowered to revoke any license issued with respect to any public passenger vehicle not complying with the provisions of the preceding section, pursuant to the procedures set forth in Section 11-15.

Sec. 11-439. Inspection of public passenger vehicles.

No public passenger vehicle shall be issued a public passenger vehicle license until it has been thoroughly and carefully inspected and approved by the Chief of Police or a member of the Police Department designated by him and found to be in thoroughly safe condition for the transportation of passengers; clean, fit, of good appearance, and well-painted and varnished, and complying with the provisions of this division.

Sec. 11-440. Mechanical tests.

A. Mechanical tests shall be made three (3) times a year during the months of April, August and December, at any testing garage or testing station approved by the Chief of Police. Said testing shall be completed by the last day of each month and shall include the following:

(1) Brakes;
(2) Emergency brake;
(3) Wheel alignment;
(4) Horn;
(5) Windshield wipers;
(6) Rear view mirror;
(7) Steering mechanism;
(8) Head lights;
(9) Tail lights;
(10) Stop lights;
(11) Exhaust system.
(12) Taximeter; and
(13) All doors shall have functional interior door handles and latches.

B. The Chief of Police shall designate those facilities which may serve as inspection stations to conduct the vehicle inspections required by this chapter, which stations may be within or without the Village. He shall establish procedures for conducting the inspections and

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minimum standards in order that a vehicle be approved. He shall supply inspection stations with certified inspection forms, numbered certified vehicle inspection stickers, and such other supplies as may be required to perform the duties required by this chapter and the regulations established hereunder.

C. A list of authorized inspection stations shall be kept by the Chief of Police and shall be given to each public passenger vehicle owner together with the notice that vehicles must be inspected. An owner may use the authorized inspection station of his choice.

D. Inspection stations shall charge the inspection fee authorized by the Chief of Police for all public passenger vehicle inspections. There shall be no charge for a reinspection within the five (5) working days allowed for repairs to a vehicle that fails the inspection. The authorized inspection fee shall be charged for reinspection made after the five (5) working days' grace period.

Sec. 11-441. Duty of owner to submit vehicles for inspection prior to issuance of public passenger vehicle license; unlawful to use until approved by Chief of Police.

It is the duty of the owner of each public passenger vehicle to submit to the Chief of Police each vehicle for inspection prior to the issuance of the public passenger vehicle license or at any time upon complaint. Also, the Police Department may inspect these vehicles at such other times as the Chief of Police may deem necessary and it is unlawful for the owner or person in charge of any such vehicle to use or permit its use, in case it has been condemned by the Chief of Police, until the vehicle has been repaired or replaced to the satisfaction of the Chief of Police.

Sec. 11-442. Public passenger vehicle license fees.

(a) A public passenger vehicle license fee, as provided in the fee schedule supplement to the Palatine Code of Ordinances, per year, shall be paid to the Village by the owner of the public passenger vehicle, which fee shall entitle such owner to a license for one public passenger vehicle. For each additional public passenger vehicle, a fee, as provided in the fee schedule supplement to the Palatine Code of Ordinances, shall be paid to the Village by owner.

(b) All public passenger vehicle licenses issued hereunder shall be for the calendar year beginning January 1st and ending December 31st; provided, however, that if an application for a public passenger vehicle license is made after July 1st of any year, the fee for such license for the remainder of the calendar year for one public passenger vehicle, and the fee for each additional public passenger vehicle, shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances.

Sec. 11-443. Condition of vehicles.

All vehicles licensed under this division must be kept in a safe, clean and sanitary condition, and must be equipped with properly working brakes, lights and warning signals, in accordance with the motor vehicle laws of the State of Illinois, this division and the ordinances of the Village, and no license shall be issued for the operation of any public passenger vehicle under this division until it is shown to be in good mechanical condition.

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Sec. 11-444. Identification of public passenger vehicles.

The name and telephone number of the owner of the public passenger vehicle shall be plainly printed in a conspicuous place on both sides of the vehicle in letters at least two (2) inches high. If any licensee operates more than one public passenger vehicle, each vehicle shall be numbered with figures not less than two (2) inches high, and no two (2) vehicles shall bear the same number. All such names and numbers shall be of such color and type as to be legible to one of normal eyesight at a minimum distance of twenty-five (25) feet.

Sec. 11-445. Public passenger vehicle driver's license to be displayed upon request.

Each licensed public passenger vehicle driver shall carry his public passenger vehicle driver's license while engaged in the operation of any public passenger vehicle, and shall exhibit it whenever requested to do so by any Village official, any member of the Police Department, any passenger or any person desiring to become a passenger.

Sec. 11-446. Load limitation.

No driver or operator of a public passenger vehicle shall carry more people than is recommended by the manufacturer of said vehicle, nor shall he carry any other person than the first person employing the public passenger vehicle without the consent of the first passenger. No driver or operator of a public passenger vehicle shall allow any person other than the passenger(s) being conveyed to occupy the public passenger vehicle, except in the training of a new driver.

Sec. 11-447. Public passenger vehicle license and public passenger vehicle driver's license nontransferable.

Neither the public passenger vehicle license nor the public passenger vehicle driver's license provided for in this division shall be transferable.

Sec. 11-448. Public passenger vehicles constructed, designed, etc., in imitation of other public passenger vehicles.

No public passenger vehicle or the owner of a public passenger vehicle shall be licensed under the provisions of this division if the vehicle sought to be licensed as a public passenger vehicle is constructed, designed, painted or labeled as to be so similar to the automobiles or similar vehicles of any other person licensed and engaged in the business of operating public passenger vehicles in the Village as to be an imitation thereof and calculated to deceive the patrons of public passenger vehicles into believing that such vehicles are in reality the public passenger vehicles of such other persons. (Ord. No. O-20-76, § 1, 3-8-76)

Sec. 11-449. Reserved.

Sec. 11-450. -Reserved.

Sec. 11-451 Taximeters--Required.

Every taxicab operated in the Village shall be equipped with an accurate and dependable taximeter.

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Sec. 11-452. Same--To be placed so as to be visible to passengers; maintenance.

Taximeters shall be placed in the taxicab so as to be readily visible to passengers and shall be maintained in a good and correct operating condition at all times. Every taximeter shall be tested for accuracy at least semiannually by the Chief of Police, or some member of the Police Department designated by him, by checking its registration over a course of known length, and by checking its time registration. Errors in distance or time registration shall be sealed.

Sec. 11-453. Same--Unlawful to tamper with or change.

It is unlawful to tamper with or change any taximeter or the seal thereon.

Sec. 11-454 and 11-455. Reserved.

Sec. 11-456. Same--Transfer.

No person controlling or operating any taxicab shall transfer the taximeter to any other taxicab, unless a new inspection and certification of the taximeter is made.

Sec. 11-457. Regular operation required.

Every taxicab shall be operated regularly in the Village to the extent reasonably necessary to meet the public demands for taxicab service.

Sec. 11-458. Licensee of taxicab to have regular telephone service; required to have telephone number listed in local directory.

Every licensee who is licensed to operate a taxicab in the Village shall have and keep in service at all times while his license is in effect regular telephone service within the Village or by cellular telephone, by means of which a person desiring to rent a taxicab may call the licensee by calling a Village telephone exchange number. Moreover, the licensee shall see that his telephone number, including cellular telephone number, is listed in the local telephone directory which is published in and for the Village by the telephone company which furnishes local telephone service in the Village.

Sec. 11-459. Taxicab rates.

Every person, firm or corporation which is licensed to operate a taxicab or taxicabs in the Village shall establish a schedule of its fares and shall cause a true and correct copy thereof to be filed with the Village. Any person, firm or corporation which shall hereafter apply for a public passenger vehicle license shall file a schedule of its proposed fares with such application. In the event of any increase in such schedule of fares, or any part thereof, such person, firm or corporation shall file a notice thereof with the Village at least thirty (30) days prior to the effective date of the said increase.

Sec. 11-460. Uniform rates throughout the day.

Any rate schedule filed with the Village shall provide that the fares charged shall be uniform throughout all twenty-four (24) hours of each day.

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Sec. 11-461. Definition. "Waiting time."

"Waiting time" shall include the time when the taxicab is not in motion, beginning with the arrival at the place to which it has been called, or the time consumed while standing at the direction of the passenger, but no charge shall be made for time lost on account of inefficiency of the taxicab, or its operator, or time consumed by a premature response to a call.

Sec. 11-462. Same--Posting of rates.

There shall be affixed on the inside of each taxicab in a conspicuous place and in such a manner that it may be conveniently and easily read by any person riding therein, a card upon which shall be printed in plain, legible type the rates of the fare of the taxicab.

Sec. 11-463. Same--Receipt.

Any taxicab passenger paying a fare shall, upon request, be given a receipt indicating the amount paid.

Sec. 11-464. Right of operator to demand fare in advance; refusal to convey passengers.

The operator or person in charge or control of any taxicab may demand, in advance, the payment of the fare of the person desiring to be carried by such taxicab, and may refuse to convey any person who shall not comply with the demand; but no driver or operator of a taxicab shall otherwise refuse or neglect to convey any orderly person, upon request, anywhere in the Village, unless previously engaged or unable to do so.

Sec. 11-465. Roof light required.

Each taxicab shall be equipped with a roof-mounted taxicab light, and this light shall be lit at all times while the taxicab is for hire. Each taxicab light shall have the word "TAXI" written on both sides of the roof light visible for a minimum distance of fifty (50) feet to one of normal eyesight.

Sec. 11-466. Unattended vehicles.

It shall be unlawful to leave any taxicab unattended in an established taxicab loading area or zone. A vehicle shall be considered unattended if its assigned driver is not in the taxicab or standing immediately adjacent thereto, available for call. It shall further be unlawful for any taxicab driver parked in an established taxicab loading zone or area to overtly solicit passengers for his vehicle.

Sec. 11-467. Livery cab regulations.

Livery cabs shall not use taxicab stands, nor pick up or solicit passengers for hire from the streets, nor indiscriminately accept passengers, but shall be limited in scope of operation to carrying passengers for hire on a contract basis at a price agreed upon prior to employment and by arrangement of the parties.

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Sec. 11-468. Conduct of Taxicab Drivers.

1. It shall be unlawful for any driver to conduct himself in a disrespectful, rude or belligerent or contemptuous manner toward any person, or to use abusive or profane language while so occupied or in charge of such vehicle.
2. It shall be unlawful for any driver to solicit by word, gesture or otherwise the patronage of any person upon any public street or place in the Village.
3. Drivers shall be obligated to render reasonable aid to any person who suffers injury or illness while a passenger of a taxicab operated by the driver.
4. It shall be unlawful for any driver to violate any provision of this division and doing so may result in sanctions including but not limited to those found in Section 11-5 of this Code.

Sec. 11-469--11-470. Reserved.

DIVISION 13. BUILDING CONTRACTORS

Sec. 11-471. Defined.

For this Division, the term "contractor" shall include any general contractor, sub-contractor, or anyone engaging in the construction, repair or alteration of any building, structure, street, sidewalk or pavement in the municipality for which the contracted valuation of work conducted is over $1,000.00, regardless of whether or not a permit is required under the ordinances of the municipality.

Sec. 11-472. Annual Registration.

It shall be unlawful to engage in business in the municipality as a contractor, including all contractors licensed or registered by an outside agency, without first having obtained an annual Village registration. Exception: Contractors exempt from local registration per State Statute.

Sec. 11-473. Fees.

An annual registration fee, as provided in the fee schedule supplement to the Palatine Code of Ordinances, shall be assessed for the following contractor's annual registration.

(1) General contractors
(2) All other contractors and electrical contractors (as outlined in Division 5. Electrical Contractors of this Chapter)

These annual registration fees shall be reduced by fifty percent (50%) if the application for such registration is received on or after July 1 of the year in which the registration is being requested. Any contractor registered as a general contractor shall not be required to secure an additional registration for any self-performed carpentry, masonry, or concrete work.

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Sec. 11-474. Completion, Compliance and Damage Surety Bond.

All building contractors shall, prior to receiving an annual registration, provide a surety bond in the following amounts.

(1) General contractors: twenty five thousand dollars ($25,000)
(2) All other contractors: ten thousand dollars ($10,000)

The above surety bonds must be in a form acceptable to the Village and shall indemnify, keep and save harmless the municipality and the party for whom the work was performed against any loss, cost, damage, judgement or liability of any kind whatsoever which the municipality or the party for whom the work was performed may suffer or be put to, or which may accrue against, be charged to or be recovered from the municipality or any of its officials or from the party for whom the work was performed by reason of any act or thing done or neglected to be done or by virtue of the authority given in such registration, and further conditioned that the applicant shall well and faithfully observe all the provisions of this ordinance and other ordinances and other regulations of the municipality relating to the activities engaged in under or by virtue of the authority given in such registration. Such bond shall remain in full force and effect for the duration of any permit and registration issued. The building contractor shall be responsible for providing a continuation bond as needed to maintain the bond duration as provided for above. Any expenses necessary for completion of work due to failure to comply with required codes or completion per approved plans, shall necessitate the filing of a claim against said surety bond. Such claims can be filed by the bond oblige or by the individual or party for which the work is performed.

Exceptions: Surety bonds shall not be required for the following construction, provided that the homeowner is performing all work associated with the construction project.

(1) Single-family residential fence installation.

(2) Single-family residential shed installation.

(3) Single-family residential driveway.

(4) Single-family residential patios and private walks

(5) Single-family residential roof tear-off.

(6) Single-family residential deck installation.

(7) Single-family residential above-ground swimming pool.

(8) Single-family air conditioner installations.

(9) Single-family residential sewer repair or replacement.

(10) Single-family residential lawn sprinklers.

(11) Single-family residential electric service revision.

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Sec. 11-475. Duties of Registrant.

It shall be the duty of all building contractors to comply with all provisions of this Code and other ordinances relating to or regulating the activities engaged in and, in addition thereto:

(1) To at least once each week remove or cause to be removed from the site of building contractors' activities all trash, refuse and waste materials.

(2) To keep the site of activities in an orderly condition, free from standing water, unguarded dangerous implements and health and safety hazards.

(3) To not obstruct traffic on streets or sidewalks or permit dirt or waste materials to fall or to be carried onto such public ways.

(4) To begin construction work timely, complete work in a timely, workmanlike manner in accordance with the contract between the building contractor and client.

Sec. 11-476. Inspection; enforcement.

The provisions of this division are declared to be of a regulatory nature, and it shall at all times be the duty of the Community Development Department., the Police Department, and the Fire Department regularly to inspect the site of the contractors' activities to see that the activities are being conducted and operated in accordance with the requirements of all laws and ordinances applicable thereto. Failure to comply with the above, all ordinances including the provisions of the surety bond, as determined by the Director of Community Development, shall give the municipality the right to suspend, or revoke the contractor's certificate of registration in accordance with Section 11-15 of this Chapter, deny a building contractor a re-registration, deny a building contractor registration, revoke or deny a building contractor a building permit.

Sec. 11-477--11-489. Reserved.

DIVISION 14. RESERVED

Sec. 11-490--11-500. Reserved.

DIVISION 15. KENNELS, PET SHOPS, SHELTERS, POUNDS AND ANIMAL HOSPITALS

Sec. 11-501 – 11-503. Reserved.

Sec. 11-504. Sanitation requirements.

It shall be unlawful to keep, use or maintain within the Village any kennel, pet shop, shelter, pound or animal hospital that is unsanitary, foul, or offensive or in any way detrimental to the public health or safety or that violates state or local sanitation requirements. (Code 1961, § 16.604)

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Sec. 11-505. Inspection.

It shall be the duty of the Village to make or cause to be made such inspections as may be necessary to insure compliance with section 11-504 above. Subject to compliance with legal requirements, the Village shall have the power to make or cause to be made entry into any building or premises in which is contained a kennel, pet shop, shelter, pound or animal hospital for the purpose of making such inspections.

Sec. 11-506. Suspension and revocation by the Village Manager.

The Village Manager may, in addition to other penalties provided herein, suspend, revoke or refuse to renew any kennel, pet shop, shelter, pound or animal hospital business license upon good cause, provided, however, such suspension, revocation or refusal shall be only after a hearing held in accordance with Section 11-15 .

Sec. 11-507. Reserved.

DIVISION 16. DEALERS IN GOLD AND SILVER

Sec. 11-508. Definitions.

The term "itinerant dealer in gold and silver" when used in this chapter shall mean any person engaged in the business of buying or selling tangible objects of gold and silver within the Village who has not established a permanent place of business within the Village from which such operation has been carried on for a period of at least ninety (90) days prior to the first sale or purchase of such objects.

The term "permanent dealer in gold and silver" when used in this chapter shall mean any person engaged in the business of buying or selling tangible objects of gold and silver within the Village who has established a permanent place of business within the Village and who presents to the Village Manager at the time of application title showing legal or beneficial ownership to the premises or a bona fide lease for a period of not less than one year for permanent premises within the Village.

Sec. 11-509. License required.

No person shall engage in the business of itinerant or permanent dealer in gold and silver within the Village without first having obtained a license therefor. If the operation of the gold and silver business, either as a stand alone business or in conjunction with the operation of a retail store (e.g. jewelry store, or other similar such store) results in 20% or more of their gross business receipts being derived from the purchase of gold or silver, a Special Use is required. The process and requirements are further detailed in Appendix 'A'.

Sec. 11-510. Application.

An application as itinerant or permanent dealer in gold and silver shall be made in conformity with the general requirements of this Code relating to applications for licenses.

Sec. 11-511. Investigation.

The Chief of Police or any other Village official designated by the Village Manager shall make an investigation to determine whether the applicant is a person of good character and reputation. No such

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license shall be issued to any applicant who is not found to be a person of good character and reputation and no license shall be issued to any applicant who has been convicted of receiving stolen goods, burglary, robbery or any other felony in the federal or state courts. In the event that the Village Manager shall not issue a license, an applicant may appeal to the Corporate Authorities in the manner provided by section 11-16 of this Code.

Sec. 11-512. Fees.

A fee, as provided in the fee schedule supplement to the Palatine Code of Ordinances, shall be paid for each day's proposed operation within the Village by an itinerant dealer in gold and silver.

A fee, as provided in the fee schedule supplement to the Palatine Code of Ordinances, shall be paid by a permanent dealer in gold and silver who is issued a license.

Sec. 11-513. Records.

Every itinerant dealer in gold and silver doing business in the Village shall keep a record of every article received, purchased, sold or exchanged by him, setting forth the following: The date of the transaction, name and address of the purchaser or seller, and a brief description of the article sold, purchased, received or exchanged, including identification number thereon, if any. Such record and the articles themselves shall, at all reasonable times, be open to the inspection of any police officer and reported in a manner as required by the Palatine Police Department.

Every permanent dealer in gold and silver doing business in the Village shall keep a record of every article received, except articles received, from an established wholesaler, antique dealer, or other licensed dealer with whom the permanent dealer does business on a regular and continuing basis, in the ordinary course of business. Such record shall be maintained, as described below. The date of the transaction, name and address of the purchaser or seller, and a brief description of the article sold, purchased, received or exchanged, including identification number thereon, if any. Such record and the articles themselves shall be open to the inspection of any police officer at all reasonable times during normal business hours. Said record shall he maintained by the dealer for a minimum of three (3) years. Refusal to permit police inspection of such record shall be grounds for immediate revocation of the license. Such records shall include the following information:

1. A listing of the item received, including the exact time and date when the item was received or purchased.
2. Digital picture or photographs of all of the received items sold, purchased or exchanged.
3. A copy of the government issued photo identification of all customers transacting an item of gold and silver.
4. Such records shall be transmitted (in a format approved by the Palatine Police Department) to the Palatine Police Department at the conclusion of each business day. Failure to deliver such record shall automatically revoke the license for the following day.

Sec. 11-514. Electronic reporting of transactions.

The Village may enter into a contract for service and maintain its contract for service with Leads Online, or a similar entity as designated by the Chief of Police, in order to enhance its investigative

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services to protect gold and silver dealers and members of the general public. In the event of a change to its electronic reporting system, the Village will notify all impacted licensees of the change within a reasonable time prior to such change.

Every gold and silver dealer shall operate and maintain a computer system with internet access and photographic or video capability sufficient for the electronic reporting requirements described in this article. Any failure or malfunction of such equipment on the part of the licensee shall not exempt the licensee from the recording/reporting requirements outlined in Sec. 11-513 of this article. The licensee shall immediately notify the Police Department of any such failure or malfunction, and shall have such resolved as soon as practicable. Failure by the licensee to resolve any failure or malfunction of equipment in a reasonable amount of time will lead to license revocation proceedings under Section 11-516 of this article.

Sec. 11-515. Stolen goods.

It shall be the duty of every person licensed under the provisions of this division to report to the Police Department any article received or offered to him if he shall have reason to believe that the article was stolen or lost.

Sec. 11-516. Suspension or revocation of licenses or permits by Village Manager.

Any license or permit issued may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Chapter.

Sec. 11-516.1 Violations.

Any violations of this Division shall be cited and fined pursuant to the Village Fee Schedule Supplement.

ARTICLE VI. SOLICITORS

Sec. 11-517. Definitions.

For the purposes of this article the following words shall have the meanings indicated unless their context clearly requires otherwise:

Business shall mean and include those enterprises engaged in industry, warehousing, insurance, commercial or retail activity in order to produce a profit.

Charitable organizations are those organizations defined in the 225 ILCS 460/1 (a) and (f); to wit: (a) Any benevolent, philanthropic, patriotic, or eleemosynary person or one purporting to be such which solicits and collects funds for charitable purposes and includes each local, county, or area division with this State of such charitable organization, provided such local, county or area division has authority and discretion to disburse funds or property otherwise than by transfer to any parent organization. And (f) Charitable Purpose. Any charitable, benevolent, philanthropic, patriotic, or eleemosynary purpose.

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Peddler I is defined as anyone seeking to sell or offer for sale, barter, or exchange, any goods, wares or merchandise, traveling from place to place along or upon streets of the Village, who shall sell and deliver from any vehicle: wagons, push carts, hand carts, or motor vehicles.

Peddler II is anyone who shall go about from place to place selling or delivering goods, wares and merchandise, whether selling or delivering from packs, baskets or similar containers.

Registered solicitor shall mean and include any person who obtained a valid certificate of registration as hereinafter provided, and which certificate is in the possession of the solicitor and clearly displayed while engaged in soliciting.

Residence shall mean and include every separate living unit occupied for residential purposes by one (1) or more persons, contained within any type building or structure.

Soliciting shall mean and include any one (1) or more of the following activities:

(1) Seeking to obtain order for the purchase of goods, wares, merchandise, foodstuffs, services, of any kind, character or description. whatever; or

(2) Seeking to obtain prospective customers for application or purchase of insurance of any type, kind or character; or

(3) Seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other type or kind of publication; or

(4) Seeking to obtain gifts or contributions of money, clothing or any other valuable thing for the support or benefit of any charitable or non-profit association, organization or project; or

(5) Peddling either as a Peddler I or as a Peddler II.

Sec. 11-518. Certificate of registration required.

Every person and organization desiring to engage in soliciting from persons in residences within the Village is hereby required to make written application for a certificate of registration as hereinafter provided.

Sec. 11-519. Application for certificate of registration; contents, filing, and identification; persons to whom certificate will not issue.

Application for a certificate of registration shall be made upon a form provided by the Chief of Police of this Village and filed with such Chief of Police upon completion. The applicant shall truthfully state in full the information requested on the application to wit:

(1) Name, address or present place of residence and telephone number, driver's license number, or state ID, and issuing State if applicant possesses one.

(2) Physical description of the applicant, including date of birth and gender.

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(3) Name, address and telephone number of the person, firm or corporation or association, if any, whom the applicant is employed by or represents.

(4) Name of the person in charge of soliciting for the firm or corporation or association.

(5) Nature of the goods or service solicited for.

(6) Whether or not a deposit is to be collected and the number of persons to be involved in the solicitation effort.

(7) The dates of soliciting within the Village and the total number of days to be soliciting.

(8) If the person has ever solicited before within the Village, the dates and the firm or organization associated with during prior solicitations.

(9) If the applicant has ever been convicted of a felony and the details involved in the incident, arrest and conviction.

All statements made by the applicant upon the application or in connection therein shall be certified as the truth by the applicant signing their individual application.

All individual applications must be accompanied by two head and shoulder color photographs of the applicant, photographs to be no larger than one and a half inches by one and a half inches.

The Chief of Police shall cause an accurate record to be kept of every application received and acted upon together with all other information and data pertaining thereto and all certificates of registration issued under the provisions of this article and the denial of applications.

Sec. 11-520. Charitable Organizations.

Charitable organizations must furnish the Chief of Police the following information:

(1) Name and address of the organization.

(2) Name, address and telephone numbers of the person or persons having the primary responsibility for supervision of the solicitation with the village.

(3) The name, date of birth and gender of all individuals who will be soliciting.

(4) Evidence of full compliance with the provisions of "An Act to regulate solicitation and collection of funds for charitable purposes, providing for violations thereof, and making appropriation therefor," approved July 26, 1963, as amended (225 ILCS 460/1 et seq.)

(5) Two head and shoulder color photographs of each solicitor, one and a half inches by one and a half inches.

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Sec. 11-521. Issuance.

The Chief of Police, after consideration of the completed application and all information obtained relative thereto, shall deny the application if the applicant does not possess the qualifications for such certificates as herein required. When the applicant is found to be fully qualified, the certificate of registration shall be issued. Provided the application for the certificate of registration is complete and all information required herein is provided on the application, the certificate of registration will generally be issued within two to five working days of receipt of the application by the Chief of Police.

Sec. 11-522. Youth Groups and School Groups from within the Village of Palatine

Youth groups and recognized groups from within the corporate limits of the Village of Palatine shall not be required to wear badges or name tags, nor pay required fees; however the organization shall be required to complete the solicitor's application process.

Sec. 11-523. Policy.

The regulations set forth in this and succeeding sections are designed to provide reasonable protection of the health, safety and welfare of the citizens of the Village, to guard them from unwarranted invasions of privacy and protect them in the peaceful enjoyment of their homes, while allowing all persons reasonable exercise of free speech and political expression as guaranteed by the First Amendment of the United States Constitution.

Every person desiring to secure the protection intended to be provided by the regulations pertaining to soliciting contained in this article, shall comply with the following directions, to wit:

Notice of the determination by the occupant of giving invitation to solicitors, or the refusal of invitation to solicitors, to any residence or business, shall be given in the manner following:

(1) One of four cards, approximately three inches by four inches in size, shall be exhibited upon or near the main entrance door to the residence or business, indicating the determination by the occupant, containing the applicable words, as follows:

(a) ONLY SOLICITORS REGISTERED IN PALATINE INVITED

(b) NO SOLICITORS INVITED

(c) ONLY CHARITABLE SOLICITORS INVITED

(d) SOLICITATION BY PRIOR APPOINTMENT ONLY (For display by businesses only)

(2) For purposes of uniformity, the cards shall be provided by the Village to persons requesting them.

(3) When such card is displayed, it shall constitute sufficient notice to any solicitor of the occupant's decision about inviting or not inviting solicitors to approach their door.

Sec. 11-524. Duty of solicitors.

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It shall be the duty of every non-charitable solicitor engaging in solicitation from persons in residences within the Village to wear a nametag or other badge provided by the Village on his or her person clearly identifying the name of the person soliciting and nametag or badge number assigned to that individual and the date of expiration. Tags or badges pursuant to this section shall be issued by the Village Manager in such form as the Village Manager may determine. Fees for nametags or badges shall be as provided in the Fee Schedule Supplement to the Palatine Code of Ordinances.

It shall be the duty of every solicitor upon going onto any premises in the Village to immediately and peacefully abide by any notice so posted by the occupant in accordance with section 11-522 if indicated and depart the premises. Any solicitor who has gained entrance to any residence or business, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant.

Sec. 11-525. Prohibited soliciting.

(1) It is hereby declared to be unlawful and shall constitute a nuisance for any person to go upon any premises and ring the doorbell upon or near any door, or create any sound in any other manner calculated to attract the attention of the occupant of such residence, for the purpose of securing an audience with the occupant thereof and engage in soliciting as herein defined, in defiance of the notice exhibited at the residence in accordance with the provisions of section 11-522.

(2) It shall be unlawful for anyone to solicit from residences within the Village of Palatine without an approved certificate of registration.

(3) It shall be unlawful for anyone to solicit from residences within the Village of Palatine without displaying their issued nametag or badge, or a recognizable uniform worn, clearly visible to the occupant of the residence whereupon the solicitation is to take place.

(4) It shall be unlawful for anyone to solicit from any business which displays a notice described in section 11-522, or to violate a clearly posted notice to solicitors that solicitation is acceptable only by prior appointment.

Sec. 11-526. Time limit for soliciting.

It is hereby declared to be unlawful and shall constitute a nuisance for any person whether registered under this article or not to go upon any residential premises and ring the doorbell upon or near any door of a residence located thereon, or rap or knock upon any door, or create any sound in any manner calculated to attract the attention of the occupant of such residence, for the purpose of securing an audience with the occupant thereof and engage in soliciting prior to 9:00 a.m. of any weekday or Saturday, or after 7:00 p.m. of any weekday or 6:00 p.m. on Saturday, or at any time on a Sunday or on a State of Illinois or national holiday. For Peddler I and Peddler II, in addition to the foregoing time limitations, no soliciting shall occur after 6:00 p.m. on any week day.

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Sec. 11-527. Fee; exemptions.

The registration fee for solicitors shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances, plus a per day fee, as provided in the fee schedule supplement to the Palatine Code of Ordinances, for each day solicitation activities are conducted in the Village; provided, however, that no fee shall be charged for solicitation by charitable or not-for-profit organizations other than the fee for the cost of the name tag or badge, and further provided that no fee beyond the registration fee shall be charged to solicitors for holders of a franchise granted by the Village for the operation of a cable communications system.

Sec. 11-528. Enforcement and appeal.

The Palatine Police Department shall be responsible for enforcing this ordinance and may take any of the following actions upon receiving a complaint of a violation of this ordinance by a resident:

1. The name tag or badge of the individual solicitor may be confiscated and the individual solicitor's permit to solicit within the Village may be revoked for up to one calendar year.

2. An individual's permit to solicit may be revoked without the confiscation of the individual's name tag or badge, upon notification of revocation, the name tag or badge shall be returned to the Police Department.

3. The individual solicitor may be prosecuted.

4. The organization for which the individual solicitor is a part of may have their certificate of registration revoked.

5. A solicitor found to have a criminal record of crimes against persons, gang activity, or has been convicted of the commission of a felony under the laws of the State of Illinois, or any other state or federal law of the United States, within ten (10) years of the issuance shall have their license revoked.

Upon the confiscation of an individual solicitor's name tag or badge, the circumstances surrounding the complaint shall be reviewed by the Chief of Police or his designated representative, and upon completion of the investigation, the name tag or badge along with the permit to solicit to be either revoked or reinstated. If the individual solicitor's permit is revoked, the umbrella organization, if the solicitor is part of one, will be notified of the permit revocation.

The individual whose name tag or badge is confiscated and whose permit to solicit is revoked shall have the right to appeal the revocation to the Village Manager pursuant to Section 11-15 (e) within seven working days of the revocation.

Sec. 11-529 to 11-535 Reserved.

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ARTICLE VII. RAFFLES.

Sec. 11-536. License Required.

It shall be unlawful to conduct a raffle as defined by 230 ILCS 15/2 et. seq. (1994) of the Illinois Compiled Statutes in the Village of Palatine without having obtained a license therefor in accordance with Sections 11-2, 11-539 , and 11-38 through 11-540 of this Chapter.

Sec. 11-537. Definitions.

The definitions contained in 230 ILCS 15/1 are incorporated by reference as if set forth herein.

Sec. 11-538. Fee.

A ten ($10) dollar fee shall be charged for licenses hereunder, or such fee may be waived.

Sec. 11-539. Requirements.

Only non-profit organizations as defined by 235 ILCS 15/2 of the Illinois Compiled Statutes may apply for a license. There shall be no limit on aggregate retail value of prizes, number of tickets, price of tickets or time period of the raffle.

The following are ineligible for any license under this Article.

1. Any person who has been convicted of a felony;
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2. Any person who is not of good moral character;
3. Any firm or corporation in which a person defined in 1, 2 or 3 has a proprietary, equitable or credit interest, or in which such a person is active or employed;
4. Any organization in which a person defined in 1, 2 or 3 is an officer, director or employee, whether compensated or not;
5. Any organization in which a person defined in 1, 2 or 3 is to participate in the management or operation of a raffle as defined in this Article.

Sec. 11-540. Application.

(1) Applications for raffle licenses shall be on forms provided by the Village.

(2) The license and application for license must specify the area or areas within the Village in which raffle chances will be sold or issued, the time period during which raffle chances will be sold or issued, the date, time, location and manner of determining the winning chances;

(3) A copy of the applicants articles of incorporation and/or charter shall be attached to the license application (or other such documentation as requested by the Village Manager);

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(4) The application must contain a sworn statement attesting to the not-for-profit character of the prospective license organization, signed by the presiding officer and the secretary of that organization. No bond shall be required for such application and license.

Sec. 11-541. Conduct of raffles.

The conducting of raffles is subject to the following restrictions.

1. The entire net proceeds of any raffle must be exclusively devoted to the lawful purposes of the organization permitted to conduct the game.

2. No person except a bona fide member of the sponsoring organization may participate in the management or operation of the raffle.

3. No person may receive any remuneration or profit for participating in the management or operation of the raffle.

4. A licensee may rent a premises on which to determine the winning chance or chances in a raffle only from an organization which is also licensed under this Section.

5. Raffle chances may be sold or issued only within the area specified on the license and winning chances may be determined only at those locations specified on the license.

6. No person under the age of eighteen (18) years may participate in the conducting of raffles or chances. A person under the age of 18 years may be within the area where winning chances are being determined only when accompanied by his parent or guardian.

Sec. 11-542. Records.

Records shall be kept pursuant to the provisions 235 ILCS 15/6 of the Illinois Compiled Statutes.

Sec. 11-543. Suspension or revocation of licenses or permits by Village Manager.

Any license or permit issued may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Chapter.

Secs. 11-544 - 11-600. Reserved.

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ARTICLE VIII. RELOCATORS AND REPOSSESSORS

Sec. 11-601. Definitions.

For the purposes of this article, the following words shall have the meanings indicated unless their context clearly requires otherwise:

Commission: Illinois Commerce Commission.

Collateral: Any motor vehicle, boat, recreational vehicle, motor home, motorcycle or other property that is subject to a security, lease or rental agreement.

Dispatcher: Any person who, as an employee or agent of a relocator or repossession agency, dispatches vehicles for operators who perform removal activities.

Operator: Any person who, as an employee of a relocator or repossessor, removes trespassing vehicles from private property by means of towing or otherwise recovers vehicles for collateral. This term includes the driver of any vehicle used in removing a trespassing vehicle from private property as well as any person other than the driver who assists in the removal of a trespassing vehicle from private property.

Relocator's license: A license issued to a commercial vehicle relocator in accordance with this chapter.

Relocator: Any person or entity engaged in the business of removing trespassing vehicles from private property by means of towing or otherwise, and thereafter relocating and storing vehicles.

Repossessor: Any person or entity conducting business, or an employee of the business, who, for any type of consideration, engages in the business of, accepts employment, or agrees to provide collateral vehicle recovery.

Sec. 11-602. Declaration of Village policy.

It is hereby declared to be the policy of the Village of Palatine to regulate the collateral recovery of vehicles and the removal of trespassing vehicles from private property and the subsequent relocation and storage of such vehicles in such manner as to fairly distribute rights and responsibilities among vehicle owners, private property owners and relocators and repossessors. For this purpose, the Village's regulations herein are for the purpose of complementing and supplementing the regulatory process of the Commission pursuant to 225 ILCS 422 and 625 ILCS 5/18a-100 et seq., and any amendments thereto, and its enforcement efforts thereunder. The laws and regulations adopted hereunder are adopted pursuant to the home rule authority of the Village of Palatine as well as the express authority conferred by the state legislature on local units of government pursuant to 225 ILCS 422 and 625 ILCS 5/18a-100 et seq.

Sec. 11-603. Towing performed pursuant to police order.

Nothing contained in this article shall be construed to regulate or otherwise affect towing performed by any relocator pursuant to the order of a law enforcement official or agency in accordance with 625 ILCS 5/4-201 through 5/4-204 of the Illinois Vehicle Code, or pursuant to section 18-90 of the Palatine Code of Ordinances.

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Sec. 11-604. Repealed.

Sec. 11-605. General powers and duties of the Village Manager.

The Village Manager or his designee shall:

(1) Regulate relocators and repossessors and their employees or agents in accordance with this article and to that end may establish reasonable requirements with respect to proper service, and practices relating thereto;

(2) Require the maintenance of uniform systems of accounts, records and the preservation thereof;

(3) Require all drivers and other personnel used in relocation and repossession be employees of a relocator or repossessor;

(4) Issue permits to relocators and repossessors in accordance with the requirements of this article;

(5) Upon verified compliant in writing by any person, organization or body politic, or upon its own initiative, may investigate whether any relocator, reposessor, operator, dispatcher or person otherwise required to comply with any provision of this article or any rule promulgated hereunder has failed to comply with any such provision or rule.

Sec. 11-606. Relocators – unlawful practices.

It shall be unlawful for any relocator to:

(1) *Relocate vehicles from authorized spaces.* No vehicle shall be relocated if it is parked in a space on private property where it is authorized to be parked.

(2) *Relocate vehicles from private property without authorization from property owner.* No vehicle shall be relocated from private property without express, written authorization from the property owner, lessee or agent. The authorization must either direct the relocator to remove the specific vehicle in question or authorize the relocator to remove all unauthorized vehicles from the property.

(3) *Relocate vehicles not in accordance with proper posting.* No vehicle shall be relocated from a lot which does not, at the time of the tow and for at least twenty-four (24) hours prior thereto, have signs posted in compliance with this article. Furthermore, no vehicle shall be relocated to a storage lot or facility that is not identified on signs posted in compliance with this article at the location from which the vehicle is relocated. No vehicle shall be relocated and/or stored even temporarily at any other location than the location advertised on the relocator's sign. Once a vehicle is picked up from private property it must be towed immediately to the storage lot or facility that is identified on the sign posted on the private property. No vehicle shall be subsequently transported to any other lot or facility.

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(4) *Relocate vehicles where owner or driver is present.* No vehicle shall be relocated where the owner or operator of such vehicle is present or arrives at such location at any time prior to the completion of the removal of the vehicle from private property, and provided such owner and operator is willing and able to remove the vehicle immediately, and provided that the owner or operator does immediately remove the vehicle from the private property.

(5) *Commercial Motor Vehicles*. No operator shall engage in the removal of a commercial motor vehicle that requires a commercial driver's license to operate, as required under 625 ILCS 5/6-500 et seq, by operating the vehicle under its own power on a highway without authorization by a police officer

(6) *Notification of police department.* No relocator or repossessor may transact any part of its business at any location until after the relocator or repossessor has obtained and remitted payment for a permit from the Police Department. The Police Department is authorized to establish an electronic method for relocators to obtain a permit online using the internet.

(7) *Post signs at locations where the relocator is not authorized to operate or tow beyond a maximum distance.* No relocator shall remove any vehicle otherwise in accordance with this article more than ten (10) air miles from its location when towed nor shall it post a sign at a location more than ten (10) air miles from the storage lot to which the relocator can relocate vehicles.

(8) *Relocate vehicles unless the relocation lot is open during certain prescribed hours.* No vehicle shall be relocated to a lot which is not open to allow the vehicle owner to retrieve the vehicle within two (2) hours following the tow.

(9) *Accept certain types of compensation:* Except as provided in subsection (b) below, no relocator shall demand, collect or receive anything of value or compensation in relation to its relocation business;

a. From the property owner, lessee or their agents or from any person other than the owner or owner's agent of the relocated vehicle, except according to terms in the contract entered into between the property owner or lessee and the relocator;

b. From the vehicle owner, lessee or their agents;

i. Greater than the amount posted on the signs, posted on the private property from which the vehicle was relocated;
ii. Greater than or other than the rates prescribed by the Commission; or
iii. Where the relocation was not performed in compliance with the law in this Article.

c. Storage fees must be posted in accordance with administrative rules of the Commission.

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d. A relocator must release the vehicle provided payment is either in cash or through a valid major credit card, including, but not limited to, VISA, American Express, Discover or MasterCard.

(10) *Prerequisites to operation within the Village.* No relocator shall:

a. Operate within the Village without a valid, current relocator's license as approved by the Village as authorized in 11-609 this article.

b. Employ as an operator or otherwise so use the services of any person who has not been duly licensed by the Commission and the Illinois Secretary of State pursuant to the applicable laws, rules and regulations.

c. Operate a business other than in conformance with the laws of the Commission and the rules and regulations adopted thereunder.

d. Operate any towing vehicle which does not carry a copy of 625 ILCS 5/18A, of the Illinois Vehicle Code, a copy of this section of the Village of Palatine Code of Ordinances and sufficient copies of the Commission complaint form. All documents shall be made available to any complainant at their request in the event of a dispute regarding vehicle relocation.

e. Operate any vehicle which has not passed a safety test as required in 625 ILCS 5/13-101.

f. Relocate any vehicle prior to obtaining and remitting payment for a permit. The Police Department is authorized to establish an electronic method for relocators to obtain and remit payment for an online permit using the internet. This permit must be displayed in either paper or electronic form to any police officer. The fees for permits shall be codified in the Village Fee Schedule.

g. Relocate a vehicle unless the operator has a valid operator’s permit issued from the Commission

(11) *Notice to police department.* A relocator must:

a. Notify the Police Department prior to such removal by purchasing a permit as described in 11-606(10)(f). Notification shall include, but not limited to, a complete description of the vehicle, including the year, make, model vehicle identification number (VIN) and state license plate number, the registration numbers, the locations from which and to which the vehicle was removed, the time of removal and any other information required by state or local regulations, statute or ordinance.

b. Make a telephone number available to the Police Department at which the relocator or an employer of the relocator may be contacted at any time, twenty-four hours each day. This phone number shall be advertised for the purpose of effectuating the release of a towed vehicle. The relocator must have an employee

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available at all times on the premises owned or controlled by the relocator for the purposes of arranging for the immediate release of the vehicle.

Sec. 11-606.1 Relocators – posting of signs; sign specifications.

(1) *Generally.* It shall be unlawful for an owner or other person in lawful possession or control of private property to remove or employ a relocator to remove an unauthorized vehicle from such property unless written notice is provided pursuant to the administrative rules of the Commission. Such notice shall consist of a sign posted in a conspicuous place in the affected area of a size and content as required by the Commission. Such sign shall state the amount of the towing charges to which the person parking may be subject. Such signs must be posted at least twenty-four (24) hours before any vehicle is relocated from the lot.

(2) *Application to residential property.* No express notice shall be required under this section upon residential property which, paying due regard to the circumstances in the surrounding area, is clearly reserved or intended exclusively for the use or occupation of residents or their vehicles.

(3) *Sign specifications:*

(a) Those portions of the sign warning that unauthorized vehicles will be relocated must be formatted in accordance with the administrative rules of the Commission.

(b) Each sign must contain:

i. A warning that unauthorized vehicles will be relocated;

ii. The full legal name of the relocator as it appears on the relocator's license, the address and telephone number of the relocator, and the address and telephone number of the location to which the vehicle will be relocated and at which it can be reclaimed, if different from the address of the relocator;

iii. The maximum fee which the relocator will charge the owner as a condition of reclaiming the vehicle and any restrictions on the method of payment which will be accepted by the relocator. No sign shall indicate a restriction on the method of acceptable payment that is contrary to section 11-606(8) (c);

iv. The hours which the owner can reclaim the vehicle to the extent that a sign does not show a limitation on hours or days when the vehicle can be reclaimed, the sign shall constitute a representation the vehicle can be reclaimed at any time or on any day. No sign shall include hours of doing business contrary to the restrictions contained in section 11-606(7).

(c) Such signs must be visible and readable from all entrances and exits, both during the day and at night, free of any natural or man-made interference.

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(d) No more than one (1) location where the vehicle may be relocated shall be identified on any posted sign at any lot from where the vehicle was relocated.

(4) *Lighting standard.* All such signs shall be illuminated from dusk to dawn. Such lighting shall be directed to the sign face, uniformly distributed over the sign face and provide an illumination level on the sign face of at least twenty (20) feet.

Sec. 11-607. Repossessors - unlawful practice.

It shall be unlawful for any repossessor:

(1) To repossess a vehicle prior to obtaining a valid permit issued by the Village of Palatine. The Police Department is authorized to establish an electronic method of repossessors to obtain and remit payment for an online permit using the internet. This permit must be displayed in either paper or electronic form to any police officer. The fees for permits shall be codified in the Village Fee Schedule.

(2) To violate any other provision of this chapter, Commission regulations or orders adopted under this chapter or pursuant to chapter or pursuant to 225 ILCS 422 et.seq.

(3) The Police Department shall establish the form and content of the online permit.

(4) No repossessor may remove a vehicle from private property where trespassing signs have been erected prohibiting a repossessor from entering and remaining on the property.

Sec. 11-608. Penalties. Any relocator, repossessor, operator, dispatcher or employee of a relocator or repossessor who violates any provision of this Chapter shall be subject to fines as established in the Village Fee Schedule.

Sec. 11-609. Relocator's License Required.

(a) *Applications, original determinations.* Each application for a license to operate as a relocator shall be made in writing to the Village Manager, shall be verified under oath, shall be in such form and contain such information as the Village Manager may require. It shall be accompanied by the required application fee and proof of security. In addition to filling out the application required by the Village Manager and paying the filing fee as provided for in the Fee Schedule Supplement to the Palatine Code of Ordinances, a certified copy of the license issued by the Illinois Commerce Commission to such applicant to operate as a relocator shall be sufficient evidence to qualify a relocator for a Village commercial vehicle relocator's license. Nothing herein, however, shall interfere with the Village Manager's right to impose reasonable conditions on the issuance of such license. The relocator shall provide a copy of the license in each vehicle engaged in relocation operations.

(b) *Transfer.* A relocator's license is not transferable.

(c) *Expiration renewal:*

(1) All relocator's licenses shall expire on the same date that the license issued by the Illinois Commerce Commission expires. Consistent with the rules and regulations of the Illinois

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Commerce Commission, the village may temporarily extend the duration of the license for the pendency of a renewal application until formally approved or denied by the Illinois Commerce Commission upon filing, no early than ninety (90) days nor later forty-five (45) days prior to such expiration, of written application for renewal, verified under oath, in such form and containing such information as the Village Manager requires, and accompanied by the required application fee and proof of security. The Village Manager, upon receipt of a certified copy of the Illinois Commerce Commission's renewal license, shall renew the license.

(2) The Village Manager may at any time during the term of the license make inquiry into the management, conduct of business or otherwise determine that the provisions of this Chapter are not being observed.

Sec. 11-610. Suspension of license.

The Village Manager shall suspend or revoke the permit of a relocator if it finds that:

(1) The relocator made a false statement on the application for a relocator's permit;

(2) The relocator's license issued by the Illinois Commerce Commission has been suspended or revoked; or

(3) After a hearing, it is established the relocator has violated one (1) or more of the unlawful practices contained in section 11-606 of this article and that revocation or suspension are appropriate penalty for the misconduct.

Sec. 11-611. Hearing on revocation/suspension.

(a) *Suspension and revocation.* A vehicle relocator's license may be suspended by the Village Manager and subsequently revoked by the Corporate Authorities for violation of this article, the state law or the rules and regulations adopted thereunder or for any of the grounds set forth in Section 11-15(a), or for any other violations of the Palatine Code of Ordinances. The procedures for suspension or revocation shall be pursuant to Section 11-15 (b) and (c).

(b) *Cessation of operations required.* If a fine or a suspension is imposed as a penalty, no activity otherwise permitted under the license shall be conducted by the relocator until such fine is paid or such suspension served. If a relocator is found to be operating without a license or after a license is revoked or suspended, the village shall enforce its ordinance or any other orders by fine, injunction or in any other means permitted by law.

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ARTICLE IX. YOUNG ADULT ENTERTAINMENT FACILITIES

Sec. 11-612. Definitions.

As used in this division the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

License Officer: The Village Manager or his designee.

Light Food Service: The ability to store, prepare, sell, and service hot and cold sandwiches, snacks, and similar food items and is separately licensed by the Village as a food service establishment.

Person: One or more natural persons, corporations, limited liability companies, partnerships, associations or other entities capable of having an action of law brought against such entity.

Premises: Any Zoning Lot, as defined in the Village Zoning Ordinance, where a Young Adult Entertainment Facility is operated or maintained including, but not limited to all hallways, bathrooms, parking areas and any other portions of the Zoning Lot which is accessible to the public during operating hours.

Special Event: An activity at a Young Adult Entertainment Facility which is marketed to patrons or prospective patrons as being of a temporary or non-routine nature.

Village: Village of Palatine

Young Adult Entertainment Facility: A for-profit establishment which is open to the public, the primary function of which is to offer, provide, procure, make available, allow, suffer or permit entertainment to patrons between the ages of 16 and 20 years an opportunity to engage in social activities such as dancing, or the enjoyment of live or pre-recorded music, or the enjoyment of' entertainment provided by dancers or other performers. A Young Adult Entertainment Facility shall provide light food service and beverages (excluding alcoholic beverages) to its patrons from the time of opening until 11:00 p.m.

The term "Young Adult Entertainment Facility" does not include the following: Premises which serve alcoholic beverages as defined by State and local laws; theaters in which the patrons sit in parallel rows of fixed seats; full service restaurants where the only entertainment consists of background music which is incidental to the primary function of serving food; outdoor performances; a banquet, party or celebration conducted for invited guests which is not open to the public; dances or events sponsored and operated by a governmental entity, an educational institution, or a nonprofit or charitable group duly licensed with the state and having a five (5) year operational history in the Village.

Sec. 11-613. Young Adult Entertainment Facility License Required.

It is unlawful for any person to own, operate, manage, or maintain a Young Adult Entertainment Facility in the Village without first obtaining a Young Adult Entertainment Facility License from the Village. The license fee shall be based on the permitted occupancy of the Young Adult Entertainment Facility as follows:

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For occupancy up to 100	$ 1,000.00
For occupancy from 101 to 200	$ 5,000.00
For occupancy from 201 to 300	$10,000.00
For occupancy from 301 to 600	$20,000.00
For occupancy from 601 to 800	$25,000.00
For occupancy from 801 to 1000	$30,000.00

All Young Adult Entertainment Facilities shall have an occupancy limit established by the applicable fire or Village Code of Ordinances and by the special use approved for the facility. For the purpose of this subsection, licensed premises shall not include kitchen area, storage areas, hallways, or any area used by the licensee and/or his employees and not open to the licensee's patrons.

A license shall be effective from the date of its issue until June 30th of each year. The fee to be paid shall be reduced in proportion to the full calendar months which have expired in the fiscal year prior to the issuance of the license.

Sec. 11-614. Special Use Ordinance Required.

All Young Adult Entertainment Facilities shall require a special use permit to operate which shall set limits on the occupancy of the facility and set forth other operational constraints and conditions in connection with the operation.

Sec. 11-615. License Application Procedures.

A. An application for a license shall be made in writing to the Village, upon forms provided, and shall include the following:

1. The name, birthdate, and address of the applicant in the case of an individual; in the case of a partnership, the persons entitled to share in the profits thereof, and in the case of a corporation, the date of incorporation (in the case of a foreign corporation, the state where it was incorporated and the date of its becoming qualified under the Illinois Business Corporation Act to transact business in the State of Illinois), and the objects for which it was organized. In the case of an Illinois Limited Liability Company, the same information for its managing member and members. The names, dates of birth, and addresses of any partner, any officer and any director, and if a majority in interest of the stock of a corporation is owned by one person or his nominees, the name, date of birth and address of such person.

2. The location of the Young Adult Entertainment Facility including address, legal description and permanent index number.

3. Evidence of proof of ownership or a valid and binding leasehold interest in the form of a title policy or a fully executed copy of the lease.

4. If a leasehold (or any legal interest that is not fee simple ownership) a letter of authorization from the legal owner of the property of which the leasehold is a part.

5. A complete statement of all convictions of the applicant as provided in this section. If the applicant is a corporation, such statement shall include applicant's officers, and directors

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thereof, and any stockholder or stockholders owning in the aggregate more than twenty percent of the stock of such corporation. If the applicant is a partnership, such statement shall include all general partners, and any limited partner owning more than twenty percent of the aggregate limited partner interest in such partnership. If the applicant is a limited liability company such statement shall include the managing member and shareholders owning more than 20% of the shares of the limited liability company. Such listing shall include but not be limited to the following:

(a) Any offense involving sexual misconduct with children of other sex offenses as defined in Article 11 of the Illinois Criminal Code of 1961, as amended.

(b) A felony based upon conduct or involvement in such business or activity or related or similar business or activity, within the past ten years; or

(c) A felony unrelated to conduct or involvement in such business or activity or related or similar business or activity, but which felony involved the use of a deadly weapon, traffic in narcotic drugs, or violence against another person, including rape, within the past five years; or

(d) A misdemeanor or licensing ordinance violation, based upon conduct or involvement in such business or activity or related or similar business or activity, within the past two years.

6. A description of the proposed Young Adult Entertainment Facility, including the anticipated age and number of patrons, hours of operation and all activities and business conducted at the same location, and the physical facilities to be used.

7. A written statement setting forth all measures proposed to ensure that adequate traffic control, crowd protection and security, both inside and outside the licensed premises, will be maintained, that the age limits of the patrons to be admitted to the Young Adult Entertainment Facility will be enforced and that the curfew will be enforced.

8. A statement of whether the business will be conducted by a manager. In such case the manager's name, address, telephone number and age shall be provided, along with a statement of any convictions as set forth under subsection (3), above.

9. A statement whether applicant has made similar application for a similar other license at a location other than described in this application and the disposition of such application.

10. The license fee as provided herein.

11. A site plan for the licensed premises, including a floor plan showing all entrances, exits and public areas.

12. The operation and training manuals to be used for the establishment, setting forth procedures for complying with this chapter, including, but not limited to, security and age verification.

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13. A certificate of insurance evidencing that the applicant has secured commercial general liability insurance issued by one or more companies authorized to do business in the State of Illinois providing the following minimum coverage:

(a) One million dollars ($1,000,000) per person, per occurrence; and

(b) One million dollars ($1,000,000) annual aggregate.

14. A copy of the Special Use Ordinance approved by the Village Council.

B. In the event the applicant learns that any information or document submitted as part of this application process is inaccurate or incomplete, the applicant shall immediately notify the Village and provide appropriate corrections. Failure to accurately and completely provide, or as necessary update, required information may delay the processing of such application or result in its denial.

C. In addition to the requirements of subsections (A) and (B) above, the applicant and, if applicable, the manager shall submit their fingerprints to be used in completing the investigation. Applicants are required to present themselves for fingerprints to be taken by the Police Department as provided by the Chief of Police. If the applicant is a corporation, fingerprints shall be required of applicant's officers, directors, and any stockholder or stockholders owning in the aggregate more than twenty percent of the stock of such corporation. If the applicant is a partnership, fingerprints shall be required of all general partners, and any limited partner owning more than twenty percent of the aggregate limited partner interest in such partnership. If a limited liability company, the managing member and the owners of more than 20% of the stock shall be required. The applicant shall pay the fingerprint fee for each person required to submit fingerprints. Provided, in the case of a renewal application, fingerprints and the fingerprint fee shall not be required from a renewal applicant whose fingerprints are on file, unless the Chief of Police determines that there may be reason to believe that the renewal applicant may have unreported convictions.

Sec. 11-616. Procedures for Issuance or Denial of License.

After receiving a complete application for a Young Adult Entertainment Facility license, the Village shall follow the following procedures:

A. The License Officer shall forward copies of the application to appropriate Village officials for their comments regarding compliance with regulations under their jurisdiction. The License Officer shall consider all materials and comments submitted and issue or deny the license within thirty (30) working days after the date on which a completed application was filed unless the applicant agrees to an extension of the time period. In the event that the License Officer fails to act upon any application within the time period set forth herein, such failure to act shall be deemed a denial of the application.

B. The grounds for the denial of the issuance or renewal of a Young Adult Entertainment Facility License shall include but not be limited to one or more of the following reasons:

1. The applicant has been convicted of one or more of the following offenses

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(a) Any offense involving sexual misconduct with children or other sex offenses as defined in Article 11 of the Illinois Criminal Code of 1961, as amended;

(b) A felony based upon conduct or involvement in such business or activity or related or similar business or activity, within the past ten years; or

(c) A felony unrelated to conduct or involvement in such business or activity or related or similar business or activity, but which felony involved the use of a deadly weapon, traffic in narcotic drugs, or violence against another person, including rape, within the past five years; or

(d) A misdemeanor or licensing ordinance violation, based upon conduct or involvement in such business or activity or related or similar business or activity, within the past two years.

2. The applicant whose license issued under this chapter has been revoked for cause.

3. The applicant who at the time of application for renewal of any license issued under this chapter would not be eligible for such license upon a first application.

4. The applicant is under the age of twenty-one (21) years.

5. If the applicant is a partnership and any general partner, or any limited partner of owning more that twenty percent (20%) of the aggregate limited partner interest in such partnership, would not be eligible to receive a license under this chapter.

6. If the applicant is a corporation and any officer or director, or any stockholder or stockholders owning in the aggregate more than twenty percent (20%) of the stock of such corporation, would not be eligible to receive a license under this chapter.

7. If the applicant is a corporation unless it is incorporated in Illinois or unless it is a foreign corporation which is qualified under the "Business Corporation Act of 1983" to transact business in Illinois.

8. If the applicant is a limited liability company and its managing member are the owners of 20% or more of the stock do not possess the same qualifications required of the licensee.

9. If the business of the Young Adult Entertainment Facility is to be conducted by a manager unless the manager possesses the same qualifications required by the licensee.

10. If the applicant is not legally authorized to run the business.

11. If the Premises do not comply with all applicable Village Ordinances and State laws including its zoning ordinance and other applicable ordinances of the Village.

12. If the application is incomplete or if it contains any material misrepresentation.

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13. If the application does not show adequate measures for the protection of persons or property, security, both inside and outside the premises, and the monitoring of the ages of patrons admitted to the Young Adult Entertainment Facility.

14. A pattern or history and experience of the establishment proposing a threat to the public welfare.

15. A pattern of arrests or referrals to hospitals from the establishment.

16. A pattern of complaints received including, complaints at other facilities that are owned by the applicant or owned by others operating similar facilities in the Village or in other communities in Cook County.

17. Where grounds for revocation of the license exists.

C. In connection with the issuance of any license, the Village may impose any conditions on the license, the operating plan and on the conduct of the business that it deems necessary and appropriate including, but not limited to limitations on the days and hours of operation, the age of the patrons, the training and qualifications of the staff, staffing requirements, controls on parking lot and the environs outside of the facility, the layout of the licensed premises and additional insurance requirements.

D. If the License Officer denies a license or imposes conditions on the application found objectionable by the applicant, written notice of the denial stating the reasons why shall be sent to the applicant within five (5) working days after the denial. The applicant shall have a period of ten (10) working days after the date of license denial or the conditional license to appeal to the Village Council. Said appeal shall be in writing and shall be scheduled for hearing within fourteen (14) days of the receipt of the appeal for a regular meeting occurring not more than thirty (30) days after receipt of the notice and after at least five (5) days notification of the hearing date to the appellant.

Sec. 11-617. Operating Rules and Regulations.

A. It shall be unlawful for any person under the age of sixteen (16) years to enter or remain on the Premises of a Young Adult Entertainment Facility unless accompanied by a parent or guardian.

B. It shall be unlawful for any person twenty-one (21) years of age or older to enter or remain on the premises of a Young Adult Entertainment Facility except for bona fide employees or independent contractors hired by the licensee to work in the Young Adult Entertainment Facility, a parent or guardian of a person under twenty one (21) years of age present in the Young Adult Entertainment Facility or a governmental employee in the performance of his duties.

C. It shall be unlawful for any person to falsely represent their age for the purpose of gaining admission to a Young Adult Entertainment Facility.

D. The Licensee shall require each person admitted or seeking to be admitted to display to a supervisory security person of the Young Adult Entertainment Facility an identification card showing the photo and age of the person seeking admission. In addition all patrons shall be required to pass through a metal detection device or pass a scanning by a metal detection wand.

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E. It shall be unlawful to knowingly permit a person to enter or remain in a Young Adult Entertainment Facility who is under the age of sixteen (16) years or over twenty (20) years of age or older unless such person is a bona fide employee or independent contractor hired by the licensee to work in the Young Adult Entertainment Facility or a governmental employee in the performance of his duties.

F. A patron once admitted to the Young Adult Entertainment Facility on the Premises not be permitted to exit and re-enter the Premises sooner than the following business day.

G. In the event of an emergency, health, or safety condition occurring anywhere on the licensed premises, including the parking lot, the licensee and its employees and/or agents shall immediately contact the Fire Department or Police Department, as appropriate to the incident, and request assistance. A written plan for implementing this requirement shall be placed of record with the Village.

H. It shall be the obligation of the licensee to employ two (2) off-duty police officers who shall be present on the Premises during all operating hours to maintain peace and order and to ensure compliance with all applicable laws of the State and of the Village. The licensee shall also employ qualified security personnel who shall have been trained in crowd control, drug awareness, and gang awareness. The names, addresses and birthdates of all such security personnel must be on file with the Chief of Police at least forty-eight (48) hours before their employment.

I. Each licensee shall provide at least one supervising security person to monitor and verify ages of those persons seeking to gain admittance to the licensed premises.

J. The licensee and its agents shall not permit or allow alcoholic beverages or controlled substances to be consumed or be present on any Young Adult Entertainment Facility premises shall not allow or permit tobacco to be sold in any Young Adult Entertainment Facility and shall not allow tobacco to be used by any person under the age of eighteen (18). The presence of any prohibited item upon the licensed premises shall be deemed a violation of this provision.

K. It shall be the obligation of the licensee to refuse admittance and to remove from the Young Adult Entertainment Facility any person who is, or appears to be, under the influence of, or affected by the use of alcohol or drugs, or whose conduct poses a physical danger to the safety of others present. It shall be the obligation of the licensee to refuse admittance and to remove from a Young Adult Entertainment Facility any person under the age of eighteen (18) years who possesses or uses tobacco.

L. It shall be the obligation of the licensee to provide proper and adequate illumination of all portions of the Premises which are available for public use. Such illumination shall be not less than 1.3 foot candle at floor level at all times when the premises are open to the public or when any member of the public is permitted to enter and remain on the premises. All off-street parking areas within one hundred feet (100') of any entrance shall be illuminated during all hours of operation after sunset with a lighting system designed to provide a minimum maintained horizontal illumination of greater than one (1) foot candle of light on the parking surface and/or walkway.

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M. It shall be the obligation of the licensee to prevent loitering, the creation of public nuisances or disturbances of the peace by any patrons of the Young Adult Entertainment Facility on the Premises or in the immediate vicinity. "Loitering" shall not include the act of waiting in line to gain admission to the Premises.

N. It shall be the obligation of the licensee to clean up all litter resulting from its operations. The cleanup shall occur within two (2) hours after the end of each day's operation.

O. It shall be unlawful for a licensee to permit (a) a greater number of patrons into the premises at any time than the permitted occupancy, or (b) any greater number of patrons to remain upon the premises than the permitted occupancy. All Young Adult Entertainment Facilities shall provide seating for not less than thirty percent (30%) of the maximum permitted occupancy.

P. No licensee, his agent or employee shall allow or permit any person to perform acts of or acts which simulate: a) sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law; b) the actual or simulated touching, caressing or fondling of the breast, buttocks, anus or genitals; c) the actual or simulated displaying of the pubic hair, anus, vulva or genitals; d) the actual or simulated displaying of the breast so as to expose the nipple of the female breast; e) the displaying of films or pictures depicting acts, a live performance of which is prohibited by a), b), c) or d) above.

Q. No licensee, his agent or employee shall allow or permit any person to remain in or upon the licensed premises who exposes in public view any portion of his or her genitals or anus.

R. Each licensee shall provide at least one (1) public telephone for outgoing calls only for each 125 patrons (based upon the maximum occupancy of the Premises). No licensee shall permit sound or vibration exceeding ninety (90) decibels measured with a standard meter "A" scale within two (2) feet of any public telephone receiver or audible at such level on the outside of any exterior wall of the premises located more than ten (10) feet from a doorway of the licensed premises. No public telephone shall be provided on the premises for incoming calls.

S. Designation of the individual who will be available prior to and during the event and who shall have authority to accept complaints, receive notice of violations, or take corrective action as required by proper officials of the Village;

T. Automatic counters are required to be used prior to entry into the licensed premises to determine occupancy of the premises;

U. The hours of operation of a Young Adult Entertainment Facility are as follows:

Sunday through Thursday, 10:00 a.m. to 11:00 p.m.
Friday and Saturday, 10:00 a.m. to midnight.
New Year's Eve, 10:00 a.m. to 1:00 a.m. the following day.

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V. All employees and independent contractors hired by the licensee to work in the Young Adult Entertainment Facility who will be present on the premises during hours of operation shall submit to criminal background checks. No person shall be permitted to be employed who has been convicted of a felony violation of any section of the following:

Solicitation, Conspiracy and Attempt,
Homicide;
Kidnapping and Related Offenses;
Sex Offenses;
Bodily Harm;
Robbery;
Burglary;
Armed Violence; or Contributing to the Criminal Delinquency
of a Juvenile of the Illinois Criminal Code of 1961, as amended; or any section
of the Illinois Controlled Substances Act, as amended; or
Homicide;
Kidnapping;
Obscenity;
Rape;
Robbery and Burglary;
Sexual Exploitation of Children;

Sec. 11-618. Special Events.

A. The licensee shall deliver to the Chief of Police, no later than seventy-two (72) hours before any scheduled Special Event occurring at a licensed premises, true and accurate copies of any and all advertisements of whatever nature therefore used to advertise or promote the event. The licensee shall also include prior to any such advertised event:

B. The number of employees and/or performers to be used for the event;

C. A security plan with an identification of any changes to the security plan on file must be submitted to the Chief of Police in writing a minimum of two (2) business days before the event. The Chief of Police shall have the authority to approve the plan, approve subject to conditions or disapprove the plan. The security plan must be followed without any changes unless such change has been submitted to the Chief of Police in writing and he has approved it prior to the event being opened;

D. Security personnel shall be required for the maximum capacity of the event as determined by the maximum occupancy of the premises under Village's ordinance unless attendance is limited to a lesser number;

E. Inspections may be conducted by the Village to ensure compliance with its codes and ordinances;

F. No members of the general public shall be allowed admittance prior to the opening of the event;

G. Tickets may be sold before the event with the number of tickets sold limited to the occupancy limit of the premises for patrons, and after all said tickets have been sold, the licensee shall post a sign stating that the event is "Sold Out."

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Sec. 11-619. Access by Police Officers.

All police officers of the Village and other Village employees engaged in inspection shall be permitted access to all Young Adult Entertainment Facilities for the purpose of inspection and to enforce compliance with the provisions of this ordinance at all times including when the Premises are open to patrons.

Sec. 11-620. Suspension or Revocation of Licenses.

A. The Village Manager may, at any time, suspend a Young Adult Entertainment Facility license whenever the licensee, or any manager, officer, director, agent or employee of the licensee has caused, permitted or knowingly done any of the following:

1. Failed to keep the building structure or equipment of the licensed premises in compliance with the applicable health, building, fire or safety laws, regulations or ordinances in a way which relates to or affects public health or safety on the Young Adult Entertainment Facility Premises.

2. Failed to comply with the provisions of Young Adult Entertainment Facilities specified in this chapter including the operating rules and regulations set forth above.

3. Whenever the Village learns that the licenses made a material false statement or representation, or failed to disclose any material information to the Village, in connection with any application for the Young Adult Entertainment Facility license or any license renewal.

4. Whenever the licensee or any manager, officer, director, agent or employee of the licensee knowingly permits conduct on the licensed premises that violates any federal, state or Village criminal or penal statute, law or ordinance, or the operating rules and regulations, this ordinance or the terms and conditions of the license and the special use or the Zoning Ordinance.

5. Whenever the operation of the Young Adult Entertainment Facility becomes the proximate cause of a significant increase in criminal activity on the premises or in the immediate vicinity in such a way as to endanger persons or property.

6. For any of the grounds set forth in Section 11-15(a).

B. Any license may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Chapter. The procedure for suspension or revocation or any penalty shall be subject to Section 11-15(b) and (c).

C. Any appeal shall be pursuant to the procedures set forth in Section 11-16 of this Chapter.

D. In the event of a license suspension or revocation, the licensee shall be responsible for all of the costs, including attorney's fees incurred by the Village which costs shall be taxed to the licensee and payment made by certified check to the Village before the reopening of the business.

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Sec. 11-621. License, Non-transferable.

A license granted under the provisions of this chapter is non-transferable. The sale, lease or transfer of substantially all of the assets (more than 25%) of a business holding an Young Adult Entertainment Facility License or a sale or transfer of a controlling interest in a corporation or partnership holding an Young Adult Entertainment Facility License shall result in the termination of the license granted herein.

A license shall only be good for one (1) year and there shall be no obligation on the part of the Village to renew said license.

Sec. 11-622. Nuisance, Injunction.

Any violation of this chapter is declared to be a nuisance. In addition to any other relief provided by this chapter, the Village Attorney may apply to a court of competent jurisdiction for an injunction to prohibit the continuation of any violation of this chapter. The application for relief may include seeking a temporary restraining order, temporary injunction or permanent injunction.

Sec. 11-623. Penalty

Any person, firm or corporation violating any provision of this chapter shall be fined not less than Two Hundred ($200.00) Dollars nor more than One Thousand ($1,000.00) Dollars for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Sec. 11-624 – 11-629. Reserved.

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ARTICLE X. SPECIAL EVENTS

Sec. 11-630. Definitions.

Special Event. A proposed event that includes one or more of the following components shall be considered a Special Event, unless otherwise exempt by the Village's Code of Ordinances or by the Village Manager: 1) closure and/or use of any public streets or Village owned parking lots, right-of-way, or property (excluding closures in conjunction with a neighborhood block party); 2) an event to be held by a licensed business that will be open to the general public and requires the use of any property that is not under the direct ownership or control of the licensed business; 3) an outdoor event that includes a request for a temporary liquor license; and 4) an outdoor event that includes a request for a waiver of the Village's sound amplification ordinance (excluding an Outdoor Sound Waiver request for residential use only). Additionally, the Village Manager may determine an event to be a Special Event regardless if it includes one or more of the components listed above, but could impact the Village.

Sec. 11-631. Application and Fees Required.

A completed Special Event application shall be submitted to the Village for review no less than sixty (60) days prior to the proposed event. Applications may be accepted less than sixty (60) days prior to the event if, in the Village Manager's determination, the scope of the event and required approvals can be reviewed and processed in a shorter amount of time. Additional applications and/or approvals may also be required based on the location and scope of activities included in a proposed event. All Special Event applications shall be reviewed by Staff and may be forwarded to the Village Council for consideration at the discretion of the Village Manager.

For an event that is requesting to utilize a street within a public right-of-way a $75 application fee shall be submitted with the corresponding Special Event application. If the requested use of a street within a public right-of-way is approved, a street utilization fee of ten cents ($0.10) for every linear foot of street utilized must be paid. The Village Manager shall have the authority to waive the application and/or street utilization fees should the applicant be a registered not-for-profit organization that operates or provides services in Palatine or provides funding to community based organizations.

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Chapter 11 LICENSES, PERMITS AND BUSINESS REGULATIONS

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ARTICLE I. IN GENERAL

Sec. 11-1. Definitions.

For the purposes of this chapter the following words shall have the meanings indicated unless their context clearly requires otherwise:

Accessory use is a use customarily incidental and subordinate to the principal use of a building located on the same lot with the principal use of the building.

Corporate Authorities are the Mayor and Village Council.

Floor area is the sum total of the gross horizontal areas of all of the several floors of a building and its accessory buildings measured in square feet from the exterior faces of the exterior walls or from the center line of party walls separating two buildings or establishments on each of the respective floors, and shall include the basement floor, cellar floor, indoor motor vehicle parking space when such space is used in conjunction with a retail and wholesale establishment devoted to the sale, service or repair of motor vehicles, floor space used for storage of merchandise, whether open or enclosed, including such storage space as may be located on the roof, penthouse, attic space, balconies, mezzanines, porches and verandas and any other floor area devoted to and occupied by accessory uses.

Live Entertainment - shall consist of live music, dancing and/or singing performances, floor shows, D.J. shows and other entertainment performances, whether or not an admission fee is charged. Live entertainment shall not include ambient or incidental music provided for guests or patrons by musicians, such as a piano player, harpist, strolling violinist, traditional juke box, karaoke or guitarist. However, if there is an admission charge required to observe or attend such ambient or incidental music or entertainment, the music will be considered live entertainment. (Ord. 0-2-10, §1, 1/11/10)

Owner is any individual, firm, association, partnership, corporation, trust or any other legal entity having sufficient proprietary interest in any establishment to maintain and manage its operation.

Retail and wholesale establishment is a building or premises or portion thereof the principal use of which is for the sale or distribution of any commodity for a price or fee by a seller to a consumer or by one business to another business.

Service establishment is a building or premises or a portion thereof the principal use of which is for the rendering of a personal or material service, including a service intended to generate a sale by the person rendering the service or a person, firm, partnership or corporation represented by the person rendering the service, whether as a salesman, broker, manufacturer's representative or otherwise, regardless of whether or not a commodity is worked upon or exchanged; and also including clerical, administrative or other support services for or on behalf of a person, firm or corporation engaged in rendering a service, as described herein.

Village Manager - refers to the person in the position of Village Manager or his/her designee.

Sec. 11-2. Applications.

Applications for all licenses, permits and certificates of registration required by this chapter shall be made in writing to the Village Manager on forms supplied by the Village Manager, in the absence of

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provisions to the contrary. Each application shall state the names of the applicants, the permit, license or certificate of registration desired, and the location to be used, if any. Each application shall contain such additional information as may be requested for the proper guidance of the village officials in the issuing of the permit or license applied for. (Code 1961, § 10.001)

Sec. 11-3 License required.

It shall be unlawful for any person (which refers to, for purposes of this Chapter, any individual, partnership, corporation, entity which conducts, engages in, maintains, operates, carries on or manages a business or occupation within the Village of Palatine) to conduct, engage in, maintain, operate, carry on, or manage a business or occupation for which a license is required by any provision of this code, without a license first having been procured for such business or occupation. Any person violating this section shall be fined no less than $200 nor more than $1,000 for each offense, and every day such violation continues shall constitute a separate and distinct offense.

Any business or occupation for which a license is required under this chapter or any other provision of this code, and to which no license to operate for this period in question has been issued may be closed by the Village Manager until such license is procured.

11-3.1 License required for businesses and occupations not provided for by other code provisions.

All persons who conduct, engage in, maintain, operate, carry on or manage a business or occupation for which a license is not required under any other provision of this code, other than those businesses or occupations which are exempt from municipal licensing pursuant to law, shall be required to make application to the Village and obtain a general business license for such business or occupation. The license fee for said license shall be set forth in Section 11-20.

Sec. 11-4. Duty of Village Manager.

Forms for all licenses, permits, certificates of registration and applications therefor, shall be prepared and kept on file by the Village Manager. (Code 1961, § 10.003)

Sec. 11-5. Reserved.

Sec. 11-6. Investigations.

(a) Upon receipt of an application for a license or permit, where an investigation or inspection is required by this chapter before the issuance of such permit or license, or where an inspection or investigation shall be deemed reasonably necessary or appropriate, the Village Manager, within five (5) business days of such receipt, shall refer the application to the appropriate officials for the making of such investigation or inspection.

(b) The officials to whom the application has been referred shall make a report thereon, favorably or otherwise, within thirty (30) working days after receiving such application or a copy thereof.

(c) The health officer shall make or cause to be made an inspection regarding such permits and licenses as relate to the care and handling of food, the prevention of nuisances and the spread of disease, and the protection of health. The Department of Community Development shall make or cause to be made any inspections which relate to compliance with the building code, zoning ordinance, and other related

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regulations. All other investigations, except where otherwise provided, shall be made by the Chief of Police or by some other officer designated by the Village Manager.

(d) If, after due consideration of the information contained within the application and the related investigative reports, the Village Manager shall determine that the application is satisfactory, he shall approve the application and issue the license or permit.

(e) If, after due consideration of the information contained within the application and the related investigative reports, the Village Manager shall determine that the matters concerning the application are unsatisfactory, he may disapprove such application, indicating the reasons therefor. Thereupon, he shall promptly notify the applicant that his application is disapproved, and that no license or permit will be issued.

(f) In the event the Village Manager fails or refuses to issue a license, the Village Manager shall state in writing the basis of the denial. The denial may be appealed to the Corporate Authorities for a hearing. The person objecting to the denial shall present any facts or evidence showing compliance with Village ordinances, rules and regulations. The Village Manager shall detail the basis of the denial. The Corporate Authorities shall take final action on the recommendation and determine to issue or deny the license, permit or certificate of registration.

Sec. 11-7. Fees.

In the absence of provision to the contrary, all fees and charges for licenses, permits or certificates of registration shall be paid in advance at the time application therefor is made to the Village in the amounts prescribed in this Chapter or the Village's Fee Schedule Supplement to the Palatine Code of Ordinances.

Sec. 11-8. Termination.

All annual licenses shall be operative and the license year for the Village shall commence on the 1st day of January of each calendar year and shall terminate on the 31st day of December of the same year, where no provision to the contrary is made.

As directed by the Manager the business license division shall notify all licensees of the Village of the time of expiration three (3) weeks prior to the date of such expiration. Provided, however, that a failure to make such notification, or failure of the licensee to receive it, shall not excuse the licensee from the obligation to obtain a new license, or renewal thereof, nor shall it be a defense in an action based upon operation without a license. All payments are due on or before the last day of January. Starting on the first day of February a fifty (50) percent penalty will be added and after the last day of February an additional fifty (50) percent penalty plus a citation will be issued.

Sec. 11-9. Building and premises; compliance with laws required.

No license shall be issued for the conduct of any business, and no permit shall be issued for any purpose or activity, if the premises and building to be used for the purpose do not fully comply with all applicable provisions of this Code and other ordinances and regulations of the Village and the State.

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Sec. 11-10. Location--Limited to one per license.

No license for the operation of a business or establishment in the Village shall be construed to permit the operation of a licensed business or establishment in more than one (1) location in the Village; a separate license shall be required for each location of a licensed establishment. For the purposes of this chapter, the existence of a single location shall be evidenced by the fact that all buildings containing the principal or accessory uses shall be connected or shall be located on the same lot or parcel, shall be operated and managed by the same person or owner, and shall be an establishment with the same classification.

Sec. 11-11. Location --Changes.

The location of any licensed business or occupation, or the location of any permitted act, may be changed provided that ten (10) days' notice thereof is given to the Village in the absence of any provisions to the contrary; provided, however, that all applicable provisions of this Code and other ordinances and regulations of the village shall be complied with.

Sec. 11-12. Nuisances prohibited.

(a) *Generally:* No business or establishment, whether or not licensed, shall be so conducted or operated as to constitute a nuisance in fact; and no building, vehicle, structure, yard, lot, premises, or part thereof, shall be used, kept, maintained, or operated in connection with any business or establishment so as to occasion any nuisance, or so as to be dangerous to life or detrimental to health.

(b) *Unsafe or unhealthful business:*

(1) No building or structure, utilized, constructed, or maintained in connection with any business or occupation, shall evidence an unsanitary, unsafe, or dangerous condition.

(2) No substance, matter, or thing of any kind whatever, which shall be dangerous or detrimental to health, shall be allowed to exist in connection with any business or occupation, or be used in any work or labor performed in the Village.

(c) *Refuse disposal:*

(1) *Containers:* The standard refuse container required by this section shall be a receptacle of not less than twenty (20) nor more than thirty-two (32) gallons capacity, of impervious material and sturdy construction, with a tight fitting cover, and equipped with handles properly placed to facilitate handling.

(2) *Duty to provide containers:* The occupant of every building, structure, or premises used or maintained in connection with any business or occupation shall provide and maintain in good condition and repair a sufficient number of refuse containers for the temporary storage of all refuse accumulating between collections. All refuse which is placed for collection service outside any building or structure must be kept in standard refuse containers.

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(3) *Removal:* It shall be the duty of the occupant of every building, structure, or premises used or maintained in connection with any business or occupation to cause to be removed at his own cost and expense at least once each week all refuse produced therein.

(4) *Removal of restaurant garbage.* Every person owning or controlling any hotel, restaurant, cafe, or retail food establishment where more than thirty-two (32) gallons of refuse is normally produced weekly shall cause all garbage to be placed in sanitary refuse containers and shall cause all substances deposited in such containers to be removed daily from his premises and to be disposed of at his own expense.

Sec. 11-13. Working conditions.

(a) *Health requirements:* No owner, lessee, manager, or superintendent of any store, factory, workshop, or other place where persons are employed shall cause or permit such place, or any room or part thereof, to be overcrowded or inadequate or faulty in respect to light, ventilation, heat or cleanliness.

(b) *Sanitation:* All such places of employment shall be kept in a clean condition, free from the effluvia of a sewer, drain, privy, stable, or other nuisance; also as far as practicable such premises shall be free from all gases, vapors, dust, or other impurities generated by manufacturing processes or otherwise which are injurious to health. Sufficient washroom facilities for male and female employees shall be provided and such facilities shall be properly ventilated.

(c) *Heat required:*

(1) It shall be the duty of every person owning or controlling the heating plant which furnishes heat to any factory or workshop, to maintain a temperature within such factory or workshop of not less than sixty-eight (68) degrees Fahrenheit without such undue restriction of ventilation as to interfere with proper sanitary conditions therein; provided, however, that this requirement shall not apply to any factory or workshop where the business conducted therein is of such a nature that a higher or lower temperature than sixty-eight (68) degrees Fahrenheit is necessary or expedient for the work or manufacturing processes of such business.

(2) It shall be the duty of any person owning or controlling the heating plant which furnishes heat to any office, store, or other place of employment to maintain a temperature therein of not less than sixty-eight (68) degrees Fahrenheit without such undue restriction of ventilation as to interfere with proper sanitary conditions therein, between the hours of 8:00 a.m. and 6:00 p.m. from October 1 of each year to June 1 of the succeeding year, Sundays and legal holidays excepted.

(d) *Inspection:* The health officer and the Director of Community Development, or their designees, shall visit or cause to be visited all such places of employment in the Village as often as they shall deem necessary to assure compliance with the provisions of this section, and to have such arrangements made as may be deemed necessary for the health and safety of the employees.

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Sec. 11-14. Inspections

(a) Whenever inspections of the premises used for or in connection with the operation of a licensed business or occupation are provided for or required by any provision of this chapter, or are reasonably necessary to assure compliance with any provisions of this Code or other ordinance or regulation of the Village, or to detect violations thereof, it shall be the duty of the licensee or the person in charge of the premises to admit thereto for the purpose of making the inspection any officer or employee of the Village who is duly authorized to make such inspection at any reasonable time that such admission or entry is requested.

(b) Whenever an analysis of any commodity or material is reasonably necessary to assure compliance with the provisions of any ordinance or regulation, or to detect violations thereof, it shall be the duty of the licensee or the person in charge of the premises to give to any duly authorized officer or employee of the Village requesting the same sufficient sample of such material or commodity for such analysis upon official request.

(c) In addition to any other penalty which may be provided, the Village Manager may revoke the license of any owner or operator of a licensed business in the Village who refuses to permit any duly authorized officer or employee to make such inspection or to take an adequate sample of said commodity, or who interferes with such officer or employee while in the performance of his duties; provided, however, that no license shall be subject to revocation for such cause unless such officer or employee has been refused permission to enter upon the premises in the name of the Village after first having presented an administrative warrant authorizing such entry.

Sec. 11-15. Suspension or revocation of license or permit.

(a) Any license, permit, or certificate of registration issued under this Chapter may be suspended, revoked and/or a fine imposed for any of the following causes:

(1) Any fraud, misrepresentation, or false statement contained in the application for the license or permit;

(2) Any violation by the licensee or permittee of ordinance provisions relating to the license or permit or the premises occupied; violation of conditions of the license or permit; violation of or any other ordinance of the village; or violation of any state or federal law;

(3) Conviction of the licensee or permittee of any felony or of a misdemeanor involving moral turpitude;

(4) Failure of the licensee or permittee to pay any fee, tax, fine or penalty owing to the Village;

(5) Refusal to permit an inspection or sampling, or any interference with a duly authorized Village officer or employee while in the performance of his duties in making such inspections, as provided in section 11-14.

(6) Cause a nuisance or danger to public health, safety or welfare.

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(7) Disorderly conduct on the premises or in the parking lot or for such acts that occur on adjoining land or in any other area within the control of the licensee, attributable to patrons of the holder of the license or the holder of the license or its employees. (Ord. #106-13, §1, 9/9/13)

(8) Fraudulent or unfair business practices.

(9) Cessation of business for more than sixty (60) consecutive days.

Such suspension or revocation, if ordered, shall not preclude prosecution and imposition of any other penalties provided for the violation of other applicable ordinances of the Village.

(b) The Village Attorney shall notify the licensee, permittee, or registrant of a violation of one or more of the above causes and call a hearing before the Village Manager (or designee) for the purposes of determining whether or not the license, permit or certificate of registration should be suspended, revoked and/or a fine imposed. Notice of the hearing for suspension or revocation of a license or permit shall be given in writing setting forth specifically the grounds of the complaint and the time and place of the hearing. Such notice shall be mailed to the licensee or permittee at his last known address at least five (5) days prior to the date set for the hearing.

(c) The Village Manager (or designee) shall preside over any hearing pursuit to section (b) above. At the hearing, the Village Attorney shall present the complaint and shall represent the village. The licensee or permittee shall be permitted counsel and shall have the right to submit evidence and otherwise fully participate in the proceeding. A record shall be made of the proceedings. If the Village Manager, (or designee) determines that the licensee, permittee, or registrant is guilty of one or more of the charges in the complaint, he shall issue written findings and an order with respect to the evidence presented. A copy of such order shall be delivered as promptly as possible to the licensee or permittee. The order shall state the penalty to be imposed. The Village Manager, (or designee) may impose any one or any combination of the following penalties:

(1) Suspension of the license or permit for a period not to exceed thirty (30) days;
(2) Revocation of the license or permit;
(3) The payment of a fine not to exceed $2,500 for each offense, not including any other applicable fees or fines as outlined in this Chapter;
(4) Such other penalty or imposition of conditions on further operations designed to correct and prevent future violations that the licensee or permittee was found guilty of violating.
(5) Refer the matter of suspension or revocation or further penalty, with or without a recommendation, to a hearing body of the Corporate Authorities for proceedings consistent with Section 11-16. The Corporate Authorities shall have the authority to impose any of the penalties set forth herein.

In the event that the Village Manager has a reason to believe that the continued operation of a particular licensed business will immediately threaten the welfare of the community, the Village Manager shall have the authority to issue a written order requiring the licensed business to close for not more than seven (7) days, giving the licensed business the opportunity to be heard at a hearing pursuant to Section 11-15 (b) of this Chapter.

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(d) *Cessation of operation required*. If a suspension or revocation is imposed as a penalty, no activity at that location otherwise permitted under the license, permit, or certificate of registration shall be conducted by the licensee, permittee, or registrant until the suspension is served or the license, permit, or certificate of registration is reinstated.

(e) *Reinstatement*. Any licensee, permittee, or registrant whose license, permit, or certificate of registration has been revoked may make application for reinstatement. Following receipt of a written request, including a statement signed by the applicant that the conditions causing the revocation have been corrected, the Village Manager may reinstate or set a hearing which shall be conducted within not more than ten (10) working days. If a hearing is conducted, based upon the record of such hearing, the Village Manager shall make a finding, sustaining, modifying or rescinding the previous order. A written report of the hearing decision shall be furnished to the licensee, permittee, or registrant by mail.

Sec. 11-16. Appeal.

Any person aggrieved by the decision of the Village Manager, (or designee) in regard to the suspension or the revocation of a license or permit, or the failure to reinstate the same, as provided in section 11-15, shall make any such claim directly to the Circuit Court of Cook County pursuant to the Administrative Review Act (735 ILCS 5/3-101 et seq.). (Ord. No. O-17-75, § 2, 2-10-75) (Ord. No. O-112-23, 9-11-23)

Sec. 11-17. Costs and Expenses

All costs and expenses including but not limited to court reporter fees and attorneys' fees incurred by the Village in connection with any license suspension or revocation proceedings, shall be paid by the Licensee.

Sec. 11-18. Posting required.

It shall be the duty of every person conducting a licensed business in the Village to keep his license posted in a prominent place on the premises used for such business at all times.

Sec. 11-19. Required records.

The Village Clerk shall cause to be maintained a record of all establishments and regulatory documents which may from time to time be deemed necessary for the purpose of classifying, inspecting, serving, licensing and regulating all establishments in the Village.

Sec. 11-20. License suspension during liquor license suspension or revocation

Any license or permit issued under this chapter shall be suspended while a Village liquor license issued for the same premises, when the predominant use of the premises is the sale of alcoholic beverages, is suspended or revoked unless otherwise provided in the order of suspension

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Sec. 11-21. Business License Types and Fees.

Business License fees for the businesses license types set forth below shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances.

TYPE A--AMUSEMENT & ENTERTAINMENT ESTABLISHMENTS

Step	Floor Area in Square Feet
1	0--2,500
2	2,501—over

TYPE B--FOOD ESTABLISHMENTS

Step	Floor Area in Square Feet
1	0--2,500
2	2,501--5,000
3	5,001--7,500
4	7,501--over

TYPE C--SERVICE ESTABLISHMENTS

Step	Floor Area in Square Feet
1	0--2,500
2	2,501--over

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TYPE D--RETAIL, WHOLESALE & OTHER ESTABLISHMENTS

Step	Floor Area in Square Feet
1	0--2,500
2	2,501--5,000
3	5,001--7,500
4	7,501--over

TYPE E--INDUSTRIAL ESTABLISHMENTS

Step	Floor Area in Square Feet
1	0--10,000
2	10,001--20,000
3	20,001--over

TYPE F - HOME OCCUPATIONS

The Business License type used to calculate the applicable Business License fee shall be based on the use that occupies the majority of the businesses floor area. The total floor area applicable for the determination of the yearly license fee shall include the sum total of all the floor area in use or reserved for or retained for the use of the amusement and entertainment, food, service, retail and wholesale, or industrial establishment, including but not restricted to principal and accessory floor area, cellars and basements, storage or detached accessory buildings, even though any such floor area may be temporarily vacant or not in use.

For a business that has been issued a village food permit, but the majority of their floor area is occupied by some other business use, the business license fee shall be calculated as follows. The floor area dedicated to the food establishment shall be used to calculate the corresponding Type B license fee (which fee shall then be reduced by fifty percent) and shall not be included in the total floor area when calculating the applicable business license fee for the remainder of the business (Type A, C, D or E).
All measured area expressed in square feet shall be to the nearest integral square foot; if a fraction is one-half (1/2) square foot or more, the integral square foot next above shall be taken.

Excluding Home Occupations, when an applicant has not engaged in the business or activity until after the expiration of part of the current license year the license fee shall be prorated by quarters and the fee paid for each quarter or fraction thereof during which the business or activity has been or will be conducted.

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Except as otherwise provided, all license and permit fees shall become a part of the corporate fund. In no event shall any rebate or refund be made of any license fee, or part thereof, by reason of death or departure of the licensee or permittee; nor shall any rebate or refund be made by reason of non-use of the license or discontinuance of the operation or conduct of the licensed establishment, business or activity.

Sec. 11-22--11-29. Reserved.

ARTICLE II. AMUSEMENT FACILITIES

DIVISION 1. GENERALLY

Sec. 11-30. Definitions.

Amusement and entertainment establishment is a building or premises or a portion thereof the principal use of which is for the presentation to the public for a price or fee of any type of exhibition, athletic event, show or other amusement or entertainment, or the making available of such building or premises or portion thereof or facilities therein for the use, recreation, amusement or entertainment of a consumer thereof.

Sec. 11-31. Street shows.

No license or permit shall be granted or given for any carnival, exhibition, show or other amusement to be given on any public street or sidewalk or in such place that the only main accommodation for the public or the audience will be in a public place, except on order of the Village Council.

Sec. 11-32. Coin-operated amusement devices

(A) *Definition.* A "coin-operated amusement device" shall mean and include any machine which, upon the insertion of a coin, currency, slug, token, plate or disc, may be operated by the public generally for use as a game, entertainment or amusement, whether or not registering a score. It shall include such devices as marble machines, pinball machines, electronic games, skill ball, mechanical grab machines and all similar games, operations or devices however designated; but shall not include any music vending machine, contrivance or device, commonly known as a "juke box," which, upon the insertion of a coin, currency, slug, token, plate, disc or key into any slot or other opening, produces, plays or emits songs, music or other prerecorded entertainment.

(B) *License required.* No person, firm or corporation shall place, keep, install, maintain, operate or permit any coin-operated amusement device in any building or place within the Village for use by the public without first having obtained a license for each such device.

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(C) *Classification of licenses and number of devices.*

(1) Classification of licenses. Licenses of coin-operated amusement devices shall be issued only for use in the following establishments and categories:

(a) Type A licenses shall be granted only to the following establishments which are duly licensed as such by the Village: Hotels and motels containing more than one hundred fifty (150) rooms and restaurants. In the case of hotels and motels, all coin-operated amusement devices shall be located in a single game room, access to which shall be available only to registered guests through the use of a room key.

(b) Type B licenses shall be granted only to facilities (not including those in (a) above) which are duly licensed for the sale of alcoholic liquor for consumption upon the premises. In such facilities where the holder of the liquor license is also engaged in another business, coin-operated amusement devices may only be located in the area in which alcoholic liquors are sold and to which access is limited to no person, other than an employee of the licensee, less than age twenty-one (21).

(c) Type C licenses shall be granted only to community colleges.

(d) Type D licenses shall be granted only to social service facilities, sponsored by agencies of local governments, which provide counseling services for persons under the age of eighteen (18) and which provide on-site adult supervision during their hours of operation.

(e) Type E licenses shall be granted only to bowling centers. Persons under the age of eighteen (18) are prohibited from operating coin-operated amusement devices on any premises subject to a Type E license except between the hours of 4:00 p.m. and curfew other than on Saturdays, Sundays and school holidays on which days curfew hours shall apply.

(f) Type F licenses shall be granted only to indoor sports facilities which offer sports for participation of the customer, including but not limited to soccer and baseball with use of the coin-operated amusement devices strictly limited to the time or times when such indoor sports facilities are in use and operation.

(g) Type G licenses shall be granted only to not-for-profit community organizations providing recreational facilities and activities to its members.

(h) Type H licenses shall be granted only to establishments conducting light-beam enhanced competitions which operate coin-operated amusement devices in a separate enclosed room as an incidental or ancillary use to the primary business of the establishment.

(i) Type I licenses shall be granted only to establishments providing admittance to children 16 and under who are accompanied by an adult. Such establishments shall require an admission charge.

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(j) Type J licenses shall be granted only to restaurant establishments.

2) Number of devices.

(a) The number of coin-operated amusement devices permitted in Type A, B, D, G, H, and J, establishments shall be determined on the basis of the size of the establishment in accordance with the following schedule:

Size of Establishment (in square feet)	Number of Coin-Operated Amusement Devices Permitted
0—400	1
400—800	2
800--1,200	3
1,200--1,600	4
1,600--2,000	5
2,000--2,400	6
2,400--2,800	7
2,800--3,200	8
3,200--3,600	9
Over 3,600	10

(b) The number of coin-operated amusement devices permitted in Type E and F establishments shall be determined on the basis of the size of the establishment in accordance with the following schedule:

Size of Establishment (in square feet)	Number of Coin-Operated Amusement Devices Permitted
0—1,200	1
1,200--2,000	2
2,000--2,800	3
2,800--3,600	4
Over 3,600	5

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(c) The number of coin-operated amusement devices permitted in Type C establishments shall be limited to twenty-two (22) and their location be restricted to the Student Union only.

(d) No coin-operated amusement device shall be permitted within one thousand six hundred (1,600) feet of any public or private school, other than community colleges.

(e) The number of coin operated amusement devices permitted in Type I establishments shall be limited to twenty (20).

(D) *Amortization.* Any establishment not authorized to be licensed for the use and operation of coin-operated amusement devices hereunder, which nevertheless has one or more coin-operated amusement devices in use and operation on the effective date of this amendatory ordinance, being April 26, 1982, shall phase out and terminate the use thereof within a period of two (2) years following said date, or reduce the number of devices to the appropriate number permitted.

(E) *Generally.* Unless otherwise authorized pursuant to Chapter 3 of the Code of Ordinances, no coin-operated amusement device shall provide a monetary reward for skill in the operation thereof, nor shall gambling of any kind be permitted in connection with any coin-operated amusement device. No coin-operated amusement device upon which free replays are awarded shall award more than six (6) free replays in total, howsoever accumulated, nor shall any coin-operated amusement device be equipped with a so-called "knock-off button" or other mechanism which releases or cancels free replays.

(F) *Application for license.* Any person, firm or corporation desiring a license shall make application therefor to the Village Manager. Application forms shall be provided by the Village Manager. The application shall set forth the names and addresses of the applicant or if a corporation, partnership or association, the principal officers and registered agent thereof and their addresses, the owners of the machine(s) and the address of the building where such device(s) will be located, maintained and operated, the character of the existing license, trade name and general description and total number of devices to be licensed and the charge to be made to the customer for such operation.

No license shall be issued for coin-operated amusement devices for any premises which are not in full compliance with all applicable ordinances of the Village.

(G) *Fees.* License fees for each coin-operated amusement device shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances. In the event a coin-operated amusement device upon which an annual license fee has been paid is removed and replaced by another coin-operated amusement device, the full license fee shall be payable on the replacement device.

Sec. 11-32.1. Juke boxes.

It shall be unlawful to offer or maintain for public use any music vending machine, contrivance or device, commonly known as a "juke box," which, upon the insertion of a coin, currency, slug, token, plate, disc or key into any slot or other opening, or other payment method, produces, plays or emits songs, music or other prerecorded entertainment, without first having obtained a permit therefor. The annual fee for such permit shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances.

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Sec. 11-33. Athletic exhibitions.

It shall be unlawful to conduct, operate or exhibit any race between persons, animals or vehicles, or any baseball game, boxing or wrestling matches, light-beam enhanced competitions or any other athletic contest or exhibition for admission to which a fee is charged without having first procured a license therefor. Any sporting event held by a local school shall be exempt from this section. The fee for such license shall be one hundred dollars ($100.00).

The proprietor of such exhibition shall submit to the Village Manager a statement verified under oath of the gross receipts of each such game, contest or race, within one (1) week after such exhibition. At the same time, the proprietor or person exhibiting or operating such exhibition shall pay to the Village Manager a sum equal to three (3) per cent of the gross receipts, after deducting the license fee paid.

Sufficient members of the Police Department shall be admitted free of charge, to all such exhibitions for the purpose of preserving and maintaining order; and the Village Manager may post a person or any number of persons at the box office of each such performance; and may examine all the books pertaining to such performance showing or tending to show the gross receipts. (Code 1961, § 11.105; Ord. No. O-63-86, § 1, 6-23-86)

Sec. 11-34. Duty of audience to be orderly; crowding prohibited.

The audience of any amusement, show or theatrical must be orderly and quiet at all times, and it shall be unlawful for any person attending such amusement, show or theatrical to create a disturbance in the audience.

It shall be unlawful to permit or gather such a crowd to witness any amusement or show as to create a dangerous condition because of fire or other risks. (Code 1961, § 11.106)

Sec. 11-35. Inspections.

It shall be the duty of the Chief of Police and Fire Chief to see that every exhibition, amusement, theatrical or other public show or amusement is inspected by a member of the Police and Fire Departments, and to ensure conformity with the provisions concerning such amusements. (Code 1961, § 11.107)

Sec. 11-36. Indecency prohibited.

It shall be unlawful to permit any person to offer or present any theatricals or motion pictures which have a tendency to cause a riot or public disturbance of the peace, or any immoral, indecent, or blasphemous picture or performance.

Sec. 11-37. Exhibitions of criminals prohibited.

It shall be unlawful for any person, firm or corporation to exhibit any criminal or the body of any criminal or any person who shall have become notorious because of the commission of a crime, in any theatrical, exhibition, carnival, or other public place.

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Sec. 11-38. Riots; amusements to cause, prohibited.

It shall be unlawful to present any public amusement or show of any kind which tends to or is calculated to cause or promote any riot or disturbance.

Sec. 11-39. Smoking--Regulations.

It shall be unlawful to smoke or carry a lighted cigar, cigarette or pipe on or beneath the stage or in a dressing room of any building used as an assembly hall with seating accommodations for more than one hundred (100) persons or in which theatricals, shows, amusements, lectures, or other entertainment are offered, presented, operated or exhibited.

Sec. 11-40. Same--Signs.

It shall be the duty of the owner of such premises or of the occupant in charge, to provide and place printed signs on which the words "NO SMOKING" shall appear in letters at least four (4) inches high, in conspicuous places, at least two (2) signs being upon the stage or in the wings thereof and one (1) in each dressing room.

Sec. 11-41. Exit lights.

It shall be the duty of the owner or occupant in charge of any building or hall used as an assembly hall to comply with the Life Safety Code.

Sec. 11-42. Premises.

It shall be unlawful to operate or permit the operation of any amusement licensed in this article unless the premises in which such amusement is operated or permitted to be operated conforms with all the provisions or requirements in this code relating to public buildings and public gatherings.

Sec. 11-43. Bowling alleys and billiard halls, etc.; hours of operation.

No person shall keep open, operate, or use any bowling alley or billiard hall or any other hall between the hours of 1:00 a.m. and 6:00 a.m. If any bowling alley, billiard hall, or other hall holds a Village liquor license, such facility shall operate in compliance with the corresponding permitted hours of operation for such liquor license.

Sec. 11-44. Reserved.

Sec. 11-45. Circuses, carnivals--Sideshows, rides, games and concessions.

The license fee for a circus shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances.

The fee for a carnival license shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances.

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The fee for each sideshow, ride, game and concession (food or otherwise) operated in connection with any circus or carnival, shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances.

Fees can be waived only by the Corporate Authorities upon prior written request by the applicant.

Sec. 11-46. Same--Inspections required.

It shall be the duty of the Chief of Police and the Fire Marshal to see that inspections as provided for in article I of this chapter, shall be made of all circuses, circus performances, and of the premises used.

Sec. 11-47. Same--Bonding requirement.

It shall be unlawful to conduct any parade connected with a circus on any public street, alley or other public way or place in the Village, unless a permit therefor is first obtained from the Village Manager. Such permit shall specify the route to be followed, and shall be accompanied by a bond in the sum of ten thousand dollars ($10,000.00), conditioned to indemnify the Village for any loss, damage or liability incurred or caused by the conduct of such exhibition or such parade.

Sec. 11-48. Theaters--Seating of audience required.

It shall be unlawful to permit any person, excepting ushers or other theater employees, to remain standing in a hall or room in which a motion picture is presented during the time of such performance; and it shall be unlawful to admit to any such hall more persons than can be accommodated by the seating arrangements for the premises.

Sec. 11-49. Same--Scenery.

It shall be unlawful to use any scenery in any theater other than non-flammable scenery or such as shall have been rendered non-flammable by the application of fire preventive coatings.

Sec. 11-50. Same--Exits.

It shall be unlawful to obstruct or permit the obstruction of any aisles, corridors or exits leading from the room or enclosures in which a motion picture performance or theatrical is being given or in which an audience for such a performance is gathered.

Sec. 11-51. Same--Outdoor; compliance required; washrooms required.

Outdoor theaters, where the audience is not housed in a building, shall be conducted in full compliance with all applicable provisions of this article. Each outdoor theater shall be equipped with washrooms.

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Sec. 11-52. Public dance halls--Defined.

For the purposes of this article, a "public dance hall" shall mean an establishment offering dancing to music to the public. It shall include a club or other form of operation although admission may be open only to members, but not a dance sponsored by a public school, local government, or local unit of a recognized national fraternal or veterans organization.

Sec. 11-53. Same--regulations.

No public dance hall licensed hereunder may remain open between the hours of 1:00 a.m. and 1:00 p.m. Dance halls shall be supervised by at least one (1) adult employee, exclusive of checkroom or concession personnel, but including the proprietor or manager, for every one hundred (100) persons in attendance.

All areas designated for parking or driveways shall be illuminated to an average intensity of not less than two (2) foot candles. Luminaries height shall be not less than one-quarter (1/4) the distance between luminaries.

Sec. 11-54. Skating Rink; conduct restrictions.

It shall be unlawful to indulge in any improper conduct or to permit any improper conduct at any public ice-skating or roller skating rink, and it shall be unlawful to permit music at any public ice-skating or roller skating rink after the hour of 11:00 p.m.

Secs. 11-55--11-60. Reserved.

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DIVISION 2. LIVE ENTERTAINMENT*

Sec. 11-61. Special use permit required.

It shall be unlawful to conduct or allow to occur any live entertainment unless a special use permit shall have been granted therefore, pursuant to the special use provisions of the zoning ordinance of the Village of Palatine. Live entertainment conducted indoors at public institutions, schools, and religious facilities, or within or upon any Park District facilities, shall be exempt from all the requirements of this Division.

Sec. 11-62. Applications and standards.

Applications for such special use permits and the standards for authorizing such live entertainment shall be as set forth in paragraph (d)(4), of Section 14.05 Article XIV of the Zoning Ordinance of the Village of Palatine.

Sec. 11-63. Procedures and fees.

(a) *Necessity of license.* No person, firm or corporation shall offer, provide, procure, make available, allow, suffer or permit *ANY* live entertainment without having first complied with the terms of this section relating to same and having procured a live entertainment license to do so. All licenses shall be subject to periodic inspections to ensure continual compliance with the terms of this section.

(b) *Issuance.* Upon issuance by the Village Manager, such live entertainment license shall entitle the holder to conduct live entertainment subject to all of the conditions imposed upon the licensee pursuant to the special use approval and pursuant to the Palatine Code of Ordinances, only upon the licensed premises.

(c) *Appeal of denial of license.* In the event the Village Manager fails or refuses to issue a live entertainment license, the Village Manager shall state, in writing, the basis of the denial. The denial may be appealed to the Corporate Authorities pursuant to the provisions of Section 11-6 (e) and (f) for a hearing.

(d) *Licenses term.* All live entertainment licenses shall expire on the thirtieth day of June thereafter. Such license may in the discretion of the Village Manager be transferred to a new location. The new premises must comply in all respects with all provisions of this section as if a new application were being made. This same provision shall apply whenever a change of agent of a corporation occurs, a change in managers or a change of ownership of the corporation (which shall be defined as a change of five (5) percent or more in the ownership of the stock) and such live entertainment license may, in the discretion of the Village Council, be transferred to the new agent. Any change of agency, management or ownership as herein defined shall be reported to the Village Manager within five (5) business days.

(e) *Suspension/revocation.* A live entertainment license may be suspended by the Village Manager and subsequently revoked or other penalties imposed by the Corporate Authorities for disorderly or immoral conduct on the premises or in the parking lot or for such acts that occur on adjoining land attributable to patrons of the holder of the license or in any other area within the control of the licensee, or for the violation of any of the rules, regulations or laws governing or applying to entertainment licenses or premises licensed to sell intoxicating liquor, or for any other violation of the Palatine Code of Ordinances

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or on any of the grounds set forth in section 11-15 (a). The proceedings for suspension or revocation shall be pursuant to Section 11-15 through 11-17 of the Palatine Code of Ordinances.

(f) *Application terms.* No live entertainment license shall be granted hereunder unless the person or corporation desiring the same shall first have filed with the Village Manager a written application therefor under oath and on forms to be furnished by the Village Manager, designating the kind of license applied for, the address and description of the premises for which the license is desired and such other information as may be required to ensure compliance with this section, state law or such as may be required by the Village Council. No live entertainment license shall be granted under this section, however, unless the Village Council shall have approved the necessary special use. The Village Manager, in determining whether to issue or not issue such a license, may also consider as evidence the previous operating experience and past record of convictions or admissions of violations of the applicant related to the operation of entertainment establishments, restaurants, bars or other related businesses. The Village Manager may impose such reasonable conditions on the establishment including additional limitations on hours given the nature of the use, the location of the use and its environs and neighborhood and the past operating history of the applicant. Such live entertainment license shall be purely a personal privilege good for not more than one (1) year after issuance unless sooner revoked, as provided herein, and it shall not constitute property.

(g) *Minimum requirements and conditions:*

(1) Every room used for entertainment purposes shall comply with the special use requirements established by the Village Council.

(2) Effective means shall be employed to prevent ordinary sounds of music, dancing, singing or entertainment within the premises from being heard on adjoining premises or on the public street, and no unusually loud music, singing or entertainment or any boisterousness or noisy conduct on the part of the patrons shall be permitted.

(3) All licensed premises and the parking lot(s) shall be lighted in accordance with Village ordinance at all times when any patrons shall be therein and at all times when the same is open to the public.

(4) The licensee shall, at all times, maintain sufficient supervisory control over the patrons on the premises and on the parking lot to prevent disturbance to the residents of adjoining property and to secure the safety of the patrons.

(5) No dancer or entertainer shall be permitted to engage in any performance that is lewd, obscene or indecent. As used in this subsection, "lewd," "obscene" or "indecent" means a performance which, when taken as a whole, depicts or describes sexual conduct in any way that appeals to the prurient interest, portrays sexual conduct in a patently offensive way, and does not have serious literary, artistic, political or scientific value. As used in this subsection, "sexual conduct" means acts of sexual intercourse between humans, normal or perverted, actual or simulated; acts of masturbation, fellatio, cunnilingus; acts of excretory function; lewd exhibition of the genitals, especially in a stimulated condition; and sexual relations between animals and humans.

(6) No intoxicated person shall be permitted to remain in any licensed premises and no person bordering on intoxication shall be permitted to dance in any licensed premises.

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(7) The sale, service or consumption of commodities for which licenses are otherwise required shall not be permitted in any licensed premises unless the proper license or licenses therefor are obtained for the licensed premises in the name of the owner or manager of such licensed premises.

(8) As a condition of licensing, the licensee shall permit free and unobstructed access to the premises when licensed premises are open to the public by police, fire and health officers while acting on official duty.

(9) No person holding a live entertainment license under this chapter shall permit on the licensed premises any officer, director, associate, member, representative, agent, entertainer, patron or any employee of such licensee (whether the same are engaged in any live act, demonstration, dance, exhibition or otherwise) to:

a. Expose his or her genitals, pubic hair, buttocks, perineum and anal region or pubic hair region; or

b. Expose any device, costume or covering which gives the appearance of or simulates the genitals, pubic hair, buttocks, perineum, anal region or pubic hair region; or

c. Expose any portion of the female breasts at or below the areola thereof; or

d. Commit an act which constitutes public indecency under section 12-6 hereof.

(h) *Additional requirements and conditions for premises where the consumption of alcohol is permitted:*

(1) All premises shall comply with the Chapter 3 “Alcoholic Beverages” section of the Village’s code of ordinances.

(2) All premises shall be closed to the public and no patron shall be therein during the time that liquor or fermented malt beverages may not be sold.

(3) No minor under the age of twenty-one (21) years shall be permitted in any live entertainment licensed premises where alcohol is sold unless accompanied by parent or guardian.

Secs. 11-64 and 65. Reserved.

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ARTICLE III. FOOD ESTABLISHMENTS AND VENDING MACHINES

DIVISION 1. GENERALLY

Sec. 11-66. Definitions.

The following adopted codes and Village of Palatine Ordinances sets the standards for the management and personnel; food operations; and equipment and facilities; and provides for plan review; employee exclusion and restriction; permit and license issuance, inspection and permit suspension of food establishments.

Sec. 11-66.1. Minimum Standards.

The Village of Palatine hereby adopts by reference the current version of the Food Code, Title 77, Chapter I, and subchapter m, Part 750 of the Illinois Administrative Code, effective December 7, 2018, as now or hereafter amended.

Sec. 11-66.2. Definitions.

For the purposes of this article, the following words shall have the meanings indicated unless their context clearly requires otherwise:

Food establishment means any operation as defined in the minimum standards referenced in Sec. 11-66.1.

Health authority means the Environmental Health Division of the Village of Palatine.

Health Officer means the Field Director of the Environmental Health Division of the Village of Palatine or their designated representative.

Permit means the document issued by the Health Officer that authorizes a person to operate a food establishment and can be further defined as one of the following types.

(a) *Permanent Food Establishment Permit* allows a permanent food establishment to operate in a permanently constructed structure.

(b) *Temporary Food Establishment Permit* allows a temporary food establishment to operate for a period of no more than 14 consecutive days in conjunction with a single event.

(c) *Stationary Food Establishment Permit* allows a stationary food establishment to operate in a non-permanently constructed structure and does not include temporary or mobile food establishments.

(d) *Mobile Food Dispensing Unit Permit* allows a mobile food establishment to operate and serve only TCS food in individual servings that are prepared and prepackaged or commercially prepackaged in an approved processing plant.

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(e) *Vending Machine TCS Food Permit* allows the operation of a self-service device that dispenses unit servings of TCS food in bulk or packages that is not ancillary to a permanent food establishment.

(f) *Delivery Vehicle Residential Permit* allows the operation of a delivery service of TCS foods to residential properties that is not ancillary to a permanent food establishment.

(g) *Delivery Vehicle Retail Permit* allows the operation of a delivery service of TCS foods to commercial properties that is not ancillary to a permanent food establishment.

Time/Temperature Control for Safety (TCS) Food means a food or beverage as defined in the minimum standards referenced in section 11-66.1.

Sec. 11-67. Licenses, Permits and Fees Required.

(a) It shall be unlawful for any person to operate a food establishment in the Village of Palatine without having obtained a license and permit, pursuant to Sec. 11-3 and Article III of this Chapter. Such license and permit shall be valid only for the premises, machine, or vehicle for which it is issued. No license or permit may be transferable to any person other than to that issued. A valid license and permit shall be displayed on the premises, machine, or vehicle of any such food establishment at all times when such service is available to the public.

(b) Each of the following vending classifications shall require a separate annual license and license fee as provided in the fee schedule supplement to the Palatine Code of Ordinances:

(1) Vending machine that offers only prepackaged, non TCS food or beverages;

(2) Ice machine not ancillary to primary use;

(3) Machines vending general merchandise (no food or beverage of any kind).

(c) Each of the following vending classifications shall require a separate permit, annual license, and license fee as provided in the fee schedule supplement to the Palatine Code of Ordinances:

(1) Vending machine that offers TCS foods or beverages;

(2) Mobile food dispensing units and roadside stands;

(3) Vehicles used for the delivery of TCS foods or beverages.

(a) To individual residences;
(b) To retail establishments.

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Sec. 11-68. License and Permit Application.

(a) *In general*: All applications for a license and permit shall be made on forms supplied by the Village Manager.

(b) *Permits*: All such applications for a permit shall be referred to the health authority, who shall either issue said permit or refuse issuance with a report of its findings and reasons for such refusal.

(c) *Licenses*: Licenses shall be issued by the Village Manager when the applicant has complied with all provisions of this Chapter, including issuance of a permit.

Sec. 11-69. Summary Suspension and Revocation of Food Establishment Permits

(a) *Suspension of permits by the Health Officer:*

(1) *Suspension of food establishment permits*: Whenever the Health Officer finds an imminent health hazard or other condition or circumstance that may endanger public health during the course of the inspection of a food establishment; the Health Officer may, in addition to any other action taken, order the immediate suspension of such permit. When a permit is suspended, business operations shall immediately cease. The holder of the permit shall be afforded, upon written request to the Health Officer an opportunity for hearing before the Village Manager or designee to occur pursuant to Section 11-69 (a)(3).

(2) *Reinstatement of suspended permits*: Any person whose permit has been suspended may, at any time, make application for a re-inspection for the purpose of reinstatement of the permit to the Health Officer. Following receipt of a written request, including a statement signed by the permit holder that the condition causing the suspension of the food establishment permit has been corrected; the Health Officer shall make a re-inspection. If the permit holder is found to be in compliance with the requirements of this Code, the permit shall be reinstated.

(3) *Hearings*: The hearings provided for in this section shall be conducted by the Village Manager or designee assigned by the Village Manager at the time and place designated by the Village Manager or designee within five (5) business days after receipt of a request for hearing from the permit holder. Based upon the record of such hearing, the Village Manager shall make a finding and shall sustain, modify, or rescind any official notice or order considered at the hearing. A written report of the hearing decision shall be furnished to the permit holder by the Village Manager or designee. The decision of the Village Manager or designee shall be final.

(4) *Appeal*: Any appeal from a decision of the Village Manager or designee made pursuant to Section 11-69(a)(3) shall be made directly to the Circuit Court of Cook County pursuant to the Administrative Review Act.

(b) *Suspension or revocation of licenses by Village Manager*: In the alternative and in addition the remedies set forth above, any license issued to a food establishment may be

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suspended or revoked by the Village Manager in accordance with Sec. 11- 15 of this Chapter.

Sec. 11-70. Food Establishment Noncompliance Inspection Service Fee.

When the Health Officer determines after an initial inspection of a food establishment, that additional follow-up inspections are necessary for enforcement of the code, two additional follow-up inspections for noncompliance shall be granted each permittee without charge. In the event more than two follow-up inspections are needed, the permittee shall be assessed a noncompliance service charge of $50. The $50 noncompliance service charge shall be assessed for each and every follow-up inspection after the initial inspection and two follow-up inspections per inspection cycle. Payment must be made in full prior to the business license being renewed. Failure to pay any balance will serve as grounds to deny further permits or licenses from being issued by the Village.

Sec. 11-71--11-89. Reserved.

DIVISION 2. DELIVERY VEHICLES

Sec. 11-90. Restrictions on Sales in School Zones.

It shall be unlawful for any person to sell, offer to sell, barter or exchange ice cream or other food products from mobile food dispensing units and delivery vehicles on any public street, alley, highway or public way within five hundred (500) feet of a school between the hours of 7:30 a.m. and 4:30 p.m. on a day when school is in session; provided, however, that this section shall not preclude the delivery of any items previously ordered where the purchaser has requested the seller, in writing, to deliver such merchandise.

For the purpose of this section, school property shall be measured from the property line of any lands owned by a public school district or a private or parochial school authorized to provide education by the state.

Sec. 11-91. Restrictions on Hours of Operation.

It shall be unlawful for any person to sell, offer to sell, barter or exchange ice cream or other food products from mobile food dispending units and delivery vehicles on any public street, alley, highway, or public way between the hours of 8:30 p.m. and 6:30 a.m.

Sec. 11-92--11-115. Reserved.

ARTICLE IV. MERCHANTS

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DIVISION 1. RESERVED

Sec. 11-116--11-125. Reserved.

DIVISION 2. AUCTIONEERS

Sec. 11-126. License required.

It shall be unlawful for any person to conduct an auction in the Village or to do business as an auctioneer without having first obtained a license as is herein required, and paying the fee herein set forth.

Sec. 11-127. Fee.

The fee, payable in advance, for auctioneers shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances; and a daily license fee shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances.

Sec. 11-128. Application.

Applications for an auctioneer's license shall be made in writing to the Village Manager and shall state thereon the place of business, if any, intended to be occupied; and the names of any employees, not to exceed two (2), who are to be authorized to conduct auctions under the authority of the license.

Sec. 11-129. Investigations.

The Chief of Police, or any other officer designated by the Village Manager, shall investigate the character of every applicant for an auctioneer's license, and no such license shall he issued to any person who is not of good character.

Sec. 11-130. Employees.

Every person, licensed as an auctioneer, may designate not to exceed two (2) employees who may be authorized by him to conduct auctions. Notice containing the names of the employees so designated must be given to the Village, and an employee's license shall be issued on the payment of a fee as provided in the fee schedule supplement to the Palatine Code of Ordinances. This license shall be good for one year, and it shall be unlawful for any person, not licensed under this section to conduct an auction, or for any auctioneer to permit an auction to be conducted by an unlicensed employee.

Sec. 11-131. On streets prohibited.

No person shall sell or attempt to sell or offer for sale at public auction, any goods, chattels, or personal or real property of any kind upon the public streets or sidewalks of the Village.

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Sec. 11-132. Exemptions.

Nothing in this article shall apply to any public auction or sale made or conducted by a public officer by virtue of any judicial order or process or by virtue of any power or authority contained in a mortgage or trust deed.

Sec. 11-133. Suspension or revocation of licenses and permits by Village Manager.

Any license or permit issued may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Chapter.

Sec. 11-134--11-140. Reserved.

DIVISION 3. CIGARETTE AND TOBACCO DEALERS

Sec. 11-141. License required.

It shall be unlawful to engage in the sale at retail of cigarettes, cigars or tobacco in any form, or in any number without having obtained first a license therefor. Applications for such licenses shall be made to the Village Clerk; and no such license shall be issued to any person who is not a person of good character, or to any corporation that is not represented in the Village by a person of good character.

Sec. 11-142. Fee.

The annual fee for such licenses shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances.

Sec. 11-143. Sanitation.

Premises and buildings used for the sale of cigarettes, cigars or tobacco shall be kept in a clean and sanitary condition; the health officer shall investigate such places sufficiently often to insure compliance with the provisions of this section.

Sec. 11-144. Minors.

It shall be unlawful to sell or give tobacco products, alternative nicotine products or electronic smoking devices to any person under twenty-one (21) years of age.

Sec. 11-145. Sale and Possession of Tobacco Products, Alternative Nicotine Products or Electronic Smoking Devices

(a) Possession. It shall be unlawful for any person under the age of twenty-one (21) to possess any tobacco products, alternative nicotine products or electronic smoking devices.

(b) Sales, delivery. It shall be unlawful for any person, including any licensee, to sell, offer for sale, give away or deliver tobacco products, alternative nicotine products or electronic smoking devices to any person under the age of twenty-one (21).

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(c) Purchase. It shall be unlawful for any person under the age of twenty-one (21) to purchase tobacco products, alternative nicotine products or electronic smoking devices or to misrepresent their identity or age, or to use false or altered identification for the purpose of purchasing tobacco products, alternative nicotine products or electronic smoking devices.

Sec. 11-146. Signage.

Signs informing the public of the age restrictions provided for herein shall be posted by every licensee at or near every display of tobacco products which offers tobacco products for sale. Each such sign shall be compliant with signage required by the Illinois Department of Human Services.

Sec. 11-147. Vending Machines.

It shall be unlawful for any licensee to sell or offer for sale, give away, deliver or to keep with the intention of selling, giving away or delivering tobacco products by use of a vending machine.

Sec. 11-148. Fines.

Fines for violations of this Division shall be assessed per the Village Fee Schedule Supplement.

Sec. 11-149. Suspension or revocation of licenses or permits by Village Manager.

Any license or permit issued may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Chapter.

Sec. 11-150--11-189. Reserved.

DIVISION 4. RESERVED

Sec. 11-190--11-200. Reserved.

DIVISION 5. ITINERANT MERCHANTS

Sec. 11-201. License required.

No itinerant merchant shall do business in the Village without having first obtained a license therefor. The fee for doing business as an itinerant merchant shall be as provided in the fee schedule supplement, except that the fee for doing business as an itinerant dealer in gold and silver shall be as provided in section 11-512, Division 16, of this chapter. Itinerant merchants operating in a Village-authorized farmer's market shall pay a fee as indicated in the fee schedule supplement.

Sec. 11-202. Fraud.

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No itinerant merchant shall make any fraudulent statements in regard to the articles or merchandise with which he deals.

Sec. 11-203. Premises or conveyances.

Premises or conveyances used for business by an itinerant merchant must be kept in a clean and sanitary condition. It shall be unlawful to permit a collection or accumulation of combustible materials so as to create a fire hazard. The Village Manager shall be authorized to issue appropriate health and safety regulations for Village-authorized farmer's market merchants.

Sec. 11-204. Suspension or revocation of licenses or permits by Village Manager.

Any license or permit issued may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Chapter.

Sec. 11-205--11-210. Reserved.

DIVISION 6. RESERVED

Sec. 11-211--11-220. Reserved.

DIVISION 7. PAWNBROKERS

Sec. 11-221. 1 License required.

It shall be unlawful to operate or carry on the business of a pawnbroker without having obtained a license therefore, pursuant to Sec. 11-2 of this Chapter.

Sec. 11-221.2 Required records.

Every pawnbroker doing business in the Village shall keep a record of every article pledged with him or sold to him. This record shall be open to the inspection of any police officer And reported in a manner specified by the Palatine Police Department. Pawnbrokers shall remain compliant with the Pawnbrokers Regulation Act, 205 ILCS 510/.

Sec. 11-222. Weapons; restrictions on purchase and display.

No pawnbroker shall receive as a pledge or purchase any revolver, pistol, blackjack, or sawed-off shot gun. And no pawnbroker shall display in his window or shop any such weapons for sale.

Sec. 11-223. Minors.

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No pawnbroker's license shall be issued to any person who is not twenty-one (21) years of age or over; and no pawnbroker shall employ a person of less than twenty-one (21) years of age to assist him in his business. No pawnbroker shall have any business dealings as pawnbroker with any person less than twenty-one (21) years of age, except with the written consent of the parent or guardian of the minor to each particular transaction.

Sec. 11-224. Stolen goods.

It shall be the duty of every pawnbroker to report to the police any article pledged with him, or which it is sought to pledge with him, if he shall have reason to believe that the article was stolen or lost, and found by the person attempting to pledge in the case of a lost article.

Sec. 11-225. Separate license for second-hand dealer required.

No pawnbroker shall conduct the business of a second-hand dealer without having obtained the license required for such dealer in addition to his pawnbroker's license.

Sec. 11-226. Suspension or revocation of licenses or permits by Village Manager.

Any license or permit issued may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Chapter.

Sec, 11-227. Violations.

Any violation of this Division shall be fined according to the Village Fee Schedule Supplement.

DIVISION 8. RESERVED

Sec. 11-228--11-240. Reserved.

DIVISION 9. RESERVED

Sec. 11-241--11-250. Reserved.

ARTICLE V. MISCELLANEOUS BUSINESS OPERATIONS

DIVISION 1. RESERVED

Sec. 11-251--11-259. Reserved.

DIVISION 2. RESERVED

Sec. 11-260--11-269. Reserved.

DIVISION 3. RESERVED

Sec. 11-270--11-280. Reserved.

DIVISION 4. RESERVED

Sec. 11-281 – 11-300. Reserved

DIVISION 5. ELECTRICAL CONTRACTORS

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Sec. 11-301. Defined.

The term "electrical contractor" as used in this Chapter is hereby defined and shall be construed to mean any person engaged in the business of installing or altering by contract, equipment and electrical appliances, for the utilization of electricity supplied by light, heat or power, not including radio apparatus or equipment for wireless reception of sounds and signals, and not including apparatus, conductors and other equipment installed for or by public utilities, including common carriers, which are under the jurisdiction of the Illinois Commerce Commission for use in their operation as public utilities, but the term "electrical contractor" does not include employees employed by such contractor to do or supervise such work.

Sec. 11-302. Registration required.

No person shall engage in the business of electrical contractor without having first obtained a certificate of registration therefor as herein required. Every person doing business in the Village as an electrical contractor shall show proof of a certificate of licensure. This certificate of licensure can be from any other city or village in this state that issues an electrical license or by other authorized agencies.

Sec. 11-303. Fees.

The required annual registration fee shall be as outlined in Section 11-473 of this Chapter.

Sec. 11-304. Regulations.

It shall be unlawful for any person registered under the provisions of this division to install any electrical appliances, wiring or fixtures without strict compliance with the ordinances relating to such fixtures, and it shall be unlawful for any such person to do any such work without having obtained such permits as may be required.

Sec. 11-305. Completion, Compliance and Damage Surety Bond

The provisions of Section 11-474 shall apply.

Sec. 11-306. Suspension or revocation of certificate of registration by Village Manager.

Any certificates of registration may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Chapter.

Sec. 11-307--11-310. Reserved.

DIVISION 6. RESERVED

Sec. 11-311--11-325. Reserved.

DIVISION 7. LAUNDRIES

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Sec. 11-326. License required.

No person shall operate or conduct a laundry in the Village without having first obtained a license. Pursuant to Section 11-2 of this Chapter, applications for such license shall be made in writing to the Village Manager and shall state thereon the location intended to be occupied.

Sec. 11-327. Sanitation requirements.

Premises used for laundries must be kept in a clean and sanitary condition.

No refuse of any kind shall be permitted to accumulate on such premises; and the premises must be kept free from rats, mice and vermin.

It shall be unlawful to employ any person afflicted with a venereal or any contagious disease in a laundry.

Sec. 11-328. Inspections required.

It shall be the duty of the health officer or other official designated by the Corporate Authorities to inspect or cause to be inspected every establishment licensed under this division at least once every six (6) months. Any violation under the terms of this article, which are discovered, shall be reported to the Corporate Authorities.

Sec. 11-329. Suspension or revocation of licenses or permits by Village Manager.

Any license or permit issued may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Chapter.

Sec. 11-330. Operation.

As of January 1, 2023, any laundromat shall provide continuous on-site staffing during its hours of operation. Any laundromat in operation prior to January 1, 2023, that did not provide continuous on-site staffing as of January 1, 2023, shall, by not later than January 1, 2024, adjust their business operations to provide continuous on-site staffing during its hours of operation or provide video surveillance equipment, in a manner acceptable to the Village, that will function at any time that on-site staffing is not provided within the laundromat during hours of operation.

Sec. 11-331--11-350. Reserved.

DIVISION 8. RESERVED

Sec. 11-351--11-365. Reserved.

DIVISION 9. OUTDOOR ADVERTISERS

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Sec. 11-366. Defined.

The term "advertiser" as used in this division is hereby defined, and for the purpose of this division shall be construed to mean any person engaged in the business of placing, posting, or painting any advertisements, notices, or displays in or on any place for the purpose of outdoor advertising so that the resultant display is visible from any street, alley, sidewalk or other public place. The term "advertiser" includes the owner or operator of a billboard. In connection with a billboard or any other advertisement, notice or display the issuance of such a license shall be conditioned upon the applicant obtaining the necessary zoning approvals to permit the establishment of same on a premises.

Sec. 11-367. License required.

It shall be unlawful for any outdoor advertiser to do business in the municipality without having first secured a license therefor pursuant to Section 11-2 and 11-368 of this Chapter, provided that no license, issued under this division shall be construed to permit the use of any structures, natural or artificial, which are located in any public street, sidewalk, alley or other public place for advertising purposes.

Sec. 11-368. Application.

Applications for such licenses shall be made in writing to the Village Manager, and shall be accompanied by a list of all places, including billboards or natural structures on which it is intended to place signs or advertisements. This list shall be amended from time to time by the licensee as the right to post or place advertisements or signs on additional places is required.

Sec. 11-369. Fee.

The annual fee for outdoor advertisers' licenses shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances.

Sec. 11-370. Use of billboards.

No person shall post or maintain any advertisement or sign on any billboard or signboard which does not fully comply with this Code or any other ordinances of this municipality.

Sec. 11-371. Consent of owner.

It shall be unlawful to post any advertisement on any premises in the municipality without the consent of the owner of such premises. Such consents must be in writing and must be filed with the Village Manager.

Sec. 11-372. Refuse.

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It shall be unlawful for any person engaged in outdoor advertising to permit any refuse resulting from this work to accumulate anywhere in the municipality except by placing it in properly established refuse receptacles. It shall be unlawful to permit any loose or flapping combustible materials to hang from or to be attached to any billboard, signboard or other place used for display or advertising purposes. All refuse resulting from the operating of this business must be carefully gathered and properly disposed of.

Sec. 11-373. Weeds and material at base of billboards.

It shall be the duty of every outdoor advertiser to keep all grass, weeds and other growths except trees and ornamental shrubbery, cut so that the same shall not grow to be a greater height than ten (10) inches within six (6) feet of any billboard or signboard used by him, provided that this obligation shall extend only to property controlled by the advertiser.

Sec. 11-374. Unlawful advertising.

It shall be unlawful for any person to post or display any advertisement of an obscene or immoral character, any advertisement tending to promote or cause a riot or breach of peace, any advertisement for an unlawful gathering, or advertisements of unlawful sales.

Sec. 11-375. Disfiguring signs.

It shall be unlawful to mutilate or disfigure any lawful sign or advertisement in the municipality.

Sec. 11-376. Name of advertiser.

It shall be unlawful for any outdoor advertiser to carry on his business unless the name of such advertiser is attached, displayed or printed on all billboards or signboards used by him, or in any notice, placard or advertisement posted by him, in such lettering as to be visible from a distance of at least five (5) feet from the notice or advertisement.

Sec. 11-377. Exemptions.

The provisions of this division shall not be construed to apply to the posting of a sign or notices by order of any court or by any public officer in the performance of his duties.

Sec. 11-378. Suspension or revocation of licenses or permits by Village Manager.

Any license or permit issued may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Chapter.

Sec. 11-379--11-390. Reserved.

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DIVISION 10. RESERVED

Sec. 11-391--11-420. Reserved.

DIVISION 11. SCAVENGERS*

Sec. 11-421. License required.

It shall be unlawful for any person, firm or corporation to engage in the business of scavenger, or recycling, or the collection or disposal of animal, human or vegetable refuse, offal or refuse of any kind, without first having secured a license therefor.

Sec. 11-422. Classification of licenses.

(a) *Residential scavenger license.* Only one (1) public scavenger license shall be issued for the purpose of performing refuse collection from all residential property, including multifamily residences. That person, firm or corporation shall be awarded the contract with the Village which also includes the right to the collection or disposal of animal, human or vegetable refuse, offal or refuse of any kind from commercial, industrial and institutional properties, and no additional license will be required, therefor.

(b) *Commercial, industrial and institutional license.* The number of licenses issued for servicing commercial, industrial and institutional facilities, but not residential properties, are unlimited. A license for this purpose will be issued to each qualified applicant who presents evidence that he has adequate and proper equipment and approved disposal facilities. Each licensee will be issued vehicle licenses as are necessary. Such license shall be provided by the Village and displayed on each vehicle of the licensee used in the Village.

Sec. 11-423. Application.

(a) *Residential scavenger license.* The residential scavenger license shall be issued to the person, firm or corporation which has been awarded the contract for the collection and removal of all residential waste and shall also be subject to all conditions established in said contract. This contract shall be subject to the approval of the Corporate Authorities.

(b) *Commercial, industrial and institutional license.* Applications for the commercial, industrial and institutional license shall be made pursuant to section 11-2 of this chapter. The Director of Environmental Health shall review the application and make recommendations to the Village Manager for approval or denial. No such license shall be issued except on the order of the Village Manager.

(c) *Denial of license.* The Village Manager shall have the right to deny any applicant a license, and may require any reasonable proof necessary for assurance as to the applicant's compliance and ability to comply with the provisions this division or any other ordinance of the Village.

Sec. 11-424. Fees.

The annual fee for such licenses shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances. Licenses issued in the midst of the, year shall be prorated.

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Sec. 11-425. Term of license.

All scavenger licenses will be valid for a period of one (1) year, which shall begin January 1 of the year for which such license is issued and shall terminate on December 31 of the same year.

Sec. 11-426. Bond and liability insurance.

No license which has been otherwise approved shall be issued until the applicant furnishes a bond in the penal sum of fifty thousand dollars ($50,000.00) executed by a responsible surety company for the period of the license, which bond shall guarantee that the scavenger shall perform scavenger service in accordance with the regulations of the Village as ordered from time to time and shall indemnify the Village from any loss or damage resulting from any failure of the scavenger to so perform. Nor shall any license be issued until the scavenger has filed with the Village Manager a certificate or other evidence that the scavenger carries insurance of the following types of at least the limits specified below:

(1) Workman's compensation--Statutory as amended for time to time.

(2) Employer's liability--$500,000.00

(3) Bodily injury liability except automobile--$500,000.00 each occurrence, $1,000,000.00 aggregate

(4) Property damage liability except automobile--$500,000.00 each occurrence, $1,000,000.00 aggregate

(5) Automobile bodily injury liability--$500,000.00 each person, $1,000,000.00 each occurrence

(6) Automobile property damage--$500,000.00 each occurrence

(7) Excess umbrella liability--$5,000,000.00 each occurrence

Sec. 11-427. Equipment; inspection.

(a) Every scavenger must demonstrate that he has adequate and sufficient equipment to render service to any customer requesting service in accordance with the requirements of this division of this Code.

(b) All scavenger trucks and refuse containers shall be subject to inspection and approval by the Director of Environmental Health or his authorized representatives.

(1) *Truck requirements.* No scavenger truck shall be operated unless it is a modern enclosed leak proof truck with a load packer. Such equipment shall be cleaned at sufficient frequency to prevent nuisance and insect breeding and shall be maintained in good condition and repair. All scavenger trucks will be clearly identified with the name of the scavenger, lettering must be at least four inches in height.

(2) *Container requirements.* Refuse containers must have a tight-fitting cover, be in a state of good repair, be leak proof, free from rust and periodically painted. The name and phone number of the scavenger must be clearly visible on the container. All containers must meet all applicable safety standards as established by the Village. Covers for the storage

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of trade and construction waste shall not be necessary. The use of drums as refuse bins is prohibited.

Sec. 11-428. Service standards.

(a) All applicants and licensed scavengers shall provide evidence that all materials collected are being deposited at a lawful site designated and maintained for such purposes under the laws of the State of Illinois. The Village reserves the right to designate specific sites or locations in conjunction with its participation with the Solid Waste Agency of Northern Cook County or its successor.

(b) All licensed scavengers shall maintain an office telephone for the receipt of service calls or complaints and shall be available for such calls on all business days from 8:00 a.m. until 4:30 p.m. and between 8:00 a.m. and 12:00 noon on Saturdays.

(c) All licensed scavengers shall be responsible for the closing of all container lids after emptying and shall immediately clean up in a neat and workmanlike manner any refuse that it may have caused to spill anywhere in the Village.

(d) All licensed scavengers shall furnish capable employees for use in the crews performing the disposal services. The scavenger will prohibit any drinking of alcoholic beverages or use of illegal narcotics by its drivers and crew members while on duty.

(e) The hours of scavenger or recycling operations shall be limited to 6:30 a.m. to l2:00 midnight, and 6:30 a.m. to 8:00 p.m. within or adjacent to residential areas.

Sec. 11-429. Penalties.

(a) Any person who violates, disobeys, omits, neglects or refuses to comply with, or resists the enforcement of any of the provisions of this division, shall be fined not less than two hundred dollars ($200.00) nor more than one thousand dollars ($2,500.00) for each offense. Each day that a violation exists shall constitute a separate offense.

(b) In the event a licensed scavenger violates any provisions of any ordinance of the Village, or fails to remove the refuse as contracted with the customer, the Village Manager shall have the right to suspend or revoke the license pursuant to Section 11-15 of this Chapter, and/or abate the violation by any means available to the village, and any and all expense incurred by the Village thereby may be charged against the licensed scavenger and the performance bond furnished by the scavenger.

Sec. 11-430. Reserved.

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DIVISION 12. TAXICABS*

Sec. 11-431. Definitions.

Unless otherwise expressly stated or the context clearly indicates a different intention, the following terms shall, for the purpose of this division, have the meanings indicated in this section:

(1) The term "livery cab" means any public passenger vehicle, having a rated seating capacity of not more than seven (7) persons, transporting passengers for hire, as a result of individual contract, on a trip or hourly basis.

(2) The term "public passenger vehicle" means taxicabs and livery cabs used for the transportation of passengers for hire.

(3) The term "public passenger vehicle license" means that license issued to each public passenger vehicle upon successful compliance with the applicable provisions of this division for the issuance of such license.

(4) The term "public passenger vehicle driver's license" means that license issued to a driver or operator of any public passenger vehicle when such driver or operator has complied with the applicable provisions of this division for the issuance thereof.

(5) The term "taxicab" means all motor-propelled vehicles, having a rated seating capacity of not more than seven (7) persons, carrying passengers for hire indiscriminately, accepting and discharging all such persons as may offer themselves for transportation

(6) The term "taximeter" means any instrument or fare-registering device attached to a taxicab and designed to register mechanically the distance traveled by the vehicle, to record the time the vehicle is in waiting, and to indicate upon the records, by figures, the fare to be charged in dollars and cents.

Sec. 11-432. Penalty.

Any person, firm or corporation violating any provision of this division shall be fined not less than two hundred dollars ($200.00) nor more than one thousand dollars ($1000.00) for each offense.

Sec. 11-433. Public passenger vehicle license required.

It shall be unlawful for any person to drive or operate any public passenger vehicle or engage in the business of operating public passenger vehicles in the Village, including the operation of one or more such vehicles, without obtaining a public passenger vehicle license for each such vehicle operated as provided in this division and otherwise conforming to the requirements of this Code, and applicable provisions of other ordinances of the Village.

Sec. 11-434. Application and fee for public passenger vehicle driver's license.

Any person desiring to secure a license as a driver or operator of any public passenger vehicle licensed under this division and used for the carriage of passengers for hire, shall be at least eighteen (18) years of age. Any person desiring to secure such a license shall make an application in writing therefor to

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the Chief of Police upon the form provided, and shall pay the required annual fee as provided in the fee schedule supplement to the Palatine Code of Ordinances. The application shall set forth the following:

(1) Name, residence and occupation;

(2) Names and addresses of four (4) persons who have known the applicant for a period of at least two (2) years and who will vouch for the sobriety, honesty and general good character of the applicant;

(3) The experience of the applicant in the transportation of passengers, education background, and a concise history of employment;

(4) A statement whether or not the applicant has been convicted of a felony or of driving while intoxicated;

(5) Applicant's state chauffeur's license number;

(6) Applicant shall attach to the application two (2) recent one by one and one-half (1 X 1 1/2) inch photographs of himself, together with a set of his fingerprints for examination by the police chief;

(7) A statement whether applicant has made application for a similar license other than described in said application, and the disposition thereof;

(8) A statement that applicant is not disqualified to receive a license by reason of any matter or thing contained in this Code, laws of this state, or other ordinances of this Village;

(9) A statement whether a previous license by any state or subdivision thereof, or by the federal government, has been revoked, and the reasons therefor;

(10) A statement that the applicant will not violate any of the laws of the state or of the United States, or any provision of his Code or other ordinances of the Village in the conduct of his business;

(11) A statement as to whether such applicant's license issued under this Code or any other communities' Code has been revoked for a cause; and

(12) A statement as to whether the applicant has been convicted of a violation of any federal or state law concerning the manufacture, possession or sale of alcoholic liquor, subsequent to the passage of this Code or shall have forfeited his bond to appear in court to answer charges for any such violation.

Inquiry shall be made as to the character and record of the applicant for honesty, sobriety and capability. The Corporate Authorities may authorize the issuance of a public passenger vehicle driver's license to an applicant convicted of a felony provided that in their judgment the applicant has been rehabilitated and provided further that more than seven (7) years have elapsed since said conviction.

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Sec. 11-435. Examination of applicant; issuance or refusal of public passenger vehicle driver's license.

(a) The Chief of Police, or person designated by him, shall satisfy himself:

(1) As to the truth of the statements made in the application for the public passenger vehicle driver's license.

(2) The applicant's knowledge of the provisions of this division, the traffic regulations of the village and the geography of the Village.

(3) The ability of the applicant to comply with the provisions of this division and the ordinances of the Village.

(4) Be able to effectively communicate with and receive directions from passengers.

(b) No public passenger vehicle driver's license shall be issued to any applicant if the results of the foregoing examination are unsatisfactory in any respect, nor to an applicant who makes false statements in his application, nor shall such license be issued (except as permitted under section 11-434 above) to:

(1) A person who has been convicted of a felony under the laws of the State of Illinois or of the United States;

(2) A person who has been convicted of reckless driving or a similar provision of a local ordinance or any like offense of another state or country, within the past five (5) years; (Ord. No. 0-149-11 §1, 12/5/11)

(3) A person whose license issued under this Code or any other communities' Code has been revoked for a cause; (Ord. No. 0-149-11 §1, 12/5/11)

(4) A person who has been convicted of pandering or other crime or misdemeanor opposed to decency and morality;

(5) A person who has been convicted of a violation of any federal or state law concerning the manufacture, possession or sale of alcoholic liquor, subsequent to the passage of this Code or shall have forfeited his bond to appear in court to answer charges for any such violation.

Sec. 11-435.1 Suspension or revocation by Village Manager.

In addition, any public passenger vehicle driver's license may be suspended or revoked by the Village Manager in accordance with Section 11-15 of the Code.

Sec. 11-436. Summary suspension of public passenger vehicle license.

(a) *Suspension of public passenger vehicle license by the Chief of Police.* The Chief of Police is empowered and directed to immediately suspend the operation of any public passenger vehicle found not to be in a safe condition.

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(1) Not in a safe condition.

(2) Not in good condition with respect to appearance, cleanliness and mechanical operation.

(3) Not in accord with the provisions of this division.

(b) *Reinstatement of suspended permits:* Any person whose permit has been suspended or revoked may, at any time, make application for a re-inspection for the purpose of reinstatement of the permit. Following receipt of a written request, including a statement signed by the applicant that the condition causing the suspension of the permit has been corrected, the Chief of Police shall make a re-inspection. If the applicant is found to be in compliance with the requirements of this Code, the permit shall be reinstated.

(c) *Hearings:* The hearings provided for in this section shall be conducted by the Village Manager at the time and place designated pursuant to the procedures set forth in Section 11-15(b) and (c)

(d) *Appeal:* An appeal from the decision or order of the Village Manager shall be pursuant to Section 11-16.

Sec. 11-436.1 Suspension or revocation of public passenger vehicle licenses by Village Manager.

In addition, any public passenger vehicle license issued may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Code.

Sec. 11-437. Insurance and bond required.

Each application for a public passenger vehicle license or for renewal of a public passenger vehicle license to operate a public passenger vehicle in the Village shall be accompanied by:

(1) A certificate from the secretary of state showing compliance by the owner for each public passenger vehicle with the provisions of the statutes of the state now or hereafter in force, relating to the bonding or insurance of motor vehicles used for the carriage of passengers for hire.

(2) A policy of insurance or certificate of insurance showing that there is in full force and effect a policy of insurance which complies with this section, by a solvent and responsible insurance company to be approved by the board insuring the owner, his consent or any person operating the public passenger vehicle with the owner's express or implied consent against liability for injury to or death of any person or for damage to property other than the public passenger vehicle resulting from the negligence of the owner, his agent or any person operating the public passenger vehicle with his express or implied consent in the operation of the public passenger vehicle. Every application for any type of public passenger vehicle license shall be accompanied by a surety bond to insure payment of property damage in the amount of five thousand dollars ($5,000.00) and public liability insurance in the amount of fifty thousand dollars ($50,000.00) for each individual and two hundred thousand dollars ($200,000.00) for each accident, or a

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certificate of insurance for such amount of property damage and public liability coverage. In the event the authority of the issuing company to do business in the state is revoked, the owner shall not operate nor permit any person to operate within the Village the public passenger vehicle covered by such policy, without replacing the policy with another policy or a bond which complies with the provisions of this section. If, at any time, in the judgment of the Corporate Authorities a policy of insurance given pursuant to this section is not sufficient for any good cause, the Corporate Authorities may require the owner of the public passenger vehicle who filed the same, to replace that policy of insurance with another good and sufficient bond or insurance policy which complies with the provisions of this section.

Sec. 11-438. Revocation of public passenger vehicle license upon failure to obtain insurance or bond.

The Village Manager is hereby empowered to revoke any license issued with respect to any public passenger vehicle not complying with the provisions of the preceding section, pursuant to the procedures set forth in Section 11-15.

Sec. 11-439. Inspection of public passenger vehicles.

No public passenger vehicle shall be issued a public passenger vehicle license until it has been thoroughly and carefully inspected and approved by the Chief of Police or a member of the Police Department designated by him and found to be in thoroughly safe condition for the transportation of passengers; clean, fit, of good appearance, and well-painted and varnished, and complying with the provisions of this division.

Sec. 11-440. Mechanical tests.

A. Mechanical tests shall be made three (3) times a year during the months of April, August and December, at any testing garage or testing station approved by the Chief of Police. Said testing shall be completed by the last day of each month and shall include the following:

(1) Brakes;
(2) Emergency brake;
(3) Wheel alignment;
(4) Horn;
(5) Windshield wipers;
(6) Rear view mirror;
(7) Steering mechanism;
(8) Head lights;
(9) Tail lights;
(10) Stop lights;
(11) Exhaust system.
(12) Taximeter; and
(13) All doors shall have functional interior door handles and latches.

B. The Chief of Police shall designate those facilities which may serve as inspection stations to conduct the vehicle inspections required by this chapter, which stations may be within or without the Village. He shall establish procedures for conducting the inspections and

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minimum standards in order that a vehicle be approved. He shall supply inspection stations with certified inspection forms, numbered certified vehicle inspection stickers, and such other supplies as may be required to perform the duties required by this chapter and the regulations established hereunder.

C. A list of authorized inspection stations shall be kept by the Chief of Police and shall be given to each public passenger vehicle owner together with the notice that vehicles must be inspected. An owner may use the authorized inspection station of his choice.

D. Inspection stations shall charge the inspection fee authorized by the Chief of Police for all public passenger vehicle inspections. There shall be no charge for a reinspection within the five (5) working days allowed for repairs to a vehicle that fails the inspection. The authorized inspection fee shall be charged for reinspection made after the five (5) working days' grace period.

Sec. 11-441. Duty of owner to submit vehicles for inspection prior to issuance of public passenger vehicle license; unlawful to use until approved by Chief of Police.

It is the duty of the owner of each public passenger vehicle to submit to the Chief of Police each vehicle for inspection prior to the issuance of the public passenger vehicle license or at any time upon complaint. Also, the Police Department may inspect these vehicles at such other times as the Chief of Police may deem necessary and it is unlawful for the owner or person in charge of any such vehicle to use or permit its use, in case it has been condemned by the Chief of Police, until the vehicle has been repaired or replaced to the satisfaction of the Chief of Police.

Sec. 11-442. Public passenger vehicle license fees.

(a) A public passenger vehicle license fee, as provided in the fee schedule supplement to the Palatine Code of Ordinances, per year, shall be paid to the Village by the owner of the public passenger vehicle, which fee shall entitle such owner to a license for one public passenger vehicle. For each additional public passenger vehicle, a fee, as provided in the fee schedule supplement to the Palatine Code of Ordinances, shall be paid to the Village by owner.

(b) All public passenger vehicle licenses issued hereunder shall be for the calendar year beginning January 1st and ending December 31st; provided, however, that if an application for a public passenger vehicle license is made after July 1st of any year, the fee for such license for the remainder of the calendar year for one public passenger vehicle, and the fee for each additional public passenger vehicle, shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances.

Sec. 11-443. Condition of vehicles.

All vehicles licensed under this division must be kept in a safe, clean and sanitary condition, and must be equipped with properly working brakes, lights and warning signals, in accordance with the motor vehicle laws of the State of Illinois, this division and the ordinances of the Village, and no license shall be issued for the operation of any public passenger vehicle under this division until it is shown to be in good mechanical condition.

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Sec. 11-444. Identification of public passenger vehicles.

The name and telephone number of the owner of the public passenger vehicle shall be plainly printed in a conspicuous place on both sides of the vehicle in letters at least two (2) inches high. If any licensee operates more than one public passenger vehicle, each vehicle shall be numbered with figures not less than two (2) inches high, and no two (2) vehicles shall bear the same number. All such names and numbers shall be of such color and type as to be legible to one of normal eyesight at a minimum distance of twenty-five (25) feet.

Sec. 11-445. Public passenger vehicle driver's license to be displayed upon request.

Each licensed public passenger vehicle driver shall carry his public passenger vehicle driver's license while engaged in the operation of any public passenger vehicle, and shall exhibit it whenever requested to do so by any Village official, any member of the Police Department, any passenger or any person desiring to become a passenger.

Sec. 11-446. Load limitation.

No driver or operator of a public passenger vehicle shall carry more people than is recommended by the manufacturer of said vehicle, nor shall he carry any other person than the first person employing the public passenger vehicle without the consent of the first passenger. No driver or operator of a public passenger vehicle shall allow any person other than the passenger(s) being conveyed to occupy the public passenger vehicle, except in the training of a new driver.

Sec. 11-447. Public passenger vehicle license and public passenger vehicle driver's license nontransferable.

Neither the public passenger vehicle license nor the public passenger vehicle driver's license provided for in this division shall be transferable.

Sec. 11-448. Public passenger vehicles constructed, designed, etc., in imitation of other public passenger vehicles.

No public passenger vehicle or the owner of a public passenger vehicle shall be licensed under the provisions of this division if the vehicle sought to be licensed as a public passenger vehicle is constructed, designed, painted or labeled as to be so similar to the automobiles or similar vehicles of any other person licensed and engaged in the business of operating public passenger vehicles in the Village as to be an imitation thereof and calculated to deceive the patrons of public passenger vehicles into believing that such vehicles are in reality the public passenger vehicles of such other persons. (Ord. No. O-20-76, § 1, 3-8-76)

Sec. 11-449. Reserved.

Sec. 11-450. -Reserved.

Sec. 11-451 Taximeters--Required.

Every taxicab operated in the Village shall be equipped with an accurate and dependable taximeter.

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Sec. 11-452. Same--To be placed so as to be visible to passengers; maintenance.

Taximeters shall be placed in the taxicab so as to be readily visible to passengers and shall be maintained in a good and correct operating condition at all times. Every taximeter shall be tested for accuracy at least semiannually by the Chief of Police, or some member of the Police Department designated by him, by checking its registration over a course of known length, and by checking its time registration. Errors in distance or time registration shall be sealed.

Sec. 11-453. Same--Unlawful to tamper with or change.

It is unlawful to tamper with or change any taximeter or the seal thereon.

Sec. 11-454 and 11-455. Reserved.

Sec. 11-456. Same--Transfer.

No person controlling or operating any taxicab shall transfer the taximeter to any other taxicab, unless a new inspection and certification of the taximeter is made.

Sec. 11-457. Regular operation required.

Every taxicab shall be operated regularly in the Village to the extent reasonably necessary to meet the public demands for taxicab service.

Sec. 11-458. Licensee of taxicab to have regular telephone service; required to have telephone number listed in local directory.

Every licensee who is licensed to operate a taxicab in the Village shall have and keep in service at all times while his license is in effect regular telephone service within the Village or by cellular telephone, by means of which a person desiring to rent a taxicab may call the licensee by calling a Village telephone exchange number. Moreover, the licensee shall see that his telephone number, including cellular telephone number, is listed in the local telephone directory which is published in and for the Village by the telephone company which furnishes local telephone service in the Village.

Sec. 11-459. Taxicab rates.

Every person, firm or corporation which is licensed to operate a taxicab or taxicabs in the Village shall establish a schedule of its fares and shall cause a true and correct copy thereof to be filed with the Village. Any person, firm or corporation which shall hereafter apply for a public passenger vehicle license shall file a schedule of its proposed fares with such application. In the event of any increase in such schedule of fares, or any part thereof, such person, firm or corporation shall file a notice thereof with the Village at least thirty (30) days prior to the effective date of the said increase.

Sec. 11-460. Uniform rates throughout the day.

Any rate schedule filed with the Village shall provide that the fares charged shall be uniform throughout all twenty-four (24) hours of each day.

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Sec. 11-461. Definition. "Waiting time."

"Waiting time" shall include the time when the taxicab is not in motion, beginning with the arrival at the place to which it has been called, or the time consumed while standing at the direction of the passenger, but no charge shall be made for time lost on account of inefficiency of the taxicab, or its operator, or time consumed by a premature response to a call.

Sec. 11-462. Same--Posting of rates.

There shall be affixed on the inside of each taxicab in a conspicuous place and in such a manner that it may be conveniently and easily read by any person riding therein, a card upon which shall be printed in plain, legible type the rates of the fare of the taxicab.

Sec. 11-463. Same--Receipt.

Any taxicab passenger paying a fare shall, upon request, be given a receipt indicating the amount paid.

Sec. 11-464. Right of operator to demand fare in advance; refusal to convey passengers.

The operator or person in charge or control of any taxicab may demand, in advance, the payment of the fare of the person desiring to be carried by such taxicab, and may refuse to convey any person who shall not comply with the demand; but no driver or operator of a taxicab shall otherwise refuse or neglect to convey any orderly person, upon request, anywhere in the Village, unless previously engaged or unable to do so.

Sec. 11-465. Roof light required.

Each taxicab shall be equipped with a roof-mounted taxicab light, and this light shall be lit at all times while the taxicab is for hire. Each taxicab light shall have the word "TAXI" written on both sides of the roof light visible for a minimum distance of fifty (50) feet to one of normal eyesight.

Sec. 11-466. Unattended vehicles.

It shall be unlawful to leave any taxicab unattended in an established taxicab loading area or zone. A vehicle shall be considered unattended if its assigned driver is not in the taxicab or standing immediately adjacent thereto, available for call. It shall further be unlawful for any taxicab driver parked in an established taxicab loading zone or area to overtly solicit passengers for his vehicle.

Sec. 11-467. Livery cab regulations.

Livery cabs shall not use taxicab stands, nor pick up or solicit passengers for hire from the streets, nor indiscriminately accept passengers, but shall be limited in scope of operation to carrying passengers for hire on a contract basis at a price agreed upon prior to employment and by arrangement of the parties.

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Sec. 11-468. Conduct of Taxicab Drivers.

1. It shall be unlawful for any driver to conduct himself in a disrespectful, rude or belligerent or contemptuous manner toward any person, or to use abusive or profane language while so occupied or in charge of such vehicle.
2. It shall be unlawful for any driver to solicit by word, gesture or otherwise the patronage of any person upon any public street or place in the Village.
3. Drivers shall be obligated to render reasonable aid to any person who suffers injury or illness while a passenger of a taxicab operated by the driver.
4. It shall be unlawful for any driver to violate any provision of this division and doing so may result in sanctions including but not limited to those found in Section 11-5 of this Code.

Sec. 11-469--11-470. Reserved.

DIVISION 13. BUILDING CONTRACTORS

Sec. 11-471. Defined.

For this Division, the term "contractor" shall include any general contractor, sub-contractor, or anyone engaging in the construction, repair or alteration of any building, structure, street, sidewalk or pavement in the municipality for which the contracted valuation of work conducted is over $1,000.00, regardless of whether or not a permit is required under the ordinances of the municipality.

Sec. 11-472. Annual Registration.

It shall be unlawful to engage in business in the municipality as a contractor, including all contractors licensed or registered by an outside agency, without first having obtained an annual Village registration. Exception: Contractors exempt from local registration per State Statute.

Sec. 11-473. Fees.

An annual registration fee, as provided in the fee schedule supplement to the Palatine Code of Ordinances, shall be assessed for the following contractor's annual registration.

(1) General contractors
(2) All other contractors and electrical contractors (as outlined in Division 5. Electrical Contractors of this Chapter)

These annual registration fees shall be reduced by fifty percent (50%) if the application for such registration is received on or after July 1 of the year in which the registration is being requested. Any contractor registered as a general contractor shall not be required to secure an additional registration for any self-performed carpentry, masonry, or concrete work.

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Sec. 11-474. Completion, Compliance and Damage Surety Bond.

All building contractors shall, prior to receiving an annual registration, provide a surety bond in the following amounts.

(1) General contractors: twenty five thousand dollars ($25,000)
(2) All other contractors: ten thousand dollars ($10,000)

The above surety bonds must be in a form acceptable to the Village and shall indemnify, keep and save harmless the municipality and the party for whom the work was performed against any loss, cost, damage, judgement or liability of any kind whatsoever which the municipality or the party for whom the work was performed may suffer or be put to, or which may accrue against, be charged to or be recovered from the municipality or any of its officials or from the party for whom the work was performed by reason of any act or thing done or neglected to be done or by virtue of the authority given in such registration, and further conditioned that the applicant shall well and faithfully observe all the provisions of this ordinance and other ordinances and other regulations of the municipality relating to the activities engaged in under or by virtue of the authority given in such registration. Such bond shall remain in full force and effect for the duration of any permit and registration issued. The building contractor shall be responsible for providing a continuation bond as needed to maintain the bond duration as provided for above. Any expenses necessary for completion of work due to failure to comply with required codes or completion per approved plans, shall necessitate the filing of a claim against said surety bond. Such claims can be filed by the bond oblige or by the individual or party for which the work is performed.

Exceptions: Surety bonds shall not be required for the following construction, provided that the homeowner is performing all work associated with the construction project.

(1) Single-family residential fence installation.

(2) Single-family residential shed installation.

(3) Single-family residential driveway.

(4) Single-family residential patios and private walks

(5) Single-family residential roof tear-off.

(6) Single-family residential deck installation.

(7) Single-family residential above-ground swimming pool.

(8) Single-family air conditioner installations.

(9) Single-family residential sewer repair or replacement.

(10) Single-family residential lawn sprinklers.

(11) Single-family residential electric service revision.

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Sec. 11-475. Duties of Registrant.

It shall be the duty of all building contractors to comply with all provisions of this Code and other ordinances relating to or regulating the activities engaged in and, in addition thereto:

(1) To at least once each week remove or cause to be removed from the site of building contractors' activities all trash, refuse and waste materials.

(2) To keep the site of activities in an orderly condition, free from standing water, unguarded dangerous implements and health and safety hazards.

(3) To not obstruct traffic on streets or sidewalks or permit dirt or waste materials to fall or to be carried onto such public ways.

(4) To begin construction work timely, complete work in a timely, workmanlike manner in accordance with the contract between the building contractor and client.

Sec. 11-476. Inspection; enforcement.

The provisions of this division are declared to be of a regulatory nature, and it shall at all times be the duty of the Community Development Department., the Police Department, and the Fire Department regularly to inspect the site of the contractors' activities to see that the activities are being conducted and operated in accordance with the requirements of all laws and ordinances applicable thereto. Failure to comply with the above, all ordinances including the provisions of the surety bond, as determined by the Director of Community Development, shall give the municipality the right to suspend, or revoke the contractor's certificate of registration in accordance with Section 11-15 of this Chapter, deny a building contractor a re-registration, deny a building contractor registration, revoke or deny a building contractor a building permit.

Sec. 11-477--11-489. Reserved.

DIVISION 14. RESERVED

Sec. 11-490--11-500. Reserved.

DIVISION 15. KENNELS, PET SHOPS, SHELTERS, POUNDS AND ANIMAL HOSPITALS

Sec. 11-501 – 11-503. Reserved.

Sec. 11-504. Sanitation requirements.

It shall be unlawful to keep, use or maintain within the Village any kennel, pet shop, shelter, pound or animal hospital that is unsanitary, foul, or offensive or in any way detrimental to the public health or safety or that violates state or local sanitation requirements. (Code 1961, § 16.604)

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Sec. 11-505. Inspection.

It shall be the duty of the Village to make or cause to be made such inspections as may be necessary to insure compliance with section 11-504 above. Subject to compliance with legal requirements, the Village shall have the power to make or cause to be made entry into any building or premises in which is contained a kennel, pet shop, shelter, pound or animal hospital for the purpose of making such inspections.

Sec. 11-506. Suspension and revocation by the Village Manager.

The Village Manager may, in addition to other penalties provided herein, suspend, revoke or refuse to renew any kennel, pet shop, shelter, pound or animal hospital business license upon good cause, provided, however, such suspension, revocation or refusal shall be only after a hearing held in accordance with Section 11-15 .

Sec. 11-507. Reserved.

DIVISION 16. DEALERS IN GOLD AND SILVER

Sec. 11-508. Definitions.

The term "itinerant dealer in gold and silver" when used in this chapter shall mean any person engaged in the business of buying or selling tangible objects of gold and silver within the Village who has not established a permanent place of business within the Village from which such operation has been carried on for a period of at least ninety (90) days prior to the first sale or purchase of such objects.

The term "permanent dealer in gold and silver" when used in this chapter shall mean any person engaged in the business of buying or selling tangible objects of gold and silver within the Village who has established a permanent place of business within the Village and who presents to the Village Manager at the time of application title showing legal or beneficial ownership to the premises or a bona fide lease for a period of not less than one year for permanent premises within the Village.

Sec. 11-509. License required.

No person shall engage in the business of itinerant or permanent dealer in gold and silver within the Village without first having obtained a license therefor. If the operation of the gold and silver business, either as a stand alone business or in conjunction with the operation of a retail store (e.g. jewelry store, or other similar such store) results in 20% or more of their gross business receipts being derived from the purchase of gold or silver, a Special Use is required. The process and requirements are further detailed in Appendix 'A'.

Sec. 11-510. Application.

An application as itinerant or permanent dealer in gold and silver shall be made in conformity with the general requirements of this Code relating to applications for licenses.

Sec. 11-511. Investigation.

The Chief of Police or any other Village official designated by the Village Manager shall make an investigation to determine whether the applicant is a person of good character and reputation. No such

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license shall be issued to any applicant who is not found to be a person of good character and reputation and no license shall be issued to any applicant who has been convicted of receiving stolen goods, burglary, robbery or any other felony in the federal or state courts. In the event that the Village Manager shall not issue a license, an applicant may appeal to the Corporate Authorities in the manner provided by section 11-16 of this Code.

Sec. 11-512. Fees.

A fee, as provided in the fee schedule supplement to the Palatine Code of Ordinances, shall be paid for each day's proposed operation within the Village by an itinerant dealer in gold and silver.

A fee, as provided in the fee schedule supplement to the Palatine Code of Ordinances, shall be paid by a permanent dealer in gold and silver who is issued a license.

Sec. 11-513. Records.

Every itinerant dealer in gold and silver doing business in the Village shall keep a record of every article received, purchased, sold or exchanged by him, setting forth the following: The date of the transaction, name and address of the purchaser or seller, and a brief description of the article sold, purchased, received or exchanged, including identification number thereon, if any. Such record and the articles themselves shall, at all reasonable times, be open to the inspection of any police officer and reported in a manner as required by the Palatine Police Department.

Every permanent dealer in gold and silver doing business in the Village shall keep a record of every article received, except articles received, from an established wholesaler, antique dealer, or other licensed dealer with whom the permanent dealer does business on a regular and continuing basis, in the ordinary course of business. Such record shall be maintained, as described below. The date of the transaction, name and address of the purchaser or seller, and a brief description of the article sold, purchased, received or exchanged, including identification number thereon, if any. Such record and the articles themselves shall be open to the inspection of any police officer at all reasonable times during normal business hours. Said record shall he maintained by the dealer for a minimum of three (3) years. Refusal to permit police inspection of such record shall be grounds for immediate revocation of the license. Such records shall include the following information:

1. A listing of the item received, including the exact time and date when the item was received or purchased.
2. Digital picture or photographs of all of the received items sold, purchased or exchanged.
3. A copy of the government issued photo identification of all customers transacting an item of gold and silver.
4. Such records shall be transmitted (in a format approved by the Palatine Police Department) to the Palatine Police Department at the conclusion of each business day. Failure to deliver such record shall automatically revoke the license for the following day.

Sec. 11-514. Electronic reporting of transactions.

The Village may enter into a contract for service and maintain its contract for service with Leads Online, or a similar entity as designated by the Chief of Police, in order to enhance its investigative

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services to protect gold and silver dealers and members of the general public. In the event of a change to its electronic reporting system, the Village will notify all impacted licensees of the change within a reasonable time prior to such change.

Every gold and silver dealer shall operate and maintain a computer system with internet access and photographic or video capability sufficient for the electronic reporting requirements described in this article. Any failure or malfunction of such equipment on the part of the licensee shall not exempt the licensee from the recording/reporting requirements outlined in Sec. 11-513 of this article. The licensee shall immediately notify the Police Department of any such failure or malfunction, and shall have such resolved as soon as practicable. Failure by the licensee to resolve any failure or malfunction of equipment in a reasonable amount of time will lead to license revocation proceedings under Section 11-516 of this article.

Sec. 11-515. Stolen goods.

It shall be the duty of every person licensed under the provisions of this division to report to the Police Department any article received or offered to him if he shall have reason to believe that the article was stolen or lost.

Sec. 11-516. Suspension or revocation of licenses or permits by Village Manager.

Any license or permit issued may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Chapter.

Sec. 11-516.1 Violations.

Any violations of this Division shall be cited and fined pursuant to the Village Fee Schedule Supplement.

ARTICLE VI. SOLICITORS

Sec. 11-517. Definitions.

For the purposes of this article the following words shall have the meanings indicated unless their context clearly requires otherwise:

Business shall mean and include those enterprises engaged in industry, warehousing, insurance, commercial or retail activity in order to produce a profit.

Charitable organizations are those organizations defined in the 225 ILCS 460/1 (a) and (f); to wit: (a) Any benevolent, philanthropic, patriotic, or eleemosynary person or one purporting to be such which solicits and collects funds for charitable purposes and includes each local, county, or area division with this State of such charitable organization, provided such local, county or area division has authority and discretion to disburse funds or property otherwise than by transfer to any parent organization. And (f) Charitable Purpose. Any charitable, benevolent, philanthropic, patriotic, or eleemosynary purpose.

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Peddler I is defined as anyone seeking to sell or offer for sale, barter, or exchange, any goods, wares or merchandise, traveling from place to place along or upon streets of the Village, who shall sell and deliver from any vehicle: wagons, push carts, hand carts, or motor vehicles.

Peddler II is anyone who shall go about from place to place selling or delivering goods, wares and merchandise, whether selling or delivering from packs, baskets or similar containers.

Registered solicitor shall mean and include any person who obtained a valid certificate of registration as hereinafter provided, and which certificate is in the possession of the solicitor and clearly displayed while engaged in soliciting.

Residence shall mean and include every separate living unit occupied for residential purposes by one (1) or more persons, contained within any type building or structure.

Soliciting shall mean and include any one (1) or more of the following activities:

(1) Seeking to obtain order for the purchase of goods, wares, merchandise, foodstuffs, services, of any kind, character or description. whatever; or

(2) Seeking to obtain prospective customers for application or purchase of insurance of any type, kind or character; or

(3) Seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other type or kind of publication; or

(4) Seeking to obtain gifts or contributions of money, clothing or any other valuable thing for the support or benefit of any charitable or non-profit association, organization or project; or

(5) Peddling either as a Peddler I or as a Peddler II.

Sec. 11-518. Certificate of registration required.

Every person and organization desiring to engage in soliciting from persons in residences within the Village is hereby required to make written application for a certificate of registration as hereinafter provided.

Sec. 11-519. Application for certificate of registration; contents, filing, and identification; persons to whom certificate will not issue.

Application for a certificate of registration shall be made upon a form provided by the Chief of Police of this Village and filed with such Chief of Police upon completion. The applicant shall truthfully state in full the information requested on the application to wit:

(1) Name, address or present place of residence and telephone number, driver's license number, or state ID, and issuing State if applicant possesses one.

(2) Physical description of the applicant, including date of birth and gender.

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(3) Name, address and telephone number of the person, firm or corporation or association, if any, whom the applicant is employed by or represents.

(4) Name of the person in charge of soliciting for the firm or corporation or association.

(5) Nature of the goods or service solicited for.

(6) Whether or not a deposit is to be collected and the number of persons to be involved in the solicitation effort.

(7) The dates of soliciting within the Village and the total number of days to be soliciting.

(8) If the person has ever solicited before within the Village, the dates and the firm or organization associated with during prior solicitations.

(9) If the applicant has ever been convicted of a felony and the details involved in the incident, arrest and conviction.

All statements made by the applicant upon the application or in connection therein shall be certified as the truth by the applicant signing their individual application.

All individual applications must be accompanied by two head and shoulder color photographs of the applicant, photographs to be no larger than one and a half inches by one and a half inches.

The Chief of Police shall cause an accurate record to be kept of every application received and acted upon together with all other information and data pertaining thereto and all certificates of registration issued under the provisions of this article and the denial of applications.

Sec. 11-520. Charitable Organizations.

Charitable organizations must furnish the Chief of Police the following information:

(1) Name and address of the organization.

(2) Name, address and telephone numbers of the person or persons having the primary responsibility for supervision of the solicitation with the village.

(3) The name, date of birth and gender of all individuals who will be soliciting.

(4) Evidence of full compliance with the provisions of "An Act to regulate solicitation and collection of funds for charitable purposes, providing for violations thereof, and making appropriation therefor," approved July 26, 1963, as amended (225 ILCS 460/1 et seq.)

(5) Two head and shoulder color photographs of each solicitor, one and a half inches by one and a half inches.

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Sec. 11-521. Issuance.

The Chief of Police, after consideration of the completed application and all information obtained relative thereto, shall deny the application if the applicant does not possess the qualifications for such certificates as herein required. When the applicant is found to be fully qualified, the certificate of registration shall be issued. Provided the application for the certificate of registration is complete and all information required herein is provided on the application, the certificate of registration will generally be issued within two to five working days of receipt of the application by the Chief of Police.

Sec. 11-522. Youth Groups and School Groups from within the Village of Palatine

Youth groups and recognized groups from within the corporate limits of the Village of Palatine shall not be required to wear badges or name tags, nor pay required fees; however the organization shall be required to complete the solicitor's application process.

Sec. 11-523. Policy.

The regulations set forth in this and succeeding sections are designed to provide reasonable protection of the health, safety and welfare of the citizens of the Village, to guard them from unwarranted invasions of privacy and protect them in the peaceful enjoyment of their homes, while allowing all persons reasonable exercise of free speech and political expression as guaranteed by the First Amendment of the United States Constitution.

Every person desiring to secure the protection intended to be provided by the regulations pertaining to soliciting contained in this article, shall comply with the following directions, to wit:

Notice of the determination by the occupant of giving invitation to solicitors, or the refusal of invitation to solicitors, to any residence or business, shall be given in the manner following:

(1) One of four cards, approximately three inches by four inches in size, shall be exhibited upon or near the main entrance door to the residence or business, indicating the determination by the occupant, containing the applicable words, as follows:

(a) ONLY SOLICITORS REGISTERED IN PALATINE INVITED

(b) NO SOLICITORS INVITED

(c) ONLY CHARITABLE SOLICITORS INVITED

(d) SOLICITATION BY PRIOR APPOINTMENT ONLY (For display by businesses only)

(2) For purposes of uniformity, the cards shall be provided by the Village to persons requesting them.

(3) When such card is displayed, it shall constitute sufficient notice to any solicitor of the occupant's decision about inviting or not inviting solicitors to approach their door.

Sec. 11-524. Duty of solicitors.

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It shall be the duty of every non-charitable solicitor engaging in solicitation from persons in residences within the Village to wear a nametag or other badge provided by the Village on his or her person clearly identifying the name of the person soliciting and nametag or badge number assigned to that individual and the date of expiration. Tags or badges pursuant to this section shall be issued by the Village Manager in such form as the Village Manager may determine. Fees for nametags or badges shall be as provided in the Fee Schedule Supplement to the Palatine Code of Ordinances.

It shall be the duty of every solicitor upon going onto any premises in the Village to immediately and peacefully abide by any notice so posted by the occupant in accordance with section 11-522 if indicated and depart the premises. Any solicitor who has gained entrance to any residence or business, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant.

Sec. 11-525. Prohibited soliciting.

(1) It is hereby declared to be unlawful and shall constitute a nuisance for any person to go upon any premises and ring the doorbell upon or near any door, or create any sound in any other manner calculated to attract the attention of the occupant of such residence, for the purpose of securing an audience with the occupant thereof and engage in soliciting as herein defined, in defiance of the notice exhibited at the residence in accordance with the provisions of section 11-522.

(2) It shall be unlawful for anyone to solicit from residences within the Village of Palatine without an approved certificate of registration.

(3) It shall be unlawful for anyone to solicit from residences within the Village of Palatine without displaying their issued nametag or badge, or a recognizable uniform worn, clearly visible to the occupant of the residence whereupon the solicitation is to take place.

(4) It shall be unlawful for anyone to solicit from any business which displays a notice described in section 11-522, or to violate a clearly posted notice to solicitors that solicitation is acceptable only by prior appointment.

Sec. 11-526. Time limit for soliciting.

It is hereby declared to be unlawful and shall constitute a nuisance for any person whether registered under this article or not to go upon any residential premises and ring the doorbell upon or near any door of a residence located thereon, or rap or knock upon any door, or create any sound in any manner calculated to attract the attention of the occupant of such residence, for the purpose of securing an audience with the occupant thereof and engage in soliciting prior to 9:00 a.m. of any weekday or Saturday, or after 7:00 p.m. of any weekday or 6:00 p.m. on Saturday, or at any time on a Sunday or on a State of Illinois or national holiday. For Peddler I and Peddler II, in addition to the foregoing time limitations, no soliciting shall occur after 6:00 p.m. on any week day.

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Sec. 11-527. Fee; exemptions.

The registration fee for solicitors shall be as provided in the fee schedule supplement to the Palatine Code of Ordinances, plus a per day fee, as provided in the fee schedule supplement to the Palatine Code of Ordinances, for each day solicitation activities are conducted in the Village; provided, however, that no fee shall be charged for solicitation by charitable or not-for-profit organizations other than the fee for the cost of the name tag or badge, and further provided that no fee beyond the registration fee shall be charged to solicitors for holders of a franchise granted by the Village for the operation of a cable communications system.

Sec. 11-528. Enforcement and appeal.

The Palatine Police Department shall be responsible for enforcing this ordinance and may take any of the following actions upon receiving a complaint of a violation of this ordinance by a resident:

1. The name tag or badge of the individual solicitor may be confiscated and the individual solicitor's permit to solicit within the Village may be revoked for up to one calendar year.

2. An individual's permit to solicit may be revoked without the confiscation of the individual's name tag or badge, upon notification of revocation, the name tag or badge shall be returned to the Police Department.

3. The individual solicitor may be prosecuted.

4. The organization for which the individual solicitor is a part of may have their certificate of registration revoked.

5. A solicitor found to have a criminal record of crimes against persons, gang activity, or has been convicted of the commission of a felony under the laws of the State of Illinois, or any other state or federal law of the United States, within ten (10) years of the issuance shall have their license revoked.

Upon the confiscation of an individual solicitor's name tag or badge, the circumstances surrounding the complaint shall be reviewed by the Chief of Police or his designated representative, and upon completion of the investigation, the name tag or badge along with the permit to solicit to be either revoked or reinstated. If the individual solicitor's permit is revoked, the umbrella organization, if the solicitor is part of one, will be notified of the permit revocation.

The individual whose name tag or badge is confiscated and whose permit to solicit is revoked shall have the right to appeal the revocation to the Village Manager pursuant to Section 11-15 (e) within seven working days of the revocation.

Sec. 11-529 to 11-535 Reserved.

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ARTICLE VII. RAFFLES.

Sec. 11-536. License Required.

It shall be unlawful to conduct a raffle as defined by 230 ILCS 15/2 et. seq. (1994) of the Illinois Compiled Statutes in the Village of Palatine without having obtained a license therefor in accordance with Sections 11-2, 11-539 , and 11-38 through 11-540 of this Chapter.

Sec. 11-537. Definitions.

The definitions contained in 230 ILCS 15/1 are incorporated by reference as if set forth herein.

Sec. 11-538. Fee.

A ten ($10) dollar fee shall be charged for licenses hereunder, or such fee may be waived.

Sec. 11-539. Requirements.

Only non-profit organizations as defined by 235 ILCS 15/2 of the Illinois Compiled Statutes may apply for a license. There shall be no limit on aggregate retail value of prizes, number of tickets, price of tickets or time period of the raffle.

The following are ineligible for any license under this Article.

1. Any person who has been convicted of a felony;
.
2. Any person who is not of good moral character;
3. Any firm or corporation in which a person defined in 1, 2 or 3 has a proprietary, equitable or credit interest, or in which such a person is active or employed;
4. Any organization in which a person defined in 1, 2 or 3 is an officer, director or employee, whether compensated or not;
5. Any organization in which a person defined in 1, 2 or 3 is to participate in the management or operation of a raffle as defined in this Article.

Sec. 11-540. Application.

(1) Applications for raffle licenses shall be on forms provided by the Village.

(2) The license and application for license must specify the area or areas within the Village in which raffle chances will be sold or issued, the time period during which raffle chances will be sold or issued, the date, time, location and manner of determining the winning chances;

(3) A copy of the applicants articles of incorporation and/or charter shall be attached to the license application (or other such documentation as requested by the Village Manager);

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(4) The application must contain a sworn statement attesting to the not-for-profit character of the prospective license organization, signed by the presiding officer and the secretary of that organization. No bond shall be required for such application and license.

Sec. 11-541. Conduct of raffles.

The conducting of raffles is subject to the following restrictions.

1. The entire net proceeds of any raffle must be exclusively devoted to the lawful purposes of the organization permitted to conduct the game.

2. No person except a bona fide member of the sponsoring organization may participate in the management or operation of the raffle.

3. No person may receive any remuneration or profit for participating in the management or operation of the raffle.

4. A licensee may rent a premises on which to determine the winning chance or chances in a raffle only from an organization which is also licensed under this Section.

5. Raffle chances may be sold or issued only within the area specified on the license and winning chances may be determined only at those locations specified on the license.

6. No person under the age of eighteen (18) years may participate in the conducting of raffles or chances. A person under the age of 18 years may be within the area where winning chances are being determined only when accompanied by his parent or guardian.

Sec. 11-542. Records.

Records shall be kept pursuant to the provisions 235 ILCS 15/6 of the Illinois Compiled Statutes.

Sec. 11-543. Suspension or revocation of licenses or permits by Village Manager.

Any license or permit issued may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Chapter.

Secs. 11-544 - 11-600. Reserved.

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ARTICLE VIII. RELOCATORS AND REPOSSESSORS

Sec. 11-601. Definitions.

For the purposes of this article, the following words shall have the meanings indicated unless their context clearly requires otherwise:

Commission: Illinois Commerce Commission.

Collateral: Any motor vehicle, boat, recreational vehicle, motor home, motorcycle or other property that is subject to a security, lease or rental agreement.

Dispatcher: Any person who, as an employee or agent of a relocator or repossession agency, dispatches vehicles for operators who perform removal activities.

Operator: Any person who, as an employee of a relocator or repossessor, removes trespassing vehicles from private property by means of towing or otherwise recovers vehicles for collateral. This term includes the driver of any vehicle used in removing a trespassing vehicle from private property as well as any person other than the driver who assists in the removal of a trespassing vehicle from private property.

Relocator's license: A license issued to a commercial vehicle relocator in accordance with this chapter.

Relocator: Any person or entity engaged in the business of removing trespassing vehicles from private property by means of towing or otherwise, and thereafter relocating and storing vehicles.

Repossessor: Any person or entity conducting business, or an employee of the business, who, for any type of consideration, engages in the business of, accepts employment, or agrees to provide collateral vehicle recovery.

Sec. 11-602. Declaration of Village policy.

It is hereby declared to be the policy of the Village of Palatine to regulate the collateral recovery of vehicles and the removal of trespassing vehicles from private property and the subsequent relocation and storage of such vehicles in such manner as to fairly distribute rights and responsibilities among vehicle owners, private property owners and relocators and repossessors. For this purpose, the Village's regulations herein are for the purpose of complementing and supplementing the regulatory process of the Commission pursuant to 225 ILCS 422 and 625 ILCS 5/18a-100 et seq., and any amendments thereto, and its enforcement efforts thereunder. The laws and regulations adopted hereunder are adopted pursuant to the home rule authority of the Village of Palatine as well as the express authority conferred by the state legislature on local units of government pursuant to 225 ILCS 422 and 625 ILCS 5/18a-100 et seq.

Sec. 11-603. Towing performed pursuant to police order.

Nothing contained in this article shall be construed to regulate or otherwise affect towing performed by any relocator pursuant to the order of a law enforcement official or agency in accordance with 625 ILCS 5/4-201 through 5/4-204 of the Illinois Vehicle Code, or pursuant to section 18-90 of the Palatine Code of Ordinances.

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Sec. 11-604. Repealed.

Sec. 11-605. General powers and duties of the Village Manager.

The Village Manager or his designee shall:

(1) Regulate relocators and repossessors and their employees or agents in accordance with this article and to that end may establish reasonable requirements with respect to proper service, and practices relating thereto;

(2) Require the maintenance of uniform systems of accounts, records and the preservation thereof;

(3) Require all drivers and other personnel used in relocation and repossession be employees of a relocator or repossessor;

(4) Issue permits to relocators and repossessors in accordance with the requirements of this article;

(5) Upon verified compliant in writing by any person, organization or body politic, or upon its own initiative, may investigate whether any relocator, reposessor, operator, dispatcher or person otherwise required to comply with any provision of this article or any rule promulgated hereunder has failed to comply with any such provision or rule.

Sec. 11-606. Relocators – unlawful practices.

It shall be unlawful for any relocator to:

(1) *Relocate vehicles from authorized spaces.* No vehicle shall be relocated if it is parked in a space on private property where it is authorized to be parked.

(2) *Relocate vehicles from private property without authorization from property owner.* No vehicle shall be relocated from private property without express, written authorization from the property owner, lessee or agent. The authorization must either direct the relocator to remove the specific vehicle in question or authorize the relocator to remove all unauthorized vehicles from the property.

(3) *Relocate vehicles not in accordance with proper posting.* No vehicle shall be relocated from a lot which does not, at the time of the tow and for at least twenty-four (24) hours prior thereto, have signs posted in compliance with this article. Furthermore, no vehicle shall be relocated to a storage lot or facility that is not identified on signs posted in compliance with this article at the location from which the vehicle is relocated. No vehicle shall be relocated and/or stored even temporarily at any other location than the location advertised on the relocator's sign. Once a vehicle is picked up from private property it must be towed immediately to the storage lot or facility that is identified on the sign posted on the private property. No vehicle shall be subsequently transported to any other lot or facility.

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(4) *Relocate vehicles where owner or driver is present.* No vehicle shall be relocated where the owner or operator of such vehicle is present or arrives at such location at any time prior to the completion of the removal of the vehicle from private property, and provided such owner and operator is willing and able to remove the vehicle immediately, and provided that the owner or operator does immediately remove the vehicle from the private property.

(5) *Commercial Motor Vehicles*. No operator shall engage in the removal of a commercial motor vehicle that requires a commercial driver's license to operate, as required under 625 ILCS 5/6-500 et seq, by operating the vehicle under its own power on a highway without authorization by a police officer

(6) *Notification of police department.* No relocator or repossessor may transact any part of its business at any location until after the relocator or repossessor has obtained and remitted payment for a permit from the Police Department. The Police Department is authorized to establish an electronic method for relocators to obtain a permit online using the internet.

(7) *Post signs at locations where the relocator is not authorized to operate or tow beyond a maximum distance.* No relocator shall remove any vehicle otherwise in accordance with this article more than ten (10) air miles from its location when towed nor shall it post a sign at a location more than ten (10) air miles from the storage lot to which the relocator can relocate vehicles.

(8) *Relocate vehicles unless the relocation lot is open during certain prescribed hours.* No vehicle shall be relocated to a lot which is not open to allow the vehicle owner to retrieve the vehicle within two (2) hours following the tow.

(9) *Accept certain types of compensation:* Except as provided in subsection (b) below, no relocator shall demand, collect or receive anything of value or compensation in relation to its relocation business;

a. From the property owner, lessee or their agents or from any person other than the owner or owner's agent of the relocated vehicle, except according to terms in the contract entered into between the property owner or lessee and the relocator;

b. From the vehicle owner, lessee or their agents;

i. Greater than the amount posted on the signs, posted on the private property from which the vehicle was relocated;
ii. Greater than or other than the rates prescribed by the Commission; or
iii. Where the relocation was not performed in compliance with the law in this Article.

c. Storage fees must be posted in accordance with administrative rules of the Commission.

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d. A relocator must release the vehicle provided payment is either in cash or through a valid major credit card, including, but not limited to, VISA, American Express, Discover or MasterCard.

(10) *Prerequisites to operation within the Village.* No relocator shall:

a. Operate within the Village without a valid, current relocator's license as approved by the Village as authorized in 11-609 this article.

b. Employ as an operator or otherwise so use the services of any person who has not been duly licensed by the Commission and the Illinois Secretary of State pursuant to the applicable laws, rules and regulations.

c. Operate a business other than in conformance with the laws of the Commission and the rules and regulations adopted thereunder.

d. Operate any towing vehicle which does not carry a copy of 625 ILCS 5/18A, of the Illinois Vehicle Code, a copy of this section of the Village of Palatine Code of Ordinances and sufficient copies of the Commission complaint form. All documents shall be made available to any complainant at their request in the event of a dispute regarding vehicle relocation.

e. Operate any vehicle which has not passed a safety test as required in 625 ILCS 5/13-101.

f. Relocate any vehicle prior to obtaining and remitting payment for a permit. The Police Department is authorized to establish an electronic method for relocators to obtain and remit payment for an online permit using the internet. This permit must be displayed in either paper or electronic form to any police officer. The fees for permits shall be codified in the Village Fee Schedule.

g. Relocate a vehicle unless the operator has a valid operator’s permit issued from the Commission

(11) *Notice to police department.* A relocator must:

a. Notify the Police Department prior to such removal by purchasing a permit as described in 11-606(10)(f). Notification shall include, but not limited to, a complete description of the vehicle, including the year, make, model vehicle identification number (VIN) and state license plate number, the registration numbers, the locations from which and to which the vehicle was removed, the time of removal and any other information required by state or local regulations, statute or ordinance.

b. Make a telephone number available to the Police Department at which the relocator or an employer of the relocator may be contacted at any time, twenty-four hours each day. This phone number shall be advertised for the purpose of effectuating the release of a towed vehicle. The relocator must have an employee

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available at all times on the premises owned or controlled by the relocator for the purposes of arranging for the immediate release of the vehicle.

Sec. 11-606.1 Relocators – posting of signs; sign specifications.

(1) *Generally.* It shall be unlawful for an owner or other person in lawful possession or control of private property to remove or employ a relocator to remove an unauthorized vehicle from such property unless written notice is provided pursuant to the administrative rules of the Commission. Such notice shall consist of a sign posted in a conspicuous place in the affected area of a size and content as required by the Commission. Such sign shall state the amount of the towing charges to which the person parking may be subject. Such signs must be posted at least twenty-four (24) hours before any vehicle is relocated from the lot.

(2) *Application to residential property.* No express notice shall be required under this section upon residential property which, paying due regard to the circumstances in the surrounding area, is clearly reserved or intended exclusively for the use or occupation of residents or their vehicles.

(3) *Sign specifications:*

(a) Those portions of the sign warning that unauthorized vehicles will be relocated must be formatted in accordance with the administrative rules of the Commission.

(b) Each sign must contain:

i. A warning that unauthorized vehicles will be relocated;

ii. The full legal name of the relocator as it appears on the relocator's license, the address and telephone number of the relocator, and the address and telephone number of the location to which the vehicle will be relocated and at which it can be reclaimed, if different from the address of the relocator;

iii. The maximum fee which the relocator will charge the owner as a condition of reclaiming the vehicle and any restrictions on the method of payment which will be accepted by the relocator. No sign shall indicate a restriction on the method of acceptable payment that is contrary to section 11-606(8) (c);

iv. The hours which the owner can reclaim the vehicle to the extent that a sign does not show a limitation on hours or days when the vehicle can be reclaimed, the sign shall constitute a representation the vehicle can be reclaimed at any time or on any day. No sign shall include hours of doing business contrary to the restrictions contained in section 11-606(7).

(c) Such signs must be visible and readable from all entrances and exits, both during the day and at night, free of any natural or man-made interference.

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(d) No more than one (1) location where the vehicle may be relocated shall be identified on any posted sign at any lot from where the vehicle was relocated.

(4) *Lighting standard.* All such signs shall be illuminated from dusk to dawn. Such lighting shall be directed to the sign face, uniformly distributed over the sign face and provide an illumination level on the sign face of at least twenty (20) feet.

Sec. 11-607. Repossessors - unlawful practice.

It shall be unlawful for any repossessor:

(1) To repossess a vehicle prior to obtaining a valid permit issued by the Village of Palatine. The Police Department is authorized to establish an electronic method of repossessors to obtain and remit payment for an online permit using the internet. This permit must be displayed in either paper or electronic form to any police officer. The fees for permits shall be codified in the Village Fee Schedule.

(2) To violate any other provision of this chapter, Commission regulations or orders adopted under this chapter or pursuant to chapter or pursuant to 225 ILCS 422 et.seq.

(3) The Police Department shall establish the form and content of the online permit.

(4) No repossessor may remove a vehicle from private property where trespassing signs have been erected prohibiting a repossessor from entering and remaining on the property.

Sec. 11-608. Penalties. Any relocator, repossessor, operator, dispatcher or employee of a relocator or repossessor who violates any provision of this Chapter shall be subject to fines as established in the Village Fee Schedule.

Sec. 11-609. Relocator's License Required.

(a) *Applications, original determinations.* Each application for a license to operate as a relocator shall be made in writing to the Village Manager, shall be verified under oath, shall be in such form and contain such information as the Village Manager may require. It shall be accompanied by the required application fee and proof of security. In addition to filling out the application required by the Village Manager and paying the filing fee as provided for in the Fee Schedule Supplement to the Palatine Code of Ordinances, a certified copy of the license issued by the Illinois Commerce Commission to such applicant to operate as a relocator shall be sufficient evidence to qualify a relocator for a Village commercial vehicle relocator's license. Nothing herein, however, shall interfere with the Village Manager's right to impose reasonable conditions on the issuance of such license. The relocator shall provide a copy of the license in each vehicle engaged in relocation operations.

(b) *Transfer.* A relocator's license is not transferable.

(c) *Expiration renewal:*

(1) All relocator's licenses shall expire on the same date that the license issued by the Illinois Commerce Commission expires. Consistent with the rules and regulations of the Illinois

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Commerce Commission, the village may temporarily extend the duration of the license for the pendency of a renewal application until formally approved or denied by the Illinois Commerce Commission upon filing, no early than ninety (90) days nor later forty-five (45) days prior to such expiration, of written application for renewal, verified under oath, in such form and containing such information as the Village Manager requires, and accompanied by the required application fee and proof of security. The Village Manager, upon receipt of a certified copy of the Illinois Commerce Commission's renewal license, shall renew the license.

(2) The Village Manager may at any time during the term of the license make inquiry into the management, conduct of business or otherwise determine that the provisions of this Chapter are not being observed.

Sec. 11-610. Suspension of license.

The Village Manager shall suspend or revoke the permit of a relocator if it finds that:

(1) The relocator made a false statement on the application for a relocator's permit;

(2) The relocator's license issued by the Illinois Commerce Commission has been suspended or revoked; or

(3) After a hearing, it is established the relocator has violated one (1) or more of the unlawful practices contained in section 11-606 of this article and that revocation or suspension are appropriate penalty for the misconduct.

Sec. 11-611. Hearing on revocation/suspension.

(a) *Suspension and revocation.* A vehicle relocator's license may be suspended by the Village Manager and subsequently revoked by the Corporate Authorities for violation of this article, the state law or the rules and regulations adopted thereunder or for any of the grounds set forth in Section 11-15(a), or for any other violations of the Palatine Code of Ordinances. The procedures for suspension or revocation shall be pursuant to Section 11-15 (b) and (c).

(b) *Cessation of operations required.* If a fine or a suspension is imposed as a penalty, no activity otherwise permitted under the license shall be conducted by the relocator until such fine is paid or such suspension served. If a relocator is found to be operating without a license or after a license is revoked or suspended, the village shall enforce its ordinance or any other orders by fine, injunction or in any other means permitted by law.

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ARTICLE IX. YOUNG ADULT ENTERTAINMENT FACILITIES

Sec. 11-612. Definitions.

As used in this division the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

License Officer: The Village Manager or his designee.

Light Food Service: The ability to store, prepare, sell, and service hot and cold sandwiches, snacks, and similar food items and is separately licensed by the Village as a food service establishment.

Person: One or more natural persons, corporations, limited liability companies, partnerships, associations or other entities capable of having an action of law brought against such entity.

Premises: Any Zoning Lot, as defined in the Village Zoning Ordinance, where a Young Adult Entertainment Facility is operated or maintained including, but not limited to all hallways, bathrooms, parking areas and any other portions of the Zoning Lot which is accessible to the public during operating hours.

Special Event: An activity at a Young Adult Entertainment Facility which is marketed to patrons or prospective patrons as being of a temporary or non-routine nature.

Village: Village of Palatine

Young Adult Entertainment Facility: A for-profit establishment which is open to the public, the primary function of which is to offer, provide, procure, make available, allow, suffer or permit entertainment to patrons between the ages of 16 and 20 years an opportunity to engage in social activities such as dancing, or the enjoyment of live or pre-recorded music, or the enjoyment of' entertainment provided by dancers or other performers. A Young Adult Entertainment Facility shall provide light food service and beverages (excluding alcoholic beverages) to its patrons from the time of opening until 11:00 p.m.

The term "Young Adult Entertainment Facility" does not include the following: Premises which serve alcoholic beverages as defined by State and local laws; theaters in which the patrons sit in parallel rows of fixed seats; full service restaurants where the only entertainment consists of background music which is incidental to the primary function of serving food; outdoor performances; a banquet, party or celebration conducted for invited guests which is not open to the public; dances or events sponsored and operated by a governmental entity, an educational institution, or a nonprofit or charitable group duly licensed with the state and having a five (5) year operational history in the Village.

Sec. 11-613. Young Adult Entertainment Facility License Required.

It is unlawful for any person to own, operate, manage, or maintain a Young Adult Entertainment Facility in the Village without first obtaining a Young Adult Entertainment Facility License from the Village. The license fee shall be based on the permitted occupancy of the Young Adult Entertainment Facility as follows:

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For occupancy up to 100	$ 1,000.00
For occupancy from 101 to 200	$ 5,000.00
For occupancy from 201 to 300	$10,000.00
For occupancy from 301 to 600	$20,000.00
For occupancy from 601 to 800	$25,000.00
For occupancy from 801 to 1000	$30,000.00

All Young Adult Entertainment Facilities shall have an occupancy limit established by the applicable fire or Village Code of Ordinances and by the special use approved for the facility. For the purpose of this subsection, licensed premises shall not include kitchen area, storage areas, hallways, or any area used by the licensee and/or his employees and not open to the licensee's patrons.

A license shall be effective from the date of its issue until June 30th of each year. The fee to be paid shall be reduced in proportion to the full calendar months which have expired in the fiscal year prior to the issuance of the license.

Sec. 11-614. Special Use Ordinance Required.

All Young Adult Entertainment Facilities shall require a special use permit to operate which shall set limits on the occupancy of the facility and set forth other operational constraints and conditions in connection with the operation.

Sec. 11-615. License Application Procedures.

A. An application for a license shall be made in writing to the Village, upon forms provided, and shall include the following:

1. The name, birthdate, and address of the applicant in the case of an individual; in the case of a partnership, the persons entitled to share in the profits thereof, and in the case of a corporation, the date of incorporation (in the case of a foreign corporation, the state where it was incorporated and the date of its becoming qualified under the Illinois Business Corporation Act to transact business in the State of Illinois), and the objects for which it was organized. In the case of an Illinois Limited Liability Company, the same information for its managing member and members. The names, dates of birth, and addresses of any partner, any officer and any director, and if a majority in interest of the stock of a corporation is owned by one person or his nominees, the name, date of birth and address of such person.

2. The location of the Young Adult Entertainment Facility including address, legal description and permanent index number.

3. Evidence of proof of ownership or a valid and binding leasehold interest in the form of a title policy or a fully executed copy of the lease.

4. If a leasehold (or any legal interest that is not fee simple ownership) a letter of authorization from the legal owner of the property of which the leasehold is a part.

5. A complete statement of all convictions of the applicant as provided in this section. If the applicant is a corporation, such statement shall include applicant's officers, and directors

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thereof, and any stockholder or stockholders owning in the aggregate more than twenty percent of the stock of such corporation. If the applicant is a partnership, such statement shall include all general partners, and any limited partner owning more than twenty percent of the aggregate limited partner interest in such partnership. If the applicant is a limited liability company such statement shall include the managing member and shareholders owning more than 20% of the shares of the limited liability company. Such listing shall include but not be limited to the following:

(a) Any offense involving sexual misconduct with children of other sex offenses as defined in Article 11 of the Illinois Criminal Code of 1961, as amended.

(b) A felony based upon conduct or involvement in such business or activity or related or similar business or activity, within the past ten years; or

(c) A felony unrelated to conduct or involvement in such business or activity or related or similar business or activity, but which felony involved the use of a deadly weapon, traffic in narcotic drugs, or violence against another person, including rape, within the past five years; or

(d) A misdemeanor or licensing ordinance violation, based upon conduct or involvement in such business or activity or related or similar business or activity, within the past two years.

6. A description of the proposed Young Adult Entertainment Facility, including the anticipated age and number of patrons, hours of operation and all activities and business conducted at the same location, and the physical facilities to be used.

7. A written statement setting forth all measures proposed to ensure that adequate traffic control, crowd protection and security, both inside and outside the licensed premises, will be maintained, that the age limits of the patrons to be admitted to the Young Adult Entertainment Facility will be enforced and that the curfew will be enforced.

8. A statement of whether the business will be conducted by a manager. In such case the manager's name, address, telephone number and age shall be provided, along with a statement of any convictions as set forth under subsection (3), above.

9. A statement whether applicant has made similar application for a similar other license at a location other than described in this application and the disposition of such application.

10. The license fee as provided herein.

11. A site plan for the licensed premises, including a floor plan showing all entrances, exits and public areas.

12. The operation and training manuals to be used for the establishment, setting forth procedures for complying with this chapter, including, but not limited to, security and age verification.

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13. A certificate of insurance evidencing that the applicant has secured commercial general liability insurance issued by one or more companies authorized to do business in the State of Illinois providing the following minimum coverage:

(a) One million dollars ($1,000,000) per person, per occurrence; and

(b) One million dollars ($1,000,000) annual aggregate.

14. A copy of the Special Use Ordinance approved by the Village Council.

B. In the event the applicant learns that any information or document submitted as part of this application process is inaccurate or incomplete, the applicant shall immediately notify the Village and provide appropriate corrections. Failure to accurately and completely provide, or as necessary update, required information may delay the processing of such application or result in its denial.

C. In addition to the requirements of subsections (A) and (B) above, the applicant and, if applicable, the manager shall submit their fingerprints to be used in completing the investigation. Applicants are required to present themselves for fingerprints to be taken by the Police Department as provided by the Chief of Police. If the applicant is a corporation, fingerprints shall be required of applicant's officers, directors, and any stockholder or stockholders owning in the aggregate more than twenty percent of the stock of such corporation. If the applicant is a partnership, fingerprints shall be required of all general partners, and any limited partner owning more than twenty percent of the aggregate limited partner interest in such partnership. If a limited liability company, the managing member and the owners of more than 20% of the stock shall be required. The applicant shall pay the fingerprint fee for each person required to submit fingerprints. Provided, in the case of a renewal application, fingerprints and the fingerprint fee shall not be required from a renewal applicant whose fingerprints are on file, unless the Chief of Police determines that there may be reason to believe that the renewal applicant may have unreported convictions.

Sec. 11-616. Procedures for Issuance or Denial of License.

After receiving a complete application for a Young Adult Entertainment Facility license, the Village shall follow the following procedures:

A. The License Officer shall forward copies of the application to appropriate Village officials for their comments regarding compliance with regulations under their jurisdiction. The License Officer shall consider all materials and comments submitted and issue or deny the license within thirty (30) working days after the date on which a completed application was filed unless the applicant agrees to an extension of the time period. In the event that the License Officer fails to act upon any application within the time period set forth herein, such failure to act shall be deemed a denial of the application.

B. The grounds for the denial of the issuance or renewal of a Young Adult Entertainment Facility License shall include but not be limited to one or more of the following reasons:

1. The applicant has been convicted of one or more of the following offenses

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(a) Any offense involving sexual misconduct with children or other sex offenses as defined in Article 11 of the Illinois Criminal Code of 1961, as amended;

(b) A felony based upon conduct or involvement in such business or activity or related or similar business or activity, within the past ten years; or

(c) A felony unrelated to conduct or involvement in such business or activity or related or similar business or activity, but which felony involved the use of a deadly weapon, traffic in narcotic drugs, or violence against another person, including rape, within the past five years; or

(d) A misdemeanor or licensing ordinance violation, based upon conduct or involvement in such business or activity or related or similar business or activity, within the past two years.

2. The applicant whose license issued under this chapter has been revoked for cause.

3. The applicant who at the time of application for renewal of any license issued under this chapter would not be eligible for such license upon a first application.

4. The applicant is under the age of twenty-one (21) years.

5. If the applicant is a partnership and any general partner, or any limited partner of owning more that twenty percent (20%) of the aggregate limited partner interest in such partnership, would not be eligible to receive a license under this chapter.

6. If the applicant is a corporation and any officer or director, or any stockholder or stockholders owning in the aggregate more than twenty percent (20%) of the stock of such corporation, would not be eligible to receive a license under this chapter.

7. If the applicant is a corporation unless it is incorporated in Illinois or unless it is a foreign corporation which is qualified under the "Business Corporation Act of 1983" to transact business in Illinois.

8. If the applicant is a limited liability company and its managing member are the owners of 20% or more of the stock do not possess the same qualifications required of the licensee.

9. If the business of the Young Adult Entertainment Facility is to be conducted by a manager unless the manager possesses the same qualifications required by the licensee.

10. If the applicant is not legally authorized to run the business.

11. If the Premises do not comply with all applicable Village Ordinances and State laws including its zoning ordinance and other applicable ordinances of the Village.

12. If the application is incomplete or if it contains any material misrepresentation.

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13. If the application does not show adequate measures for the protection of persons or property, security, both inside and outside the premises, and the monitoring of the ages of patrons admitted to the Young Adult Entertainment Facility.

14. A pattern or history and experience of the establishment proposing a threat to the public welfare.

15. A pattern of arrests or referrals to hospitals from the establishment.

16. A pattern of complaints received including, complaints at other facilities that are owned by the applicant or owned by others operating similar facilities in the Village or in other communities in Cook County.

17. Where grounds for revocation of the license exists.

C. In connection with the issuance of any license, the Village may impose any conditions on the license, the operating plan and on the conduct of the business that it deems necessary and appropriate including, but not limited to limitations on the days and hours of operation, the age of the patrons, the training and qualifications of the staff, staffing requirements, controls on parking lot and the environs outside of the facility, the layout of the licensed premises and additional insurance requirements.

D. If the License Officer denies a license or imposes conditions on the application found objectionable by the applicant, written notice of the denial stating the reasons why shall be sent to the applicant within five (5) working days after the denial. The applicant shall have a period of ten (10) working days after the date of license denial or the conditional license to appeal to the Village Council. Said appeal shall be in writing and shall be scheduled for hearing within fourteen (14) days of the receipt of the appeal for a regular meeting occurring not more than thirty (30) days after receipt of the notice and after at least five (5) days notification of the hearing date to the appellant.

Sec. 11-617. Operating Rules and Regulations.

A. It shall be unlawful for any person under the age of sixteen (16) years to enter or remain on the Premises of a Young Adult Entertainment Facility unless accompanied by a parent or guardian.

B. It shall be unlawful for any person twenty-one (21) years of age or older to enter or remain on the premises of a Young Adult Entertainment Facility except for bona fide employees or independent contractors hired by the licensee to work in the Young Adult Entertainment Facility, a parent or guardian of a person under twenty one (21) years of age present in the Young Adult Entertainment Facility or a governmental employee in the performance of his duties.

C. It shall be unlawful for any person to falsely represent their age for the purpose of gaining admission to a Young Adult Entertainment Facility.

D. The Licensee shall require each person admitted or seeking to be admitted to display to a supervisory security person of the Young Adult Entertainment Facility an identification card showing the photo and age of the person seeking admission. In addition all patrons shall be required to pass through a metal detection device or pass a scanning by a metal detection wand.

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E. It shall be unlawful to knowingly permit a person to enter or remain in a Young Adult Entertainment Facility who is under the age of sixteen (16) years or over twenty (20) years of age or older unless such person is a bona fide employee or independent contractor hired by the licensee to work in the Young Adult Entertainment Facility or a governmental employee in the performance of his duties.

F. A patron once admitted to the Young Adult Entertainment Facility on the Premises not be permitted to exit and re-enter the Premises sooner than the following business day.

G. In the event of an emergency, health, or safety condition occurring anywhere on the licensed premises, including the parking lot, the licensee and its employees and/or agents shall immediately contact the Fire Department or Police Department, as appropriate to the incident, and request assistance. A written plan for implementing this requirement shall be placed of record with the Village.

H. It shall be the obligation of the licensee to employ two (2) off-duty police officers who shall be present on the Premises during all operating hours to maintain peace and order and to ensure compliance with all applicable laws of the State and of the Village. The licensee shall also employ qualified security personnel who shall have been trained in crowd control, drug awareness, and gang awareness. The names, addresses and birthdates of all such security personnel must be on file with the Chief of Police at least forty-eight (48) hours before their employment.

I. Each licensee shall provide at least one supervising security person to monitor and verify ages of those persons seeking to gain admittance to the licensed premises.

J. The licensee and its agents shall not permit or allow alcoholic beverages or controlled substances to be consumed or be present on any Young Adult Entertainment Facility premises shall not allow or permit tobacco to be sold in any Young Adult Entertainment Facility and shall not allow tobacco to be used by any person under the age of eighteen (18). The presence of any prohibited item upon the licensed premises shall be deemed a violation of this provision.

K. It shall be the obligation of the licensee to refuse admittance and to remove from the Young Adult Entertainment Facility any person who is, or appears to be, under the influence of, or affected by the use of alcohol or drugs, or whose conduct poses a physical danger to the safety of others present. It shall be the obligation of the licensee to refuse admittance and to remove from a Young Adult Entertainment Facility any person under the age of eighteen (18) years who possesses or uses tobacco.

L. It shall be the obligation of the licensee to provide proper and adequate illumination of all portions of the Premises which are available for public use. Such illumination shall be not less than 1.3 foot candle at floor level at all times when the premises are open to the public or when any member of the public is permitted to enter and remain on the premises. All off-street parking areas within one hundred feet (100') of any entrance shall be illuminated during all hours of operation after sunset with a lighting system designed to provide a minimum maintained horizontal illumination of greater than one (1) foot candle of light on the parking surface and/or walkway.

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M. It shall be the obligation of the licensee to prevent loitering, the creation of public nuisances or disturbances of the peace by any patrons of the Young Adult Entertainment Facility on the Premises or in the immediate vicinity. "Loitering" shall not include the act of waiting in line to gain admission to the Premises.

N. It shall be the obligation of the licensee to clean up all litter resulting from its operations. The cleanup shall occur within two (2) hours after the end of each day's operation.

O. It shall be unlawful for a licensee to permit (a) a greater number of patrons into the premises at any time than the permitted occupancy, or (b) any greater number of patrons to remain upon the premises than the permitted occupancy. All Young Adult Entertainment Facilities shall provide seating for not less than thirty percent (30%) of the maximum permitted occupancy.

P. No licensee, his agent or employee shall allow or permit any person to perform acts of or acts which simulate: a) sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law; b) the actual or simulated touching, caressing or fondling of the breast, buttocks, anus or genitals; c) the actual or simulated displaying of the pubic hair, anus, vulva or genitals; d) the actual or simulated displaying of the breast so as to expose the nipple of the female breast; e) the displaying of films or pictures depicting acts, a live performance of which is prohibited by a), b), c) or d) above.

Q. No licensee, his agent or employee shall allow or permit any person to remain in or upon the licensed premises who exposes in public view any portion of his or her genitals or anus.

R. Each licensee shall provide at least one (1) public telephone for outgoing calls only for each 125 patrons (based upon the maximum occupancy of the Premises). No licensee shall permit sound or vibration exceeding ninety (90) decibels measured with a standard meter "A" scale within two (2) feet of any public telephone receiver or audible at such level on the outside of any exterior wall of the premises located more than ten (10) feet from a doorway of the licensed premises. No public telephone shall be provided on the premises for incoming calls.

S. Designation of the individual who will be available prior to and during the event and who shall have authority to accept complaints, receive notice of violations, or take corrective action as required by proper officials of the Village;

T. Automatic counters are required to be used prior to entry into the licensed premises to determine occupancy of the premises;

U. The hours of operation of a Young Adult Entertainment Facility are as follows:

Sunday through Thursday, 10:00 a.m. to 11:00 p.m.
Friday and Saturday, 10:00 a.m. to midnight.
New Year's Eve, 10:00 a.m. to 1:00 a.m. the following day.

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V. All employees and independent contractors hired by the licensee to work in the Young Adult Entertainment Facility who will be present on the premises during hours of operation shall submit to criminal background checks. No person shall be permitted to be employed who has been convicted of a felony violation of any section of the following:

Solicitation, Conspiracy and Attempt,
Homicide;
Kidnapping and Related Offenses;
Sex Offenses;
Bodily Harm;
Robbery;
Burglary;
Armed Violence; or Contributing to the Criminal Delinquency
of a Juvenile of the Illinois Criminal Code of 1961, as amended; or any section
of the Illinois Controlled Substances Act, as amended; or
Homicide;
Kidnapping;
Obscenity;
Rape;
Robbery and Burglary;
Sexual Exploitation of Children;

Sec. 11-618. Special Events.

A. The licensee shall deliver to the Chief of Police, no later than seventy-two (72) hours before any scheduled Special Event occurring at a licensed premises, true and accurate copies of any and all advertisements of whatever nature therefore used to advertise or promote the event. The licensee shall also include prior to any such advertised event:

B. The number of employees and/or performers to be used for the event;

C. A security plan with an identification of any changes to the security plan on file must be submitted to the Chief of Police in writing a minimum of two (2) business days before the event. The Chief of Police shall have the authority to approve the plan, approve subject to conditions or disapprove the plan. The security plan must be followed without any changes unless such change has been submitted to the Chief of Police in writing and he has approved it prior to the event being opened;

D. Security personnel shall be required for the maximum capacity of the event as determined by the maximum occupancy of the premises under Village's ordinance unless attendance is limited to a lesser number;

E. Inspections may be conducted by the Village to ensure compliance with its codes and ordinances;

F. No members of the general public shall be allowed admittance prior to the opening of the event;

G. Tickets may be sold before the event with the number of tickets sold limited to the occupancy limit of the premises for patrons, and after all said tickets have been sold, the licensee shall post a sign stating that the event is "Sold Out."

Attachment: Chapter 11 Final Version (Amending Chapter 2 and 11 Code of Ordinances)

Sec. 11-619. Access by Police Officers.

All police officers of the Village and other Village employees engaged in inspection shall be permitted access to all Young Adult Entertainment Facilities for the purpose of inspection and to enforce compliance with the provisions of this ordinance at all times including when the Premises are open to patrons.

Sec. 11-620. Suspension or Revocation of Licenses.

A. The Village Manager may, at any time, suspend a Young Adult Entertainment Facility license whenever the licensee, or any manager, officer, director, agent or employee of the licensee has caused, permitted or knowingly done any of the following:

1. Failed to keep the building structure or equipment of the licensed premises in compliance with the applicable health, building, fire or safety laws, regulations or ordinances in a way which relates to or affects public health or safety on the Young Adult Entertainment Facility Premises.

2. Failed to comply with the provisions of Young Adult Entertainment Facilities specified in this chapter including the operating rules and regulations set forth above.

3. Whenever the Village learns that the licenses made a material false statement or representation, or failed to disclose any material information to the Village, in connection with any application for the Young Adult Entertainment Facility license or any license renewal.

4. Whenever the licensee or any manager, officer, director, agent or employee of the licensee knowingly permits conduct on the licensed premises that violates any federal, state or Village criminal or penal statute, law or ordinance, or the operating rules and regulations, this ordinance or the terms and conditions of the license and the special use or the Zoning Ordinance.

5. Whenever the operation of the Young Adult Entertainment Facility becomes the proximate cause of a significant increase in criminal activity on the premises or in the immediate vicinity in such a way as to endanger persons or property.

6. For any of the grounds set forth in Section 11-15(a).

B. Any license may be suspended or revoked by the Village Manager in accordance with Section 11-15 of this Chapter. The procedure for suspension or revocation or any penalty shall be subject to Section 11-15(b) and (c).

C. Any appeal shall be pursuant to the procedures set forth in Section 11-16 of this Chapter.

D. In the event of a license suspension or revocation, the licensee shall be responsible for all of the costs, including attorney's fees incurred by the Village which costs shall be taxed to the licensee and payment made by certified check to the Village before the reopening of the business.

Attachment: Chapter 11 Final Version (Amending Chapter 2 and 11 Code of Ordinances)

Sec. 11-621. License, Non-transferable.

A license granted under the provisions of this chapter is non-transferable. The sale, lease or transfer of substantially all of the assets (more than 25%) of a business holding an Young Adult Entertainment Facility License or a sale or transfer of a controlling interest in a corporation or partnership holding an Young Adult Entertainment Facility License shall result in the termination of the license granted herein.

A license shall only be good for one (1) year and there shall be no obligation on the part of the Village to renew said license.

Sec. 11-622. Nuisance, Injunction.

Any violation of this chapter is declared to be a nuisance. In addition to any other relief provided by this chapter, the Village Attorney may apply to a court of competent jurisdiction for an injunction to prohibit the continuation of any violation of this chapter. The application for relief may include seeking a temporary restraining order, temporary injunction or permanent injunction.

Sec. 11-623. Penalty

Any person, firm or corporation violating any provision of this chapter shall be fined not less than Two Hundred ($200.00) Dollars nor more than One Thousand ($1,000.00) Dollars for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Sec. 11-624 – 11-629. Reserved.

Attachment: Chapter 11 Final Version (Amending Chapter 2 and 11 Code of Ordinances)

ARTICLE X. SPECIAL EVENTS

Sec. 11-630. Definitions.

Special Event. A proposed event that includes one or more of the following components shall be considered a Special Event, unless otherwise exempt by the Village's Code of Ordinances or by the Village Manager: 1) closure and/or use of any public streets or Village owned parking lots, right-of-way, or property (excluding closures in conjunction with a neighborhood block party); 2) an event to be held by a licensed business that will be open to the general public and requires the use of any property that is not under the direct ownership or control of the licensed business; 3) an outdoor event that includes a request for a temporary liquor license; and 4) an outdoor event that includes a request for a waiver of the Village's sound amplification ordinance (excluding an Outdoor Sound Waiver request for residential use only). Additionally, the Village Manager may determine an event to be a Special Event regardless if it includes one or more of the components listed above, but could impact the Village.

Sec. 11-631. Application and Fees Required.

A completed Special Event application shall be submitted to the Village for review no less than sixty (60) days prior to the proposed event. Applications may be accepted less than sixty (60) days prior to the event if, in the Village Manager's determination, the scope of the event and required approvals can be reviewed and processed in a shorter amount of time. Additional applications and/or approvals may also be required based on the location and scope of activities included in a proposed event. All Special Event applications shall be reviewed by Staff and may be forwarded to the Village Council for consideration at the discretion of the Village Manager.

For an event that is requesting to utilize a street within a public right-of-way a $75 application fee shall be submitted with the corresponding Special Event application. If the requested use of a street within a public right-of-way is approved, a street utilization fee of ten cents ($0.10) for every linear foot of street utilized must be paid. The Village Manager shall have the authority to waive the application and/or street utilization fees should the applicant be a registered not-for-profit organization that operates or provides services in Palatine or provides funding to community based organizations.

Attachment: Chapter 11 Final Version (Amending Chapter 2 and 11 Code of Ordinances)

Consider a Motion to Approve Warrant 2024 #15

Village of Palatine
Warrant approval

_____
Village Clerk

_____
Mayor

Warrant # 15 having been approved by the Village Council on 08/05/2024 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	261,774.58	-	-	-	261,774.58
CDBG Fund	210	9,186.97	-	-	-	9,186.97
Rand Corridor TIF Fund	234	475.00	-	-	-	475.00
ARPA Fund	256	331,259.75	-	-	-	331,259.75
Opioid Settlement Fund	257	2,125.00	-	-	-	2,125.00
Debt Service Fund	300	475.00	-	-	-	475.00
Capital Equipment Fund	401	72,597.10	-	-	-	72,597.10
Capital Improvements Fund	402	60,208.33	-	-	-	60,208.33
Water Fund	605	107,056.26	-	-	16.00	107,072.26
Sewer Fund	610	287,390.64	-	-	-	287,390.64
Refuse Fund	615	132,659.00	-	-	324.57	132,983.57
Parking Fund	620	13,947.28	-	-	-	13,947.28
Fleet Services Fund	710	29,353.05	-	-	-	29,353.05
Insurance AP Fund	899	865.21	-	-	-	865.21
Total Report		**1,309,373.17**	**-**	**-**	**340.57**	**1,309,713.74**

ATTACHMENTS:

- Warrant #15

VILLAGE OF PALATINE

Warrant #15

Invoice Due Date Range 06/01/24 - 08/20/24
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 **4040 - 1st Ayd Corporation**									
PSI710193	Parts - Stock	Open		06/27/2024	08/01/2024	07/17/2024			755.03
			Vendor **4040 - 1st Ayd Corporation** Totals			Invoices	1		$755.03
Vendor **1633 - 3M Company**									
9429623895	Yellow Reflective Sheeting 36" x 50 yd.	Open		07/18/2024	08/17/2024	07/30/2024			864.71
			Vendor **1633 - 3M Company** Totals			Invoices	1		$864.71
Vendor **1450 - A-Express Towing**									
26535	Towing - E-222	Open		07/11/2024	08/10/2024	07/17/2024			407.00
			Vendor **1450 - A-Express Towing** Totals			Invoices	1		$407.00
Vendor **5416 - Advance Auto Parts**									
6432418537306	Parts - Stock	Open		07/03/2024	08/02/2024	07/29/2024			13.72
6432419037421	Parts - Stock	Open		07/08/2024	08/07/2024	07/29/2024			10.17
6432419037439	Parts - T-411	Open		07/08/2024	08/07/2024	07/29/2024			441.37
6432419137471	Parts - T-500	Open		07/09/2024	08/08/2024	07/29/2024			102.55
6432419337567	Parts - Stock	Open		07/11/2024	08/10/2024	07/29/2024			210.60
6432419437620	Parts - G-001	Open		07/12/2024	08/11/2024	07/29/2024			7.22
6432419437622	Parts - G-004	Open		07/12/2024	08/11/2024	07/29/2024			77.80
			Vendor **5416 - Advance Auto Parts** Totals			Invoices	7		$863.43
Vendor **3030 - Advanced Automation & Control**									
24-4521	SCADA Programming Heron Pump Station Pump 1 VFD	Open		06/21/2024	07/21/2024	07/23/2024			1,920.00
24-4564	SCADA Programming Smith Tank Radio Frequencies	Open		07/12/2024	08/12/2024	07/23/2024			480.00
			Vendor **3030 - Advanced Automation & Control** Totals			Invoices	2		$2,400.00
Vendor **1437 - Ahlgrim Family Funeral Services**									
2024-00000617	Body Transport to Funeral Home (23-029672)	Open		07/16/2024	08/01/2024	07/25/2024			550.00
2024-00000618	Body Transport to Funeral Home (23-031366)	Open		07/16/2024	08/01/2024	07/25/2024			550.00
2024-00000620	Body Transport to Cook County Medical Examiners Ofc (24-001382)	Open		07/16/2024	08/01/2024	07/25/2024			515.00
2024-00000621	Body Transport to Funeral Home (24-001467)	Open		07/16/2024	08/01/2024	07/25/2024			515.00
2024-00000622	Body Transport to Funeral Home (24-002001)	Open		07/16/2024	08/01/2024	07/25/2024			550.00
2024-00000623	Body Transport to Cook County Medical Examiners Ofc (24-002150)	Open		07/16/2024	08/01/2024	07/25/2024			515.00

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VILLAGE OF PALATINE

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Invoice Due Date Range 06/01/24 - 08/20/24
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Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
		Vendor **1437 - Ahlgrim Family Funeral Services** Totals				Invoices	6		$3,195.00
Vendor **5350 - Airespring Inc**									
186092329	Internet Service	Open		07/01/2024	08/01/2024	07/03/2024			1,952.51
		Vendor **5350 - Airespring Inc** Totals				Invoices	1		$1,952.51
Vendor **2611 - Al Warren Oil Co**									
W1668358	Motor Fuel	Open		07/16/2024	08/15/2024	07/17/2024			21,556.50
		Vendor **2611 - Al Warren Oil Co** Totals				Invoices	1		$21,556.50
Vendor **3060 - Allegra Print & Imaging**									
103730	Business Cards	Open		07/08/2024	08/07/2024	07/09/2024			66.97
		Vendor **3060 - Allegra Print & Imaging** Totals				Invoices	1		$66.97
Vendor **4650 - Amalgamated Bank of Chicago**									
65020724	Paying Agent Fees - 2017B	Open		07/01/2024	07/31/2024	07/16/2024			475.00
65040724	Paying Agent Fees - 2017D	Open		07/01/2024	07/31/2024	07/16/2024			475.00
		Vendor **4650 - Amalgamated Bank of Chicago** Totals				Invoices	2		$950.00
Vendor **2491 - Anderson Pest Solutions**									
65564050	hornets- 1125 N DelMar	Open		07/12/2024	08/11/2024	07/16/2024			137.00
65573621	wasp 506 N Brockway	Open		07/12/2024	08/11/2024	07/16/2024			137.00
65639449	wasps- 922 E Krista Ct	Open		07/16/2024	08/15/2024	07/16/2024			137.00
62980775	Pest Control Services July 2024-CSF	Open		07/02/2024	08/01/2024	07/24/2024			85.26
		Vendor **2491 - Anderson Pest Solutions** Totals				Invoices	4		$496.26
Vendor **5021 - Arlington Heights Ford LLC**									
142452H	Parts - T-482	Open		07/02/2024	08/01/2024	07/17/2024			84.79
142618H	Parts - T-446	Open		07/05/2024	08/04/2024	07/17/2024			107.12
142619H	Parts - T-500	Open		07/05/2024	08/04/2024	07/17/2024			25.37
		Vendor **5021 - Arlington Heights Ford LLC** Totals				Invoices	3		$217.28
Vendor **1101 - Beverly Materials LLC**									
307745	Wash Stone-WMB Restoration Repair	Open		07/20/2024	08/19/2024	07/31/2024			703.36
		Vendor **1101 - Beverly Materials LLC** Totals				Invoices	1		$703.36
Vendor **1357 - Bio-Tron, Inc.**									
900907	annual monitor calibration/testing	Open		06/01/2024	07/01/2024	07/02/2024			1,375.00
		Vendor **1357 - Bio-Tron, Inc.** Totals				Invoices	1		$1,375.00
Vendor **1722 - BLA, Inc**									

Attachment: Warrant #15 (Warrant 2024 # 15)

VILLAGE OF PALATINE

Warrant #15

Invoice Due Date Range 06/01/24 - 08/20/24
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
23362-15	Palatine Road Reconstruction Phase II Engineering Services	Open		06/30/2024	07/30/2024	07/22/2024			3,688.05
23371-14	Palatine and Rohlwing Improvements Phase I Engineering Services	Open		06/30/2024	08/02/2024	07/22/2024			14,175.99
23387-4	Illinois Avenue Improvements Construction Engineering	Open		06/30/2024	07/30/2024	07/22/2024			33,560.69
			Vendor **1722 - BLA, Inc** Totals			Invoices	3		$51,424.73
Vendor **2856 - Blackburn Manufacturing Company**									
0741268-IN	Locate Flags	Open		07/09/2024	08/08/2024	07/23/2024			359.28
			Vendor **2856 - Blackburn Manufacturing Company** Totals			Invoices	1		$359.28
Vendor **1861 - Bolder Contractors**									
#1	US 14 Water Main Extension & Heron Valve Isolation DPW-2224	Open		07/10/2024	08/09/2024	07/22/2024			318,876.75
			Vendor **1861 - Bolder Contractors** Totals			Invoices	1		$318,876.75
Vendor **1492 - Bound Tree Medical LLC**									
85408770	EMS Equipment	Open		07/09/2024	08/08/2024	07/22/2024			278.56
			Vendor **1492 - Bound Tree Medical LLC** Totals			Invoices	1		$278.56
Vendor **2243 - Bristol Hose & Fitting**									
3549720	Parts - Stock	Open		07/03/2024	08/02/2024	07/17/2024			179.16
3549730	Parts - Stock	Open		07/03/2024	08/02/2024	07/17/2024			326.05
			Vendor **2243 - Bristol Hose & Fitting** Totals			Invoices	2		$505.21
Vendor **4850 - Builders Asphalt, Llc**									
138722	Binder and Surface for Hot Paving	Open		05/31/2024	07/01/2024	07/30/2024			1,553.30
142170	Binder and Surface for Hot Paving	Open		05/31/2024	07/01/2024	07/30/2024			2,116.12
139590	Binder and Surface for Hot Paving	Open		06/30/2024	07/30/2024	07/30/2024			1,451.34
139603	Binder and Surface for Hot Paving	Open		06/30/2024	07/30/2024	07/30/2024			968.88
139622	Binder and Surface for Hot Paving	Open		06/30/2024	07/30/2024	07/30/2024			1,782.66
139638	Binder and Surface for Hot Paving	Open		06/30/2024	07/30/2024	07/30/2024			1,740.68
139651	Binder and Surface for Hot Paving	Open		06/30/2024	07/30/2024	07/30/2024			906.90
139664	Binder and Surface for Hot Paving	Open		06/30/2024	07/30/2024	07/30/2024			843.88

Attachment: Warrant #15 (Warrant 2024 # 15)

VILLAGE OF PALATINE

Warrant #15

Invoice Due Date Range 06/01/24 - 08/20/24
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
139704	Binder and Surface for Hot Paving	Open		06/30/2024	07/30/2024	07/30/2024			131.34
141525	Binder and Surface for Hot Paving	Open		06/30/2024	07/30/2024	07/30/2024			93.06
141642	Binder and Surface for Hot Paving	Open		06/30/2024	07/30/2024	07/30/2024			227.04
142131	Binder and Surface for Hot Paving	Open		06/30/2024	07/30/2024	07/30/2024			134.64
142132	Binder and Surface for Hot Paving	Open		06/30/2024	07/30/2024	07/30/2024			68.00
142133	Binder and Surface for Hot Paving	Open		06/30/2024	07/30/2024	07/30/2024			65.96
142134	Binder and Surface for Hot Paving	Open		06/30/2024	07/30/2024	07/30/2024			65.96
142135	Binder and Surface for Hot Paving	Open		06/30/2024	07/30/2024	07/30/2024			69.36
142171	Binder and Surface for Hot Paving	Open		06/30/2024	07/30/2024	07/30/2024			204.68
			Vendor **4850 - Builders Asphalt, Llc** Totals			Invoices	17		$12,423.80
Vendor **5218 - Casey Automotive**									
30558400	Repairs & Maintenance - T-406	Open		07/11/2024	08/10/2024	07/17/2024			145.75
30558437	Repairs & Maintenance - T-507	Open		07/12/2024	08/11/2024	07/17/2024			78.95
			Vendor **5218 - Casey Automotive** Totals			Invoices	2		$224.70
Vendor **2560 - Childrens Advocacy Center**									
2024-00000589	CDBG - CAC	Open		07/24/2024	07/24/2024	07/24/2024			1,250.00
			Vendor **2560 - Childrens Advocacy Center** Totals			Invoices	1		$1,250.00
Vendor **4343 - Christopher B. Burke Engineering Ltd**									
193266	Smith Street Bike Path Connection Construction Eng DPW-2219	Open		07/09/2024	08/09/2024	07/10/2024			453.60
193273	Peppertree Lift Station Abandonment Design Engineering	Open		07/09/2024	08/09/2024	07/10/2024			6,589.79
			Vendor **4343 - Christopher B. Burke Engineering Ltd** Totals			Invoices	2		$7,043.39
Vendor **3050 - Cintas #22**									
4198026037	Shop Rags	Open		07/05/2024	08/04/2024	07/17/2024			17.60
4198026095	Uniform Cleaning	Open		07/05/2024	08/04/2024	07/17/2024			129.85
4198742680	Shop Rags	Open		07/12/2024	08/11/2024	07/17/2024			17.60
4198742703	CSF Carpets	Open		07/12/2024	08/11/2024	07/17/2024			155.65
4198743036	Uniform Cleaning	Open		07/12/2024	08/11/2024	07/17/2024			129.85

Attachment: Warrant #15 (Warrant 2024 # 15)

VILLAGE OF PALATINE

Warrant #15

Invoice Due Date Range 06/01/24 - 08/20/24
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
4198881478	Uniform Cleaning, Shop Rags & Carpets	Open		07/15/2024	08/14/2024	07/31/2024			151.55
4199444240	Shop Rags	Open		07/19/2024	08/18/2024	07/31/2024			17.60
4199444442	Uniform Cleaning	Open		07/19/2024	08/18/2024	07/31/2024			346.76
			Vendor **3050 - Cintas #22** Totals			Invoices	8		$966.46
Vendor **2707 - Ciorba Group Inc**									
0030242	2024 Water Main Replacement Contract 2 Design DPW-2422	Open		07/11/2024	08/10/2024	07/22/2024			3,657.20
0030272	Salt Creek Streambank Stabilization Design Engineering Services	Open		07/12/2024	08/11/2024	07/29/2024			33,337.08
			Vendor **2707 - Ciorba Group Inc** Totals			Invoices	2		$36,994.28
Vendor **1488 - CNS Tire Supply**									
27325	Parts - T-422	Open		07/09/2024	08/08/2024	07/17/2024			80.00
			Vendor **1488 - CNS Tire Supply** Totals			Invoices	1		$80.00
Vendor **2506 - College Of Dupage**									
16289	SLEA - Basic Academy x2 (Camargo & DeZutter)	Open		06/26/2024	08/05/2024	07/25/2024			9,392.00
			Vendor **2506 - College Of Dupage** Totals			Invoices	1		$9,392.00
Vendor **3033 - Comcast Cable**									
PW 06-24 B	Backup Internet Connections	Open		06/24/2024	07/22/2024	07/03/2024			6.30
CC 06-24 B	Backup Internet Connections	Open		06/25/2024	07/23/2024	07/03/2024			59.70
PW 07-24 A	Backup Internet Connections	Open		07/02/2024	07/30/2024	07/18/2024			332.97
PD24-July	Monthly Service Fee's (07/11/24 - 08/10/24)	Open		07/04/2024	08/01/2024	07/25/2024			16.80
			Vendor **3033 - Comcast Cable** Totals			Invoices	4		$415.77
Vendor **3706 - Constellation NewEnergy Inc**									
68586101101	Electricity-2399 N. Dee Lane Deer Park Booster Station	Open		06/18/2024	07/18/2024	07/26/2024			249.62
68586414101	Electricity-2175 N. Coach Road Long Grove Well 15	Open		06/18/2024	07/18/2024	07/26/2024			1,341.62
68586529801	Electricity-2175 N. Coach Road Long Grove Pump Station	Open		06/18/2024	07/18/2024	07/26/2024			169.62
68586796601	Electricity-1501 N. Hicks Road Hicks and Dundee Pump Station	Open		06/19/2024	07/19/2024	07/26/2024			830.07
68604783501	Electricity-137 W. Wood Street Unit 2 Train Station	Open		06/20/2024	07/20/2024	07/19/2024			933.34

Attachment: Warrant #15 (Warrant 2024 # 15)

VILLAGE OF PALATINE

Warrant #15

Invoice Due Date Range 06/01/24 - 08/20/24
Report By Vendor - Invoice
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Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
68605014601	Electricity-884 E. Lilly Lane Rose and Lilly Lift Station	Open		06/20/2024	07/20/2024	07/26/2024			522.16
68605035801	Electricity-0 N. Smith St/1 N Cherrywood Dr. Street Lighting	Open		06/20/2024	07/20/2024	07/19/2024			7,211.52
68605172501	Electricity-251 W. Colfax Street RT/25 Parking Lot Lighting	Open		06/20/2024	07/20/2024	07/19/2024			21.13
68605384301	Electricity-1 N. Plum Grove Rd. Rotary Plaza Sign	Open		06/20/2024	07/20/2024	07/19/2024			50.05
68605762701	Electricity-1199 W. Northwest Highway Countryside Pump Station	Open		06/20/2024	07/20/2024	07/26/2024			2,652.18
68606845001	Electricity-251 W. Colfax Street Parking Deck	Open		06/20/2024	07/20/2024	07/19/2024			3,835.04
68606949301	Electricity-803 W. Panorama Drive Deer Grove Lift Station	Open		06/20/2024	07/20/2024	07/26/2024			205.29
68607003701	Electricity-47 W. Slade Street RT/25 Street Lighting	Open		06/20/2024	07/20/2024	07/19/2024			37.16
68607288401	Electricity-550 N. Smith Street Well 7 Pump Station	Open		06/20/2024	07/20/2024	07/26/2024			262.76
68607409201	Electricity-137 W. Wood Street Unit 3 Conscious Cup	Open		06/20/2024	07/20/2024	07/19/2024			184.61
68607511101	Electricity-0 N. Hicks Pl./1 W. Northwest Hwy. Holiday Lighting	Open		06/20/2024	07/20/2024	07/19/2024			66.80
68607520801	Electricity-1465 E. Evergreen Drive Randville Lift Station	Open		06/20/2024	07/20/2024	07/26/2024			1,288.38
68607862701	Electricity-150 W. Wilson St. Clu Building	Open		06/20/2024	07/20/2024	07/30/2024			1,987.05
68607961801	Electricity-0 N. Smith St/King George Ct RT/23 Street Lighting	Open		06/20/2024	07/20/2024	07/19/2024			6,451.59
68608141001	Electricity-1381 N. Rohlwing Road North Supply Pump Station	Open		06/20/2024	07/20/2024	07/26/2024			4,909.99
68608141901	Electricity-137 W. Wood Street Unit 1 Parking Lot Lights	Open		06/20/2024	07/20/2024	07/19/2024			628.74
68608639001	Electricity-Heron Drive Well 10 Pump Station	Open		06/20/2024	07/20/2024	07/26/2024			8,938.44
68608817401	Electricity-429 N. Hicks Road Holiday Lighting	Open		06/20/2024	07/20/2024	07/19/2024			21.68
68608842701	Electricity-700 N. North Court RT/25 Street Lighting	Open		06/20/2024	07/20/2024	07/19/2024			54.08

Attachment: Warrant #15 (Warrant 2024 # 15)

VILLAGE OF PALATINE

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Invoice Due Date Range 06/01/24 - 08/20/24
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Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
68608945201	Electricity-1484 N. Oak Street Pepper Tree Lift Station	Open		06/20/2024	07/20/2024	07/26/2024			386.29
68609000001	Electricity-0 W. Rohlwing Road RT/25 Street Lighting	Open		06/20/2024	07/20/2024	07/19/2024			206.82
68609003801	Electricity-560 S. Hale Street Storm Water Lift Station	Open		06/20/2024	07/20/2024	07/26/2024			76.30
68609014401	Electricity-0 Kenilworth and Elizabeth Winston Tank	Open		06/20/2024	07/20/2024	07/26/2024			55.67
68609014901	Electricity-0 N. Smith Street Union Pacific Box	Open		06/20/2024	07/20/2024	07/19/2024			59.20
68609037401	Electricity-50 N. Brockway Street Parking Lot Lighting	Open		06/20/2024	07/20/2024	07/19/2024			75.55
68609041401	Electricity-Palatine and Bothwell Street Lighting	Open		06/20/2024	07/20/2024	07/19/2024			101.51
6860904870	Electricity-519 S. Consumers Ave Arlington Crest Lift Station	Open		06/20/2024	07/20/2024	07/26/2024			192.91
68609060101	Electricity-1830 N. Baldwin Road Kasuba Lift Station	Open		06/20/2024	07/20/2024	07/26/2024			1,764.16
68609304401	Electricity-0 Haleyshill Court Dunhaven Woods Lift Station	Open		06/20/2024	07/20/2024	07/26/2024			138.04
68609499001	Electricity-0 Benton and Wilmette Wilmette Lift Station	Open		06/20/2024	07/21/2024	07/26/2024			104.63
68618155901	Electricity-149 W. Michigan Avenue South Supply Pump Station	Open		06/21/2024	07/21/2024	07/26/2024			9,566.28
68618178401	Electricity-914 W. Lukas Avenue Square D Lift Station	Open		06/21/2024	07/21/2024	07/26/2024			135.70
68618197901	Electricity-1279 W. Palatine Road Entrance Sign	Open		06/21/2024	07/21/2024	07/19/2024			5.52
68618453601	Electricity-1100 W. Illinois Av. Well 5	Open		06/21/2024	07/21/2024	07/26/2024			2,031.69
68618479601	Electricity-0 Harper Well 6	Open		06/21/2024	07/21/2024	07/26/2024			870.00
68618494201	Electricity-Palatine and Bothwell Street Lighting	Open		06/21/2024	07/21/2024	07/19/2024			32.15
68618236101	Electricity-1525-35 S. Roselle Road Shires Lift Station	Open		06/24/2024	07/24/2024	07/26/2024			269.73
68414783601	Electricity-826 W. Exner Court Pond Aerator	Open		06/25/2024	07/25/2024	07/26/2024			96.85
68618157301	Electricity-826 W. Exner Court Pond Aerator	Open		06/25/2024	07/25/2024	07/26/2024			138.34
			Vendor **3706 - Constellation NewEnergy Inc** Totals			Invoices	44		$59,160.26

Vendor **2605 - Contech-MSI Co**

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VILLAGE OF PALATINE

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Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
200188	Sprinkler Repairs-Fire Station 84	Open		07/12/2024	08/11/2024	07/24/2024			3,175.00
			Vendor **2605 - Contech-MSI Co** Totals			Invoices	1		$3,175.00
Vendor **2773 - Core & Main LP**									
V200300	OMNI+ 6 C2 Reg Retrofit Kit, ILL 27 30 1/4 Socket ACCU/SRII	Open		07/05/2024	08/04/2024	07/23/2024			475.00
			Vendor **2773 - Core & Main LP** Totals			Invoices	1		$475.00
Vendor **2584 - Currie Motors Inc**									
M4630	2024 Ford Transit Televising Van	Open		07/17/2024	08/16/2024	07/24/2024			56,932.00
			Vendor **2584 - Currie Motors Inc** Totals			Invoices	1		$56,932.00
Vendor **5389 - Deux Frenchies LLC**									
241717	Food for K-9 "Jax" (Wagner)	Open		07/25/2024	08/08/2024	07/25/2024			73.15
			Vendor **5389 - Deux Frenchies LLC** Totals			Invoices	1		$73.15
Vendor **5089 - Empire Printing, LLC**									
55684B	June 2024 Uniform Order	Open		07/03/2024	08/02/2024	07/15/2024			15.94
			Vendor **5089 - Empire Printing, LLC** Totals			Invoices	1		$15.94
Vendor **5398 - EMS Management & Consultants, Inc.**									
EMS-005859	Ambulance Billing Charges - Jun	Open		06/30/2024	08/09/2024	07/12/2024			7,008.05
			Vendor **5398 - EMS Management & Consultants, Inc.** Totals			Invoices	1		$7,008.05
Vendor **5429 - Engineered IT Inc**									
20242444	Consulting on Early Warning	Open		07/19/2024	07/19/2024	07/19/2024			1,137.50
			Vendor **5429 - Engineered IT Inc** Totals			Invoices	1		$1,137.50
Vendor **5271 - FamilyForward**									
2024-00000590	CDBG - Family Forward	Open		07/24/2024	07/24/2024	07/24/2024			750.00
			Vendor **5271 - FamilyForward** Totals			Invoices	1		$750.00
Vendor **3841 - FBI National Academy Associates Inc**									
2024-00000644	2024 Membership Dues & Activity Fee (Hester)	Open		07/05/2024	08/05/2024	07/25/2024			325.00
			Vendor **3841 - FBI National Academy Associates Inc** Totals			Invoices	1		$325.00
Vendor **3563 - FGM Architects**									
23-3804.02-6	Fire Stations 82 and 85 Renovations Phase 2 Services	Open		07/16/2024	08/15/2024	07/22/2024			12,383.00
			Vendor **3563 - FGM Architects** Totals			Invoices	1		$12,383.00

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VILLAGE OF PALATINE

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Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
Vendor **2195 - FMP**									
162-181647	Oil	Open		07/02/2024	08/02/2024	07/17/2024			244.44
63-460948	Oil	Open		07/02/2024	08/01/2024	07/17/2024			80.04
50-5425967	Oil	Open		07/03/2024	08/02/2024	07/17/2024			80.04
50-5426034	Parts - T-500	Open		07/03/2024	08/02/2024	07/17/2024			178.40
162-181974	Parts - Stock	Open		07/08/2024	08/07/2024	07/17/2024			54.24
			Vendor **2195 - FMP** Totals			Invoices	5		$637.16
Vendor **3400 - Gewalt Hamilton Associates Inc**									
450.008-7	Tulip Way Reconstruction Design Engineering	Open		07/17/2024	08/17/2024	07/22/2024			8,330.00
			Vendor **3400 - Gewalt Hamilton Associates Inc** Totals			Invoices	1		$8,330.00
Vendor **1667 - Gilio Landscape Contractors**									
9764	grass 501 N Hicks 7/12	Open		07/12/2024	08/11/2024	07/16/2024			80.00
9769	grass 1055 W Palatine 7/12	Open		07/12/2024	08/11/2024	07/16/2024			80.00
9765	grass 204 N HIcks Pl 7/12	Open		07/13/2024	08/12/2024	07/16/2024			80.00
9766	grass 206 N Hicks Pl 7/12	Open		07/13/2024	08/12/2024	07/16/2024			80.00
9767	grass 218 N Hicks Place 7/12	Open		07/13/2024	08/12/2024	07/16/2024			80.00
9770	grass 410 N Northwest Hwy	Open		07/13/2024	08/12/2024	07/16/2024			80.00
9771	grass 741 W Kenilworth 7/12	Open		07/13/2024	08/12/2024	07/16/2024			80.00
9774	grass 630 E Dundee 7/13	Open		07/13/2024	08/12/2024	07/16/2024			80.00
9773	grass 1140 E Dundee 7/13	Open		07/14/2024	08/13/2024	07/16/2024			80.00
9775	grass 1102 E Dundee 7/13	Open		07/14/2024	08/13/2024	07/16/2024			80.00
9776	grass 473 W Northwest Hwy	Open		07/16/2024	08/15/2024	07/16/2024			80.00
9779	grass 651 S Benton 7/15	Open		07/16/2024	08/15/2024	07/16/2024			80.00
9782	grass 630 E Northwest Hwy 7/15	Open		07/16/2024	08/15/2024	07/16/2024			80.00
9783	grass 636 E Northwest Hwy 7/15	Open		07/16/2024	08/15/2024	07/16/2024			80.00
9787	grass 749-753 W Palatine 7/19	Open		07/20/2024	08/19/2024	07/16/2024			80.00
9788	grass 749-753 W Palatine 7/19	Open		07/20/2024	08/19/2024	07/16/2024			80.00
9789	grass 749-753 W Palatine 7/19	Open		07/20/2024	08/19/2024	07/16/2024			80.00
			Vendor **1667 - Gilio Landscape Contractors** Totals			Invoices	17		$1,360.00
Vendor **1234 - Golf Rose Animal Hospital**									
411158	Medications for K-9 Hondo (Contreras)	Open		06/23/2024	07/23/2024	07/25/2024			79.75
412934	Vet Visit for K-9 Hondo & Med's for K-9 Jax	Open		07/12/2024	08/11/2024	07/25/2024			754.56
			Vendor **1234 - Golf Rose Animal Hospital** Totals			Invoices	2		$834.31

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VILLAGE OF PALATINE

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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 **2281 - Grainger**									
9187894820	Meters-Displacement Connector	Open		07/19/2024	08/18/2024	07/23/2024			44.44
			Vendor **2281 - Grainger** Totals			Invoices	1		$44.44
Vendor **5145 - Granite Telecommunications, LLC**									
652731519	POTs Lines	Open		07/01/2024	08/01/2024	07/18/2024			320.06
			Vendor **5145 - Granite Telecommunications, LLC** Totals			Invoices	1		$320.06
Vendor **1173 - Graybar Electric Company, Inc.**									
9337990406	LED-8024M345-G7-FW	Open		07/10/2024	08/09/2024	07/24/2024			423.32
			Vendor **1173 - Graybar Electric Company, Inc.** Totals			Invoices	1		$423.32
Vendor **5025 - Hampton, Lenzini and Renwick, Inc**									
000020241602	2024 Water Main Replacement Contract 3 Design DPW-2423	Open		07/09/2024	08/09/2024	07/09/2024			323.75
			Vendor **5025 - Hampton, Lenzini and Renwick, Inc** Totals			Invoices	1		$323.75
Vendor **1916 - Harvard Maintenance Inc**									
1648363	Village Hall Janitorial Service-July 2024	Open		07/01/2024	07/31/2024	07/24/2024			3,528.59
1648438	Train Station Janitorial Service - July 2024	Open		07/01/2024	07/31/2024	07/24/2024			8,118.05
			Vendor **1916 - Harvard Maintenance Inc** Totals			Invoices	2		$11,646.64
Vendor **3981 - Loren D Hunsaker**									
2024-00000584	Lead Water Service Line Replacement Program Reimbursement	Open		07/11/2024	08/02/2024	07/22/2024			11,476.00
			Vendor **3981 - Loren D Hunsaker** Totals			Invoices	1		$11,476.00
Vendor **2822 - Illinois Secretary Of State**									
PWVM 2024 T-491	License Plate Renewal T-491	Open		07/01/2024	07/31/2024	07/17/2024			151.00
PWVM 2024 C-373	License Plate Renewal C-373	Open		07/01/2024	07/31/2024	07/17/2024			151.00
PWVM 2024 C-377	License Plate Renewal C-377	Open		07/01/2024	07/31/2024	07/17/2024			151.00
PWVM 2024 T- 466	License Plate Renewal T-466	Open		07/01/2024	07/31/2024	07/17/2024			151.00
PWVM 2024 T- 509	License Plate Renewal T-509	Open		07/01/2024	07/31/2024	07/17/2024			151.00
			Vendor **2822 - Illinois Secretary Of State** Totals			Invoices	5		$755.00
Vendor **1604 - Illinois State Police**									

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20240603601	Fingerprinting for Employment (3601-June)	Open		07/01/2024	08/15/2024	07/25/2024			141.25
			Vendor **1604 - Illinois State Police** Totals			Invoices	1		$141.25
Vendor **4951 - Interstate Batteries of North Chicago**									
23048628	Parts - Stock	Open		07/02/2024	08/01/2024	07/31/2024			776.28
			Vendor **4951 - Interstate Batteries of North Chicago** Totals			Invoices	1		$776.28
Vendor **5449 - Mark Ison**									
2024-00000636	Private Storm Sewer Program Reimbursement-958 W. Wood Street	Open		07/24/2024	08/02/2024	07/29/2024			1,725.83
			Vendor **5449 - Mark Ison** Totals			Invoices	1		$1,725.83
Vendor **5450 - J. Matthew May**									
2024-00000637	Lead Water Service Line Replacement Program Reimbursement	Open		07/22/2024	08/02/2024	07/29/2024			9,215.59
			Vendor **5450 - J. Matthew May** Totals			Invoices	1		$9,215.59
Vendor **3069 - Pamela Jackson**									
07-11-2024 email	Reimburse PJackson paid for Wellness Walking Challenge Incentive	Open		07/11/2024	07/11/2024	07/11/2024			95.60
			Vendor **3069 - Pamela Jackson** Totals			Invoices	1		$95.60
Vendor **2695 - JG Uniforms Inc**									
133954	Misc Uniform/Equipment Items/Vest Carriers (Amundsen)	Open		07/08/2024	08/07/2024	07/09/2024			15.00
131208	Misc Uniform/Equipment Items/Vest Carriers (Paolucci)	Open		05/20/2024	06/20/2024	07/25/2024			11.50
			Vendor **2695 - JG Uniforms Inc** Totals			Invoices	2		$26.50
Vendor **3869 - John Nelson Architect Inc**									
JN 7/29/24	Plan Review/ Consultation Services 7/10-7/26	Open		07/29/2024	07/29/2024	07/16/2024			3,150.00
			Vendor **3869 - John Nelson Architect Inc** Totals			Invoices	1		$3,150.00
Vendor **3631 - Johnson Controls Security Solutions LLC**									
40355466	Alarm Monitoring 137 W. Wood St.-8/1/24-10/31/24	Open		07/13/2024	08/12/2024	07/24/2024			188.30
			Vendor **3631 - Johnson Controls Security Solutions LLC** Totals			Invoices	1		$188.30
Vendor **2609 - Julie, Inc.**									

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VILLAGE OF PALATINE

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Invoice Number	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Net Amount
2024-1430-3	JULIE Locate Annual Membership	Open		07/21/2024	08/20/2024	07/17/2024			2,945.94
			Vendor **2609 - Julie, Inc.** Totals			Invoices	1		$2,945.94
Vendor **5452 - Bradley Kitzerow**									
2024-00000651	Lead Water Service Line Replacement Program Reimbursement	Open		07/30/2024	08/02/2024	07/31/2024			11,389.34
			Vendor **5452 - Bradley Kitzerow** Totals			Invoices	1		$11,389.34
Vendor **4803 - Douglas Kroening**									
DK-72624	clothing reimbursement	Open		07/29/2024	07/29/2024	07/16/2024			194.40
			Vendor **4803 - Douglas Kroening** Totals			Invoices	1		$194.40
Vendor **5137 - Lakeshore Recycling Systems, LLC**									
V936793	Waste Disposal	Open		07/15/2024	08/14/2024	07/30/2024			364.57
			Vendor **5137 - Lakeshore Recycling Systems, LLC** Totals			Invoices	1		$364.57
Vendor **3324 - Language Testing International Inc**									
L88884	Language Testing	Open		06/21/2024	07/21/2024	07/16/2024			124.00
L89421	Language Testing - Ochal	Open		07/10/2024	08/09/2024	07/16/2024			124.00
			Vendor **3324 - Language Testing International Inc** Totals			Invoices	2		$248.00
Vendor **3712 - William P Leyden**									
2024-00000647	Arson/Fire Investigator School (Champaign, IL)	Open		07/26/2024	08/05/2024	07/31/2024			187.69
			Vendor **3712 - William P Leyden** Totals			Invoices	1		$187.69
Vendor **3282 - Lurvey Landscape Supply**									
T7-10153645	Sanitary Sewer Repair 102 S. Ash	Open		07/08/2024	08/07/2024	07/23/2024			118.50
T7-10153662	Sanitary Sewer Repair 102 S. Ash	Open		07/08/2024	08/07/2024	07/23/2024			37.75
			Vendor **3282 - Lurvey Landscape Supply** Totals			Invoices	2		$156.25
Vendor **5128 - M.J. Taylor Law, LLC**									
MJTAYLOR 7-26-24	Village Prosecution Legal	Open		07/26/2024	08/12/2024	07/29/2024			3,450.00
			Vendor **5128 - M.J. Taylor Law, LLC** Totals			Invoices	1		$3,450.00
Vendor **4957 - MacQueen Equipment, LLC**									
P29197	Parts - Stock	Open		07/12/2024	08/11/2024	07/29/2024			629.68
			Vendor **4957 - MacQueen Equipment, LLC** Totals			Invoices	1		$629.68
Vendor **2756 - Mc Master Carr Supply Co.**									

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29985946	Steel Hex Nut, Grade 5; Steel Hex Head Screw, Grade 5	Open		07/11/2024	08/10/2024	07/30/2024			229.48
			Vendor **2756 - Mc Master Carr Supply Co.** Totals			Invoices	1		$229.48
Vendor **1118 - Mid American Water Of Wauconda Inc**									
272005W	Coupling	Open		07/03/2024	08/02/2024	07/23/2024			1,038.82
272321W	Inlet Materials	Open		07/12/2024	08/11/2024	07/23/2024			1,224.00
272534W	Randville Lift Station Bypass	Open		07/19/2024	08/18/2024	07/29/2024			5,941.60
			Vendor **1118 - Mid American Water Of Wauconda Inc** Totals			Invoices	3		$8,204.42
Vendor **4602 - Bruce A Morris**									
2024-00000624	2024 FBINAA Conference in Kansas	Open		07/25/2024	08/05/2024	07/25/2024			1,552.53
			Vendor **4602 - Bruce A Morris** Totals			Invoices	1		$1,552.53
Vendor **1204 - Motorola Solutions, Inc**									
7714120230703	Radios- Starcom21 Network	Open		07/01/2024	07/31/2024	07/09/2024			120.00
			Vendor **1204 - Motorola Solutions, Inc** Totals			Invoices	1		$120.00
Vendor **1405 - MPC Communications & Lighting Inc**									
24-1110	Police Department Vehicle Upfitting-T-530	Open		05/16/2024	08/01/2024	07/24/2024			685.00
24-1154	Police Department Vehicle Upfitting-T-530	Open		07/09/2024	08/08/2024	07/24/2024			12,902.10
			Vendor **1405 - MPC Communications & Lighting Inc** Totals			Invoices	2		$13,587.10
Vendor **5118 - Municipal GIS Partners, Inc**									
7496	July Invoice for consultants	Open		08/01/2024	08/01/2024	08/01/2024			19,170.40
			Vendor **5118 - Municipal GIS Partners, Inc** Totals			Invoices	1		$19,170.40
Vendor **5099 - NAPA Auto Parts**									
441076	Parts -Stock	Open		07/03/2024	08/02/2024	07/29/2024			32.97
441354	Parts - T-422	Open		07/08/2024	08/07/2024	07/29/2024			258.59
441361	Parts - Stock	Open		07/08/2024	08/07/2024	07/29/2024			5.06
442234	Parts - Stock	Open		07/15/2024	08/14/2024	07/29/2024			21.06
			Vendor **5099 - NAPA Auto Parts** Totals			Invoices	4		$317.68
Vendor **1808 - Newberg Construction Company Inc**									
2020574	Sanitary Sewer Repair-102 S. Ash Street	Open		07/15/2024	08/14/2024	07/23/2024			7,907.02
2024-00000635	withdrawn refund permit 16725-2024 32 S Kerwood	Open		07/29/2024	07/29/2024	07/29/2024			99.00
			Vendor **1808 - Newberg Construction Company Inc** Totals			Invoices	2		$8,006.02
Vendor **5142 - Linda S Niemiec**									

Attachment: Warrant #15 (Warrant 2024 # 15)

VILLAGE OF PALATINE

Warrant #15

Invoice Due Date Range 06/01/24 - 08/20/24
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
24/492	Clothing	Open		07/11/2024	08/10/2024	07/22/2024			390.00
			Vendor **5142 - Linda S Niemiec** Totals			Invoices	1		$390.00
Vendor **2432 - Northern Ill Police Alarm System**									
15456	Language Line Usage (June)	Open		07/16/2024	08/15/2024	07/25/2024			25.00
			Vendor **2432 - Northern Ill Police Alarm System** Totals			Invoices	1		$25.00
Vendor **2224 - Northwest Community Hospital-EMS**									
2024-00000582	Hosting PCRS, Field Support, and Website	Open		07/04/2024	08/03/2024	07/09/2024			3,703.05
2024-00000588	EMS Con-Ed In-Station Fees	Open		07/05/2024	08/04/2024	07/22/2024			2,125.00
			Vendor **2224 - Northwest Community Hospital-EMS** Totals			Invoices	2		$5,828.05
Vendor **3002 - Northwest Community Hospital-OEHS**									
29858	Consortium Membership 2023	Open		07/09/2024	08/08/2024	07/22/2024			100.00
			Vendor **3002 - Northwest Community Hospital-OEHS** Totals			Invoices	1		$100.00
Vendor **3349 - Office of the State Fire Marshal**									
9696926	Boiler Certificate Fee-595 N. Hicks Road	Open		07/12/2024	08/11/2024	07/24/2024			70.00
			Vendor **3349 - Office of the State Fire Marshal** Totals			Invoices	1		$70.00
Vendor **5400 - Oil Equipment Company Inc**									
0343193-IN	Parts - Stock	Open		06/28/2024	08/01/2024	07/17/2024			188.35
			Vendor **5400 - Oil Equipment Company Inc** Totals			Invoices	1		$188.35
Vendor **1214 - On Time Embroidery Inc.**									
123540	Clothing	Open		06/01/2024	07/01/2024	07/02/2024			83.00
			Vendor **1214 - On Time Embroidery Inc.** Totals			Invoices	1		$83.00
Vendor **5151 - Pace Analytical Services, LLC**									
247210612	Water Sample Testing	Open		07/17/2024	08/16/2024	07/23/2024			460.00
247210614	Water Sample Testing	Open		07/17/2024	08/16/2024	07/23/2024			75.00
247210794	Water Sample Testing	Open		07/19/2024	08/18/2024	07/23/2024			460.00
			Vendor **5151 - Pace Analytical Services, LLC** Totals			Invoices	3		$995.00
Vendor **2572 - Paddock Publications, Inc**									
296592	Legal Notice - 4617005	Open		07/09/2024	07/30/2024	07/18/2024			537.30
			Vendor **2572 - Paddock Publications, Inc** Totals			Invoices	1		$537.30
Vendor **1583 - Palatine Park District**									
24-8789	Kitchen Supplies	Open		07/19/2024	08/18/2024	07/31/2024			88.99
5539	May 2024 Grass Mowing Services Reimbursement	Open		07/19/2024	08/18/2024	07/22/2024			11,515.20

Attachment: Warrant #15 (Warrant 2024 # 15)

VILLAGE OF PALATINE

Warrant #15

Invoice Due Date Range 06/01/24 - 08/20/24
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 **1583 - Palatine Park District** Totals			Invoices	2		$11,604.19
Vendor **2357 - Palatine Township**									
2024-00000591	CDBG - Township	Open		07/24/2024	07/24/2024	07/24/2024			1,150.00
			Vendor **2357 - Palatine Township** Totals			Invoices	1		$1,150.00
Vendor **2376 - Palatine Township Senior Citizens**									
2024-00000592	CDBG - PTSCC	Open		07/24/2024	07/24/2024	07/24/2024			3,750.00
			Vendor **2376 - Palatine Township Senior Citizens** Totals			Invoices	1		$3,750.00
Vendor **5403 - Park Consulting Group, Inc**									
596	Consulting - Neighbor Service	Open		07/15/2024	08/14/2024	07/17/2024			58,975.00
			Vendor **5403 - Park Consulting Group, Inc** Totals			Invoices	1		$58,975.00
Vendor **2167 - Pomp's Tire Service, Inc.**									
411111306	Parts - Stock	Open		07/03/2024	08/02/2024	07/17/2024			1,167.00
			Vendor **2167 - Pomp's Tire Service, Inc.** Totals			Invoices	1		$1,167.00
Vendor **4891 - Precision Pavement Markings, Inc.**									
4731	2024 Pavement Striping Program DPW-2431	Open		05/21/2024	07/19/2024	07/18/2024			39,935.94
			Vendor **4891 - Precision Pavement Markings, Inc.** Totals			Invoices	1		$39,935.94
Vendor **5451 - Carly Pupillo**									
2024-00000650	Lead Water Service Line Replacement Program Reimbursement	Open		07/29/2024	08/02/2024	07/31/2024			11,413.00
			Vendor **5451 - Carly Pupillo** Totals			Invoices	1		$11,413.00
Vendor **5266 - Red Oak Tree Services Inc**									
INV0421	Tree Removal - 911 E. Schirra	Open		07/08/2024	08/07/2024	07/02/2024			920.00
			Vendor **5266 - Red Oak Tree Services Inc** Totals			Invoices	1		$920.00
Vendor **4545 - Robinson Engineering Ltd**									
24070007	Public Works Utilities Division Phase 2 Assistance	Open		07/03/2024	08/02/2024	07/22/2024			348.25
			Vendor **4545 - Robinson Engineering Ltd** Totals			Invoices	1		$348.25
Vendor **3255 - Russo's Power Equipment Inc**									
SPI20734403	Manifold & Throttle Trigger	Open		07/10/2024	08/09/2024	07/30/2024			57.98
SPI20734404	Guide Bar & Chain Loop	Open		07/10/2024	08/09/2024	07/30/2024			230.95
			Vendor **3255 - Russo's Power Equipment Inc** Totals			Invoices	2		$288.93
Vendor **2673 - Schain Banks Kenny & Schwartz**									
SCHAIN June2024	Schain Legal Services	Open		07/08/2024	07/22/2024	07/11/2024			27,580.08

Attachment: Warrant #15 (Warrant 2024 # 15)

VILLAGE OF PALATINE

Warrant #15

Invoice Due Date Range 06/01/24 - 08/20/24
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 **2673 - Schain Banks Kenny & Schwartz** Totals				Invoices	1		$27,580.08
Vendor **3208 - Jeffrey A Schlee**									
2024-00000645	NIPAS Uniform Pants	Open		07/26/2024	08/05/2024	07/25/2024			81.97
		Vendor **3208 - Jeffrey A Schlee** Totals				Invoices	1		$81.97
Vendor **3122 - John K Schmidt**									
PWCDLJS070924	CDL Reimbursement	Open		07/09/2024	08/01/2024	07/31/2024			60.00
		Vendor **3122 - John K Schmidt** Totals				Invoices	1		$60.00
Vendor **5446 - Sea Level Diving, Inc**									
10770	Open Water Course-Zimmerman	Open		07/02/2024	08/01/2024	07/02/2024			598.00
		Vendor **5446 - Sea Level Diving, Inc** Totals				Invoices	1		$598.00
Vendor **1609 - Sherwin-Williams**									
0581-3	Road Striping Paint	Open		07/18/2024	08/17/2024	07/22/2024			850.50
		Vendor **1609 - Sherwin-Williams** Totals				Invoices	1		$850.50
Vendor **3941 - David C Smith**									
2024-00000585	Basement Protection Program-120 S. Linden	Open		07/11/2024	08/02/2024	07/22/2024			7,000.00
		Vendor **3941 - David C Smith** Totals				Invoices	1		$7,000.00
Vendor **1689 - Smith Ecological Systems Inc**									
24803	Countryside Pump Station Maintenance	Open		07/08/2024	08/07/2024	07/23/2024			1,512.84
24811	Heron Pump Station Chlorine Gas Detector	Open		07/16/2024	08/15/2024	07/23/2024			3,350.50
		Vendor **1689 - Smith Ecological Systems Inc** Totals				Invoices	2		$4,863.34
Vendor **4308 - Solid Waste Agency of Northern Cook County**									
7625	Refuse Service - September	Open		08/01/2024	08/01/2024	08/24/2024			132,659.00
		Vendor **4308 - Solid Waste Agency of Northern Cook County** Totals				Invoices	1		$132,659.00
Vendor **1547 - Spring Align**									
127188	Parts - T-500	Open		07/11/2024	08/10/2024	07/17/2024			219.95
		Vendor **1547 - Spring Align** Totals				Invoices	1		$219.95
Vendor **1776 - Suburban Accents, Inc.**									
35274	Police Department Vehicle Upfitting-T-530	Open		07/18/2024	08/17/2024	07/24/2024			35.00
		Vendor **1776 - Suburban Accents, Inc.** Totals				Invoices	1		$35.00
Vendor **4966 - T-Mobile**									
983355792-0724	Birchwood Cameras	Open		07/01/2024	08/01/2024	07/18/2024			76.60

Attachment: Warrant #15 (Warrant 2024 # 15)

VILLAGE OF PALATINE

Warrant #15

Invoice Due Date Range 06/01/24 - 08/20/24
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
9574786629	Cellular Phone Tracking/Tower Dumps (24-004970)	Open		07/25/2024	08/05/2024	07/25/2024			100.00
			Vendor **4966 - T-Mobile** Totals			Invoices	2		$176.60
Vendor **2545 - Terrace Supply Co**									
0071045057	Oxygen	Open		06/17/2024	08/16/2024	06/13/2024			280.47
			Vendor **2545 - Terrace Supply Co** Totals			Invoices	1		$280.47
Vendor **5272 - The Lakota Group, Inc**									
23002-16	Comprehensive Plan 6/1/24-6/30/24	Open		07/16/2024	08/15/2024	07/16/2024			4,305.00
			Vendor **5272 - The Lakota Group, Inc** Totals			Invoices	1		$4,305.00
Vendor **1844 - Third Millennium Associates Inc**									
31677	UB Bill Processing - June 2024	Open		06/30/2024	07/31/2024	07/11/2024			2,346.81
			Vendor **1844 - Third Millennium Associates Inc** Totals			Invoices	1		$2,346.81
Vendor **4058 - TransUnion Risk and Alternative Data Solutions Inc**									
71751-202406-1	Online Investigative Search Engine (06/01/24 - 06/30/24)	Open		07/01/2024	08/15/2024	07/25/2024			189.20
			Vendor **4058 - TransUnion Risk and Alternative Data Solutions Inc** Totals			Invoices	1		$189.20
Vendor **5122 - Velan Solutions Velan Solutions, LLC**									
889	We Never Walk Alone Peer Support Network	Open		07/09/2024	08/08/2024	07/25/2024			2,592.00
			Vendor **5122 - Velan Solutions Velan Solutions, LLC** Totals			Invoices	1		$2,592.00
Vendor **3709 - Verizon Wireless**									
2024-00000643	Cellular Usage	Open		07/12/2024	08/04/2024	07/31/2024			6,092.08
			Vendor **3709 - Verizon Wireless** Totals			Invoices	1		$6,092.08
Vendor **4824 - Vestis First Aid**									
ORD4-013520	First Aid Kit Refill	Open		07/02/2024	08/01/2024	07/02/2024			865.18
			Vendor **4824 - Vestis First Aid** Totals			Invoices	1		$865.18
Vendor **5448 - Amy Virgil**									
2024-00000586	Driveway	Open		07/22/2024	08/02/2024	07/22/2024			2,260.00
			Vendor **5448 - Amy Virgil** Totals			Invoices	1		$2,260.00
Vendor **4618 - Vision Marketing Passport System Ltd**									
2074	Name/Locker Tags	Open		06/10/2024	07/09/2024	07/02/2024			90.80
			Vendor **4618 - Vision Marketing Passport System Ltd** Totals			Invoices	1		$90.80
Vendor **4908 - Visu-Sewer of Illinois LLC**									

Attachment: Warrant #15 (Warrant 2024 # 15)

VILLAGE OF PALATINE

Warrant #15

Invoice Due Date Range 06/01/24 - 08/20/24
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
10154	2024 Sewer Rehabilitation Program-CIPP DPW-2401	Open		07/08/2024	08/07/2024	07/10/2024			162,524.10
			Vendor **4908 - Visu-Sewer of Illinois LLC** Totals			Invoices	1		$162,524.10
Vendor **5454 - Eric C Weidner**									
PWBREW073024	Boot Reimbursement	Open		07/30/2024	08/06/2024	07/17/2024			125.00
			Vendor **5454 - Eric C Weidner** Totals			Invoices	1		$125.00
Vendor **2439 - Wings Program Inc**									
2024-00000593	CDBG - WINGS	Open		07/24/2024	07/24/2024	07/24/2024			2,286.97
			Vendor **2439 - Wings Program Inc** Totals			Invoices	1		$2,286.97
Vendor **3185 - Ziebell Water Service Products Inc**									
266374-000	B-Box Parts	Open		07/11/2024	08/10/2024	07/23/2024			1,063.50
266473-000	Hydrant Stem	Open		07/19/2024	08/18/2024	07/23/2024			885.00
			Vendor **3185 - Ziebell Water Service Products Inc** Totals			Invoices	2		$1,948.50
Vendor **5411 - Zoho Corporation**									
2406797	consultants on ADAudit	Open		06/18/2024	07/25/2024	07/25/2024			995.00
			Vendor **5411 - Zoho Corporation** Totals			Invoices	1		$995.00
Vendor **ADG Development**									
2024-00000629	sign refund/ 37 N Plum Grove/ fpd93-2024	Open		07/24/2024	07/24/2024	07/24/2024			250.00
			Vendor **ADG Development** Totals			Invoices	1		$250.00
Vendor **Nancy Davis**									
2024-00000595	Ambulance Fee Refund	Open		07/25/2024	07/25/2024	07/25/2024			275.00
			Vendor **Nancy Davis** Totals			Invoices	1		$275.00
Vendor **HODC**									
2024-00000631	sign refund/ 1855 N Hicks Rd / fPD-107-2024	Open		07/29/2024	07/29/2024	07/29/2024			125.00
			Vendor **HODC** Totals			Invoices	1		$125.00
Vendor **J & B Homes of Illinois**									
2024-00000642	LC reduction Taylor Estates (Moyer Estates) Subdivision	Open		07/30/2024	07/30/2024	07/30/2024			63,375.84
			Vendor **J & B Homes of Illinois** Totals			Invoices	1		$63,375.84
Vendor **PACC BUILDING GROUP**									
2024-00000619	duplicate permit 17845-2024 946 E Bradley	Open		07/26/2024	07/26/2024	07/26/2024			99.00
			Vendor **PACC BUILDING GROUP** Totals			Invoices	1		$99.00
Vendor **Laurey Ruh**									

Attachment: Warrant #15 (Warrant 2024 # 15)

VILLAGE OF PALATINE

Warrant #15

Invoice Due Date Range 06/01/24 - 08/20/24
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
2024-00000594	Ambulance Fee Refund	Open		07/25/2024	07/25/2024	07/25/2024			300.00
			Vendor **Laurey Ruh** Totals			Invoices	1		$300.00
Vendor **Scott Tresselt**									
2024-00000581	refund exemption live detention/ sdev16904/ 228 N Clyde	Open		07/17/2024	07/17/2024	07/17/2024			5,592.15
			Vendor **Scott Tresselt** Totals			Invoices	1		$5,592.15
Vendor **Sonia Zavolokoff**									
2024-00000640	Insurance VoP Medical/Dental	Open		07/30/2024	07/30/2024	07/30/2024			865.21
			Vendor **Sonia Zavolokoff** Totals			Invoices	1		$865.21
			Grand Totals			Invoices	264		$1,309,373.17

Attachment: Warrant #15 (Warrant 2024 # 15)

Village of Palatine

Payment Batch Register

Bank Account: AP - Accounts Payable ZBA

Batch Date: 07/12/2024

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Bank Account: AP - Accounts Payable ZBA						
Check	07/12/2024	265399	Utility Management Refund	FLAHIVE , ADAM		12.84
	Account Type		Account Number	Transaction Date	Transaction Type	
Check	07/12/2024	265400	Utility Management Refund	MC INTOSH , DENA & GARY		6.65
	Account Type		Account Number	Transaction Date	Transaction Type	
AP Accounts Payable ZBA Totals:				Transactions: 2		$19.49
	Checks:	2	$19.49			

Attachment: Warrant #15 (Warrant 2024 # 15)

Village of Palatine

Payment Batch Register

Bank Account: AP - Accounts Payable ZBA

Batch Date: 07/19/2024

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Bank Account: AP - Accounts Payable ZBA						
Check	07/19/2024	265401	Utility Management Refund	PHH MORTGAGE		29.10
	Account Type		Account Number	Transaction Date	Transaction Type	
Check	07/19/2024	265402	Utility Management Refund	VALENCIA , OMAR JACOB		18.89
	Account Type		Account Number	Transaction Date	Transaction Type	
AP Accounts Payable ZBA Totals:				Transactions: 2		$47.99
	Checks:	2	$47.99			

Attachment: Warrant #15 (Warrant 2024 # 15)

Village of Palatine

Payment Batch Register

Bank Account: AP - Accounts Payable ZBA

Batch Date: 07/26/2024

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Bank Account: AP - Accounts Payable ZBA						
Check	07/26/2024	265403	Utility Management Refund	SWANSON , PATRICK		16.00

Account Type	Account Number	Transaction Date	Transaction Type

AP Accounts Payable ZBA Totals:		Transactions: 1	$16.00
Checks:	1	$16.00	

Attachment: Warrant #15 (Warrant 2024 # 15)

Village of Palatine

Payment Batch Register

Bank Account: AP - Accounts Payable ZBA

Batch Date: 07/31/2024

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Bank Account: AP - Accounts Payable ZBA						
Check	07/31/2024	265404	Utility Management Refund	KUMAR , RAJNISH		14.09

Account Type	Account Number	Transaction Date	Transaction Type

AP Accounts Payable ZBA Totals:		Transactions: 1	$14.09
Checks:	1	$14.09	

Attachment: Warrant #15 (Warrant 2024 # 15)

Consider a Motion Granting Approval of a Waiver of the Village's Sound Amplification Ordinance for St. Theresa's Back to School Picnic on August 18, 2024 at 455 N. Benton Street

BACKGROUND:
St. Theresa School, 455 N. Benton Street, would like to host a Back to School Picnic on Sunday, August 18, 2024 from 11:30 AM to 4:00 PM. To accommodate the event, the Petitioner is requesting a waiver of the Village's Sound Amplification Ordinance.

KEY ISSUES:
St. Theresa is requesting a waiver of the Village's Amplified Sound Ordinance from 11:30 AM to 3:30 PM to accommodate a piano keyboard for praise and worship music, DJ and two speakers. Speakers will be set up in the back field away from neighboring streets.

ALTERNATIVES:
1. Approve the sound waiver request.
2. Do not approve the sound waiver request.

RECOMMENDATION:
Staff recommends approval of the sound waiver request.

ACTION REQUIRED:
Motion approving the St. Theresa Back to School Picnic waiver of the Village's amplified noise ordinance.

Consider an Ordinance Amending the Rand Road Corridor Redevelopment Project Area

BACKGROUND:
On January 27, 2003, the Village adopted Ordinances O-23-03, O-24-03, and O-25-03 which approved a redevelopment plan, designated the Rand Road Corridor Project Area as a redevelopment project area, and authorized the use of the Tax Increment Allocation Redevelopment Act. The Village is currently in the process of creating the Dundee Road and IL 53 TIF District, which will include two parcels of real estate, and abutting right-of-way, that are currently located within the Rand Road Corridor Redevelopment Project Area. Based on these circumstances, an amendment to the boundary of the existing Rand Road Corridor Redevelopment Project Area is necessary. Therefore, Staff recommends approval of the following:

> **An ordinance amending the boundary of the Rand Road Corridor Redevelopment Project Area.**

KEY ISSUES:
- The proposed amendment would remove two parcels (1240-1252 E. Dundee Road and 1266-1298 E. Dundee Road) and the abutting right-of-way from the Rand Road Corridor Redevelopment Project Area/TIF District.
- Following approval, Staff will complete the required notification as outlined in the State's TIF Act (notice to the taxing districts and notice in the newspaper).

ALTERNATIVES:
1. Approve the ordinance amending the Rand Road Corridor Redevelopment Project Area.
2. Refer back to Staff with comments.

RECOMMENDATION:
Staff recommends approval of the ordinance.

ACTION REQUIRED:
A motion to approve the ordinance amending the Rand Road Corridor Redevelopment Project Area.

Consider Ordinances Granting the Following: (I) Approval of the 'Dundee Road and IL 53 Tax Increment Financing District Eligibility Report, Redevelopment Plan and Project'; (II) Designation of the Project Area as a Redevelopment Project Area for the Purposes of the TIF Act; and (III) Adoption of Tax Increment Allocation Financing Pursuant to the TIF Act to Finance All or a Portion of the Costs of Improvements Proposed to be Made in the Project Area

BACKGROUND:
In September, 2023, the Village Council authorized SB Friedman Development Advisors, LLC to complete a TIF Eligibility Report, Redevelopment Plan, and Designation Services related to the proposed Dundee Road and IL 53 TIF District. Following preparation of the eligibility report and associated redevelopment plan, the Village has now completed all the necessary procedural steps for creating the proposed Dundee Road and IL 53 TIF District as required per the State's TIF Act. Based on these circumstances, Staff recommends the Village Council approve the following:

Separate motions to approve ordinances granting the following:

1) **Approval of the Dundee Road and IL 53 Tax Increment Financing District Eligibility Report, Redevelopment Plan and Project;**
2) **Designation of the Project Area as a Redevelopment Project Area for the purposes of the TIF Act; and**
3) **Adoption of tax increment allocation financing pursuant to the TIF Act to finance all or a portion of the costs of improvements proposed to be made in the Project Area.**

KEY ISSUES:

- The eligibility report found that the area would qualify for TIF designation as a 'conservation area.' The qualifying factors that were found throughout the proposed TIF District include lack of growth in Equalized Assessed Value (EAV), deterioration, presence of structures below minimum code standards, and inadequate utilities.
- The Joint Review Board, consisting of representatives from the local taxing districts, met on May 29, 2024, to review the proposed Dundee Road and IL 53 TIF District. The Joint Review Board unanimously recommended approval of the Village's proposed Dundee Road and IL 53 TIF District.
- The Village Council held the Public Hearing for the proposed Dundee Road and IL 53 TIF District during their regular meeting on July 15, 2024. Prior to the Public Hearing, the required notice per the State's TIF Act was completed. The notice included a posting in the Daily Herald on June 15 and July 3, as well as written notification to the taxpayers of record of properties within the proposed TIF District and notice to residents within 750 feet of the proposed TIF District boundary.

ALTERNATIVES:

1. Separate motions to approve the Ordinances creating the Dundee Road and IL

53 TIF District.
2. Refer back to Staff with comments.

ACTION REQUIRED:
Separate motions to approve the following:

(1) Approval of the 'Dundee Road and IL 53 Tax Increment Financing District Eligibility Report, Redevelopment Plan and Project';
(2) Designation of the Project Area as a Redevelopment Project Area for the purposes of the TIF Act; and
(3) Adoption of Tax Increment Allocation Financing pursuant to the TIF Act to finance all or a portion of the costs of the improvements proposed to be made in the Project Area.

Consider a Motion Approving the Downtown TIF District Facade & Interior Building Improvement Grant Program Application for the Property at 48 W. Palatine Road

BACKGROUND:
The Village has received a Downtown Facade & Interior Building Improvement Grant Program application for proposed interior improvements to the existing tenant space at 48 W. Palatine Road. The Petitioner is requesting approval of the following:

> **Motion approving the Downtown TIF District Facade & Interior Building Improvement Grant Program Application for the tenant space at 48 W. Palatine Road.**

KEY ISSUES:

- The Little Broken Things hair salon is looking to occupy the former Kinsch Florist tenant space at 48 W. Palatine Road. This will be their second location, with an existing salon located on Milwaukee Avenue in Chicago. The salon also offers the sale of hair care products and some limited consignment items.
- As outlined in the Petitioner's application materials, the proposed project improvements include modifications to an existing bathroom, construction of an additional bath, and related ADA modifications.
- Based on the specific costs outlined in the application materials (and the Grant Program's corresponding reimbursement limitations), the proposed project would be eligible for a total maximum reimbursement amount of $22,250. This would be the maximum amount reimbursed for the corresponding work outlined in the application. If the actual costs are lower, the corresponding reimbursement payments would be adjusted accordingly. The Facade & Interior Building Improvement Grant Program allows for up to a maximum of $50,000 towards qualifying interior building improvements.
- The program, subject to the TIF Act, allows for the reimbursement of TIF eligible expenses related to the Petitioner's proposed improvements. Funding approved as part of the Program cannot be used for the reimbursement of expenses that were incurred prior to the approval of the Petitioner's application. Per the program, all required documentation shall be reviewed and approved by the Village prior to processing any reimbursement payment.
- The Subject Property was previously subject to a Redevelopment Agreement that included Village funding towards façade improvements, private storm sewer work, and the potential tenant buildout of up to three sales tax generating uses ($10,000 for each tenant space, up to a maximum total of $30,000). That agreement, which was approved on November 15, 2021, expired on August 31, 2023. Only one qualifying tenant space (Tievoli Pizza Bar) was completed in time to receive the corresponding $10,000 in buildout assistance, with 100% of these dollars being distributed to the property owner.
- Based upon expiration of the Redevelopment Agreement, the remaining $20,000 for tenant space improvements was returned to the fund balance for the Downtown TIF District. The Council can consider Village participation of either $10,000 (consistent with original RDA), $20,000 (consistent with the total that was planned for the property), or the full $22,250 being requested.
- To date, the Village has approved four Facade & Interior Building Improvement

Grant Program Applications. These approved applications have included the American Legion ($6,236), 2 Libras ($10,442), JL's Pizza & Sports Bar ($50,000), and Pizza Bella ($122,950). When the Façade & Interior Building Improvement Grant Program was originally adopted on February 20, 2023, a corresponding initial budget of $450,000 from the Downtown TIF District was established. To date, not including this current application, a total of roughly $190,000 in grant funding has been approved.

ALTERNATIVES:
1. Approve the Application.
2. Do not approve the Application.

RECOMMENDATION:
Staff recommends approval of Village participation in an amount determined by the Village Council.

ACTION REQUIRED:
A motion to approve the Downtown TIF District Facade & Interior Building Improvement Grant Program Application for the tenant space at 48 W. Palatine Road.

Consider a Motion to Award a Contract for the Fire Station 82 Addition and Renovations Project

BACKGROUND:
In 2023, the Village engaged FGM Architects to design an addition and select remodeling for Fire Station 82 to improve the existing facility and allow Fire administration to relocate from Station 85 on Colfax Street to Station 82 on Hicks Road. In March of 2024, the Village Council reviewed the proposed design and funding and authorized construction documents to be prepared and the project to be competitively bid.

KEY ISSUES:
- The proposed scope of work at Fire Station 82 includes construction of a building addition of 4,022 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 locker rooms, updating the existing kitchen and day room, and replacing the existing generator to provide power for the fully expanded facility.
- On Tuesday, July 9, 2024, 21 bids were received, with base bids ranging from a high of $2,499,000 to a low of $1,900,481. Total bids with all alternates, ranged from a high of $3,325,000 to a low of $2,497,454.
- The low responsive and responsible bidder was Efraim Carlson & Son, Incorporated of Libertyville, Illinois. ECS is the low responsive and responsible bidder for the base bid ($2,085,000) and with all additive alternates in the amount of $2,808,800.
- The Architect's estimate for the base bid plus all additive alternates was $2,874,443.

ALTERNATIVES:
1. Award the contract for the Fire Station 82 Addition and Renovations Project, base bid and all additive alternates, and a staff directed contingency to Efraim Carlson & Son.
2. Refer back to Staff with comments.

RECOMMENDATION:
Staff recommends that the contract for the Fire Station 82 Addition and Renovations Project, base bid and all additive alternates, and a staff directed contingency be awarded to Efraim Carlson & Son of Libertyville, Illinois.

BUDGET IMPACT:
American Rescue Plan Act (ARPA) funds in the amount of $2,893,378 are available to accomplish this project. In addition to the bid cost, there are various items to be purchased to make the space ready for use including furniture, IT equipment, appliances and digital dispatch alerting. The list of by owner items will be submitted for approval at a later date and is anticipated to be in the range of $136,000 to $164,830, bringing the total project cost to $2,944,800 to $2,973,630.

One of the alternates (#3) recommended for acceptance is the generator replacement which was an item planned for replacement in 2025. A budget adjustment is

recommended for 2024 to allow for $173,800 in additional funding to be allocated for the generator to allow for a contingency for the project. Replacing the generator with the project is much more efficient than completing as a standalone project as planned for 2025 as programmed in the Village's Capital Equipment Replacement Program.

ARPA funds plus the proposed budget adjustment would address the by owner costs, the proposed base bid with all additive alternates, and allow for a project contingency for unforeseen conditions of $127,378. This would be segregated as approximately 3% for the base bid addition and 8% for the renovations associated with the additive alternates. As additions are typically planned with a 5% construction contingency and remodeling is typically programmed with a 10% construction contingency, we consider this aggressive and within expected tolerances.

Awarding the base bid with all alternates plus the proposed contingency ($2,808,800 + $127,378) is $2,936,178.

ACTION REQUIRED:
Motion to award the contract for the Fire Station 82 Addition and Renovations Project to Efraim Carlson & Son, Incorporated of Libertyville, Illinois for the base bid, all additive alternates, and a staff directed contingency in an amount not to exceed $2,936,178.

Consider a Motion Authorizing the Village Manager to Execute a Proposal for Construction Engineering Services for the Fire Station 82 Addition and Renovations Project

BACKGROUND:
In the Fire Station 82 design development, staff retained Doland Engineering to assist with building and site needs and improvements. Assistance was received through project meetings, architect direction, and clarifications relating to coordination needs for the numerous specialty functions relating to an addition and renovation of a public safety building.

KEY ISSUES:
Doland's staff is familiar with Village code requirements, our operations, and the management of budgetary criteria associated with compliance with a Federally funded improvement. Through a qualification-based selection process, they assisted up to the point of bidding and selecting a recommended contractor to perform the work. While initially the cost of these services was below the level of Village Council authorization for work to be performed within budget, we are recommending their continuation through construction, with the total cost of the engagement expected to go above $40,000. We therefore are now seeking Village Council approval for their involvement through construction close-out for the Fire Station 82 Addition and Renovations Project.

ALTERNATIVES:
1. Authorize the Village Manager to execute the proposal from Doland Engineering to provide engineering assistance for the Fire Station 82 Addition and Renovations Project.
2. Refer back to Staff with comments.

RECOMMENDATION:
Staff recommends authorizing the Village Manager to execute the proposal from Doland Engineering for construction engineering services for the Fire Station 82 Addition and Renovations Project.

BUDGET IMPACT:
Funding is available in the 2024 Capital Improvement Program to accommodate this work.

ACTION REQUIRED:
Motion to authorize the Village Manager to execute the proposal from Doland Engineering, LLC for construction engineering services for the Fire Station 82 Addition and Renovations Project in an amount not-to-exceed $67,175.

Consider an Ordinance Amending Chapter 2 - Administration and Chapter 11 - Licenses, Business Regulations of the Code of Ordinances of the Village of Palatine

BACKGROUND:
At the April 8, 2024 Council Meeting, the Village Council voted to dissolve and not reappoint the Board of Health. As such, staff is proposing edits to the Codebook to remove references to the Board of Health. Additional clean-up was performed.

KEY ISSUES:
- References to the Board of Health were removed from the Code.
- Updates to the process of revocation of food permits with removal of the Board of Health.
- Update proper titles to state the “Cook County Department of Public Health” rather than the “County Board of Health”.
- General cleanup to the Police and Firefighters’ Pension Boards was made to include proper titles and correct mis-cited State statutes.

ALTERNATIVES:
1. Approve the amendments to Chapter 2 Administration and Chapter 11 Licenses, Business Regulations.
2. Do not approve the amendments and refer back to Staff.

RECOMMENDATION:
Staff recommends approval of an ordinance amending Chapter 2 Administration and Chapter 11 Licenses, Business Regulations of the Code of Ordinances.

ACTION REQUIRED:
A motion to approve an ordinance amending Chapter 2 Administration and Chapter 11 Licenses, Business Regulations of the Code of Ordinances.

Consider a Resolution Regarding the Review of Closed Session Minutes

BACKGROUND:
Pursuant to the requirements of the Open Meetings Act, public bodies are to approve Closed Session Minutes and periodically review Closed Session Minutes and release any that are no longer considered to be confidential. On July 15, 2024, the Village Council met in Closed Session for the semi-annual review and determined that the need for confidentiality still exists for all Closed Session minutes on file. Council reviewed and concurred to the accuracy of the February 12 and May 6, 2024 Closed Session Minutes.

ALTERNATIVES:
1. Approve the Resolution regarding approval and review of Closed Session Minutes.
2. Amend the Resolution regarding approval and review of Closed Session Minutes.

RECOMMENDATION:
The attached Resolution approves the Closed Session Minutes of February 12 and May 6, 2024. The Resolution indicates that a need for confidentiality still exists for all unreleased Closed Session minutes, therefore no Closed Session Minutes will be released at this time.

ACTION REQUIRED:
Motion to approve the Resolution regarding the approval and review of Closed Session Minutes.

ATTACHMENTS:

- RES - CS Minutes

RESOLUTION NO._____

A RESOLUTION REGARDING CLOSED SESSION MINUTES

WHEREAS, The Mayor and Village Council of the Village of Palatine, have met from time to time in closed session for purposes authorized by the Illinois Open Meetings Act; and

WHEREAS, as required by the Act, the Village Council has kept written minutes of all such closed sessions; and

WHEREAS, pursuant to the requirements of 5ILCS 120/1 et seq., the Mayor and Village Council have met in closed session on July 15, 2024 to review all closed session minutes; and

WHEREAS, the Village Council has concurred to the accuracy of the Closed Session Minutes from February 12, 2024 and May 6, 2024.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Village Council of the Village of Palatine, Cook County, Illinois, as follows:

SECTION 1: The Mayor and Village Council have determined that a need for confidentiality still exists for all Closed Session minutes on file, thus none of the Closed Session minutes will be released at this time and to the extent required by law, approval of said minutes is hereby ratified and approved.

SECTION 2: The Mayor and Village Council further approve the Closed Session minutes from February 12, 2024 and May 6, 2024.

SECTION 3: This Resolution shall be in full force and effect from and after its passage.

PASSED: This _____day of _____, 2024

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

APPROVED by me this _____day of _____, 2024

_____

Mayor of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk this

_____day of _____, 2024

_____

Village Clerk

Attachment: RES - CS Minutes (Review of Closed Session Minutes - 2024 (CA))

Consider a Resolution Appointing a New Authorized Agent for the Administration of Illinois Municipal Retirement Fund

BACKGROUND:
As a participating agency in the Illinois Municipal Retirement Fund (IMRF), an Authorized Agent must be appointed to ensure the Village's administrative IMRF duties are performed.

KEY ISSUES:

- The current designated Authorized Agent, Pam Jackson, retires August 16, 2024.
- Monika Pandya was selected as the new Human Resources Director, effective August 19, 2024. She has successfully completed the required training for Authorized Agents.

RECOMMENDATION:
Staff recommends approval of a resolution appointing Monika Pandya, Human Resources Coordinator as authorized agent, effective August 19, 2024.

ACTION REQUIRED:
Staff recommends approval of a resolution appointing Monika Pandya as authorized agent.

ATTACHMENTS:

- RESOLUTION IMRF Authorized Agent Appointment

RESOLUTION NO. _____

**A RESOLUTION APPOINTING AN
ILLINOIS MUNICIPAL RETIREMENT FUND (IMRF) AUTHORIZED AGENT
FOR THE VILLAGE OF PALATINE**

WHEREAS, Sec. 7-135 of the Illinois Pension Code (40 ILCS 5/7-135) provides that each municipality participating in the Illinois Municipal Retirement Fund (IMRF) shall appoint and authorize an agent to perform certain duties related to the administration of said fund.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Village Council of the Village of Palatine, Cook County, Illinois, that Monika Pandya, Human Resources Director, be designated the authorized agent of the Village of Palatine to perform such duties related to the administration of the Illinois Municipal Retirement Fund (IMRF) effective August 19, 2024, and;

BE IT FURTHER RESOLVED that the following powers and duties be delegated to Monika Pandya as authorized agent:

1. **To file a petition for nomination of an Executive Trustee of IMRF.**
2. **To cast a ballot for election of an Executive Trustee of IMRF.**

AYES_____ NAYS_____ ABSENT_____ PASS_____

ADOPTED: This _____ day of _____, 2024.

_____
Mayor of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk
this _____ day of _____, 2024.

_____
Village Clerk

Attachment: RESOLUTION IMRF Authorized Agent Appointment (IMRF Authorized Agent Resolution (CA))

Consider a Resolution Appointing a New Plan Coordinator for MissionSquare Retirement

BACKGROUND:
MissionSquare Retirement, the Village's plan for 457, Roth IRA and RHS benefits, requires the appointment of a Plan Coordinator to ensure the Village's administrative duties are performed.

KEY ISSUES:
- The current designated Plan Coordinator, Pam Jackson, retires August 16, 2024.
- A new Human Resources Director, Monika Pandya, was selected. She has been trained in the aspects of administering the MissionSquare Retirement Plan for 457, Roth IRA and RHS plans.

RECOMMENDATION:
Staff recommends approval of a resolution appointing Monika Pandya, as Plan Coordinator for MissionSquare Retirement, effective August 19, 2024.

ACTION REQUIRED:
Staff recommends approval of a resolution appointing Monika Pandya as Plan Coordinator for MissionSquare Retirement.

ATTACHMENTS:

- RESOLUTION MissionSquare Plan Coordinator Appointment

RESOLUTION NO. _____

A RESOLUTION APPOINTING A NEW

PLAN COORDINATOR FOR MISSIONSQUARE RETIREMENT

WHEREAS, the Village of Palatine is a participating employer of MissionSquare Retirement; and

WHEREAS, the Village of Palatine is authorized to appoint a Plan Coordinator for the purposes of plan administration on behalf of the Village of Palatine; and

WHEREAS, with the selection of a new Director of Human Resources, a new Plan Coordinator will need to be appointed; and

WHEREAS, the Mayor and Village Council, as the governing body of the Village of Palatine wish to appoint a Plan Coordinator

NOW, THEREFORE, BE IT RESOLVED By the Mayor and Village Council of the Village of Palatine, Cook County, Illinois:

SECTION ONE: The Village of Palatine Plan Coordinator, effective August 19, 2024 shall be Monika Pandya, Human Resources Director.

SECTION TWO: This Resolution shall be in full force and effect after passage and approval as required by law.

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

ADOPTED: This _____day of _____, 2024

_____
Mayor of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk

this ____ day of _____, 2024

_____
Village Clerk

Attachment: RESOLUTION MissionSquare Plan Coordinator Appointment (MissionSquare Retirement Plan Coordinator (CA))

Consider an Ordinance Approving a Special Use Transfer to Permit the Continued Operation of a Gas Station and Convenience Store at 800 S. Plum Grove Road

BACKGROUND:
The Subject Property contains an existing Mobil gas station and convenience store. Ahmed Taha, GT Synergy Inc., is requesting a transfer of the existing Special Use to permit the continued operation of the gas station and convenience store. Therefore, the Petitioner is requesting approval of the following:

> **Transfer of Special Use #O-72-95 to permit the continued operation of a gas station and convenience store at 800 S. Plum Grove Road.**

KEY ISSUES:

- The Subject Property, zoned B-2 General Business, contains a gas station and convenience store that received its initial Special Use approval in 1995, and was later transferred in 2003 and in 2006.
- Other than the ownership change, the Petitioner is not proposing any other changes and the proposed hours of operation will be 5:30 AM to 11 PM.
- Any changes to the floor plan or business operations would require additional Village review. Staff also advised the Petitioner about the temporary sign regulations, as part of the Special Use transfer application process.

ALTERNATIVES:
1. Recommend approval of the Special Use Transfer.
2. Do not recommend approval of the Special Use Transfer.

RECOMMENDATION:
Staff recommends approval of the Special Use Transfer at 800 S. Plum Grove Road.

ACTION REQUIRED:
A motion to approve the Special Use Transfer of Ordinance #O-72-95 to Ahmed Taha, GT Synergy Inc., to permit the continued operation of a gas station and convenience store at 800 S. Plum Grove Road.

ATTACHMENTS:

- Aerial Map
- ORD SUT 800 S Plum Grove Rd
- EXHIBIT - Business Plan
- Special Use Ordinance #O-72-95
- SUT Application

GISConsortium

800 S Plum Grove Road



0 100 200 ft

Print Date: 2/27/2024

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.

Attachment: Aerial Map (800 S. Plum Grove Rd - SUT Gas Station (CA))

ORDINANCE NO._____

AN ORDINANCE TRANSFERRING SPECIAL USE ORDINANCE #O-72-95
800 S. PLUM GROVE ROAD

WHEREAS, Ordinance #O-72-95 granted a Special Use for the operation of an automobile service station and mart, which was subsequently transferred in 2003 and 2006 on the property commonly known as 800 S. Plum Grove Road; and

WHEREAS, pursuant to Section 14.05(h) in Appendix A, in the event of the sale or lease of this business, the Special Use may be transferred after review and consent of the Village Council; and

WHEREAS, since the Village Council did meet on August 5, 2024 to review a request by GT Synergy Inc., that the Special Use be transferred to permit the continued operation of an automobile service station and mart, with no substantial change, and it was the recommendation of the Village Council that the transfer of the Special Use Transfer to GT Synergy Inc., be approved without amendment.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Village Council of the Village of Palatine:

SECTION 1: That the Special Use granted by Ordinance #O-72-95 is hereby transferred to GT Synergy Inc.

SECTION 2: All conditions of Special Use Ordinance #O-72-95 shall remain in full force and effect.

DATED: This _____day of _____, 2024

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

APPROVED by me this _____day of _____, 2024

_____
Mayor of the Village of Palatine

ATTEST and FILE in the office of the Village Clerk

this ____ day of _____, 2024.

_____
Village Clerk

Attachment: ORD SUT 800 S Plum Grove Rd (800 S. Plum Grove Rd - SUT Gas Station (CA))

Business Plan: GT Synergy – 800 Plum Grove Street, Palatine, IL

Executive Summary

GT Synergy presents a comprehensive plan to revitalize the underperforming gas station and convenience store located at 800 Plum Grove Street, Palatine, IL.

Our revitalization plan outlines significant investments in store upgrades, an expanded product selection with a focus on fresh food options, and a strategic marketing approach. We are confident that our improvements will attract new customers, increase sales, and transform the store into a thriving destination within the Palatine community.

1. Company Description

GT Synergy specializes in revitalizing underperforming gas stations and convenience stores. We focus on creating a welcoming and well-stocked shopping experience for customers while providing high-quality fuel options. Our core mission is to create welcoming and well-stocked shopping experiences for customers, while simultaneously offering high-quality fuel options. We achieve this through a customer-centric approach, innovative product selection, and a commitment to operational excellence.

2. Market Analysis

2.1 Demographics

Population:

- Palatine, IL, has a population of approximately 68,000 residents. This diverse community includes a mix of age groups, ethnicities, and family structures.

Age Distribution:

- Children (under 18): 24%
- Young Adults (18-24): 8%
- Adults (25-44): 27%
- Middle-Aged (45-64): 27%
- Seniors (65 and over): 14%

Attachment: EXHIBIT - Business Plan (800 S. Plum Grove Rd - SUT Gas Station (CA))

Household Information:

- There are around 25,000 households in Palatine.
- The average household size is 2.7 people.

Income:

- Median household income: Approximately $80,000 per year.
- Per capita income: Around $40,000 per year.

Employment:

- The majority of residents are employed in professional, managerial, and sales occupations.
- Unemployment rate: Approximately 4%, which is lower than the national average.

Education:

- A significant portion of the population has attained higher education degrees.
- High school graduates: 92%
- Bachelor's degree or higher: 50%

Housing:

- The median home value is approximately $300,000.
- Homeownership rate: 75%
- Rental properties: 25%

Ethnic Composition:

- White: 65%
- Hispanic or Latino: 20%
- Asian: 10%
- African American: 3%
- Other: 2%

Key Insights:

- **Strong Consumer Base:** The relatively high median household income indicates a strong consumer base with disposable income.
- **Diverse Community Needs:** The diverse population suggests a need for a wide range of products and services to cater to different demographic groups.
- **Educational Attainment:** With a significant portion of the population holding higher education degrees, there is likely a demand for quality products and services.
- **Growing Families:** The presence of many children and young adults indicates opportunities for family-oriented products and services.

Attachment: EXHIBIT - Business Plan (800 S. Plum Grove Rd - SUT Gas Station (CA))

2.2 Traffic Flow

Traffic Flow Analysis for 803 Plum Street, Palatine, IL

Traffic Data Sources

To estimate the traffic flow at the gas station located at 803 Plum Street, Palatine, IL, we utilized various data sources, including traffic counts from the Illinois Department of Transportation (IDOT) and manual traffic observations.

Traffic Count Data

The Illinois Department of Transportation provides traffic count data for major roads and intersections. According to IDOT, the intersection near 803 Plum Street experiences a high volume of traffic. While specific numbers for Plum Street were not directly available, similar nearby intersections report daily traffic volumes ranging from 15,000 to 20,000 vehicles per day.

Manual Traffic Observation

Additionally, we conducted manual traffic observations during peak hours (7-9 AM and 4-6 PM) and off-peak hours to supplement the data. These observations confirmed a consistent flow of traffic, particularly during commuting hours, indicating a high potential for customer visits.

Summary

The demographic analysis and traffic flow data for Palatine, IL, highlight the strategic advantages of the location at 803 Plum Street. The area's affluent population and significant daily traffic volumes support the feasibility of GT Synergy's investment and revitalization plan for the gas station and convenience store. These factors combined suggest a strong potential for increased customer footfall and higher sales, validating the proposed enhancements and marketing strategies.

2.3 Competitive Landscape

A thorough analysis of the competitive landscape in the immediate vicinity of the gas station will be conducted. This analysis will identify other gas stations and convenience stores, categorize their product offerings, and assess their strengths and weaknesses. By understanding the competitive landscape, GT Synergy can tailor our product selection and marketing strategy to fill any existing gaps and create a differentiated value proposition for customers.

Attachment: EXHIBIT - Business Plan (800 S. Plum Grove Rd - SUT Gas Station (CA))

3. Products and Services

3.1 Fuel

The gas station will continue to offer high-quality gasoline under the Mobil brand. We will ensure competitive pricing and maintain a clean and well-maintained fueling area to enhance the customer experience.

3.2 Convenience Store

We will revamp the convenience store into a well-stocked and inviting shopping destination. Our expanded product selection will cater to the diverse needs of the local community and include:

- **Beverages**: A wide selection of soft drinks, bottled water, energy drinks, juices, coffee (hot and cold), cappuccino, and potentially slushies. We will prioritize fresh and popular beverage options.
- **Food**:
  - Fresh donuts delivered daily from a local bakery.
  - Deli sandwiches prepared fresh on-site with premium ingredients.(within 12 month)
  - New York-style pizza slices (subject to permitting): We will explore the possibility of installing a pizza oven to offer fresh and convenient pizza slices. (within 36 month)
- **Other Convenience Items**: Candy, snacks, cigarettes, personal care items, over-the-counter medications, and other everyday essentials. We will ensure a well-curated selection based on customer demand.

3.3 Store Makeover:

- The physical makeover of the store will be nothing short of transformative. We will start by thoroughly cleaning the premises and applying fresh interior paint to create a bright and inviting environment. New shelves with five levels will be installed to maximize product display space. The lighting will be upgraded to energy-efficient LED fixtures, enhancing the overall ambiance and visibility. Our counter area will also receive a makeover, including new shelves and improved lighting, creating a modern and efficient checkout experience.
- The refrigerator will be thoroughly cleaned and repaired to ensure optimal performance, allowing us to offer a wider range of chilled products. We will also introduce new equipment such as a coffee machine, cappuccino machine, and slushy machine, catering to the diverse tastes of our customers.
- **Electric Efficiency and Environmental Responsibility:** In addition to the store's physical transformation, GT Synergy is committed to promoting electric efficiency and environmental responsibility. By upgrading to energy-efficient LED lighting, we will significantly reduce our energy consumption, resulting in lower utility costs and a reduced carbon footprint. Furthermore, we will explore the possibility of installing solar panels on the store's roof to harness renewable energy (Within 5 years), thereby decreasing our

Attachment: EXHIBIT - Business Plan (800 S. Plum Grove Rd - SUT Gas Station (CA))

reliance on traditional power sources and contributing to a more sustainable future. These initiatives reflect our dedication to creating an environmentally responsible business that serves the Palatine community with integrity and care.

4. Marketing and Sales Plan

4.1 Building Brand Awareness

- **Social Media Marketing**: Develop a targeted social media presence on platforms like Facebook and Instagram to connect with local residents. We will utilize engaging content to showcase our new offerings, promote special deals, and establish a brand personality.
- **Signage and Promotions**: Utilize eye-catching signage and balloons outside the gas station to attract attention and inform passing motorists about our revitalization.
- **Community Engagement**: Explore opportunities to partner with local businesses and organizations to increase brand awareness and build positive relationships within the community.

4.2 Customer Retention

- **Loyalty Program**: Implement a loyalty program to reward repeat customers and incentivize further purchases. This could involve points-based rewards, discounts, or exclusive offers.
- **Exceptional Customer Service**: Train staff to provide friendly, helpful, and efficient customer service. This will create a positive shopping experience and encourage customers to return.

4.3 Community Responsibility:

At GT Synergy, we believe in giving back to the community that supports us. We will engage in various community outreach programs and partnerships as part of our store makeover. This includes collaborating with local schools, non-profits, and organizations to support community events and initiatives. We will also offer sponsorships and donations to local causes that align with our values. Additionally, we plan to create job opportunities for local residents, prioritizing the hiring of individuals from the Palatine area to strengthen the local economy. Through these efforts, GT Synergy aims to build strong relationships within the community, fostering a sense of trust and mutual support.

4.4 Data-Driven Approach

We will utilize sales data to identify trends and customer preferences. This data will be instrumental in optimizing our product selection, pricing strategies, and promotional campaigns.

Attachment: EXHIBIT - Business Plan (800 S. Plum Grove Rd - SUT Gas Station (CA))

5. Management and Organization

GT Synergy has a team of experienced professionals in retail management and the convenience store industry. We will hire and train local staff to ensure smooth operation and exceptional customer service.

with 15 years of experience in the fuel and retail industry, with a strong focus on operations and customer satisfaction. Jane Smith has extensive experience in managing convenience stores and optimizing product selections to meet customer needs.

6. Financial Projections

Our initial investment includes:

- **Store Renovations and Equipment**: $165,500 ($4,500 for advertising + $161,000 for inventory)
- **Exterior Upgrades**: $8,000 (estimated)

We project a gradual increase in sales revenue as the store becomes a more attractive and convenient destination. Detailed financial projections will be included in the full business plan.

7. Conclusion

GT Synergy's revitalization plan for the gas station and convenience store at 803 Plum Street is a strategic and comprehensive approach to transforming an underperforming asset into a thriving community hub. Our focus on exceptional customer service, diverse and quality inventory, and a complete store makeover will surprise and delight customers, establishing the store as a preferred destination in Palatine. We are ready to commence work immediately and are confident that this investment will drive significant benefits, including increased sales, enhanced customer satisfaction, and a strong return on investment..

Attachment: EXHIBIT - Business Plan (800 S. Plum Grove Rd - SUT Gas Station (CA))

Business Plan Addendum

Alex Bradshaw

From: GT synergy Palatine <gtpalatine@gmail.com>
Sent: Wednesday, July 17, 2024 12:17 AM
To: Alex Bradshaw
Cc: [redacted]
Subject: Re: Application for Business License Transfer at 800 S Plum Grove Road
Attachments: lease.pdf

Caution: This is an external email, Please take care when clicking links or opening attachments. When in doubt, please talk with the sender or check with VOP IT

Hi Alex,

Please find the lease agreement attached.
The operating hours are from 5:30 AM to 11:00 PM.

Thank you.

Best regards,

On Mon, Jul 15, 2024 at 9:43 AM Alex Bradshaw <ABradshaw@palatine.il.us> wrote:

> Ahmad & Zack –
>
> Thank you for getting me the Special Use transfer application. Following my review, there are a couple things we still need for the transfer:
>
> 1. Proof of Ownership - What we are looking for here is a copy of a lease, or an intent to lease document.
> 2. Business Plan Revision – Please confirm the hours of operation for the store within the submitted business plan.
>
> We will be able to schedule the required Village Council approval for the transfer once we get these last couple items submitted. Unfortunately, the earliest the Special Use transfer can be approved is on the next scheduled Village Council meeting, which will be on Monday, August 5th.
>
> Contact me with questions.
>
> Sincerely,
>
> **Alex Bradshaw** | Planner

Attachment: EXHIBIT - Business Plan (800 S. Plum Grove Rd - SUT Gas Station (CA))

ORDINANCE NO. O-72-95

AN ORDINANCE
GRANTING A SPECIAL USE
FOR AN AUTOMOBILE SERVICE STATION AND MART
800 S. PLUM GROVE ROAD

WHEREAS, upon petition of owners of said property, hearings were held by the Zoning Board of Appeals of the Village of Palatine on June 13, 1995 in accordance with the Zoning Ordinance of the Village of Palatine, in such case made and provided, and said Zoning Board having made its findings in a written report to the President and Board of Trustees of the Village of Palatine for an automobile service station and mart, pursuant to Section 11.03 D (6) of the Palatine Zoning Ordinance.

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

SECTION 1: That a Special Use for an automobile service station and mart, pursuant to Section 11.03 D (6) of the Palatine Zoning Ordinance is hereby granted for property legally described as follows:

> Lot 4 in Nielsen's Subdivision being a subdivision of the North 155 feet of the South 1105 feet of the East 627 feet (except the East 50 feet thereof) of the North 1155 feet of the Northeast quarter of Section 27, Township 42 North, Range 10 East of the Third Principal Meridian in Palatine Township, Cook County, Illinois

commonly known as 800 S. Plum Grove Road.

SECTION 2: That the Special use is granted subject to the following conditions:

1. The Special Use to permit the operation of the gasoline service station and mini-mart is granted solely to the Clark Oil & Refining Corporation, and may be transferred only after review by the Zoning Board of Appeals

PETITIONER'S EXHIBIT
12

Attachment: Special Use Ordinance #O-72-95 (800 S. Plum Grove Rd - SUT Gas Station (CA))

and consent of the Village Board. In the event of the sale or lease of this property, the existing and prospective proprietors shall appear before a public meeting of the Zoning Board of Appeals and in its sole discretion shall either :

1.1 Recommend that the Village Board approve of the transfer of the lease and/or ownership to the new proprietor without amendment to the Special Use Ordinance, or

1.2 If the Zoning Board of Appeals deems that the new proprietor contemplates a change in use which is inconsistent with this Special Use Ordinance, the new proprietor shall be required to petition for a public hearing before the Zoning Board of Appeals to amend the Special Use Ordinance.

2. The Special Use conform substantially to the site plan, attached hereto as Exhibit "A", except as such plans may be changed to conform to Village Codes and Ordinances and the conditions below.

3. Any future temporary signs shall conform to the Temporary Event Sign regulations as stated in the Zoning Ordinance. No signs shall be permitted in public rights-of-way at any time.

SECTION 3: That the petition for special use, a copy of the public notice, and the report of the Zoning Board reporting on this petition be attached hereto and form a part of this ordinance.

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

PASSED: This 10th day of July, 1995

AYES: 4 NAYS: 0 ABSENT: 2 PASS: 0

APPROVED by me this 10th day of July, 1995

Village President

ATTESTED and FILED in the office of the Village Clerk this 10th day of July, 1995

Village Clerk

Attachment: Special Use Ordinance #O-72-95 (800 S. Plum Grove Rd - SUT Gas Station (CA))

VILLAGE OF PALATINE

SPECIAL USE TRANSFER

Department of Planning & Zoning
200 E. Wood Street · Palatine, IL · 60067-5339
Telephone: (847) 359-9047 · Fax (847) 963-6247

CONTACT INFORMATION WORKSHEET

PETITIONER(S)	**Business Name (If applicable)**
GT SYNERGY INC	
Address	City/State/Zip Code
800 S PLUM GROVE ST	PALATINE IL 60067
Telephone	Fax
708-415-7465	
Email	
GTPALATINE@GMAIL.COM	
Subject Property Address	
800 S PLUM GROVE ST	PALATINE IL 60067
AUTHORIZED AGENT (if applicable)	**Business Name (if applicable)**
Address	City/State/Zip Code
Telephone	Fax
Email	

Attachment: SUT Application (800 S. Plum Grove Rd - SUT Gas Station (CA))

VILLAGE OF PALATINE

SPECIAL USE TRANSFER

Department of Planning & Zoning
200 E. Wood Street · Palatine, IL · 60067-5339
Telephone: (847) 359-9047 · Fax (847) 963-6247

Required Materials

- □ Application Form
- □ Business Plan (including but not limited to nature of business, hours or operation, number of employees, floor plan, menu, and any proposed changes to the business
- □ Proof of Ownership

Business Owner(s):

Ziad Gheith

GT Synergy Inc. (Ahmed Taha)

Subject Property Address:

800 S PLUM GROVE ST PALATINE IL 60067

The owner(s) listed above are requesting that Special Use Ordinance # O-72-95 be transferred from 2GR Enterprises, Inc to individuals(s) and/or company listed above. I have read the ordinance(s) and agree to comply with all applicable ordinance(s) and any conditions contained therein. As the new business owner(s), the following changes (if any) are proposed to the business operation and/or floor plan:

No changes on the current business - attach the business plan

I understand that if the Village determines the nature or characteristics of the business will substantially change, a new Special Use may be required.

Attachment: SUT Application (800 S. Plum Grove Rd - SUT Gas Station (CA))

VILLAGE OF PALATINE

Signature Page

Petitioner's Signature

I affirm that the information contained on page 1 herein and in any accompanying documents is accurate to the best of my knowledge.

Ahmed Taha — 07/15/2024

Name — Date

AHMED TAHA

Signature

Signature of Consent from Landlord, Property Owner(s), or Former Operator

I consent to the Special Use Transfer of the above mentioned property and that the information contained on page 1 herein and in any accompanying documents is accurate to the best of my knowledge.

LGP Reality Holding — 07/15/2024

Name — Date

Signature

Attachment: SUT Application (800 S. Plum Grove Rd - SUT Gas Station (CA))

Consider a Resolution Reducing the SMT Subdivision Public Improvement Security Deposit

BACKGROUND:
The Subject Property includes the 2-lot residential subdivision at the northwest corner of Clyde Avenue and Wood Street. On May 17, 2024, the Village accepted a public improvement security deposit in the amount of $59,650.50 to ensure the completion of the required public improvements for the SMT Subdivision. The developer has completed a portion of the required public improvements and has requested a commensurate reduction to the corresponding security deposit. Therefore, the developer is seeking approval of the following:

Authorization for a reduction of the public improvement security deposit.

KEY ISSUES:
- The Petitioner completed part of the required public improvements, as outlined in their Subdivision Improvement Agreement and Final Engineering Plans. The Village Engineer inspected the improvements and approved the reduction request.
- The $20,475 reduction request includes the required storm sewer and demolition. The remaining $39,175.50 will ensure the completion for all the remaining public improvements within the subdivision.

ALTERNATIVES:
1. Authorize the reduction of the public improvement security deposit.
2. Do not authorize the reduction of the public improvement security deposit.

RECOMMENDATION:
A motion to approve a resolution granting a security deposit reduction of the security deposit SMT Subdivision.

ATTACHMENTS:
- Aerial Map
- RES - Security Deposit Reduction

GISConsortium

228 N Clyde Avenue



0 300 600 ft

Print Date: 3/5/2024

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.

Attachment: Aerial Map (SMT Subdivision - Security Deposit Reduction (CA))

RESOLUTION NO. _____

RESOLUTION AUTHORIZING A REDUCTION OF SECURITY FOR SMT SUBDIVISION, PURSUANT TO THE VILLAGE OF PALATINE MUNICIPAL CODE, APPENDIX B, SUBDIVISIONS, SECTION 9.02

WHEREAS, on the 6th day of May 17, 2024, Scott Tresselt for good and valuable consideration agreed to install certain public improvements in the SMT Subdivision; and

WHEREAS, pursuant to Section 9.02 of Appendix B of the Palatine Municipal Code, an owner or developer of a subdivision is required to deposit certain security or evidence thereof with the Village of Palatine to guarantee the installation of such public improvements; and

WHEREAS, in the matter of the SMT Subdivision, located at 228 N. Clyde Ave, a Security Deposit in the amount of $59,650.50 was deposited with the Village of Palatine on the 17th day of May 2024 to ensure the completion of the project improvements; and

WHEREAS, Scott Tresselt has completed a portion of the required public improvements, which were inspected and accepted by the Village Engineer and has therefore applied for a reduction of the letter of credit in the amount of $20,475; and

WHEREAS, an inspector with the Village's Engineering Department has inspected the public improvements and has found these improvements to have been satisfactorily completed.

Attachment: RES - Security Deposit Reduction (SMT Subdivision - Security Deposit Reduction (CA))

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Village of Palatine that:

SECTION 1: Approval pursuant to the Palatine Municipal Code, Appendix B Section 9.02 be and is hereby granted for the public improvements having a value of $59,650.50 and the letter of credit is hereby reduced to $39,175.50.

PASSED: This _____ day of_____, 2024.

AYES:_____ NAYS:_____ABSENT:_____PASS:_____

_____
Mayor

ATTESTED and FILED in the Office of the Village Clerk this _____ day of _____, 2024.

_____
Village Clerk

Attachment: RES - Security Deposit Reduction (SMT Subdivision - Security Deposit Reduction (CA))

Consider a Resolution Reducing the Dundee Park Subdivision Public Improvement Security Deposit

BACKGROUND:
The Subject Property consists of a 4-lot single-family residential subdivision at the northwest corner of Dundee Road and Haven Drive. On August 15, 2023, the Village accepted a public improvement security deposit in the amount of $162,242 to ensure the completion of the required public improvements for the Dundee Park Subdivision. The developer has completed a portion of the required public improvements and has requested a commensurate reduction of the security deposit. Therefore, the developer is seeking approval of the following:

Authorization for a reduction of the public improvement security deposit.

KEY ISSUES:

- The Petitioner completed part of the required public improvements, as outlined in their Subdivision Improvement Agreement and Final Engineering Plans. The Village Engineer inspected the improvements and approved the reduction request.
- The $86,800.50 reduction request includes the required water main and sanitary sewer improvement. The remaining $75,441.50 will ensure the completion for all the remaining public improvements within the subdivision.

ALTERNATIVES:

1. Authorize the reduction of the public improvement security deposit.
2. Do not authorize the reduction of the public improvement security deposit.

RECOMMENDATION:
A motion to approve a resolution granting a security deposit reduction of the security deposit Dundee Park Subdivision.

ATTACHMENTS:

- Aerial Map
- RES - Security Deposit Reduction

GISConsortium | Dundee Park Subdivison



Legend

0 300 600 ft

Print Date: 7/29/2024

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 t

Attachment: Aerial Map (Dundee Park Subdivision - Security Deposit Reduction (CA))

RESOLUTION NO. _____

RESOLUTION AUTHORIZING A REDUCTION OF THE SECURITY DEPOSIT FOR DUNDEE PARK SUBDIVISION, PURSUANT TO THE VILLAGE OF PALATINE MUNICIPAL CODE, APPENDIX B, SUBDIVISIONS, SECTION 9.02

WHEREAS, on the 15th day of August 2023, USA Developers, LLC for good and valuable consideration agreed to install certain public improvements in the Dundee Park Subdivision; and

WHEREAS, pursuant to Section 9.02 of Appendix B of the Palatine Municipal Code, an owner or developer of a subdivision is required to deposit certain security or evidence thereof with the Village of Palatine to guarantee the installation of such public improvements; and

WHEREAS, in the matter of the Dundee Park Subdivision, located at 780 W. Dundee Road, a Security Deposit in the amount of $162,242 was deposited with the Village of Palatine on the 15th day of August 2023 to ensure the completion of the project improvements; and

WHEREAS, USA Developers, LLC has completed a portion of the required public improvements, including the sanitary sewer and water line extensions, which were inspected by the Village Engineer and has therefore applied for a reduction of the letter of credit in the amount of $86,800.50; and

WHEREAS, an inspector with the Village's Engineering Department has inspected the public improvements and has found these improvements to have been satisfactorily completed.

Attachment: RES - Security Deposit Reduction (Dundee Park Subdivision - Security Deposit Reduction (CA))

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Village of Palatine that:

SECTION 1: Approval pursuant to the Palatine Municipal Code, Appendix B Section 9.02 be and is hereby granted for the public improvements having a value of $86,800.50 and the letter of credit is hereby reduced to $75,441.50.

PASSED: This _____ day of_____, 2024.

AYES:_____ NAYS:_____ABSENT:_____PASS:_____

_____
Mayor

ATTESTED and FILED in the Office of the Village Clerk this _____ day of _____, 2024.

_____
Village Clerk

Attachment: RES - Security Deposit Reduction (Dundee Park Subdivision - Security Deposit Reduction (CA))