



**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**

**MINUTES**

**FEBRUARY 12, 2024**

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**Regular Meeting**

**7:00 PM**

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**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 Mike Kujawa, Director of Public Works Matt Barry, Police Chief Dave Daigle, IT Director Larry Schroth

**II. PLEDGE TO THE FLAG – Time: 7:00 PM**

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

**III. APPROVAL OF MINUTES – Time: 7:00 PM**

1. Village Council & Committee of the Whole - Regular Meeting - February 5, 2024  
- **Accepted**

|                  |                                                 |
|------------------|-------------------------------------------------|
| <b>RESULT:</b>   | <b>ACCEPTED [UNANIMOUS]</b>                     |
| <b>MOVER:</b>    | Doug Myslinski, District 3 Councilman           |
| <b>SECONDER:</b> | Tim Millar, District 1 Councilman               |
| <b>AYES:</b>     | Millar, Lamerand, Myslinski, Solberg, Kozlowski |
| <b>ABSENT:</b>   | Helms                                           |

**IV. MAYOR'S REPORT – Time: 7:00 PM**

## 1. As Submitted -

Mayor Schwantz announced upcoming events:

Tuesday, February 13: 4:30 PM - 7:00 PM  
POC Fundraiser  
Chicago Culinary Kitchen

February 18 - 24, 2024

The Palatine Area Chamber of Commerce is hosting its annual Restaurant Week, with the kickoff event "The Great Chili Cook Off" on Sunday, February 18! Tap House.

February 19, 2024

Presidents' Day (Village Offices Closed)

Council Meeting Tuesday, Feb 20th

**V. RECESS TO THE COMMITTEE OF THE WHOLE**

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

|                  |                                                 |
|------------------|-------------------------------------------------|
| <b>RESULT:</b>   | <b>MOTION CARRIED BY VOICE VOTE [UNANIMOUS]</b> |
| <b>MOVER:</b>    | Scott Lamerand, District 2 Councilman           |
| <b>SECONDER:</b> | Tim Millar, District 1 Councilman               |
| <b>AYES:</b>     | Millar, Lamerand, Myslinski, Solberg, Kozlowski |
| <b>ABSENT:</b>   | Helms                                           |

**VI. COMMITTEE OF THE WHOLE****A. FIRE POLICY & COMMUNITY INFORMATION COMMITTEE**

*GREG SOLBERG, CHAIRMAN*

1. Consider a Motion to Approve the 2024 Summer Farmers' Market and 2024-2025 Winter Farmers' Market - **Approved by Voice Vote** (Council District: Six)

Deputy Village Manager Hadley Skeffington-Vos presented Sister Cities' request to host the Summer 2024 and Winter 2024-25 Farmers Market Seasons outside in the Palatine Train Station Parking Lot B. Petitioner is also requesting permission to place five small signs in the area. Vendors are required to comply with state tax reporting and remittance requirements. Staff recommends approval.

|                  |                                                           |
|------------------|-----------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED BY VOICE VOTE [UNANIMOUS]</b>                 |
| <b>MOVER:</b>    | Doug Myslinski, District 3 Councilman                     |
| <b>SECONDER:</b> | Jim Schwantz, Mayor                                       |
| <b>AYES:</b>     | Schwantz, Millar, Lamerand, Myslinski, Solberg, Kozlowski |
| <b>ABSENT:</b>   | Helms                                                     |

2. Consider a Motion to Approve the Temporary Closure of Public Streets and Waiver of Fees All Related to the Jaycees' Proposed 2024 Hometown Fest - **Approved by Voice Vote** (Council District: Six)

Planning & Zoning Director Ben Vyverberg presented Palatine Jaycees' request for their annual Hometown Fest from July 3 - 7, with proceeds going to the community. The Jaycees are requesting:

- waiver of fees for Village services, permits, and licenses,
- temporary closure of Wood Street for the carnival, maintaining access to Village Hall and Park District facilities throughout the event,
- temporary closure of streets on Saturday, July 6, for the Parade

Any requested overnight security from the Palatine Police Department will be billed and paid for by the Jaycees. Staff recommends approval.

|                  |                                                           |
|------------------|-----------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED BY VOICE VOTE [UNANIMOUS]</b>                 |
| <b>MOVER:</b>    | Jim Schwantz, Mayor                                       |
| <b>SECONDER:</b> | Tim Millar, District 1 Councilman                         |
| <b>AYES:</b>     | Schwantz, Millar, Lamerand, Myslinski, Solberg, Kozlowski |
| <b>ABSENT:</b>   | Helms                                                     |

3. As Submitted -

Nothing was submitted.

## B. INFRASTRUCTURE & ENVIRONMENT COMMITTEE

*DOUG MYSLINSKI, CHAIRMAN*

1. Consider a Motion to Award a Contract for the 2023 Water Main Replacement Contract 1 Phase 2 Project - **Approved by Voice Vote**

Public Works Director Matt Barry recommended replacing the Rand Road water main from Lilly Lane to Dundee Road and the Dundee Road water main from Aspen Court to Quentin Road due to their age and number of breaks. Barry recommended awarding a contract, that came in underestimated cost, for the 2023 Water Main Replacement Phase 1 and 2 Project to the low compliant bidder, Trine Construction Corporation of Saint Charles, Illinois in the amount of \$700,550.

In response to Councilman Myslinski, Barry stated performance and bid bonds are part of the bidding process, in this case, 5 bids were received and

consideration was given to traffic control and IDOT proximity.

|                  |                                                           |
|------------------|-----------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED BY VOICE VOTE [UNANIMOUS]</b>                 |
| <b>MOVER:</b>    | Greg Solberg, District 4 Councilman                       |
| <b>SECONDER:</b> | Jim Schwantz, Mayor                                       |
| <b>AYES:</b>     | Schwantz, Millar, Lamerand, Myslinski, Solberg, Kozlowski |
| <b>ABSENT:</b>   | Helms                                                     |

2. Consider a Motion to Award a Contract for the 2024 Street Resurfacing Program - **Approved by Voice Vote**

Public Works Director Matt Barry recommended awarding a contract to Builders Paving of Hillside, Illinois in the amount of \$3,318,638 for the resurfacing of forty-two sections of streets, totaling 7.21 miles, the bid was under estimated cost.

Barry explained the merger of Arrow (our previous contractor) with Builders; therefore, the same people will be working on site.

Councilman Myslinski expressed his appreciation for excellent management.

|                  |                                                           |
|------------------|-----------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED BY VOICE VOTE [UNANIMOUS]</b>                 |
| <b>MOVER:</b>    | Tim Millar, District 1 Councilman                         |
| <b>SECONDER:</b> | Kollin Kozlowski, District 5 Councilman                   |
| <b>AYES:</b>     | Schwantz, Millar, Lamerand, Myslinski, Solberg, Kozlowski |
| <b>ABSENT:</b>   | Helms                                                     |

3. As Submitted -

Nothing was submitted.

**C. ADMINISTRATION, TECHNOLOGY & COMMUNITY HEALTH COMMITTEE** – Time:  
7:06 PM

*KOLLIN KOZLOWSKI, CHAIRMAN*

1. Consider an Ordinance Amending Chapter 12 Offenses and Miscellaneous Provisions of the Palatine Code of Ordinances - **Motion Carried by Voice Vote**

Deputy Village Manager Hadley Skeffington-Voss recommended approving the Ordinance amending Chapter 12- Offenses and Miscellaneous Provisions of the Code of Ordinances Article XXI. Burglary or Robbery Alarm Systems with language and fee structure updates.

|                  |                                                           |
|------------------|-----------------------------------------------------------|
| <b>RESULT:</b>   | <b>MOTION CARRIED BY VOICE VOTE [UNANIMOUS]</b>           |
| <b>MOVER:</b>    | Jim Schwantz, Mayor                                       |
| <b>SECONDER:</b> | Doug Myslinski, District 3 Councilman                     |
| <b>AYES:</b>     | Schwantz, Millar, Lamerand, Myslinski, Solberg, Kozlowski |
| <b>ABSENT:</b>   | Helms                                                     |

2. As Submitted -

Nothing was submitted.

**D. BUSINESS FINANCE & BUDGET COMMITTEE** – Time: 7:07 PM

*SCOTT LAMERAND, CHAIRMAN*

1. As Submitted -

Nothing was submitted.

**E. COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE** – Time: 7:08 PM

*BRAD HELMS, CHAIRMAN*

In the absence of Chairman Helms, Vice Chairman Millar opened the Community and Economic Development Committee.

1. As Submitted -

Nothing was submitted.

**F. POLICE POLICY & CODE SERVICES COMMITTEE** – Time: 7:08 PM

*TIM MILLAR, CHAIRMAN*

1. As Submitted -

Nothing was submitted.

**VII. RECONVENE THE VILLAGE COUNCIL MEETING**

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

|                  |                                                 |
|------------------|-------------------------------------------------|
| <b>RESULT:</b>   | <b>MOTION CARRIED BY VOICE VOTE [UNANIMOUS]</b> |
| <b>MOVER:</b>    | Doug Myslinski, District 3 Councilman           |
| <b>SECONDER:</b> | Greg Solberg, District 4 Councilman             |
| <b>AYES:</b>     | Millar, Lamerand, Myslinski, Solberg, Kozlowski |
| <b>ABSENT:</b>   | Helms                                           |

**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.

|                  |                                                 |
|------------------|-------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED BY ROLL CALL [UNANIMOUS]</b>         |
| <b>MOVER:</b>    | Scott Lamerand, District 2 Councilman           |
| <b>SECONDER:</b> | Tim Millar, District 1 Councilman               |
| <b>AYES:</b>     | Millar, Lamerand, Myslinski, Solberg, Kozlowski |
| <b>ABSENT:</b>   | Helms                                           |

1. Consider a Motion to Approve the 2024 Summer Farmers' Market and 2024-2025 Winter Farmers' Market - **Approved** (Council District: Six)
2. Consider a Motion to Approve the Temporary Closure of Public Streets and Waiver of Fees All Related to the Jaycees' Proposed 2024 Hometown Fest - **Approved** (Council District: Six)
3. Consider a Motion to Award a Contract for the 2023 Water Main Replacement Contract 1 Phase 2 Project - **Approved**
4. Consider a Motion to Award a Contract for the 2024 Street Resurfacing Program - **Approved**
5. Consider an Ordinance Amending Chapter 12 Offenses and Miscellaneous Provisions of the Palatine Code of Ordinances - **Approved**

Ordinance #O-11-24

**IX. REPORTS OF STANDING COMMITTEE****A. ADMINISTRATION, TECHNOLOGY & COMMUNITY HEALTH COMMITTEE**

*KOLLIN KOZLOWSKI, CHAIRMAN*

1. As Submitted -

No Report

**B. BUSINESS FINANCE & BUDGET COMMITTEE**

*SCOTT LAMERAND, CHAIRMAN*

1. As Submitted -

No Report

**C. COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE – Time: 7:09 PM**

*BRAD HELMS, CHAIRMAN*

In absence of Chairman Helms, Vice-Chair Millar opened the Community & Economic Development Standing Committee

1. As Submitted -

No Report

**D. FIRE POLICY & COMMUNITY INFORMATION COMMITTEE – Time: 7:09 PM**

*GREG SOLBERG, CHAIRMAN*

1. As Submitted -

No Report

**E. INFRASTRUCTURE & ENVIRONMENT COMMITTEE – Time: 7:09 PM**

*DOUG MYSLINSKI, CHAIRMAN*

1. As Submitted -

No Report

**F. POLICE POLICY & CODE SERVICES COMMITTEE**

*TIM MILLAR, CHAIRMAN*

1. As Submitted -

No Report

**X. REPORTS OF THE VILLAGE OFFICERS**

**A. VILLAGE MANAGER – Time: 7:09 PM**

1. As Submitted -

No Report

**B. VILLAGE CLERK – Time: 7:09 PM**

1. As Submitted -

No Report

**C. VILLAGE ATTORNEY** – Time: 7:09 PM

## 1. As Submitted -

No Report

**XI. CLOSED SESSION AS REQUIRED** – Time: 7:09 PM

No Closed Session requested.

**XII. RECOGNITION OF AUDIENCE** – Time: 7:10 PM

Roman Golash, 418 E. Juniper Drive, announced the American Legion is celebrating a Centennial Anniversary with a fish fry starting this Friday.

**XIII.ADJOURNMENT** – Time: 7:10 PM

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

|                  |                                                 |
|------------------|-------------------------------------------------|
| <b>RESULT:</b>   | <b>MOTION CARRIED BY VOICE VOTE [UNANIMOUS]</b> |
| <b>MOVER:</b>    | Kollin Kozlowski, District 5 Councilman         |
| <b>SECONDER:</b> | Tim Millar, District 1 Councilman               |
| <b>AYES:</b>     | Millar, Lamerand, Myslinski, Solberg, Kozlowski |
| <b>ABSENT:</b>   | Helms                                           |

SUBMITTED BY:

Margaret R. Duer  
Village Clerk



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**VILLAGE COUNCIL & COMMITTEE OF THE WHOLE**

**MINUTES**

**FEBRUARY 5, 2024**

**Regular Meeting**

**7:00 PM**

**I. ROLL CALL – Time: 7:00 PM**

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

Also Present:

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

**II. PLEDGE TO THE FLAG – Time: 7:00 PM**

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

**III. APPROVAL OF MINUTES**

- Village Council & Committee of the Whole - Regular Meeting - January 15, 2024  
**- Accepted**

|                  |                                               |
|------------------|-----------------------------------------------|
| <b>RESULT:</b>   | <b>ACCEPTED [UNANIMOUS]</b>                   |
| <b>MOVER:</b>    | Doug Myslinski, District 3 Councilman         |
| <b>SECONDER:</b> | Scott Lamerand, District 2 Councilman         |
| <b>AYES:</b>     | Millar, Lamerand, Myslinski, Kozlowski, Helms |
| <b>ABSENT:</b>   | Solberg                                       |

Minutes Acceptance: Minutes of Feb 5, 2024 7:00 PM (APPROVAL OF MINUTES)

**IV. MAYOR'S REPORT – Time: 7:01 PM**

## 1. As Submitted -

Mayor Schwantz announced upcoming events:

**Friday, February 9 - Sunday, February 11**

Friends of the Palatine Library Used Book Sale  
Palatine Library

**Internet Purchase/Exchange Zone**

Palatine Police Department reminds citizens to use their “Internet Purchase/Exchange Zone” in the Police Department front parking lot to exchange goods sold through online sites.

**V. RECESS TO THE COMMITTEE OF THE WHOLE**

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

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

**VI. COMMITTEE OF THE WHOLE****A. ADMINISTRATION, TECHNOLOGY & COMMUNITY HEALTH COMMITTEE – Time:**

7:01 PM

*KOLLIN KOZLOWSKI, CHAIRMAN*

1. Consider a Motion Approving a Waiver of the Village of Palatine's Sound Amplification Ordinance for the St. Pat's Post Parade Event on March 16, 2024 at Tap House Grill, 56 W. Wilson Street - **Approved by Voice Vote** (Council District: Six)

Deputy Village Manager Hadley Skeffington-Vos presented Tap House Grill's request for a waiver of the Sound Amplification Ordinance as they host a St. Pat's Post Parade event on Saturday, March 16, 2024, in a tent in the Tap House parking lot from 10 AM - 8 PM with live music DJ, and Irish-themed food and beer, closing the parking lot Friday, March 15, at 8 AM to Monday, March 18, at 9 AM. Staff recommends action at the discretion of the Village Council.

|                  |                                                         |
|------------------|---------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED BY VOICE VOTE [UNANIMOUS]</b>               |
| <b>MOVER:</b>    | Jim Schwantz, Mayor                                     |
| <b>SECONDER:</b> | Brad Helms, District 6 Councilman                       |
| <b>AYES:</b>     | Schwantz, Millar, Lamerand, Myslinski, Kozlowski, Helms |
| <b>ABSENT:</b>   | Solberg                                                 |

2. As Submitted -

Nothing was submitted.

**B. POLICE POLICY & CODE SERVICES COMMITTEE – Time: 7:02 PM**

*TIM MILLAR, CHAIRMAN*

1. Consider an Ordinance Granting Special Uses to Permit Home Additions to Encroach into the Required Front and Side Yard Setbacks at 224 W. Kenilworth Avenue - **Motion Carried by Voice Vote** (Council District: Two)

Planning & Zoning Director Ben Vyverberg presented the petitioner's proposal to construct a new front porch and second story addition to the existing home (which includes a first-floor addition and new screened porch) maintaining the existing non-conforming 7.8 foot side yard setback. The proposed open-style front porch is to be set back 24 feet (minimum required 30 feet). The Planning & Zoning Commission voted unanimously to approve the Special Uses to permit the proposed home additions at the subject property and staff concurs.

|                  |                                                         |
|------------------|---------------------------------------------------------|
| <b>RESULT:</b>   | <b>MOTION CARRIED BY VOICE VOTE [UNANIMOUS]</b>         |
| <b>MOVER:</b>    | Scott Lamerand, District 2 Councilman                   |
| <b>SECONDER:</b> | Doug Myslinski, District 3 Councilman                   |
| <b>AYES:</b>     | Schwantz, Millar, Lamerand, Myslinski, Kozlowski, Helms |
| <b>ABSENT:</b>   | Solberg                                                 |

2. Consider an Ordinance Granting a Special Use to Permit a Medical Office (Massage Therapy/Chiropractic Clinic) at 2001 N. Rand Road - **Motion Carried by Voice Vote** (Council District: Three)

Planning & Zoning Director Ben Vyverberg presented the petitioner's proposal to open a new massage therapy/chiropractic clinic, Body In Gear Wellness, and requests approval of a Special Use to permit a medical office (massage therapy/chiropractic clinic). The Planning & Zoning Commission voted unanimously to approve and staff concurs.

|                  |                                                         |
|------------------|---------------------------------------------------------|
| <b>RESULT:</b>   | <b>MOTION CARRIED BY VOICE VOTE [UNANIMOUS]</b>         |
| <b>MOVER:</b>    | Doug Myslinski, District 3 Councilman                   |
| <b>SECONDER:</b> | Jim Schwantz, Mayor                                     |
| <b>AYES:</b>     | Schwantz, Millar, Lamerand, Myslinski, Kozlowski, Helms |
| <b>ABSENT:</b>   | Solberg                                                 |

3. Consider an Ordinance Granting a Special Use for a Preschool/Day Care Facility at 1377 N. Rand Road - **Motion Carried by Voice Vote** (Council District: Four)

Planning & Zoning Director Ben Vyverberg presented the petitioner's request for a Special Use to open a new preschool/daycare facility in the Park Place Shopping Center, occupying several tenant spaces totaling approximately 7,700 square feet, for 7 classrooms, a screening room, and a centrally located indoor play area to accommodate children from infant to school age children. They will comply with all DCFS licensing requirements. Since 1999, Advance Preschool has operated several daycare facilities in the area. Proposed hours of operation are 6:30 AM to 6 PM with occasional evening and weekend events. The proposed added crosswalk to link the parking area to the front entrance would be reviewed with the building permit application if the proposed Special Use is approved. The Planning & Zoning Commission voted 5-2 to approve the Special Use and staff concurs with this recommendation.

Councilmen Millar, Myslinski, and Helms expressed concern for children's safety walking from car to the door with other traffic in the area, especially during the evening rush hour and anticipating the opening of a grocery store. Councilman Myslinski suggested bollards to demark the cross area.

In response to Councilman Helms' request for outdoor play area, Village Manager Reid Ottesen stated semi-trucks will be delivering in the back area and stated his reluctance to have bollards, but suggested flashing lights.

Kimberly Bianchini, owner, Advanced Preschool, Inc, stated that she and staff have tried to address all concerns expressed. Their history in childcare stands as their strength. Parents are walking children in and out and a child will never be unattended. Drop off time is from 6:30 - 8:00 am. Childcare is needed in this particular area. They are working closely with the Palatine Opportunity Center.

Referencing Councilman Millar's concern for safety, Bianchini stated in 25 years they have never had an issue, even in similar locations. They are installing an entry door in the safest location.

Mayor Schwantz noted the increased car and foot traffic when the grocery store opens, hopefully vehicles will be more cautious and proceed slower.

Councilman Lamerand suggested conflicts be addressed after the grocery

store opens.

Bianchini stated parents will sign a contract agreeing to the procedure for drop off and pick up. Reminders go out to parents 3 times a year.

Ottesen recommended a 4th condition for the Ordinance: The Village reserves the right to require the petitioner to install a rectangular rapid flashing beacon should the Village determine it is necessary for the enhancement of public safety.

The motion maker and seconder agreed to add Condition 4.

In response to various safety suggestions, Bianchini said, if deemed necessary by the Village, the school will provide a crossing guard to assist children and parents to cross to their cars in the evening. This will be memorialized as part of the Business License process.

Kathy Millin POC Executive Director, who has worked closely with Ms. Bianchini, appreciated the time the Village has devoted to this project.

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

#### 4. As Submitted -

Nothing was submitted.

### C. INFRASTRUCTURE & ENVIRONMENT COMMITTEE

*DOUG MYSLINSKI, CHAIRMAN*

1. Consider an Ordinance Amending Chapter 6, Building Codes and Regulations of the Village of Palatine Code of Ordinances Regarding the International Energy Code - **Motion Carried by Voice Vote**

Director of Community Development Mike Jacobs recommended Chapter 6 Building Codes & Regulations be revised to reference the appropriate version of the State of Illinois International Energy Conservation Code, which went into effect on January 1, 2024.

|                  |                                                         |
|------------------|---------------------------------------------------------|
| <b>RESULT:</b>   | <b>MOTION CARRIED BY VOICE VOTE [UNANIMOUS]</b>         |
| <b>MOVER:</b>    | Tim Millar, District 1 Councilman                       |
| <b>SECONDER:</b> | Kollin Kozlowski, District 5 Councilman                 |
| <b>AYES:</b>     | Schwantz, Millar, Lamerand, Myslinski, Kozlowski, Helms |
| <b>ABSENT:</b>   | Solberg                                                 |

2. As Submitted -

Nothing was submitted.

**D. BUSINESS FINANCE & BUDGET COMMITTEE** – Time: 7:38 PM

*SCOTT LAMERAND, CHAIRMAN*

1. As Submitted -

Nothing was submitted.

**E. COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE** – Time: 7:38 PM

*BRAD HELMS, CHAIRMAN*

1. As Submitted -

Nothing was submitted.

**F. FIRE POLICY & COMMUNITY INFORMATION COMMITTEE** – Time: 7:38 PM

*GREG SOLBERG, CHAIRMAN*

In the absence of Chairman Solberg, Vice-Chairman Kozlowski opened the Fire Policy & Community Information Committee Meeting

1. As Submitted -

Nothing was submitted.

**VII. RECONVENE THE VILLAGE COUNCIL MEETING** – Time: 7:38 PM

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

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

**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.

|                  |                                               |
|------------------|-----------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED BY ROLL CALL [UNANIMOUS]</b>       |
| <b>MOVER:</b>    | Scott Lamerand, District 2 Councilman         |
| <b>SECONDER:</b> | Doug Myslinski, District 3 Councilman         |
| <b>AYES:</b>     | Millar, Lamerand, Myslinski, Kozlowski, Helms |
| <b>ABSENT:</b>   | Solberg                                       |

1. Consider a Motion to Approve 2024 Warrant #3 - **Approved**
2. Consider a Motion Approving a Waiver of the Village of Palatine's Sound Amplification Ordinance for the St. Pat's Post Parade Event on March 16, 2024 at Tap House Grill, 56 W. Wilson Street - **Approved** (Council District: Six)
3. Consider an Ordinance Granting Special Uses to Permit Home Additions to Encroach into the Required Front and Side Yard Setbacks at 224 W. Kenilworth Avenue - **Approved** (Council District: Two)

Ordinance #O-7-24

4. Consider an Ordinance Granting a Special Use to Permit a Medical Office (Massage Therapy/Chiropractic Clinic) at 2001 N. Rand Road - **Approved** (Council District: Three)

Ordinance #O-8-24

5. Consider an Ordinance Granting a Special Use for a Preschool/Day Care Facility at 1377 N. Rand Road - **Approved** (Council District: Four)

Ordinance #O-9-24

6. Consider an Ordinance Amending Chapter 6, Building Codes and Regulations of the Village of Palatine Code of Ordinances Regarding the International Energy Code - **Approved**

Ordinance #O-10-24

7. Consider a Resolution Concluding the Required One-Year Maintenance Period for the Autumn Road Subdivision and Releasing the Remaining Autumn Lane Security Deposit Security - **Adopted by Roll Call** (Council District: One)

Resolution #R-3-24

8. Consider a Resolution Granting a Security Deposit Reduction, Commencement of the 1-Year Maintenance Period, and Release of the Planned Development Security Deposit for LPC Subdivision - **Adopted by Roll Call** (Council District: Two)

Resolution #R-4-24

9. Consider a Resolution Granting a Security Deposit Reduction and Commencement of the Required One-Year Maintenance Period for Pancorvo Subdivision - **Adopted by Roll Call** (Council District: One)

Resolution #R-5-24

## IX. REPORTS OF STANDING COMMITTEE

### A. ADMINISTRATION, TECHNOLOGY & COMMUNITY HEALTH COMMITTEE – Time:

7:39 PM

*KOLLIN KOZLOWSKI, CHAIRMAN*

1. As Submitted -

No Report

### B. BUSINESS FINANCE & BUDGET COMMITTEE – Time: 7:39 PM

*SCOTT LAMERAND, CHAIRMAN*

1. As Submitted -

No Report

### C. COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE – Time: 7:39 PM

*BRAD HELMS, CHAIRMAN*

1. As Submitted -

No Report

### D. FIRE POLICY & COMMUNITY INFORMATION COMMITTEE – Time: 7:39 PM

*GREG SOLBERG, CHAIRMAN*

1. As Submitted -

No Report

**E. INFRASTRUCTURE & ENVIRONMENT COMMITTEE – Time: 7:39 PM***DOUG MYSLINSKI, CHAIRMAN*

1. As Submitted -

No Report

**F. POLICE POLICY & CODE SERVICES COMMITTEE – Time: 7:39 PM***TIM MILLAR, CHAIRMAN*

1. As Submitted -

No Report

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

1. As Submitted -

No Report

**B. VILLAGE CLERK**

1. As Submitted -

No Report

**C. VILLAGE ATTORNEY – Time: 7:39 PM**

1. As Submitted -

No Report

**XI. CLOSED SESSION AS REQUIRED**

No Closed Session requested.

**XII. RECOGNITION OF AUDIENCE**

No one came forward.

**XIII.ADJOURNMENT – Time: 7:40 PM**

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

|                  |                                                         |
|------------------|---------------------------------------------------------|
| <b>RESULT:</b>   | <b>MOTION CARRIED BY VOICE VOTE [UNANIMOUS]</b>         |
| <b>MOVER:</b>    | Brad Helms, District 6 Councilman                       |
| <b>SECONDER:</b> | Kollin Kozlowski, District 5 Councilman                 |
| <b>AYES:</b>     | Schwantz, Millar, Lamerand, Myslinski, Kozlowski, Helms |
| <b>ABSENT:</b>   | Solberg                                                 |

SUBMITTED BY:

Margaret R. Duer  
Village Clerk

Minutes Acceptance: Minutes of Feb 5, 2024 7:00 PM (APPROVAL OF MINUTES)

# Consider a Motion to Approve the 2024 Summer Farmers' Market and 2024-2025 Winter Farmers' Market

## BACKGROUND:

Since 2001, the Farmers' Market has operated in the Train Station parking lot every Saturday, May through October. In addition to fresh produce and food products, the Market employs ten residents and encourages participation by civic groups and local musicians.

## KEY ISSUES:

- The Palatine Farmers' Market requests approval for the 2024 Summer Market dates every Saturday (May 4 - October 26) from 7 AM to 1 PM in the Palatine Train Station Parking Lot (B). The Market's layout will be consistent with last year's. The Market includes over 30 vendors with increased organic products, a wider variety of local products, and a knife sharpener.
- The Farmers' Market requests approval of the following 2024-2025 Winter Market dates: November 2 and 16, December 7 and 21 of 2024 and January 4 and 18, February 1 and 15, March 1 and 15, April 5 and 19 of 2025. The Winter Market, held from 10 AM to noon, will include two vendors in Parking Lot B and 10-12 vendors inside the Train Station. Katich Breads will be allowed in the lot to deliver customer pre-orders every Saturday November through April for one hour from 10 -11 AM.
- The Farmers' Market is also seeking approval to place five (real estate size) signs at key intersections on Saturdays between 6 AM and 2 PM.
- To ensure that the Village collects all Sales and Food and Beverage Tax, vendors will be provided with all applicable State and Village forms for remittance. Village staff will periodically check to confirm payments are being made.

## ALTERNATIVES:

1. Approve the proposed 2024 Summer Farmers' Market and 2024-2025 Winter Market dates.
2. Refer back to Staff with comments.

## RECOMMENDATION:

Staff recommends approval.

## ACTION REQUIRED:

Motion to approve the proposed 2024 Summer Farmers' Market and 2024-2025 Winter Market dates.

## ATTACHMENTS:

- Letter Requesting Farmer's Market Approvals
- Summer Market Map
- Winter Market Map (Draft)

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

Village Manager Reid Ottesen and Village Council  
200 East Wood Street  
Palatine, IL 60067

January 15, 2024

Village Manager, Council and Staff:

Established in 1991, to attract customers to downtown Palatine, the Palatine Farmers' Market has become a part of the Palatine culture. Since 2001, the Farmers' Market has operated in the Train Station parking lot (B) every Saturday, May through October. In addition to fresh produce and food products, the Market employs 10 local residents and local musicians and encourages participation by civic groups. Our specific requests for Council approval include:

- **Summer Market:** every Saturday, May 4th through October 26th, 2024 from 7 AM to 1 PM, in the Train Station Parking Lot (B). We appreciate the current signage and ask that owners of cars parked in the Market area at 4:30 AM be contacted or towed. The Police, under Commander Brandwein, have been excellent insuring that parked vehicles are removed from the Market area.
- The Summer Market area included the 4 handicapped spaces on the northwest end of the lot and again request those handicapped spaces. With over 30 vendors, increased organic products, a wider variety of exceptional local products, and a skilled knife sharpener we fill the additional space. (Map attached)

Last summer, 2023, two Van Go vans were parked (never used) in the handicapped area on the southwest end of the grass area, blocking the view of musicians on the steps to the platform. That location is very popular with people enjoying the four granite tables under the trees and sitting around the stone circle. We respectfully ask that the vans be parked in the parking deck on Saturdays during Market hours. For our planning, please let us know if this is possible.

Specific 2024 Summer dates are: May 4, 11, 18, 25, June 1, 8, 15, 22, 29, July 6, 13, 20, 27, August 3, 10, 17, 24, 31, September 7, 14, 21, 28, October 5, 12, 19, 26.

- **Winter Farmers' Market:** Based on the success of the Winter Drive-Thru 1<sup>st</sup> & 3<sup>rd</sup> Saturday Market, the Farmers' Market Committee requests approval of the 2024-25 Winter Drive-Thru & Walk-Up Market from 10 AM to 12 PM. Since implementing the Drive-Thru format, Harvard employee Rigo has been instrumental in safely channeling vehicle traffic and pedestrian customers.

Specific 2024-25 Dates: November 2 and 16, December 7 and 21 of 2024, and January 4 and 18, February 1 and 15, March 1 and 15, April 5 and 19 for 2025 located in Parking Lot B. Hours: 10 a.m. to noon. (Map attached)

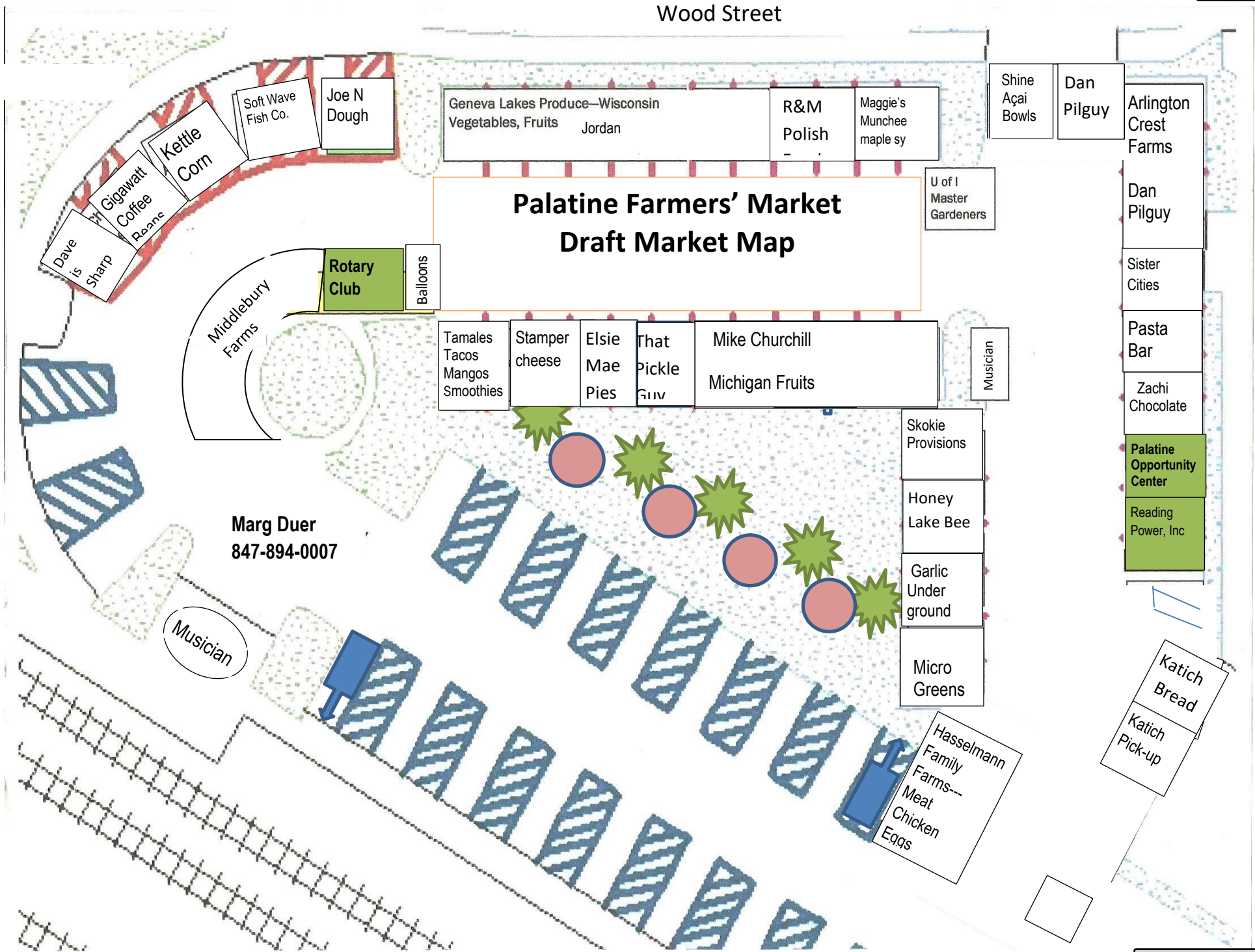
- **Publicity:** The Farmers' Market seeks approval to place 5 (real estate size) signs at key intersections on Saturdays between 6 a.m. and 2 p.m.

Sincerely,

*Marg Duer*

Marg Duer and the Market Committee  
Pierre Jabeneau, Shar Jaegers, Nghi Pappas, Jim Parker, Maureen & Jeff Pasqualucci, Med Yaghmour

Attachment: Letter Requesting Farmer's Market Approvals (2024 Farmers' Market and 2024-2025 Winter Market)



Attachment: Summer Market Map (2024 Farmers' Market and 2024-2025 Winter Market)

”+



# Consider a Motion to Approve the Temporary Closure of Public Streets and Waiver of Fees All Related to the Jaycees' Proposed 2024 Hometown Fest

## BACKGROUND:

The Palatine Jaycees are planning to hold their annual Hometown Fest from Wednesday, July 3 - Sunday, July 7, 2024. This festival is the Jaycees' largest fundraiser of the year, with proceeds going directly back to the community through the many programs they sponsor. The proposed festival hours are as follows :

- Wednesday, July 3: 5 PM - 12 AM (Special Needs Carnival from 3 - 5 PM)
- Thursday, July 4: Noon - Midnight
- Friday, July 5: Noon - 12 AM (Fireworks at 9:30 PM)
- Saturday, July 6: Noon - Midnight (Parade Kicks Off at 11 AM)
- Sunday, July 7: Noon - 5 PM

## KEY ISSUES:

1. The Jaycees are requesting approval of the following:
  - Waiver of fees for Village services, permits, and licenses.
  - Temporary closure of Wood Street, between Mozart Street and Oak Street, from Monday, July 1 (evening) - Sunday, July 7 for the carnival. This approval would be subject to access being maintained to the Village Hall and Park District facilities throughout the event.
  - Carnival Setup will begin Tuesday, July 2 and tear down will start Sunday afternoon on July 7th and conclude on Monday, July 8th.
  - Temporary closure of streets on Saturday, July 6 for the parade.
  - The proposed event hours are consistent with what was approved by the Palatine Park District at their January 23, 2024 Board Meeting.
2. The Sanborn School parking lot will be closed starting Sunday June 30<sup>th</sup> for carnival equipment arrival and set-up. The school and Park District have approved this closure.
3. Any requested overnight security from the Palatine Police Department will be billed and paid for by the Jaycees.

## ALTERNATIVES:

1. Approve the request for the temporary closure of public streets and the waiver of Village fees.
2. Do not approve the request for the temporary closure of public streets and the waiver of Village fees.

## RECOMMENDATION:

Staff recommends approval of the Palatine Jaycees Hometown Fest and related requests.

## ACTION REQUIRED:

A motion to approve the request for the temporary closure of public streets and the waiver of Village fees, subject to the conditions outlined above.

**ATTACHMENTS:**

- Hometown Fest 2024 Application

|                  |                                                           |
|------------------|-----------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED BY VOICE VOTE [UNANIMOUS]</b>                 |
| <b>MOVER:</b>    | Jim Schwantz, Mayor                                       |
| <b>SECONDER:</b> | Tim Millar, District 1 Councilman                         |
| <b>AYES:</b>     | Schwantz, Millar, Lamerand, Myslinski, Solberg, Kozlowski |
| <b>ABSENT:</b>   | Brad Helms                                                |

# 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

Palatine Jaycees Hometown Fest 2024

Exact Address of Event

Community Park, 262 E Palatine Rd 60067

Type of Event (Check all applicable)

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

Date(s) of Event

7/3/24-7/7/24

Hours of Event

12pm-12am

Total Hours (Set-Up - Tear Down)

80

Phone number/website for publication

847-604-0288, palatinejaycees.org

Estimated attendance

25000

Last years actual attendance

25000

Describe the event's community and/or cultural benefit

Annual 4th of July Celebration with carnival, food, entertainment, and fireworks.

## SPONSORING ORGANIZATION INFORMATION

Name of Sponsoring Organization

Palatine Jaycees

Contact person from Sponsoring Organization

Jenny Levin, 2024 President

Sponsoring Organization Address

PO BOX 1517

City

Palatine

Zip

60075

Phone Number

847-604-0288

E-Mail

hometownfest@palatinejaycees.org

Website

palatinejaycees.org

## ORGANIZER/COORDINATOR INFORMATION

Name of Organizer/Coordinator

Sarah McKillop

E-mail

semckillop@gmail.com

Organizer/Coordinator Address

211 E Parallel St

City

Palatine

Zip

60067

Phone Number

Cell Phone Number

847-421-8330

Fax Number

## EMERGENCY CONTACT INFORMATION

Name of Emergency Contact

Jenny Levin

E-mail

jenniferlevin1@gmail.com

Emergency Contact Address

560 N. Geri Court

City

Palatine

Zip

60067

Phone Number (24hours)

847-373-0165

Cell Phone Number

Fax Number

# 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? ☒ Yes ☐ No

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 (i.e., apples, bananas, etc.)

QUESTIONS ON WHAT QUALIFIES AS EXEMPT? CALL (847) 359-9090.

If yes, how many vendors? 12

Each vendor must submit a Temporary Food Event Permit Application 14 days prior to the event. Applications can be found at:  
<http://www.palatine.il.us/events/forms/applications.aspx>.  
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) (i.e., 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:  
<http://www.palatine.il.us/events/forms/applications.aspx>.  
Questions? Contact (847) 359-9037. Electric submissions are NOT accepted. 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.

  
Signature of Organizer

1/16/24  
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.

# 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

Hometown Fest Parade

## SECTION 1 RACE/WALK PARADE INFORMATION

☐ Not Applicable

Starting Location

Slade & Cedar

Ending Location

Wood & Oak

Approximate Number of Attendees (runners/marchers)

1000

Approximate Number of Vehicles (cars/floats)

70

Location of Assemble (Registration)

Wood & Cedar

Location of Personal Vehicle Parking

Clean Air Parking Lot (Wood St)

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)

12pm

Amplified sound will be used to: (am/pm)

12am

Describe the sound system(s)

Sound will be controlled by SoundWorks.

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

Bands will play until midnight with a firm cut off. Sounds will be from band shell only & directed N

North

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

Village Hall Parking Lots

7/4/24

8am

7/8/24

8am

Village Hall Parking Lots

Village Hall Parking Lots

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.

# 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

Palatine Jaycees

Name of Event

Hometown Fest 2024

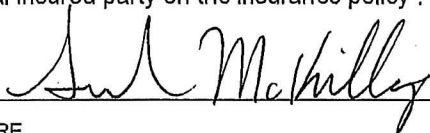
Date(s) of Event

7/3/24-7/7/24

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

Sarah McKillop

PRINT NAME

Committee Member - Admin

TITLE/POSITION

7/16/24

DATE

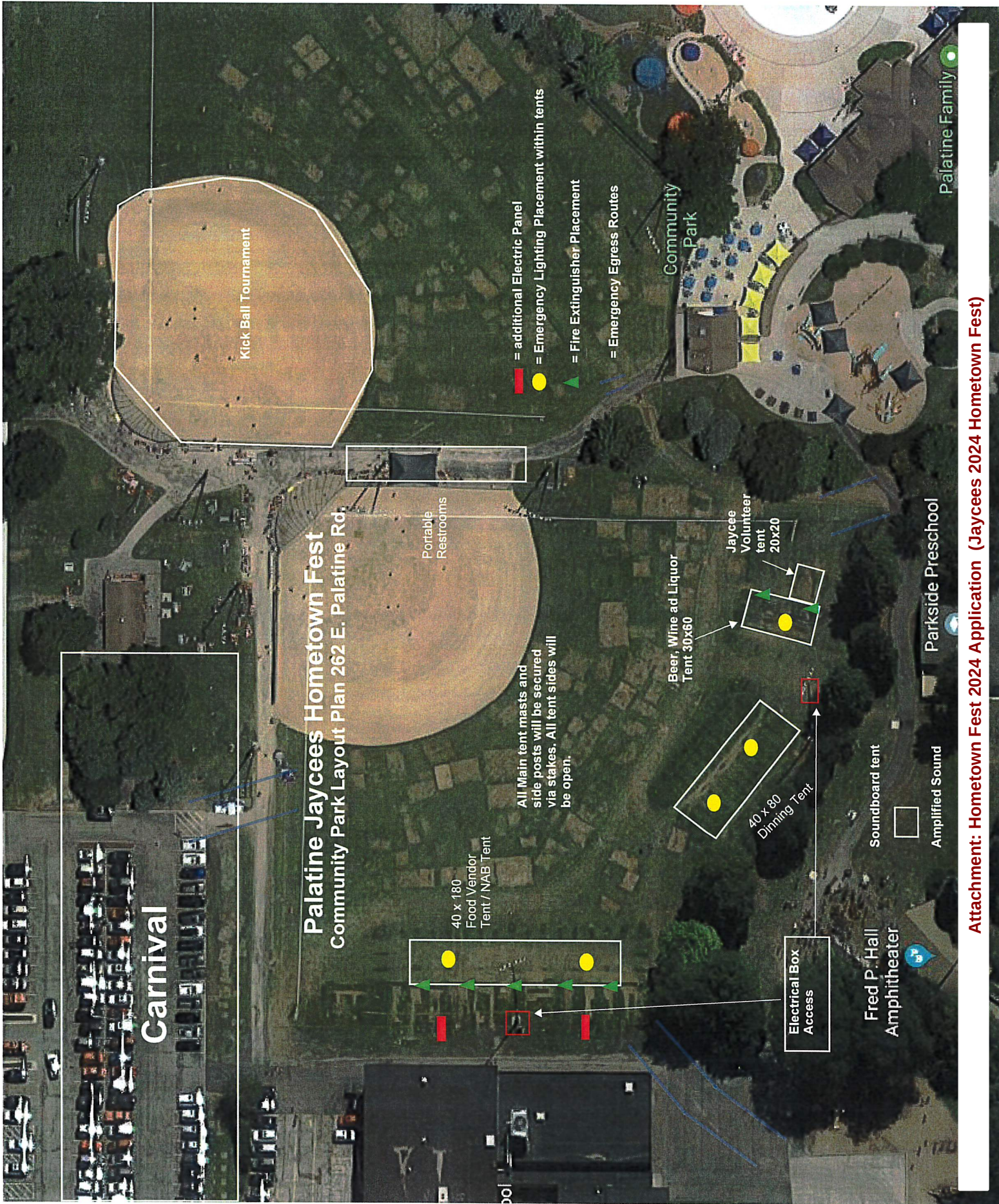
## SECTION 5: INSURANCE REQUIREMENTS

### INSURANCE REQUIREMENTS

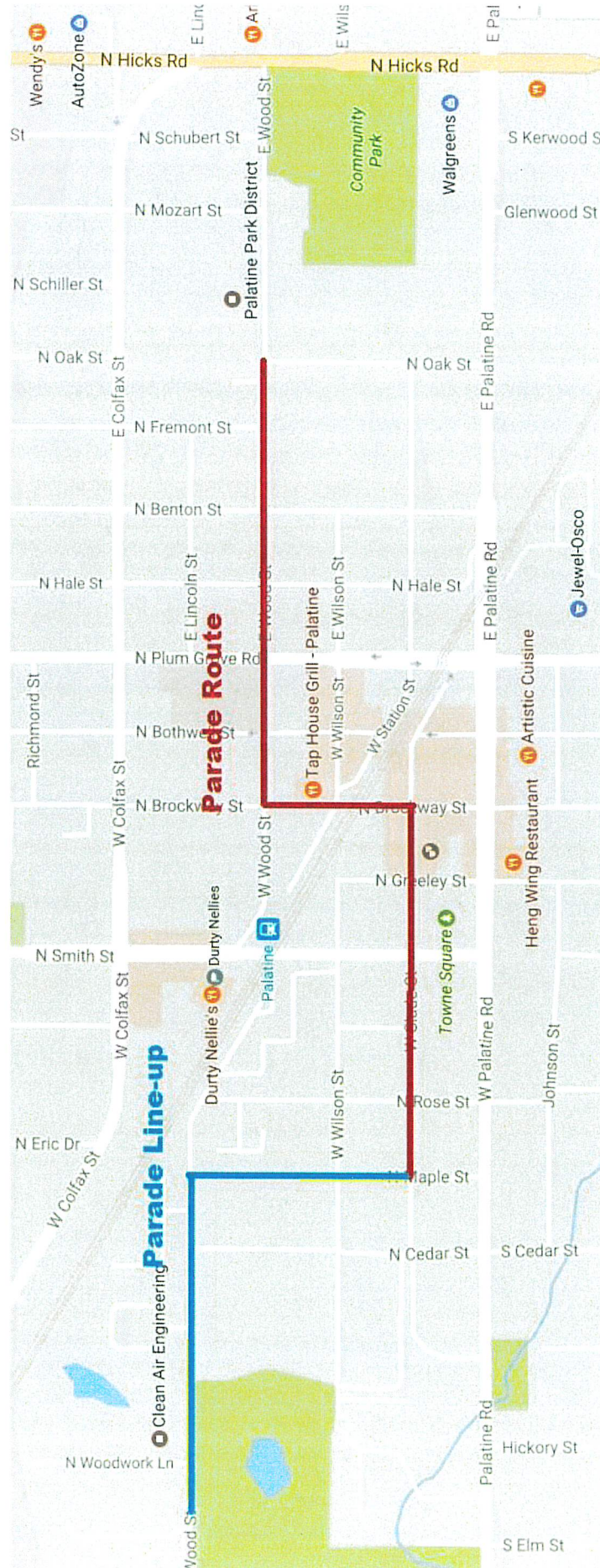
Sponsoring Organization will be required to provide an original Certificate of Insurance evidencing the following insurance minimums:

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.



# Parade Route



# Consider a Motion to Award a Contract for the 2023 Water Main Replacement Contract 1 Phase 2 Project

## BACKGROUND:

The Rand Road water main from Lilly Lane to Dundee Road and the Dundee Road water main from Aspen Court to Quentin Road are recommended for replacement due to their age and the number of breaks that have occurred over the last several years. These facilities were planned for replacement in 2023 but the Illinois Department of Transportation delayed issuing permits until just recently. After the required permits were secured, the project was competitively bid.

## KEY ISSUES:

- On Tuesday, February 6, 2024, 5 bids were received, ranging from a high of \$1,234,568 to a low of \$700,500.
- The low responsive and responsible bidder was Trine Construction Corporation of Saint Charles, Illinois in the amount of \$700,500.
- The Engineer's estimate was \$1,229,485.

## ALTERNATIVES:

1. Award the contract for the 2023 Water Main Replacement Contract 1 Phase 2 to Trine Construction Corporation.
2. Refer back to Staff with comments.

## RECOMMENDATION:

It is recommended that the contract for the 2023 Water Main Replacement Contract 1 Phase 2 Project be awarded to Trine Construction Corporation of Saint Charles, Illinois in the amount of \$700,550.

## BUDGET IMPACT:

Funding is available in the water fund of the 2023 Capital Improvement Program to accommodate this work.

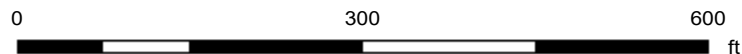
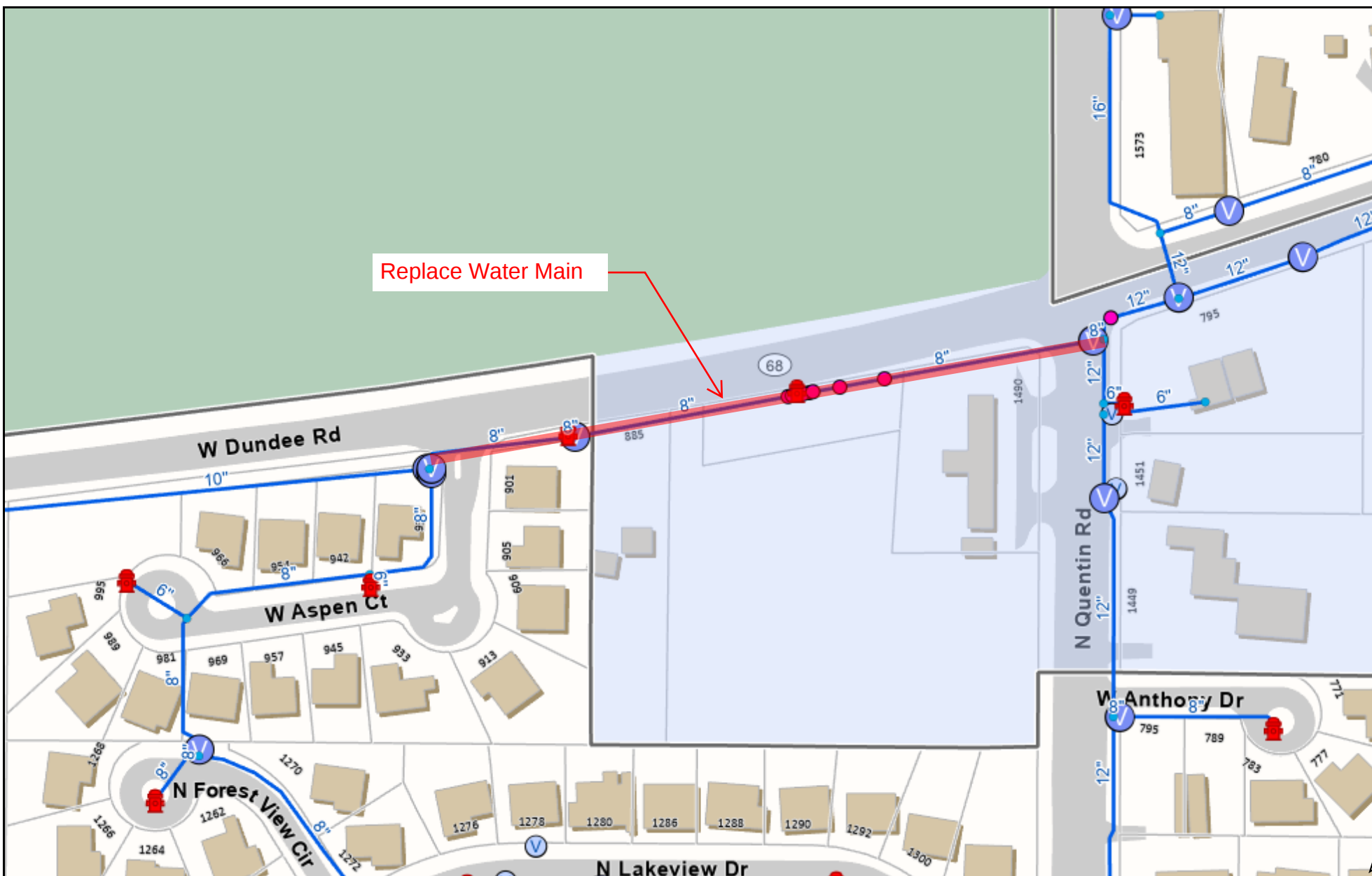
## ACTION REQUIRED:

Motion to award the contract for the 2023 Water Main Replacement Contract 1 Phase 2 Project to Trine Construction Corporation of Saint Charles, Illinois in the amount of \$700,550.

## ATTACHMENTS:

- Location Maps
- 1-Bid Tab 2023 Water Main Replacement C-1 P-2 Rand Dundee

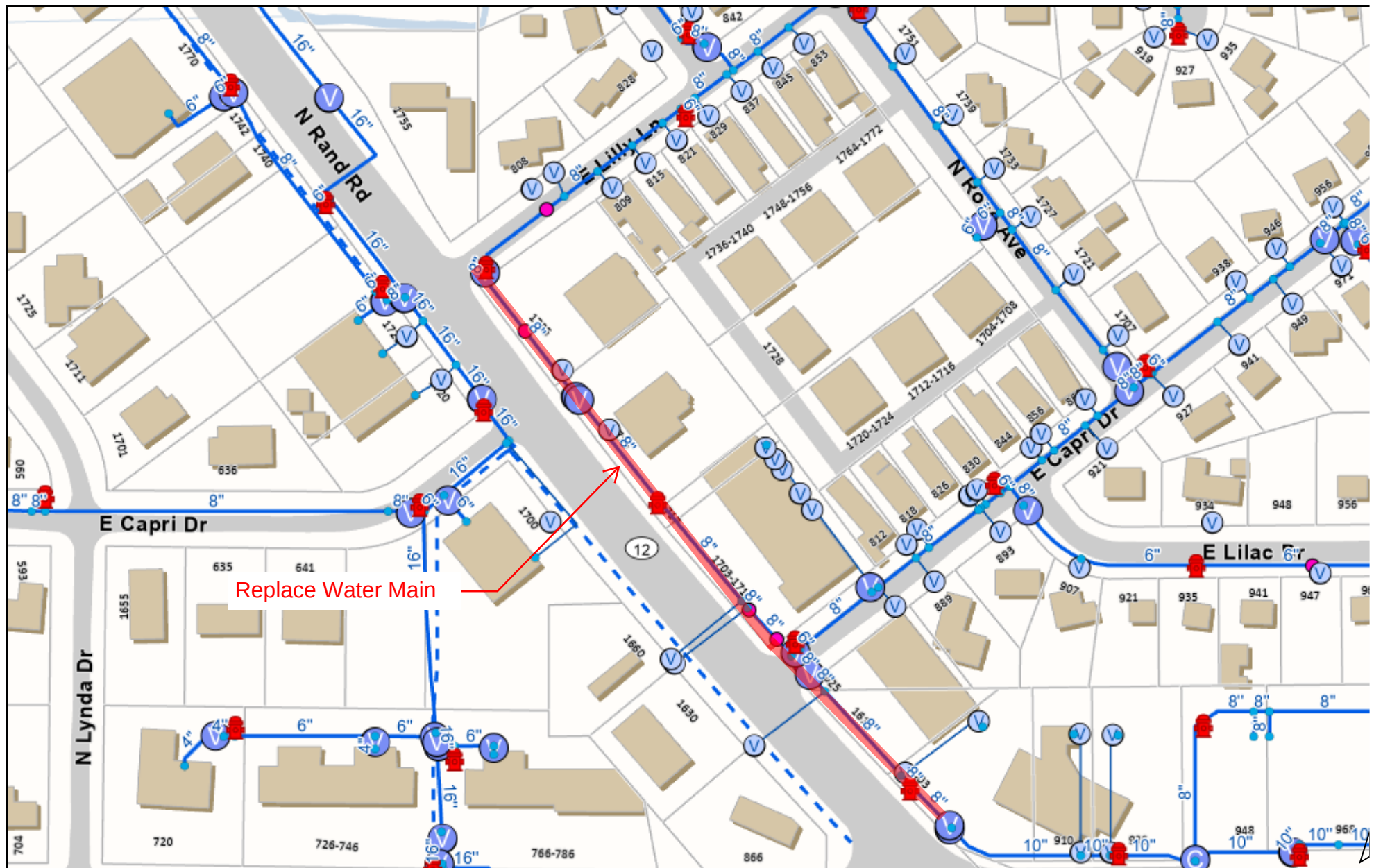
|                  |                                                           |
|------------------|-----------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED BY VOICE VOTE [UNANIMOUS]</b>                 |
| <b>MOVER:</b>    | Greg Solberg, District 4 Councilman                       |
| <b>SECONDER:</b> | Jim Schwantz, Mayor                                       |
| <b>AYES:</b>     | Schwantz, Millar, Lamerand, Myslinski, Solberg, Kozlowski |
| <b>ABSENT:</b>   | Brad Helms                                                |



Print Date: 11/21/2022

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.



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Notes

Bid O 11:00 AM Tuesday, February 6, 2024

Locat Village Hall

## TABULATION OF BIDS

FOR

2023 Water Main Replacement Contract 1, Phase 2

DPW- 2321-2

Section # N/A

| <p>Red unit price = unit price is above median unit price<br/>Blue unit price = unit price is equal to median unit price<br/>Green unit price = unit price is below median unit price</p> |                                                                    |       |          | Cost Estimate |            | Low Bidder<br>Trine Construction Corp.<br>1041 Trine Ct.<br>St. Charles, IL 60174 |            | 2<br>IHC Const. Companies, LLC<br>385 Airport Rd, Suite 100<br>Elgin, IL 60123 |             | 3<br>Lenny Hoffman Excavating,<br>5400 W Elm St, Suite 204<br>McHenry, IL 60050 |            | 4<br>Bolder Contractors, Inc.<br>316 Cary Point Drive<br>Cary, IL 60013 |            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|-------|----------|---------------|------------|-----------------------------------------------------------------------------------|------------|--------------------------------------------------------------------------------|-------------|---------------------------------------------------------------------------------|------------|-------------------------------------------------------------------------|------------|
| ITEM NO.                                                                                                                                                                                  | DESCRIPTION                                                        | UNIT  | QUANTITY | UNIT PRICE    | TOTAL      | UNIT PRICE                                                                        | TOTAL      | UNIT PRICE                                                                     | TOTAL       | UNIT PRICE                                                                      | TOTAL      | UNIT PRICE                                                              | TOTAL      |
| 1                                                                                                                                                                                         | SUPPLEMENTAL WATERING                                              | UNIT  | 16       | \$25.00       | \$400.00   | \$115.00                                                                          | \$1,840.00 | \$1,691.00                                                                     | \$27,056.00 | \$230.00                                                                        | \$3,680.00 | \$50.00                                                                 | \$800.00   |
| 2                                                                                                                                                                                         | TOPSOIL FURNISH AND PLACE, 4"                                      | SQ YD | 360      | \$10.00       | 3,600.00   | \$11.50                                                                           | 4,140.00   | 25.00                                                                          | 9,000.00    | 15.00                                                                           | 5,400.00   | 12.00                                                                   | 4,320.00   |
| 3                                                                                                                                                                                         | SODDING (SPECIAL)                                                  | SQ YD | 360      | \$20.00       | 7,200.00   | \$23.00                                                                           | 8,280.00   | 50.00                                                                          | 18,000.00   | 35.00                                                                           | 12,600.00  | 18.00                                                                   | 6,480.00   |
| 4                                                                                                                                                                                         | TREE PROTECTION                                                    | LF    | 210.0    | \$5.00        | 1,050.00   | \$9.20                                                                            | 1,932.00   | 26.00                                                                          | 5,460.00    | 10.00                                                                           | 2,100.00   | 10.00                                                                   | 2,100.00   |
| 5                                                                                                                                                                                         | DRAINAGE STRUCTURE INLET FILTERS & CLEANING                        | EACH  | 11       | \$250.00      | 2,750.00   | \$189.75                                                                          | 2,087.25   | 401.00                                                                         | 4,411.00    | 250.00                                                                          | 2,750.00   | 230.00                                                                  | 2,530.00   |
| 6                                                                                                                                                                                         | PCC CURB AND GUTTER REMOVE AND REPLACE                             | LF    | 162      | \$85.00       | 13,770.00  | \$83.72                                                                           | 13,562.64  | 129.00                                                                         | 20,898.00   | 90.00                                                                           | 14,580.00  | 95.00                                                                   | 15,390.00  |
| 7                                                                                                                                                                                         | PCC SIDEWALK REMOVE AND REPLACE                                    | SQ FT | 910      | \$32.00       | 29,120.00  | \$16.57                                                                           | 15,078.70  | 28.00                                                                          | 25,480.00   | 18.00                                                                           | 16,380.00  | 18.00                                                                   | 16,380.00  |
| 8                                                                                                                                                                                         | DETECTABLE WARNINGS                                                | SQ FT | 120      | \$35.00       | 4,200.00   | \$27.51                                                                           | 3,301.20   | 40.00                                                                          | 4,800.00    | 44.00                                                                           | 5,280.00   | 40.00                                                                   | 4,800.00   |
| 9                                                                                                                                                                                         | CLASS B PATCH, TYPE IV, 8 INCH (MINIMUM)                           | SQ YD | 110      | \$175.00      | 19,250.00  | \$196.79                                                                          | 21,646.90  | 310.00                                                                         | 34,100.00   | 210.00                                                                          | 23,100.00  | 200.00                                                                  | 22,000.00  |
| 10                                                                                                                                                                                        | CLASS D PATCH, TYPE IV, 6 INCH                                     | SQ YD | 325      | \$90.00       | 29,250.00  | \$116.22                                                                          | 37,771.50  | 169.00                                                                         | 54,925.00   | 105.00                                                                          | 34,125.00  | 115.00                                                                  | 37,375.00  |
| 11                                                                                                                                                                                        | PCC COMMERCIAL APRON REMOVAL AND REPLACEMENT, 8 INCH (MINIMUM)     | SQ YD | 80       | \$150.00      | 12,000.00  | \$208.87                                                                          | 16,709.60  | 175.00                                                                         | 14,000.00   | 184.00                                                                          | 14,720.00  | 160.00                                                                  | 12,800.00  |
| 12                                                                                                                                                                                        | STRUCTURE TO BE ADJUSTED                                           | EACH  | 2        | \$700.00      | 1,400.00   | \$430.00                                                                          | 860.00     | 2,737.00                                                                       | 5,474.00    | 950.00                                                                          | 1,900.00   | 1,000.00                                                                | 2,000.00   |
| 13                                                                                                                                                                                        | 8" C900 SDR 18/WATER MAIN OPEN CUT WITH TRACER WIRE                | LF    | 125      | \$185.00      | 23,125.00  | \$130.06                                                                          | 16,257.50  | 295.00                                                                         | 36,875.00   | 272.00                                                                          | 34,000.00  | 310.00                                                                  | 38,750.00  |
| 14                                                                                                                                                                                        | 8" C900 SDR18/RJ WATER MAIN DIRECTIONALLY DRILLED WITH TRACER WIRE | LF    | 745      | \$270.00      | 201,150.00 | \$141.43                                                                          | 105,365.35 | 87.00                                                                          | 64,815.00   | 189.00                                                                          | 140,805.00 | 280.00                                                                  | 208,600.00 |
| 15                                                                                                                                                                                        | 10" C900 SDR 18/WATER MAIN OPEN CUT WITH TRACER WIRE               | LF    | 45       | \$185.00      | 8,325.00   | \$199.92                                                                          | 8,996.40   | 451.00                                                                         | 20,295.00   | 262.00                                                                          | 11,790.00  | 330.00                                                                  | 14,850.00  |

Attachment: 1-Bid Tab 2023 Water Main Replacement C-1 P-2 Rand Dundee (2023 Water Main

VILLAGE OF PALATINE - DEPARTMENT OF PUBLIC WORKS  
TABULATION OF BIDS  
FOR  
2023 Water Main Replacement Contract 1, Phase 2  
DPW- 2321-2

6.B.1.b

Section # N/A

| <div>Red unit price = unit price is above median unit price<br/>Blue unit price = unit price is equal to median unit price<br/>Green unit price = unit price is below median unit price</div> |                                                                          |      |          | Cost Estimate |            | Low Bidder<br>Trine Construction Corp.<br>1041 Trine Ct.<br>St. Charles, IL 60174 |            | 2<br>IHC Const. Companies, LLC<br>385 Airport Rd, Suite 100<br>Elgin, IL 60123 |           | 3<br>Lenny Hoffman Excavating,<br>5400 W Elm St, Suite 204<br>McHenry, IL 60050 |            | 4<br>Bolder Contractors, Inc.<br>316 Cary Point Drive<br>Cary, IL 60013 |         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|------|----------|---------------|------------|-----------------------------------------------------------------------------------|------------|--------------------------------------------------------------------------------|-----------|---------------------------------------------------------------------------------|------------|-------------------------------------------------------------------------|---------|
| ITEM NO.                                                                                                                                                                                      | DESCRIPTION                                                              | UNIT | QUANTITY | UNIT PRICE    | TOTAL      | UNIT PRICE                                                                        | TOTAL      | UNIT PRICE                                                                     | TOTAL     | UNIT PRICE                                                                      | TOTAL      | UNIT PRICE                                                              | TOTAL   |
| 16                                                                                                                                                                                            | 10" C900 SDR18/RJ WATER MAIN DIRECTIONALLY DRILLED WITH TRACER WIRE      | LF   | 755      | \$290.00      | 218,950.00 | \$162.86                                                                          | 122,959.30 | 110.00                                                                         | 83,050.00 | 322.00                                                                          | 243,110.00 | 300.00                                                                  | 226,500 |
| 17                                                                                                                                                                                            | 10" C900 SDR18/RJ WATER MAIN (INSTALLED IN CASING PIPE) WITH TRACER WIRE | LF   | 125      | \$875.00      | 109,375.00 | \$226.71                                                                          | 28,338.75  | 712.00                                                                         | 89,000.00 | 808.00                                                                          | 101,000.00 | 580.00                                                                  | 72,500  |
| 18                                                                                                                                                                                            | GATE VALVE 8" WITH VAULT, 5' DIAMETER                                    | EACH | 3        | \$7,500.00    | 22,500.00  | \$10,121.48                                                                       | 30,364.44  | 12,566.00                                                                      | 37,698.00 | 5,340.00                                                                        | 16,020.00  | 6,000.00                                                                | 18,000  |
| 19                                                                                                                                                                                            | GATE VALVE 10" WITH VAULT, 5' DIAMETER                                   | EACH | 3        | \$8,500.00    | 25,500.00  | \$11,312.34                                                                       | 33,937.02  | 13,715.00                                                                      | 41,145.00 | 6,345.00                                                                        | 19,035.00  | 7,000.00                                                                | 21,000  |
| 20                                                                                                                                                                                            | ABANDON EXISTING WATER MAIN, FILL WITH CLSM                              | LF   | 1,745    | \$18.00       | 31,410.00  | \$14.98                                                                           | 26,140.10  | 18.00                                                                          | 31,410.00 | 35.00                                                                           | 61,075.00  | 15.00                                                                   | 26,175  |
| 21                                                                                                                                                                                            | WATERMAIN REMOVAL                                                        | LF   | 50       | \$15.00       | 750.00     | \$21.50                                                                           | 1,075.00   | 96.00                                                                          | 4,800.00  | 15.00                                                                           | 750.00     | 80.00                                                                   | 4,000   |
| 22                                                                                                                                                                                            | REMOVE EXISTING WATER VALVE AND ABANDON VAULT                            | EACH | 3        | \$2,000.00    | 6,000.00   | \$430.00                                                                          | 1,290.00   | 3,648.00                                                                       | 10,944.00 | 1,200.00                                                                        | 3,600.00   | 1,200.00                                                                | 3,600   |
| 23                                                                                                                                                                                            | REMOVE EXISTING WATER VALVE BOX, ABANDON VALVE IN PLACE                  | EACH | 3        | \$2,000.00    | 6,000.00   | \$215.00                                                                          | 645.00     | 2,057.00                                                                       | 6,171.00  | 1,200.00                                                                        | 3,600.00   | 1,000.00                                                                | 3,000   |
| 24                                                                                                                                                                                            | WATER MAIN LINE STOP 8"                                                  | EACH | 1        | \$7,500.00    | 7,500.00   | \$5,734.33                                                                        | 5,734.33   | 11,446.00                                                                      | 11,446.00 | 10,000.00                                                                       | 10,000.00  | 10,000.00                                                               | 10,000  |
| 25                                                                                                                                                                                            | WATER MAIN LINE STOP 12"                                                 | EACH | 1        | \$10,000.00   | 10,000.00  | \$5,734.33                                                                        | 5,734.33   | 13,363.00                                                                      | 13,363.00 | 12,000.00                                                                       | 12,000.00  | 13,000.00                                                               | 13,000  |
| 26                                                                                                                                                                                            | INSTALL TEMPORARY PLUG IN 8" WATERMAIN FOR TESTING AND REMOVE            | EACH | 1        | \$1,500.00    | 1,500.00   | \$2,150.00                                                                        | 2,150.00   | 1,826.00                                                                       | 1,826.00  | 5,245.00                                                                        | 5,245.00   | 800.00                                                                  | 800     |
| 27                                                                                                                                                                                            | INSTALL TEMPORARY PLUG IN 10" WATERMAIN FOR TESTING AND REMOVE           | EACH | 1        | \$1,500.00    | 1,500.00   | \$2,150.00                                                                        | 2,150.00   | 1,826.00                                                                       | 1,826.00  | 5,400.00                                                                        | 5,400.00   | 1,000.00                                                                | 1,000   |
| 28                                                                                                                                                                                            | WATER SERVICE RECONNECTION, LONG                                         | EACH | 2        | \$6,000.00    | 12,000.00  | \$3,519.47                                                                        | 7,038.94   | 5,197.00                                                                       | 10,394.00 | 6,230.00                                                                        | 12,460.00  | 3,600.00                                                                | 7,200   |
| 29                                                                                                                                                                                            | WATER SERVICE RECONNECTION, SHORT                                        | EACH | 3        | \$4,000.00    | 12,000.00  | \$2,802.80                                                                        | 8,408.40   | 3,852.00                                                                       | 11,556.00 | 2,703.00                                                                        | 8,109.00   | 3,400.00                                                                | 10,200  |
| 30                                                                                                                                                                                            | WATER SERVICE B-BOX                                                      | EACH | 2        | \$750.00      | 1,500.00   | \$187.20                                                                          | 374.40     | 696.00                                                                         | 1,392.00  | 2,600.00                                                                        | 5,200.00   | 300.00                                                                  | 600     |

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VILLAGE OF PALATINE - DEPARTMENT OF PUBLIC WORKS  
TABULATION OF BIDS  
FOR  
2023 Water Main Replacement Contract 1, Phase 2  
DPW- 2321-2  
Section # N/A

6.B.1.b

| <p>Red unit price = unit price is above median unit price<br/>Blue unit price = unit price is equal to median unit price<br/>Green unit price = unit price is below median unit price</p> |                                                             |       |          | Cost Estimate |            | Low Bidder<br>Trine Construction Corp.<br>1041 Trine Ct.<br>St. Charles, IL 60174 |           | 2<br>IHC Const. Companies, LLC<br>385 Airport Rd, Suite 100<br>Elgin, IL 60123 |           | 3<br>Lenny Hoffman Excavating,<br>5400 W Elm St, Suite 204<br>McHenry, IL 60050 |           | 4<br>Bolder Contractors, Inc.<br>316 Cary Point Drive<br>Cary, IL 60013 |         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|-------|----------|---------------|------------|-----------------------------------------------------------------------------------|-----------|--------------------------------------------------------------------------------|-----------|---------------------------------------------------------------------------------|-----------|-------------------------------------------------------------------------|---------|
| ITEM NO.                                                                                                                                                                                  | DESCRIPTION                                                 | UNIT  | QUANTITY | UNIT PRICE    | TOTAL      | UNIT PRICE                                                                        | TOTAL     | UNIT PRICE                                                                     | TOTAL     | UNIT PRICE                                                                      | TOTAL     | UNIT PRICE                                                              | TOTAL   |
| 31                                                                                                                                                                                        | WATER SERVICE CURB STOP                                     | EACH  | 2        | \$750.00      | 1,500.00   | \$280.42                                                                          | 560.84    | 789.00                                                                         | 1,578.00  | 1,461.00                                                                        | 2,922.00  | 400.00                                                                  | 800     |
| 32                                                                                                                                                                                        | FIRE HYDRANT TO BE REMOVED                                  | EACH  | 4        | \$500.00      | 2,000.00   | \$268.75                                                                          | 1,075.00  | 3,119.00                                                                       | 12,476.00 | 500.00                                                                          | 2,000.00  | 1,000.00                                                                | 4,000   |
| 33                                                                                                                                                                                        | FIRE HYDRANT WITH AUXILIARY VALVE AND VALVE BOX             | EACH  | 5        | \$9,750.00    | 48,750.00  | \$8,034.55                                                                        | 40,172.75 | 11,897.00                                                                      | 59,485.00 | 8,650.00                                                                        | 43,250.00 | 12,000.00                                                               | 60,000  |
| 34                                                                                                                                                                                        | NON-PRESSURE CONNECTION TO EXISTING WATER MAIN - 8"         | EACH  | 4        | \$8,250.00    | 33,000.00  | \$4,300.00                                                                        | 17,200.00 | 2,881.00                                                                       | 11,524.00 | 5,775.00                                                                        | 23,100.00 | 6,000.00                                                                | 24,000  |
| 35                                                                                                                                                                                        | NON-PRESSURE CONNECTION TO EXISTING WATER MAIN - 12"        | EACH  | 1        | \$12,500.00   | 12,500.00  | \$5,733.33                                                                        | 5,733.33  | 3,752.00                                                                       | 3,752.00  | 6,950.00                                                                        | 6,950.00  | 6,000.00                                                                | 6,000   |
| 36                                                                                                                                                                                        | PRESSURE CONNECTION TO EXISTING WATER MAIN - 8"             | EACH  | 1        | \$11,500.00   | 11,500.00  | \$1.00                                                                            | 1.00      | 10,480.00                                                                      | 10,480.00 | 10,800.00                                                                       | 10,800.00 | 10,000.00                                                               | 10,000  |
| 37                                                                                                                                                                                        | PRESSURE CONNECTION TO EXISTING WATER MAIN - 12"            | EACH  | 1        | \$16,000.00   | 16,000.00  | \$1.00                                                                            | 1.00      | 10,367.00                                                                      | 10,367.00 | 13,100.00                                                                       | 13,100.00 | 12,000.00                                                               | 12,000  |
| 38                                                                                                                                                                                        | TRAFFIC CONTROL AND PROTECTION, (SPECIAL)                   | L SUM | 1        | \$150,000.00  | 150,000.00 | \$8,093.52                                                                        | 8,093.52  | 25,820.00                                                                      | 25,820.00 | 40,000.00                                                                       | 40,000.00 | 121,000.00                                                              | 121,000 |
| 39                                                                                                                                                                                        | PRECONSTRUCTION VIDEO TAPING                                | L SUM | 1        | \$5,000.00    | 5,000.00   | \$12,862.50                                                                       | 12,862.50 | 5,583.00                                                                       | 5,583.00  | 3,000.00                                                                        | 3,000.00  | 100.00                                                                  | 100     |
| 40                                                                                                                                                                                        | REMOVAL AND DISPOSAL OF UNSUITABLE MATERIAL                 | CU YD | 50       | \$40.00       | 2,000.00   | \$115.00                                                                          | 5,750.00  | 161.00                                                                         | 8,050.00  | 35.00                                                                           | 1,750.00  | 50.00                                                                   | 2,500   |
| 41                                                                                                                                                                                        | REMOVAL AND DISPOSAL OF REGULATED SUBSTANCES (CONTAMINATED) | CU YD | 50       | \$100.00      | 5,000.00   | \$115.00                                                                          | 5,750.00  | 123.00                                                                         | 6,150.00  | 125.00                                                                          | 6,250.00  | 250.00                                                                  | 12,500  |
| 42                                                                                                                                                                                        | MOBILIZATION                                                | L SUM | 1        | \$100,000.00  | 100,000.00 | \$50,394.61                                                                       | 50,394.61 | 9,021.00                                                                       | 9,021.00  | 63,000.00                                                                       | 63,000.00 | 98,000.00                                                               | 98,000  |
| 43                                                                                                                                                                                        | SURVEYING, STAKING & AS-BUILTS                              | L SUM | 1        | \$5,000.00    | 5,000.00   | \$7,475.00                                                                        | 7,475.00  | 9,305.00                                                                       | 9,305.00  | 10,000.00                                                                       | 10,000.00 | 8,000.00                                                                | 8,000   |
| 44                                                                                                                                                                                        | IDOT BOND (RAND ROAD)                                       | L SUM | 1        | \$2,500.00    | 2,500.00   | \$2,012.50                                                                        | 2,012.50  | 595.00                                                                         | 595.00    | 10,000.00                                                                       | 10,000.00 | 2,000.00                                                                | 2,000   |

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TABULATION OF BIDS  
FOR  
2023 Water Main Replacement Contract 1, Phase 2  
DPW- 2321-2  
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| <p>Red unit price = unit price is above median unit price<br/>Blue unit price = unit price is equal to median unit price<br/>Green unit price = unit price is below median unit price</p> |                                                       |       |          | Cost Estimate   |          | Low Bidder    |          | 2             |          | 3               |           | 4            |       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|-------|----------|-----------------|----------|---------------|----------|---------------|----------|-----------------|-----------|--------------|-------|
| ITEM NO.                                                                                                                                                                                  | DESCRIPTION                                           | UNIT  | QUANTITY | UNIT PRICE      | TOTAL    | UNIT PRICE    | TOTAL    | UNIT PRICE    | TOTAL    | UNIT PRICE      | TOTAL     | UNIT PRICE   | TOTAL |
| 45                                                                                                                                                                                        | IDOT BOND (DUNDEE ROAD)                               | L SUM | 1        | \$2,500.00      | 2,500.00 | \$2,012.50    | 2,012.50 | 595.00        | 595.00   | 10,000.00       | 10,000.00 | 2,000.00     | 2,000 |
| 46                                                                                                                                                                                        | COOK COUNTY HIGHWAY BOND (QUENTIN ROAD @ DUNDEE ROAD) | L SUM | 1        | \$2,500.00      | 2,500.00 | \$1,437.50    | 1,437.50 | 238.00        | 238.00   | 30,000.00       | 30,000.00 | 2,000.00     | 2,000 |
| 47                                                                                                                                                                                        | PAVEMENT MARKING, IN KIND, LINE 24"                   | LF    | 102      | \$20.00         | 2,040.00 | \$37.95       | 3,870.90 | 34.00         | 3,468.00 | 9.50            | 969.00    | 20.00        | 2,040 |
| 48                                                                                                                                                                                        | PAVEMENT MARKING, IN KIND, LINE 12"                   | LF    | 60       | \$15.00         | 900.00   | \$9.20        | 552.00   | 18.00         | 1,080.00 | 17.00           | 1,020.00  | 10.00        | 600   |
| 49                                                                                                                                                                                        | PAVEMENT MARKING, IN KIND, LINE 6"                    | LF    | 160      | \$12.00         | 1,920.00 | \$4.60        | 736.00   | 9.00          | 1,440.00 | 19.00           | 3,040.00  | 6.00         | 960   |
| 50                                                                                                                                                                                        | PAVEMENT MARKING, IN KIND, LINE 4"                    | LF    | 300      | \$6.00          | 1,800.00 | \$2.30        | 690.00   | 6.00          | 1,800.00 | 21.50           | 6,450.00  | 4.00         | 1,200 |
| TOTAL BID AS READ                                                                                                                                                                         |                                                       |       |          |                 |          | \$ 700,550.00 |          | \$ 884,417.00 |          | \$ 1,117,415.00 |           | \$ 1,176,450 |       |
| TOTAL BID AS CORRECTED                                                                                                                                                                    |                                                       |       |          | \$ 1,229,485.00 |          |               |          |               |          |                 |           |              |       |
| PROPOSAL GUARANTEE                                                                                                                                                                        |                                                       |       |          |                 |          | 5.00%         |          | 5.00%         |          | 5.00%           |           | 5.00%        |       |

Attachment: 1-Bid Tab 2023 Water Main Replacement C-1 P-2 Rand Dundee (2023 Water Main

Bid O 11:00 AM Tuesday, February 6, 2024  
Locat Village Hall

COMPUTED

|                                                                                                                                                                                           |                                                                    |       |          | <b>5</b>                                                                                  |            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|-------|----------|-------------------------------------------------------------------------------------------|------------|
| <p>Red unit price = unit price is above median unit price<br/>Blue unit price = unit price is equal to median unit price<br/>Green unit price = unit price is below median unit price</p> |                                                                    |       |          | <p>Holiday Sewer &amp; Water Cons<br/>1000 N Rand Rd, Unit #116<br/>Wauconda IL 60084</p> |            |
| ITEM NO.                                                                                                                                                                                  | DESCRIPTION                                                        | UNIT  | QUANTITY | UNIT PRICE                                                                                | TOTAL      |
| 1                                                                                                                                                                                         | SUPPLEMENTAL WATERING                                              | UNIT  | 16       | \$1.00                                                                                    | \$16.00    |
| 2                                                                                                                                                                                         | TOPSOIL FURNISH AND PLACE, 4"                                      | SQ YD | 360      | 10.00                                                                                     | 3,600.00   |
| 3                                                                                                                                                                                         | SODDING (SPECIAL)                                                  | SQ YD | 360      | 20.00                                                                                     | 7,200.00   |
| 4                                                                                                                                                                                         | TREE PROTECTION                                                    | LF    | 210.0    | 5.00                                                                                      | 1,050.00   |
| 5                                                                                                                                                                                         | DRAINAGE STRUCTURE INLET FILTERS & CLEANING                        | EACH  | 11       | 175.00                                                                                    | 1,925.00   |
| 6                                                                                                                                                                                         | PCC CURB AND GUTTER REMOVE AND REPLACE                             | LF    | 162      | 80.00                                                                                     | 12,960.00  |
| 7                                                                                                                                                                                         | PCC SIDEWALK REMOVE AND REPLACE                                    | SQ FT | 910      | 15.00                                                                                     | 13,650.00  |
| 8                                                                                                                                                                                         | DETECTABLE WARNINGS                                                | SQ FT | 120      | 40.00                                                                                     | 4,800.00   |
| 9                                                                                                                                                                                         | CLASS B PATCH, TYPE IV, 8 INCH (MINIMUM)                           | SQ YD | 110      | 225.00                                                                                    | 24,750.00  |
| 10                                                                                                                                                                                        | CLASS D PATCH, TYPE IV, 6 INCH                                     | SQ YD | 325      | 90.00                                                                                     | 29,250.00  |
| 11                                                                                                                                                                                        | PCC COMMERCIAL APRON REMOVAL AND REPLACEMENT, 8 INCH (MINIMUM)     | SQ YD | 80       | 180.00                                                                                    | 14,400.00  |
| 12                                                                                                                                                                                        | STRUCTURE TO BE ADJUSTED                                           | EACH  | 2        | 750.00                                                                                    | 1,500.00   |
| 13                                                                                                                                                                                        | 8" C900 SDR 18/WATER MAIN OPEN CUT WITH TRACER WIRE                | LF    | 125      | 200.00                                                                                    | 25,000.00  |
| 14                                                                                                                                                                                        | 8" C900 SDR18/RJ WATER MAIN DIRECTIONALLY DRILLED WITH TRACER WIRE | LF    | 745      | 300.00                                                                                    | 223,500.00 |
| 15                                                                                                                                                                                        | 10" C900 SDR 18/WATER MAIN OPEN CUT WITH TRACER WIRE               | LF    | 45       | 225.00                                                                                    | 10,125.00  |

Attachment: 1-Bid Tab 2023 Water Main Replacement C-1 P-2 Rand Dundee (2023 Water Main

Bid O 11:00 AM Tuesday, February 6, 2024  
Locat Village Hall

COMPUTED

|                                                                                                                                                                                           |                                                                          |      |          | <b>5</b>                                                                                  |            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|------|----------|-------------------------------------------------------------------------------------------|------------|
| <p>Red unit price = unit price is above median unit price<br/>Blue unit price = unit price is equal to median unit price<br/>Green unit price = unit price is below median unit price</p> |                                                                          |      |          | <p>Holiday Sewer &amp; Water Cons<br/>1000 N Rand Rd, Unit #116<br/>Wauconda IL 60084</p> |            |
| ITEM NO.                                                                                                                                                                                  | DESCRIPTION                                                              | UNIT | QUANTITY | UNIT PRICE                                                                                | TOTAL      |
| 16                                                                                                                                                                                        | 10" C900 SDR18/RJ WATER MAIN DIRECTIONALLY DRILLED WITH TRACER WIRE      | LF   | 755      | 325.00                                                                                    | 245,375.00 |
| 17                                                                                                                                                                                        | 10" C900 SDR18/RJ WATER MAIN (INSTALLED IN CASING PIPE) WITH TRACER WIRE | LF   | 125      | 1,500.00                                                                                  | 187,500.00 |
| 18                                                                                                                                                                                        | GATE VALVE 8" WITH VAULT, 5' DIAMETER                                    | EACH | 3        | 7,500.00                                                                                  | 22,500.00  |
| 19                                                                                                                                                                                        | GATE VALVE 10" WITH VAULT, 5' DIAMETER                                   | EACH | 3        | 8,500.00                                                                                  | 25,500.00  |
| 20                                                                                                                                                                                        | ABANDON EXISTING WATER MAIN, FILL WITH CLSM                              | LF   | 1,745    | 5.50                                                                                      | 9,597.50   |
| 21                                                                                                                                                                                        | WATERMAIN REMOVAL                                                        | LF   | 50       | 10.00                                                                                     | 500.00     |
| 22                                                                                                                                                                                        | REMOVE EXISTING WATER VALVE AND ABANDON VAULT                            | EACH | 3        | 500.00                                                                                    | 1,500.00   |
| 23                                                                                                                                                                                        | REMOVE EXISTING WATER VALVE BOX, ABANDON VALVE IN PLACE                  | EACH | 3        | 250.00                                                                                    | 750.00     |
| 24                                                                                                                                                                                        | WATER MAIN LINE STOP 8"                                                  | EACH | 1        | 4,250.00                                                                                  | 4,250.00   |
| 25                                                                                                                                                                                        | WATER MAIN LINE STOP 12"                                                 | EACH | 1        | 5,850.00                                                                                  | 5,850.00   |
| 26                                                                                                                                                                                        | INSTALL TEMPORARY PLUG IN 8" WATERMAIN FOR TESTING AND REMOVE            | EACH | 1        | 100.00                                                                                    | 100.00     |
| 27                                                                                                                                                                                        | INSTALL TEMPORARY PLUG IN 10" WATERMAIN FOR TESTING AND REMOVE           | EACH | 1        | 100.00                                                                                    | 100.00     |
| 28                                                                                                                                                                                        | WATER SERVICE RECONNECTION, LONG                                         | EACH | 2        | 5,000.00                                                                                  | 10,000.00  |
| 29                                                                                                                                                                                        | WATER SERVICE RECONNECTION, SHORT                                        | EACH | 3        | 5,000.00                                                                                  | 15,000.00  |
| 30                                                                                                                                                                                        | WATER SERVICE B-BOX                                                      | EACH | 2        | 100.00                                                                                    | 200.00     |

Attachment: 1-Bid Tab 2023 Water Main Replacement C-1 P-2 Rand Dundee (2023 Water Main

Bid O 11:00 AM Tuesday, February 6, 2024  
Locat Village Hall

COMPUTED

|                                                                                                                                                                                           |                                                             |       |          | <b>5</b>                                                                                  |            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|-------|----------|-------------------------------------------------------------------------------------------|------------|
| <p>Red unit price = unit price is above median unit price<br/>Blue unit price = unit price is equal to median unit price<br/>Green unit price = unit price is below median unit price</p> |                                                             |       |          | <p>Holiday Sewer &amp; Water Cons<br/>1000 N Rand Rd, Unit #116<br/>Wauconda IL 60084</p> |            |
| ITEM NO.                                                                                                                                                                                  | DESCRIPTION                                                 | UNIT  | QUANTITY | UNIT PRICE                                                                                | TOTAL      |
| 31                                                                                                                                                                                        | WATER SERVICE CURB STOP                                     | EACH  | 2        | 200.00                                                                                    | 400.00     |
| 32                                                                                                                                                                                        | FIRE HYDRANT TO BE REMOVED                                  | EACH  | 4        | 500.00                                                                                    | 2,000.00   |
| 33                                                                                                                                                                                        | FIRE HYDRANT WITH AUXILIARY VALVE AND VALVE BOX             | EACH  | 5        | 9,500.00                                                                                  | 47,500.00  |
| 34                                                                                                                                                                                        | NON-PRESSURE CONNECTION TO EXISTING WATER MAIN - 8"         | EACH  | 4        | 7,500.00                                                                                  | 30,000.00  |
| 35                                                                                                                                                                                        | NON-PRESSURE CONNECTION TO EXISTING WATER MAIN - 12"        | EACH  | 1        | 15,000.00                                                                                 | 15,000.00  |
| 36                                                                                                                                                                                        | PRESSURE CONNECTION TO EXISTING WATER MAIN - 8"             | EACH  | 1        | 7,500.00                                                                                  | 7,500.00   |
| 37                                                                                                                                                                                        | PRESSURE CONNECTION TO EXISTING WATER MAIN - 12"            | EACH  | 1        | 15,000.00                                                                                 | 15,000.00  |
| 38                                                                                                                                                                                        | TRAFFIC CONTROL AND PROTECTION, (SPECIAL)                   | L SUM | 1        | 100,000.00                                                                                | 100,000.00 |
| 39                                                                                                                                                                                        | PRECONSTRUCTION VIDEO TAPING                                | L SUM | 1        | 2,500.00                                                                                  | 2,500.00   |
| 40                                                                                                                                                                                        | REMOVAL AND DISPOSAL OF UNSUITABLE MATERIAL                 | CU YD | 50       | 10.00                                                                                     | 500.00     |
| 41                                                                                                                                                                                        | REMOVAL AND DISPOSAL OF REGULATED SUBSTANCES (CONTAMINATED) | CU YD | 50       | 10.00                                                                                     | 500.00     |
| 42                                                                                                                                                                                        | MOBILIZATION                                                | L SUM | 1        | 100,000.00                                                                                | 100,000.00 |
| 43                                                                                                                                                                                        | SURVEYING, STAKING & AS-BUILTS                              | L SUM | 1        | 2,555.39                                                                                  | 2,555.39   |
| 44                                                                                                                                                                                        | IDOT BOND (RAND ROAD)                                       | L SUM | 1        | 2,000.00                                                                                  | 2,000.00   |

Attachment: 1-Bid Tab 2023 Water Main Replacement C-1 P-2 Rand Dundee (2023 Water Main

Bid O 11:00 AM Tuesday, February 6, 2024  
Locat Village Hall

COMPUTED

| <p>Red unit price = unit price is above median unit price<br/>Blue unit price = unit price is equal to median unit price<br/>Green unit price = unit price is below median unit price</p> |                                                       |       |          | <p><b>5</b><br/>Holiday Sewer &amp; Water Cons<br/>1000 N Rand Rd, Unit #116<br/>Wauconda IL 60084</p> |              |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|-------|----------|--------------------------------------------------------------------------------------------------------|--------------|
| ITEM NO.                                                                                                                                                                                  | DESCRIPTION                                           | UNIT  | QUANTITY | UNIT PRICE                                                                                             | TOTAL        |
| 45                                                                                                                                                                                        | IDOT BOND (DUNDEE ROAD)                               | L SUM | 1        | 2,000.00                                                                                               | 2,000.00     |
| 46                                                                                                                                                                                        | COOK COUNTY HIGHWAY BOND (QUENTIN ROAD @ DUNDEE ROAD) | L SUM | 1        | 2,000.00                                                                                               | 2,000.00     |
| 47                                                                                                                                                                                        | PAVEMENT MARKING, IN KIND, LINE 24"                   | LF    | 102      | 12.00                                                                                                  | 1,224.00     |
| 48                                                                                                                                                                                        | PAVEMENT MARKING, IN KIND, LINE 12"                   | LF    | 60       | 6.00                                                                                                   | 360.00       |
| 49                                                                                                                                                                                        | PAVEMENT MARKING, IN KIND, LINE 6"                    | LF    | 160      | 3.00                                                                                                   | 480.00       |
| 50                                                                                                                                                                                        | PAVEMENT MARKING, IN KIND, LINE 4"                    | LF    | 300      | 2.00                                                                                                   | 600.00       |
| TOTAL BID AS READ                                                                                                                                                                         |                                                       |       |          | \$                                                                                                     | 1,234,567.89 |
| TOTAL BID AS CORRECTED                                                                                                                                                                    |                                                       |       |          |                                                                                                        |              |
| PROPOSAL GUARANTEE                                                                                                                                                                        |                                                       |       |          |                                                                                                        | 5.00%        |

Attachment: 1-Bid Tab 2023 Water Main Replacement C-1 P-2 Rand Dundee (2023 Water Main

# Consider a Motion to Award a Contract for the 2024 Street Resurfacing Program

## BACKGROUND:

On a yearly basis, the Village of Palatine undertakes a street resurfacing program designed to achieve the Village's stated goal of having all streets at the "good" level as defined by the COE-APWA Micro Paver Program.

Forty-two sections of streets were identified for resurfacing, totaling approximately 38,087 feet or 7.21 miles. In addition, the proposed work includes inlet repairs, sidewalk replacement for ADA accessible ramps, curb/gutter replacement, installation of new concrete edging on non-curbed streets, along with base course repairs.

## KEY ISSUES:

- The street resurfacing program's major funding source is State Motor Fuel Tax (MFT) fund, thus bidding and contract awards must be in accordance with IDOT procedures.
- On Tuesday, January 30, 2024, six bids were received that were properly prepared, with affidavits completed and signatures executed, and therefore found to be compliant.
- The 2024 program budget is \$3,362,027. The low bid is 1.3% under the 2024 Adopted Budget.
- Builders Paving of Hillside, Illinois submitted the lowest compliant bid in the amount of \$3,318,638.

## ALTERNATIVES:

1. Award the contract for the 2024 Street Resurfacing Program to Builders Paving.
2. Refer back to Staff with comments.

## RECOMMENDATION:

It is recommended that the contract for the 2024 Street Resurfacing Program be awarded to Builders Paving of Hillside, Illinois in the amount of \$3,318,638.

## BUDGET IMPACT:

Funds have been budgeted in the 2024 Capital Improvement Program. The low compliant bid will result in a savings of approximately \$43,389.

## ACTION REQUIRED:

Motion to award the contract for the 2024 Street Resurfacing Program to Builders Paving, LLC of Hillside, Illinois in the amount of \$3,318,638.

## ATTACHMENTS:

- Bid Tabulation
- 2024 Street Resurfacing Sections

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

# VILLAGE OF PALATINE

## Bidding Summary

### 2024 Street Resurfacing Program

11:00 AM, Tuesday, January 30, 2024

|   | Bidding Contractors         | As Read Bid Amount | As Corrected Bid Amount |
|---|-----------------------------|--------------------|-------------------------|
| 1 | Builders Paving, LLC        | \$ 3,318,638.00    | Correct as Read         |
| 2 | Plote Construction Inc.     | \$ 3,453,053.45    | Correct as Read         |
| 3 | Geske and Sons, Inc         | \$ 3,505,628.69    | Correct as Read         |
| 4 | J.A. Johnson Paving Company | \$ 3,797,000.00    | Correct as Read         |
| 5 | Peter Baker & Son Co.       | \$ 3,832,997.75    | Correct as Read         |
| 6 | R.W. Duntelman Company      | \$ 4,012,810.40    | Correct as Read         |

Attachment: Bid Tabulation (2024 Street Resurfacing Program)

## VILLAGE OF PALATINE - DEPARTMENT OF PUBLIC WORKS

## TABULATION OF BIDS

FOR

## 2024 Street Resurfacing Program

DPW - 2411

SHEET 1 OF 2

COMPUTED BY CDR

## SECTION NO. 24-00000-00-GM

**BID  
OPENING**

|        |                  |
|--------|------------------|
| DATE:  | January 30, 2024 |
| TIME:  | 11:00 AM         |
| PLACE: | Community Room A |

|                    |                                                                  |       |          | Engineer's Estimate |              | Builders Paving, LLC<br>4401 Roosevelt Road<br>Hillside IL 60162<br>(847) 419-9000 |              | Plote Construction Inc.<br>1100 Brandt Drive<br>Hoffman Estates IL 60192<br>(847) 695-9300 |              | Geske and Sons, Inc<br>400 E. Terra Cotta Avenue<br>Crystal Lake IL 60014<br>(815) 459-2407 |              | J.A. Johnson Paving Company<br>1025 E. Addison Court<br>Arlington Heights IL 60005<br>(847) 439-2025 |              |
|--------------------|------------------------------------------------------------------|-------|----------|---------------------|--------------|------------------------------------------------------------------------------------|--------------|--------------------------------------------------------------------------------------------|--------------|---------------------------------------------------------------------------------------------|--------------|------------------------------------------------------------------------------------------------------|--------------|
| ITEM NO.           | DESCRIPTION                                                      | UNIT  | QUANTITY | UNIT PRICE          | TOTAL        | UNIT PRICE                                                                         | TOTAL        | UNIT PRICE                                                                                 | TOTAL        | UNIT PRICE                                                                                  | TOTAL        | UNIT PRICE                                                                                           | TOTAL        |
| 1                  | HOT-MIX ASPHALT SURFACE REMOVAL, 2"                              | SQ YD | 109,319  | \$2.05              | \$224,103.95 | \$3.75                                                                             | \$409,946.25 | \$3.20                                                                                     | \$349,820.80 | \$2.80                                                                                      | \$306,093.20 | \$2.90                                                                                               | \$317,025.10 |
| 2                  | HOT-MIX ASPHALT BINDER COURSE, IL-9.5, N50                       | TON   | 4,592    | 102.00              | 468,384.00   | 92.00                                                                              | 422,464.00   | 96.00                                                                                      | 440,832.00   | 98.95                                                                                       | 454,378.40   | 95.00                                                                                                | 436,240.00   |
| 3                  | BITUMINOUS MATERIALS (TACK COAT)                                 | LBS   | 73,790   | 0.01                | 737.90       | 0.01                                                                               | 737.90       | 0.01                                                                                       | 737.90       | 0.01                                                                                        | 737.90       | 0.01                                                                                                 | 737.90       |
| 4                  | HOT-MIX ASPHALT SURFACE COURSE, IL-9.5, MIX D, N50               | TON   | 9,181    | 100.00              | 918,100.00   | 82.00                                                                              | 752,842.00   | 93.00                                                                                      | 853,833.00   | 93.00                                                                                       | 853,833.00   | 95.00                                                                                                | 872,195.00   |
| 5                  | CLASS D PATHES, TYPE III, 6"                                     | SQ YD | 173      | 40.00               | 6,920.00     | 16.00                                                                              | 2,768.00     | 60.00                                                                                      | 10,380.00    | 67.70                                                                                       | 11,712.10    | 60.00                                                                                                | 10,380.00    |
| 6                  | CLASS D PATCHES, TYPE IV, 6"                                     | SQ YD | 1,172    | 30.00               | 35,160.00    | 16.00                                                                              | 18,752.00    | 50.00                                                                                      | 58,600.00    | 67.70                                                                                       | 79,344.40    | 58.00                                                                                                | 67,976.00    |
| 7                  | SUBGRADE REMOVAL AND REPLACEMENT                                 | CU YD | 23       | 40.00               | 920.00       | 50.00                                                                              | 1,150.00     | 25.00                                                                                      | 575.00       | 100.00                                                                                      | 2,300.00     | 130.00                                                                                               | 2,990.00     |
| 8                  | THERMOPLASTIC PAVEMENT MARKINGS -LINE 4"                         | FOOT  | 3,700    | 1.25                | 4,625.00     | 1.10                                                                               | 4,070.00     | 1.10                                                                                       | 4,070.00     | 1.10                                                                                        | 4,070.00     | 1.10                                                                                                 | 4,070.00     |
| 9                  | THERMOPLASTIC PAVEMENT MARKINGS -LINE 6"                         | FOOT  | 2,733    | 1.65                | 4,509.45     | 1.50                                                                               | 4,099.50     | 1.50                                                                                       | 4,099.50     | 1.58                                                                                        | 4,318.14     | 1.50                                                                                                 | 4,099.50     |
| 10                 | THERMOPLASTIC PAVEMENT MARKINGS -LINE 12"                        | FOOT  | 216      | 3.25                | 702.00       | 3.00                                                                               | 648.00       | 3.00                                                                                       | 648.00       | 3.15                                                                                        | 680.40       | 3.00                                                                                                 | 648.00       |
| 11                 | THERMOPLASTIC PAVEMENT MARKINGS -LINE 24"                        | FOOT  | 519      | 6.50                | 3,373.50     | 5.00                                                                               | 2,595.00     | 5.00                                                                                       | 2,595.00     | 6.30                                                                                        | 3,269.70     | 5.00                                                                                                 | 2,595.00     |
| 12                 | THERMOPLASTIC PAVEMENT MARKINGS -LETTERS & SYMBOLS               | SQ YD | 72.8     | 6.50                | 473.20       | 5.00                                                                               | 364.00       | 5.00                                                                                       | 364.00       | 6.30                                                                                        | 458.64       | 5.00                                                                                                 | 364.00       |
| 13                 | MODIFIED URETHANE PAVEMENT MARKINGS - LETTERS AND SYMBOLS        | SQ FT | 32       | 6.50                | 208.00       | 57.00                                                                              | 1,824.00     | 57.00                                                                                      | 1,824.00     | 131.25                                                                                      | 4,200.00     | 57.00                                                                                                | 1,824.00     |
| 14                 | GROOVING FOR RECESSED PAVEMENT MARKING, 5"                       | FOOT  | 3,700    | 0.85                | 3,145.00     | 0.55                                                                               | 2,035.00     | 0.55                                                                                       | 2,035.00     | 0.58                                                                                        | 2,146.00     | 0.55                                                                                                 | 2,035.00     |
| 15                 | GROOVING FOR RECESSED PAVEMENT MARKING, 7"                       | FOOT  | 2,570    | 1.25                | 3,212.50     | 0.70                                                                               | 1,799.00     | 0.70                                                                                       | 1,799.00     | 0.79                                                                                        | 2,030.30     | 0.70                                                                                                 | 1,799.00     |
| 16                 | GROOVING FOR RECESSED PAVEMENT MARKING, 13"                      | FOOT  | 216      | 3.00                | 648.00       | 2.00                                                                               | 432.00       | 2.00                                                                                       | 432.00       | 0.95                                                                                        | 205.20       | 2.00                                                                                                 | 432.00       |
| 17                 | STRUCTURES TO BE ADJUSTED                                        | EACH  | 154      | 355.00              | 54,670.00    | 390.00                                                                             | 60,060.00    | 400.00                                                                                     | 61,600.00    | 309.00                                                                                      | 47,586.00    | 400.00                                                                                               | 61,600.00    |
| 18                 | STRUCTURES TO BE RECONSTRUCTED                                   | EACH  | 1        | 1,495.00            | 1,495.00     | 1,880.00                                                                           | 1,880.00     | 2,000.00                                                                                   | 2,000.00     | 2,060.00                                                                                    | 2,060.00     | 1,550.00                                                                                             | 1,550.00     |
| 19                 | FRAMES AND LIDS TO BE ADJUSTED                                   | EACH  | 4        | 560.00              | 2,240.00     | 510.00                                                                             | 2,040.00     | 550.00                                                                                     | 2,200.00     | 643.75                                                                                      | 2,575.00     | 525.00                                                                                               | 2,100.00     |
| 20                 | FRAMES AND LIDS TO BE ADJUSTED, SPECIAL                          | EACH  | 66       | 720.00              | 47,520.00    | 750.00                                                                             | 49,500.00    | 825.00                                                                                     | 54,450.00    | 875.50                                                                                      | 57,783.00    | 1,050.00                                                                                             | 69,300.00    |
| 21                 | FRAMES AND LIDS, TYPE 1 TO BE REPLACED                           | EACH  | 10       | 490.00              | 4,900.00     | 380.00                                                                             | 3,800.00     | 400.00                                                                                     | 4,000.00     | 463.50                                                                                      | 4,635.00     | 450.00                                                                                               | 4,500.00     |
| 22                 | FRAMES AND GRATES, SPECIAL TO BE REPLACED                        | EACH  | 100      | 595.00              | 59,500.00    | 550.00                                                                             | 55,000.00    | 575.00                                                                                     | 57,500.00    | 669.50                                                                                      | 66,950.00    | 650.00                                                                                               | 65,000.00    |
| 23                 | INLETS, TYPE A, WITH FRAME AND GRATE, SPECIAL (15" TO 30" DEPTH) | EACH  | 2        | 1,750.00            | 3,500.00     | 1,950.00                                                                           | 3,900.00     | 2,000.00                                                                                   | 4,000.00     | 4,120.00                                                                                    | 8,240.00     | 3,550.00                                                                                             | 7,100.00     |
| 24                 | INLETS, TYPE A, WITH SALVAGED FRAME AND GRATE (15" TO 30" DEPTH) | EACH  | 1        | 1,250.00            | 1,250.00     | 1,375.00                                                                           | 1,375.00     | 1,400.00                                                                                   | 1,400.00     | 3,605.00                                                                                    | 3,605.00     | 3,250.00                                                                                             | 3,250.00     |
| 25                 | INLETS, TYPE A, WITH FRAME AND GRATE, SPECIAL (OVER 30" DEPTH)   | EACH  | 1        | 3,500.00            | 3,500.00     | 1,975.00                                                                           | 1,975.00     | 2,000.00                                                                                   | 2,000.00     | 3,811.00                                                                                    | 3,811.00     | 4,150.00                                                                                             | 4,150.00     |
| 26                 | COMBINATION CONCRETE CURB AND GUTTER REMOVAL AND REPLACEMENT     | FOOT  | 23,526   | 31.50               | 741,069.00   | 29.50                                                                              | 694,017.00   | 33.00                                                                                      | 776,358.00   | 38.37                                                                                       | 902,692.62   | 37.00                                                                                                | 870,462.00   |
| 27                 | TYPE B GUTTER, SPECIAL                                           | FOOT  | 6,530    | 33.00               | 215,490.00   | 30.50                                                                              | 199,165.00   | 37.00                                                                                      | 241,610.00   | 26.27                                                                                       | 171,543.10   | 37.00                                                                                                | 241,610.00   |
| 28                 | INTEGRAL CURB REMOVAL                                            | FOOT  | 2,868    | 6.50                | 18,642.00    | 3.25                                                                               | 9,321.00     | 5.00                                                                                       | 14,340.00    | 6.28                                                                                        | 18,011.04    | 10.00                                                                                                | 28,680.00    |
| 29                 | COMBINATION CONCRETE CURB AND GUTTER, TYPE B6.12                 | FOOT  | 2,868    | 32.00               | 91,776.00    | 25.50                                                                              | 73,134.00    | 29.00                                                                                      | 83,172.00    | 32.45                                                                                       | 93,066.60    | 32.00                                                                                                | 91,776.00    |
| 30                 | PCC BASE COURSE REPLACEMENT, 7"                                  | SQ YD | 163      | 45.00               | 7,335.00     | 12.00                                                                              | 1,956.00     | 12.00                                                                                      | 1,956.00     | 63.86                                                                                       | 10,409.18    | 25.00                                                                                                | 4,075.00     |
| 31                 | TIE-BARS, EPOXY COATED, NO. 6 X18"                               | EACH  | 962      | 6.45                | 6,204.90     | 7.00                                                                               | 6,734.00     | 10.00                                                                                      | 9,620.00     | 9.79                                                                                        | 9,417.98     | 9.00                                                                                                 | 8,658.00     |
| 32                 | SIDEWALK REMOVAL, SPECIAL                                        | SQ FT | 150      | 3.00                | 450.00       | 3.00                                                                               | 450.00       | 4.00                                                                                       | 600.00       | 5.15                                                                                        | 772.50       | 7.00                                                                                                 | 1,050.00     |
| 33                 | PORTLAND CEMENT CONCRETE SIDEWALK REMOVAL AND REPLACEMENT, 5"    | SQ FT | 5,255    | 9.50                | 49,922.50    | 8.00                                                                               | 42,040.00    | 9.35                                                                                       | 49,134.25    | 11.85                                                                                       | 62,271.75    | 12.00                                                                                                | 63,060.00    |
| 34                 | DETECTABLE WARNINGS                                              | SQ FT | 844      | 30.00               | 25,320.00    | 25.00                                                                              | 21,100.00    | 30.00                                                                                      | 25,320.00    | 25.75                                                                                       | 21,733.00    | 33.00                                                                                                | 27,852.00    |
| 35                 | HOT-MIX ASPHALT DRIVEWAY PAVEMENT REMOVAL AND REPLACEMENT        | SQ YD | 1,397    | 75.00               | 104,775.00   | 65.00                                                                              | 90,805.00    | 70.00                                                                                      | 97,790.00    | 52.40                                                                                       | 73,202.80    | 37.00                                                                                                | 51,689.00    |
| 36                 | PORTLAND CEMENT DRIVEWAY PAVEMENT REMOVAL AND REPLACEMENT, 6"    | SQ YD | 1,130    | 80.00               | 90,400.00    | 76.00                                                                              | 85,880.00    | 78.00                                                                                      | 88,140.00    | 93.73                                                                                       | 105,914.90   | 90.00                                                                                                | 101,700.00   |
| 37                 | ADDITIONAL TOPSOIL AND SEED                                      | FOOT  | 6,530    | 3.45                | 22,528.50    | 4.00                                                                               | 26,120.00    | 3.00                                                                                       | 19,590.00    | 0.02                                                                                        | 130.60       | 9.00                                                                                                 | 58,770.00    |
| 38                 | ADDITIONAL TOPSOIL AND SOD                                       | SQ YD | 1,276    | 20.00               | 25,520.00    | 10.00                                                                              | 12,760.00    | 22.00                                                                                      | 28,072.00    | 16.74                                                                                       | 21,360.24    | 17.25                                                                                                | 22,011.00    |
| 39                 | MAILBOX RELOCATION                                               | EACH  | 44       | 85.00               | 3,740.00     | 25.00                                                                              | 1,100.00     | 700.00                                                                                     | 30,800.00    | 70.00                                                                                       | 3,080.00     | 200.00                                                                                               | 8,800.00     |
| 40                 | TRAFFIC CONTROL AND PROTECTION                                   | L SUM | 1        | 87,000.00           | 87,000.00    | 247,999.35                                                                         | 247,999.35   | 64,756.00                                                                                  | 64,756.00    | 85,000.00                                                                                   | 85,000.00    | 272,846.50                                                                                           | 272,846.50   |
| AS READ            |                                                                  |       |          |                     |              | \$3,318,638.00                                                                     |              | \$3,453,053.45                                                                             |              | \$3,505,628.69                                                                              |              | \$3,797,000.00                                                                                       |              |
| TOTALS             |                                                                  |       |          | \$3,343,970.40      |              |                                                                                    |              |                                                                                            |              |                                                                                             |              |                                                                                                      |              |
| AS CORRECTED       |                                                                  |       |          |                     |              |                                                                                    |              |                                                                                            |              |                                                                                             |              |                                                                                                      |              |
| PROPOSAL GUARANTEE |                                                                  |       |          |                     |              | 5% BID BOND                                                                        |              | 5% BID BOND                                                                                |              | 5% BID BOND                                                                                 |              | 5% BID BOND                                                                                          |              |
| COMMENTS           |                                                                  |       |          |                     |              |                                                                                    |              |                                                                                            |              |                                                                                             |              |                                                                                                      |              |
| Packet P           |                                                                  |       |          |                     |              |                                                                                    |              |                                                                                            |              |                                                                                             |              |                                                                                                      |              |

Attachment: Bid Tabulation (2024 Street Resurfacing Program)

VILLAGE OF PALATINE - DEPARTMENT OF PUBLIC WORKS

TABULATION OF BIDS

FOR

2024 Street Resurfacing Program

DPW - 2411

SHEET 2 OF 2

COMPUTED BY CDR

SECTION NO. 24-00000-00-GM

BID  
OPENING

|        |                  |
|--------|------------------|
| DATE:  | January 30, 2024 |
| TIME:  | 11:00 AM         |
| PLACE: | Community Room A |

|                    |                                                                  |       |          | Engineer's Estimate |              | Peter Baker & Son Co.<br>1349 Rockland Road<br>Lake Bluff IL 60044<br>(847) 362-3663 |              | R.W. Dunteman Company<br>600 S Lombard Road,<br>Addison IL 60101<br>(630) 953-1500 |              |             |       |             |       |
|--------------------|------------------------------------------------------------------|-------|----------|---------------------|--------------|--------------------------------------------------------------------------------------|--------------|------------------------------------------------------------------------------------|--------------|-------------|-------|-------------|-------|
| ITEM NO.           | DESCRIPTION                                                      | UNIT  | QUANTITY | UNIT PRICE          | TOTAL        | UNIT PRICE                                                                           | TOTAL        | UNIT PRICE                                                                         | TOTAL        | UNIT PRICE  | TOTAL | UNIT PRICE  | TOTAL |
| 1                  | HOT-MIX ASPHALT SURFACE REMOVAL, 2"                              | SQ YD | 109,319  | \$2.05              | \$224,103.95 | \$2.40                                                                               | \$262,365.60 | \$4.50                                                                             | \$491,935.50 |             |       |             |       |
| 2                  | HOT-MIX ASPHALT BINDER COURSE, IL-9.5, N50                       | TON   | 4,592    | 102.00              | 468,384.00   | 97.00                                                                                | 445,424.00   | 98.50                                                                              | 452,312.00   |             |       |             |       |
| 3                  | BITUMINOUS MATERIALS (TACK COAT)                                 | LBS   | 73,790   | 0.01                | 737.90       | 0.01                                                                                 | 737.90       | 0.60                                                                               | 44,274.00    |             |       |             |       |
| 4                  | HOT-MIX ASPHALT SURFACE COURSE, IL-9.5, MIX D, N50               | TON   | 9,181    | 100.00              | 918,100.00   | 100.00                                                                               | 918,100.00   | 93.60                                                                              | 859,341.60   |             |       |             |       |
| 5                  | CLASS D PATHES, TYPE III, 6"                                     | SQ YD | 173      | 40.00               | 6,920.00     | 82.00                                                                                | 14,186.00    | 62.20                                                                              | 10,760.60    |             |       |             |       |
| 6                  | CLASS D PATCHES, TYPE IV, 6"                                     | SQ YD | 1,172    | 30.00               | 35,160.00    | 63.00                                                                                | 73,836.00    | 55.50                                                                              | 65,046.00    |             |       |             |       |
| 7                  | SUBGRADE REMOVAL AND REPLACEMENT                                 | CU YD | 23       | 40.00               | 920.00       | 25.00                                                                                | 575.00       | 104.20                                                                             | 2,396.60     |             |       |             |       |
| 8                  | THERMOPLASTIC PAVEMENT MARKINGS -LINE 4"                         | FOOT  | 3,700    | 1.25                | 4,625.00     | 1.10                                                                                 | 4,070.00     | 1.05                                                                               | 3,885.00     |             |       |             |       |
| 9                  | THERMOPLASTIC PAVEMENT MARKINGS -LINE 6"                         | FOOT  | 2,733    | 1.65                | 4,509.45     | 1.50                                                                                 | 4,099.50     | 1.50                                                                               | 4,099.50     |             |       |             |       |
| 10                 | THERMOPLASTIC PAVEMENT MARKINGS -LINE 12"                        | FOOT  | 216      | 3.25                | 702.00       | 3.00                                                                                 | 648.00       | 3.00                                                                               | 648.00       |             |       |             |       |
| 11                 | THERMOPLASTIC PAVEMENT MARKINGS -LINE 24"                        | FOOT  | 519      | 6.50                | 3,373.50     | 5.00                                                                                 | 2,595.00     | 6.00                                                                               | 3,114.00     |             |       |             |       |
| 12                 | THERMOPLASTIC PAVEMENT MARKINGS -LETTERS & SYMBOLS               | SQ YD | 72.8     | 6.50                | 473.20       | 5.00                                                                                 | 364.00       | 6.00                                                                               | 436.80       |             |       |             |       |
| 13                 | MODIFIED URETHANE PAVEMENT MARKINGS - LETTERS AND SYMBOLS        | SQ FT | 32       | 6.50                | 208.00       | 57.00                                                                                | 1,824.00     | 125.00                                                                             | 4,000.00     |             |       |             |       |
| 14                 | GROOVING FOR RECESSED PAVEMENT MARKING, 5"                       | FOOT  | 3,700    | 0.85                | 3,145.00     | 0.55                                                                                 | 2,035.00     | 0.55                                                                               | 2,035.00     |             |       |             |       |
| 15                 | GROOVING FOR RECESSED PAVEMENT MARKING, 7"                       | FOOT  | 2,570    | 1.25                | 3,212.50     | 0.70                                                                                 | 1,799.00     | 0.75                                                                               | 1,927.50     |             |       |             |       |
| 16                 | GROOVING FOR RECESSED PAVEMENT MARKING, 13"                      | FOOT  | 216      | 3.00                | 648.00       | 2.00                                                                                 | 432.00       | 0.90                                                                               | 194.40       |             |       |             |       |
| 17                 | STRUCTURES TO BE ADJUSTED                                        | EACH  | 154      | 355.00              | 54,670.00    | 400.00                                                                               | 61,600.00    | 400.00                                                                             | 61,600.00    |             |       |             |       |
| 18                 | STRUCTURES TO BE RECONSTRUCTED                                   | EACH  | 1        | 1,495.00            | 1,495.00     | 1,550.00                                                                             | 1,550.00     | 1,550.00                                                                           | 1,550.00     |             |       |             |       |
| 19                 | FRAMES AND LIDS TO BE ADJUSTED                                   | EACH  | 4        | 560.00              | 2,240.00     | 525.00                                                                               | 2,100.00     | 525.00                                                                             | 2,100.00     |             |       |             |       |
| 20                 | FRAMES AND LIDS TO BE ADJUSTED, SPECIAL                          | EACH  | 66       | 720.00              | 47,520.00    | 1,050.00                                                                             | 69,300.00    | 1,050.00                                                                           | 69,300.00    |             |       |             |       |
| 21                 | FRAMES AND LIDS, TYPE 1 TO BE REPLACED                           | EACH  | 10       | 490.00              | 4,900.00     | 450.00                                                                               | 4,500.00     | 450.00                                                                             | 4,500.00     |             |       |             |       |
| 22                 | FRAMES AND GRATES, SPECIAL TO BE REPLACED                        | EACH  | 100      | 595.00              | 59,500.00    | 650.00                                                                               | 65,000.00    | 650.00                                                                             | 65,000.00    |             |       |             |       |
| 23                 | INLETS, TYPE A, WITH FRAME AND GRATE, SPECIAL (15" TO 30" DEPTH) | EACH  | 2        | 1,750.00            | 3,500.00     | 3,550.00                                                                             | 7,100.00     | 3,550.00                                                                           | 7,100.00     |             |       |             |       |
| 24                 | INLETS, TYPE A, WITH SALVAGED FRAME AND GRATE (15" TO 30" DEPTH) | EACH  | 1        | 1,250.00            | 1,250.00     | 3,250.00                                                                             | 3,250.00     | 3,250.00                                                                           | 3,250.00     |             |       |             |       |
| 25                 | INLETS, TYPE A, WITH FRAME AND GRATE, SPECIAL (OVER 30" DEPTH)   | EACH  | 1        | 3,500.00            | 3,500.00     | 4,150.00                                                                             | 4,150.00     | 4,150.00                                                                           | 4,150.00     |             |       |             |       |
| 26                 | COMBINATION CONCRETE CURB AND GUTTER REMOVAL AND REPLACEMENT     | FOOT  | 23,526   | 31.50               | 741,069.00   | 43.00                                                                                | 1,011,618.00 | 44.85                                                                              | 1,055,141.10 |             |       |             |       |
| 27                 | TYPE B GUTTER, SPECIAL                                           | FOOT  | 6,530    | 33.00               | 215,490.00   | 37.50                                                                                | 244,875.00   | 34.85                                                                              | 227,570.50   |             |       |             |       |
| 28                 | INTEGRAL CURB REMOVAL                                            | FOOT  | 2,868    | 6.50                | 18,642.00    | 8.50                                                                                 | 24,378.00    | 10.75                                                                              | 30,831.00    |             |       |             |       |
| 29                 | COMBINATION CONCRETE CURB AND GUTTER, TYPE B6.12                 | FOOT  | 2,868    | 32.00               | 91,776.00    | 34.50                                                                                | 98,946.00    | 33.30                                                                              | 95,504.40    |             |       |             |       |
| 30                 | PCC BASE COURSE REPLACEMENT, 7"                                  | SQ YD | 163      | 45.00               | 7,335.00     | 57.75                                                                                | 9,413.25     | 83.50                                                                              | 13,610.50    |             |       |             |       |
| 31                 | TIE-BARS, EPOXY COATED, NO. 6 X18"                               | EACH  | 962      | 6.45                | 6,204.90     | 6.75                                                                                 | 6,493.50     | 14.25                                                                              | 13,708.50    |             |       |             |       |
| 32                 | SIDEWALK REMOVAL, SPECIAL                                        | SQ FT | 150      | 3.00                | 450.00       | 6.00                                                                                 | 900.00       | 8.90                                                                               | 1,335.00     |             |       |             |       |
| 33                 | PORTLAND CEMENT CONCRETE SIDEWALK REMOVAL AND REPLACEMENT, 5"    | SQ FT | 5,255    | 9.50                | 49,922.50    | 11.60                                                                                | 60,958.00    | 13.90                                                                              | 73,044.50    |             |       |             |       |
| 34                 | DETECTABLE WARNINGS                                              | SQ FT | 844      | 30.00               | 25,320.00    | 38.25                                                                                | 32,283.00    | 31.70                                                                              | 26,754.80    |             |       |             |       |
| 35                 | HOT-MIX ASPHALT DRIVEWAY PAVEMENT REMOVAL AND REPLACEMENT        | SQ YD | 1,397    | 75.00               | 104,775.00   | 72.00                                                                                | 100,584.00   | 54.80                                                                              | 76,555.60    |             |       |             |       |
| 36                 | PORTLAND CEMENT DRIVEWAY PAVEMENT REMOVAL AND REPLACEMENT, 6"    | SQ YD | 1,130    | 80.00               | 90,400.00    | 77.00                                                                                | 87,010.00    | 96.00                                                                              | 108,480.00   |             |       |             |       |
| 37                 | ADDITIONAL TOPSOIL AND SEED                                      | FOOT  | 6,530    | 3.45                | 22,528.50    | 3.00                                                                                 | 19,590.00    | 2.00                                                                               | 13,060.00    |             |       |             |       |
| 38                 | ADDITIONAL TOPSOIL AND SOD                                       | SQ YD | 1,276    | 20.00               | 25,520.00    | 22.00                                                                                | 28,072.00    | 20.50                                                                              | 26,158.00    |             |       |             |       |
| 39                 | MAILBOX RELOCATION                                               | EACH  | 44       | 85.00               | 3,740.00     | 60.00                                                                                | 2,640.00     | 150.00                                                                             | 6,600.00     |             |       |             |       |
| 40                 | TRAFFIC CONTROL AND PROTECTION                                   | L SUM | 1        | 87,000.00           | 87,000.00    | 153,596.00                                                                           | 153,596.00   | 79,500.00                                                                          | 79,500.00    |             |       |             |       |
| AS READ            |                                                                  |       |          |                     |              | \$3,832,997.75                                                                       |              | \$4,012,810.40                                                                     |              |             |       |             |       |
| TOTALS             |                                                                  |       |          | \$3,343,970.40      |              |                                                                                      |              |                                                                                    |              |             |       |             |       |
| AS CORRECTED       |                                                                  |       |          |                     |              |                                                                                      |              |                                                                                    |              |             |       |             |       |
| PROPOSAL GUARANTEE |                                                                  |       |          |                     |              | 5% BID BOND                                                                          |              | 5% BID BOND                                                                        |              | 5% BID BOND |       | 5% BID BOND |       |
| COMMENTS           |                                                                  |       |          |                     |              |                                                                                      |              |                                                                                    |              |             |       |             |       |
|                    |                                                                  |       |          |                     |              |                                                                                      |              |                                                                                    |              |             |       | Packet P    |       |

Attachment: Bid Tabulation (2024 Street Resurfacing Program)

## 2024 STREET RESURFACING – SECTIONS

|    | <u>Street Name</u>      | <u>From</u>                        | <u>To</u>                          |
|----|-------------------------|------------------------------------|------------------------------------|
| 1  | ASHLAND AVENUE          | AMHERST STREET                     | CUNNINGHAM DRIVE                   |
| 2  | BEDFORD DRIVE           | WHITEHALL DRIVE                    | CHATHAM DRIVE                      |
| 3  | CHEWINK COURT           | BENTON STREET                      | DEAD END EAST                      |
| 4  | CLINTON COURT           | BEDFORD DRIVE                      | CUL-DE-SAC                         |
| 5  | COACH ROAD              | OLD HICKS ROAD                     | CASTLE COURT                       |
| 6  | COMFORT STREET          | SMITH STREET                       | PLUM GROVE ROAD                    |
| 7  | COOPER DRIVE            | WILLIAMS DRIVE                     | SANBORN DRIVE                      |
| 8  | EASY STREET             | TOWER PLACE                        | CUL-DE-SAC NORTH                   |
| 9  | EASY STREET             | COMFORT STREET                     | ROBERTSON STREET                   |
| 10 | FARM GATE LANE          | PLUM GROVE ROAD                    | TIMBERLEA DRIVE                    |
| 11 | FOREST KNOLL DRIVE      | HICKS ROAD                         | CUL-DE-SAC (WEST)                  |
| 12 | GROH COURT              | PALATINE ROAD                      | CUL-DE-SAC                         |
| 13 | HALEYS HILL COURT       | RUHL ROAD                          | NORTH CUL-DE-SAC                   |
| 14 | HALEYS HILL COURT       | NORTH CUL-DE-SAC                   | SOUTH CUL-DE-SAC                   |
| 15 | HAMSTEAD COURT          | CUL-DE SAC                         | BEDFORD DRIVE                      |
| 16 | HELEN ROAD              | QUENTIN ROAD                       | ELM STREET                         |
| 17 | HELEN ROAD              | ELM STREET                         | CEDAR STREET                       |
| 18 | SOUTH HIDDENBROOK TRAIL | WINDHILL DRIVE                     | HIDDENBROOK TRAIL                  |
| 19 | LAKE LOUISE DRIVE       | WILKE ROAD                         | CUL-DE-SAC                         |
| 20 | LEO COURT               | LUKAS AVENUE                       | CUL-DE-SAC SOUTH                   |
| 21 | LUKAS AVENUE            | PATRICK LANE                       | QUENTIN ROAD                       |
| 22 | MAPLE STREET            | WOOD STREET                        | SLADE STREET                       |
| 23 | MORRIS DRIVE            | ROHLWING ROAD                      | CLARK DRIVE                        |
| 24 | NORTH STREET            | FOREST AVENUE                      | GROVE AVENUE                       |
| 25 | NORTHUMBERLAND PASS     | ROSILAND DRIVE                     | FALKIRK PLACE                      |
| 26 | OAK STREET              | WASHINGTON STREET                  | DANIELS ROAD                       |
| 27 | OLD FORGE COURT         | EUCLID AVENUE                      | CUL-DE-SAC SOUTH                   |
| 28 | OLD HICKS ROAD          | ASTER AVENUE                       | COACH ROAD                         |
| 29 | PATRICK LANE            | LUKAS AVENUE                       | CUL-DE-SAC SOUTH                   |
| 30 | PENNY LANE              | WINNETKA STREET                    | COUNTRYSIDE DRIVE                  |
| 31 | PORTAGE AVENUE          | DUNDEE ROAD                        | NORTH STREET                       |
| 32 | PRINCETON STREET        | ASHLAND AVENUE                     | DELGADO DRIVE                      |
| 33 | ROSILAND DRIVE          | RUHL ROAD                          | inlets at 578 W near center island |
| 34 | ROSILAND DRIVE          | inlets at 578 W near center island | NORTHUMBERLAND PASS                |
| 35 | RUHL ROAD               | QUENTIN ROAD                       | ROSILAND DRIVE                     |
| 36 | SADDLE RIDGE COURT      | STEEPLE CHASE LANE                 | CUL-DE-SAC                         |
| 37 | TOWER PLACE             | SMITH STREET                       | EASY STREET                        |
| 38 | VICTORIA DRIVE          | WILKE ROAD                         | CASTLE COURT                       |
| 39 | WEST BROOKLINE COURT    | OLD FORGE COURT                    | CUL-DE-SAC WEST                    |
| 40 | WINDHILL DRIVE          | HIDDENBROOK TRAIL                  | STEEPLE CHASE LANE                 |
| 41 | WINNETKA STREET         | PALOS AVENUE                       | DEER AVENUE                        |
| 42 | WREN AVENUE             | DEAD END NORTH                     | CHEWINK COURT                      |

Attachment: 2024 Street Resurfacing Sections (2024 Street Resurfacing Program)

# Consider an Ordinance Amending Chapter 12 Offenses and Miscellaneous Provisions of the Palatine Code of Ordinances

## BACKGROUND:

Due to end-of-life false alarm permitting software and a review of the program, the Police Department and Village Manager's Office are recommending changes to Article XXI. Burglary or Robbery Alarm Systems in Chapter 12 - Offenses and Miscellaneous Provisions.

## KEY ISSUES:

The following outlines the significant revisions included within the proposed amendments:

- Updated false alarm and permitting sections to remove a required alarm permit and replace with an optional and free registration;
- Update the false alarm fee structure to assess a \$50 penalty for the third and fourth false alarm and increase that penalty to \$100 for the sixth and subsequent false alarms;
- General grammatical, spelling, punctuation and general errors and updates throughout.

## ALTERNATIVES:

1. Approve ordinance amending Chapter 12.
2. Do not approve ordinance amending Chapter 12.

## RECOMMENDATION:

Staff recommends approval of the ordinance amending Chapter 12- Offenses and Miscellaneous Provisions of the Code of Ordinances.

## ACTION REQUIRED:

Motion to approve the ordinance amending Chapter 12- Offenses and Miscellaneous Provisions of the Code of Ordinances.

## ATTACHMENTS:

- Ordinance Amending Chapter 12
- Exhibit A - Final Chapter 12
- Exhibit B - Chapter 12 Amendments

|                  |                                                           |
|------------------|-----------------------------------------------------------|
| <b>RESULT:</b>   | <b>MOTION CARRIED BY VOICE VOTE [UNANIMOUS]</b>           |
| <b>MOVER:</b>    | Jim Schwantz, Mayor                                       |
| <b>SECONDER:</b> | Doug Myslinski, District 3 Councilman                     |
| <b>AYES:</b>     | Schwantz, Millar, Lamerand, Myslinski, Solberg, Kozlowski |
| <b>ABSENT:</b>   | Brad Helms                                                |

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING  
CHAPTER 12 – OFFENSES AND MISCELLANEOUS PROVISIONS  
OF THE CODE OF ORDINANCES OF THE VILLAGE OF PALATINE**

WHEREAS, the Village of Palatine is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs; and

WHEREAS, the Mayor and Council desire to amend Chapter 12 of the Village Code to amend the false alarm penalty schedule, remove the false alarm permit, update procedures, and provide general clerical cleanup; and

WHEREAS, the Mayor and Council have determined that it will serve and be in the best interests of the Village and its residents to amend Chapter 12 of the Village Code pursuant to this Ordinance;

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

**SECTION 1:** That the Code of Ordinances, of the Village of Palatine, Illinois is hereby amended by amending Chapter 12 Offenses and Miscellaneous Provisions, which shall be read as indicated on Exhibit “A”.

**SECTION 2:** That the Village Clerk is directed to maintain a record of the modifications to the existing Ordinance (a redlined version of the modifications approved pursuant to this Ordinance as indicated on Exhibit “B”).

Attachment: Ordinance Amending Chapter 12 (2024-13 : Amendments to Ch 12 Code of Ordinances)

**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

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

**Chapter 12 OFFENSES AND MISCELLANEOUS PROVISIONS**

- Art. I. In General, §§ 12-1--12-40
- Art. II. Fires, §§ 12-41--12-56
- Art. III. Explosives; Fireworks, §§ 12-57--12-69
- Art. IV. Plants and Weeds, §§ 12-70--12-90
- Art. V. Tag Days, §§ 12-91--12-100
- Art. VI. Public Gatherings, §§ 12-101--12-115
- Art. VII. Public Buildings, §§ 12-116--12-135
- Art. VIII. Sound Amplifiers, §§ 12-136--12-150
- Art. IX. State of Emergency, §§ 12-151--12-165
- Art. X. Dutch Elm Disease and Emerald Ash Borer Infestation, §§ 12-166--12-180
- Art. XI. Village Jail, §§ 12-181--12-190
- Art. XII. Antilitter Regulations, §§ 12-191--12-214
- Art. XIII. Regulation of Parades and Motorcades, §§ 12-215--12-229
- Art. XIV. Regulation of Adult Bookstores and Adult Movie Theaters, §§ 12-230--12-240
- Art. XV. Vandalism, §§ 12-241--12-249
- Art. XVI. Theft, §§ 12-250--12-259
- Art. XVII. Retail Theft (Shoplifting), §§ 12-260--12-267
- Art. XVIII. Parental Responsibility, §§ 12-268--12-275
- Art. XIX. Trespass, §§ 12-276--12-281
- Art. XX. Obstructing Public Easements, §§ 12-282--12-286
- Art. XXI. Burglary or Robbery Alarm Systems, §§ 12-287--12-291
- Art. XXII. Abatement of Nuisances, §§ 12-292, 12-293
- Art. XXIII. Penalty for Nuisance Violations, § 12-294
- Art. XXIV. Spray Paint, § 12-294.1
- Art. XXV. General Penalty; Citations, §§ 12-295--12-309
- Art. XXVI. Regulation of Lighting, §§ 12-310--12-316
- Art. XXVII. Graffiti, §§ 12-317--12-318
- Art. XXVIII. Drug Paraphernalia §§ 12-319--12-324
- Art. XXIX. Conflicts with Certain Home Rule County Ordinances

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**Editor's Note:** Article XXIX Conflicts with Certain Home Rule County Ordinances, a new article, was adopted by Ordinance #O-50-17, passed on May 1, 2017.

**Editor's Note:** Article XXVIII Drug Paraphernalia, a new article, was adopted by Ordinance # 0-22-01 passed on March 12, 2001.

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**Editor's Note:** Article X Dutch Elm Disease and Emerald Ash Borer Infestation, was replaced in its entirety by Ordinance 0-24-08, passed on February 19, 2008.

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**Editor's Note:** Article IV Plants and Weeds was replaced in its entirety by Ord. #0-91-08, passed on 7/14/08

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**Editor's Note:** Chapter 12 was replaced in its entirety by Ord. #O-141-23 passed on 12/4/23  
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**ARTICLE I. IN GENERAL**

**Sec. 12-1 Damage to public property.**

It shall be unlawful to damage, deface or interfere with any property belonging to the Village without proper authority from the Village Council. (Code 1961, § 8.604)

**Cross reference(s)-**Vandalism, § 12.241 et seq.

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

**Sec. 12-2. Gambling.**

Unless otherwise authorized by the Village, it shall be unlawful to gamble or attend any gambling resort or to make a bet, lottery (other than lawfully approved lotteries) or gambling hazard, or to buy or sell any chances or tickets in any gambling game, arrangement or device or use a video gaming terminal.

Unless otherwise authorized and licensed by the Village, it shall be unlawful to possess or expose for public use any video gaming terminal, slot machine, sweepstakes machine, or other coin-operated device designed for gambling or games of chance or any other gambling device, punch board or paraphernalia with the intent to use the same for an unlawful purpose; and any such gambling device or paraphernalia may be confiscated by any officer of the Police Department. (Ord. O-35-22, 04-11-2022)

It shall be unlawful to maintain or patronize any establishment maintained for illegal gambling.

It shall be unlawful to advertise any gambling establishment within the Village. (Code 1961, § 25.001, O-35-22, 04-11-22)

**Sec. 12-3. Disorderly conduct.**

A person commits disorderly conduct when he or she knowingly:  
(Ord No. O-91-20; 12-07-2020)

1. Breaches the peace by behaviors, actions or conduct which alarm or disturb another, or;
2. Starts a fight, or fights in public with another person so as to alarm or endanger other members of the public, or;
3. Disrupts a lawful assembly, or;
4. Starts or spreads any false alarm of fire in the Village

**Sec. 12-3.1 Harassment by telephone.**

A person commits harassment by telephone when he or she uses telephone communication from or to a location in the Village for any of the following purposes:

1. Making any comment, request, suggestion or proposal which is obscene, lewd, lascivious, filthy or indecent with an intent to offend;
2. Making a telephone call, whether or not conversation ensues, with intent to abuse, threaten or harass any person at the called number;
3. Making or causing the telephone of another repeatedly to ring, with intent to harass any person at the called number;
4. Making repeated telephone calls, during which conversation ensues, solely to harass any person at the called number;
5. Knowingly permitting any telephone under one's control to be used for any of the purposes mentioned herein.

**Sec. 12-3.2 Harassment by electronic communications.**

A person commits harassment by electronic communications when he or she uses electronic communication, including social media or other electronic means, from or to a location in the Village for any of the following purposes:

1. Making any comment, request, suggestion or proposal which is obscene with an intent to offend;
2. Interrupting, with the intent to harass, the telephone service or the electronic communication service of any person;
3. Transmitting to any person, with the intent to harass and regardless of whether the communication is read in its entirety or at all, any file, document, or other communication which prevents that person from using his or her telephone service or electronic communications device;
4. Threatening injury to the person or to the property of the person to whom an electronic communication is directed or to any of his or her family or household members;
5. Knowingly permitting any electronic communications device to be used for any of the

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

6. purposes mentioned in this subsection;  
Evidence that a defendant made additional telephone calls or engaged in additional electronic communications after having been requested by a named complainant or by a family or household member of the complainant to stop may be considered as evidence of an intent to harass unless disproved by evident to the contrary.

**Sec. 12-4. Possession of alcoholic beverages in public places.**

It shall be unlawful for any person to be in possession of an alcoholic beverage in a public street or public place unless such beverage is in its original container with the seal unbroken, or unless such possession is on the premises of an establishment licensed by the Village of Palatine to sell or serve alcoholic beverages. For purposes of this section, a public place shall include, but not be limited to, all Village-owned parking facilities and lots, and all parking lots serving commercial establishments and serving multi-family residential developments containing four or more dwelling units. Further, it shall be unlawful for any person to be in possession of an alcoholic beverage in a common area of: a property owners association serving a multi-family residential development containing four or more dwelling units, an apartment complex or a Common Element, as defined by the Illinois Condominium Property Act, 765 ILCS 605/2(e), except for patios and balconies. A common area does not include the interior, residential living unit. A common area includes, but is not limited to, parking lots, sidewalks, grass areas, open space areas, detention areas, stairways, hallways and storage rooms. Upon application by the owner, manager or property owner association (collectively, owner), the Village Council may, in its discretion, permit consumption of alcoholic beverages in certain defined areas agreed to by the Village and the owner. (Code 1961, § 25.003; Ord. No. O-78-76, § 1, 9-13-76; Ord. No. O-113-90, § 1, 9-24-90; Ord. No. 0-155-97 § 1, 9-8-97; Ord. No. 0-169-97, § 1, 10-13-97, Ord. No. 0-149-00 § 1, 11-13-00)

**Sec. 12-5. Reserved.**

**Sec. 12-6. Public indecency.**

(a) *Definitions.* The following defined terms apply to this section:

- (1) *Nudity* means the displaying of the human male or female genitals, pubic area or buttocks with less than a fully opaque covering, the displaying of the female breasts with less than a fully opaque covering of any part of the nipple, or displaying covered male genitals in a discernibly turgid state.
- (2) *Public place* for the purpose of this section means any place where the conduct may reasonably be expected to be viewed by others.
- (3) *Sexual conduct* means any intentional or knowing touching or fondling by the person or other person, either directly or through clothing, of the sex organs, anus or breast of the person or other person, or any part of the body of a child under thirteen (13) years of age, for the purpose of sexual gratification or arousal of the person or other person.
- (4) *Sexual penetration* means any contact, however slight, between the sex organ of one person and the sex organ, mouth or anus of another person, or any intrusion, however slight, of any part of the body of one person or of any animal or object into the sex organ or anus of another person, including, but not limited to, cunnilingus, fellatio or anal penetration. Evidence of emission of semen is not required to prove sexual penetration.

(b) *Acts constituting public indecency.* Any person of the age of seventeen (17) years and upwards who performs any of the following acts in a public place commits a public indecency:

- (1) An act of sexual penetration or sexual conduct as defined herein;
- (2) A lewd exposure of the body done with intent to arouse or to satisfy the sexual desire of the person or of persons observing; or
- (3) Appearing or bathing in a state of nudity.

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

(c) *Penalty.* Any person found to have committed a public indecency shall be fined according to Sec. 12-40 Penalty. (Code 1961, §25.005; Ord. No. O-163-91, §3, 11-25-91; Ord. No. 0-5-98, §15, 1-26-98)

**Sec. 12-7. Assault and battery.**

(a) Assault. It shall be unlawful for any person to, without lawful authority, engage in conduct which places another in reasonable apprehension of receiving a battery.

(b) Battery. It shall be unlawful for any person to intentionally or knowingly without legal justification and by any means, to (1) cause bodily harm to an individual or (2) to make physical contact of an insulting or provoking nature with an individual. (Code 1961, §25.006; Ord. No. 0-27-95 §7, 4-10-95)

**Sec. 12-8. False fire alarms.**

It shall be unlawful for any person to knowingly start or spread any false alarm of fire in the Village. (Code 1961, §25.007) **State law reference(s).**

**Sec. 12-9. Disturbing assemblages.**

It shall be unlawful for any person to disturb any lawful assemblage or gathering in the Village. (Code 1961, §25.008)

**Sec. 12-10. Hunting.**

It shall be unlawful for any person to engage in killing or to hunt any animal other than as prescribed by law in the Village. (Code 1961, §25.009)

**Sec. 12-11. Weapons.**

It shall be unlawful to carry any concealed weapons within the Village without having first secured a license to carry such concealed weapons issued under Illinois Public Safety Firearm Concealed Carry Act 430ILCS66/1-999. (Code 1961, §25.010)

**Sec. 12-12. Discharge of firearms.**

It shall be unlawful to discharge any firearms or air gun within the Village. This section shall not be construed to prohibit any officer of the law to discharge a firearm in the performance of his/her duty; nor to any citizen to discharge a firearm when lawfully defending his/her person or property. For purposes of this section, the term “air gun” shall include any air rifle, air pistol, spring gun, spring pistol, B-B gun, paint ball or water bead gun, pellet gun or a pellet constructed of hard plastic, steel, lead or other hard materials, with a force that reasonably is expected to cause bodily harm. (Code 1961, §25.016, Ord. # 0-118-13, §1, 10/14/13; Ord. No. O-141-23, 12/4/23)

**Sec. 12-13. Missiles.**

It shall be unlawful to cast, throw, or propel any missile on any street, alley or public place; and it shall be unlawful to throw or deposit any glass, nails, tacks or other similar articles on any street, alley, sidewalk, or other public place in the Village. (Code 1961, §25.012)

**Sec. 12-14. Advertising.**

It shall be unlawful to advertise any unlawful business or article in the Village and it shall be unlawful to damage, destroy or deface any lawful advertisement or notice. (Code 1961, §25.013)

**Sec. 12-15. Unlawful assemblages.**

It shall be unlawful to collect, gather or be a member of any disorderly crowd, or any crowd gathered together for any unlawful purpose. (Code 1961, §25.014)

**Sec. 12-16. Reserved.**

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

**Sec. 12-17. Posting bills.**

It shall be unlawful to post any bills or advertisement on any public property without the authority of the Village Manager and it shall be unlawful to post any bill or advertisement on any property without the written consent of the owner thereof. (Code 1961, §25.020)

**Sec. 12-18--12-19 Reserved.**

**Sec. 12-20. Scaffolds.**

Any scaffold or ladders placed in such a position that they overhang or can fall onto any public street, alley or other public place in the Village, shall be prohibited without review and approval by the Village; and it shall be unlawful to place or leave any tools or article on any such place in such a manner that the same can fall into any such street, sidewalk, alley or other public way from a greater height than four (4) feet. (Code 1961, § 25.024)

**Sec. 12-21. Articles on windows.**

It shall be unlawful to place any movable article on any window ledge, or other place abutting a public street, alley or other place at a height above four (4) feet from the ground, in such a manner that the same can be or is in danger of falling onto such sidewalk, street, alley or other public place. (Code 1961, § 25.025)

**Sec. 12-22--12-25 Reserved.**

**Sec. 12-26. Obstructing storm water flow.**

It shall be unlawful for any person to place any obstruction, or deposit, or cause to be deposited any junk, debris, earthen fill, grass clippings, brush, tree limbs, yard waste or other foreign matter, in any drainage ditch or swale, into or along any branch or tributary of Salt Creek or Buffalo Creek and their floodplains, lake, pond, detention basin, drain tiles, storm sewers, roadside culverts, roadside ditches or other area that periodically collects or conveys storm water runoff within the boundaries of the Village. Any person who deposits any of the above, or is in control of such property where deposits exist, shall remove it or shall cause it to be removed therefrom immediately. The Director of Public Works or his/her duly authorized agents or employees upon proper identification to the owner or person in charge of the property shall be permitted to enter upon the property within the Village of Palatine for the purposes of inspection, observation, measurement and enforcement in accordance with the provisions of this section. (Code 1961, § 25.030, Ord. 0-59-03, §1, 3/10/03)

**Sec. 12-27. Curfew for minors.**

(a) It shall be unlawful for a person less than seventeen (17) years of age to be present at or upon any public assembly, building, place, street or highway at the following times, unless accompanied and supervised by a parent, legal guardian or other responsible companion at least eighteen (18) years of age approved by a parent or legal guardian, or unless engaged in a business or occupation which the laws of the state authorize a person less than seventeen (17) years of age to perform:

- (1) Between 12:01 a.m. and 6:00 a.m. Saturday;
- (2) Between 12:01 a.m. and 6:00 a.m. Sunday; and
- (3) Between 11:00 p.m. on Sunday to Thursday inclusive, and 6:00 a.m. on the following day.

(b) It shall be unlawful for a parent, legal guardian or other person to knowingly permit a person in his/her custody or control to violate this section.

(c) A person convicted of a violation of any provision of this section shall be guilty of a petty offense and shall be fined according to Sec. 12-40 Penalty.

**Sec. 12-28. Rubbish, refuse, etc., on streets, alleys, public places; removal.**

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

(a) It shall be unlawful for any person, firm or corporation to throw, deposit, place or cause, suffer or permit to be thrown, deposited or placed in any street, alley, public ground or place any rubbish, refuse, material, obstruction or encroachment of any kind.

(b) Any person, firm or corporation who violates this section by throwing, depositing, placing, or causing, suffering or permitting to be thrown, deposited or placed in any street, alley, public ground or place any rubbish, refuse, material, obstruction or encroachment of any kind shall, upon conviction, be fined according to Sec. 12-40 Penalty.

(c) It shall be the duty of any person, firm or corporation throwing, depositing, placing or causing, suffering or permitting to be thrown, deposited or placed in any street, alley, public ground or place any rubbish, refuse, material, obstruction or encroachment of any kind, contrary to the provisions of the foregoing subsection (a), to remove the same promptly and leave such street, alley, public ground or place in good condition after such removal.

(d) Upon the failure of any person, firm or corporation to remove the rubbish, refuse, material, obstruction or encroachment, the Village Manager shall cause the same to be removed from the street, alley, public ground or place and shall bill the responsible person, firm or corporation for all costs incurred.

(e) It shall be unlawful for any person who owns or occupies premises in the Village in industrial, multi-family residential, commercial districts, or in planned developments wherein industrial, multi-family residential, or commercial uses are authorized, which premises generate more than four (4) cubic yards of refuse, garbage or other waste material per week, to allow to be placed or remain on such premises refuse containers designed to hold one cubic yard or more of refuse, garbage, other waste material or materials for recycling unless such containers are firmly covered at all times and surrounded by wooden, masonry or metal fencing at least six (6) feet in height and in residential areas screened by landscaping approved by the department of Community Development unless excused by the Village Mayor and Council for good cause shown.

In any event, all refuse containers located on such properties which are designed to hold one cubic yard or more of refuse, garbage, other waste material, or materials for recycling which are visible from a public right-of-way shall be screened from view by wooden, masonry, other synthetic materials, or opaque metal fencing at least six (6) feet in height as approved by the Community Development Department.

Any refuse container not maintained in accordance with this section hereby is declared to be a nuisance detrimental to the public health and welfare and may be abated by the Village Manager or his/her designee pursuant to section 12-292 et seq of the Code of Ordinances of the Village of Palatine, Illinois.

Any existing refuse container not in compliance herewith on the date of adoption of this paragraph (e) or located on property newly annexed to the Village after the adoption of this paragraph (e) shall be brought into compliance within ninety (90) days following written notice to do so from the Village served upon the owner or occupier of the premises where such refuse container is located.

(f) All multi-family residential dwellings which have refuse collected in a bulk container shall meet the following minimum capacity and/or service requirements: One yard of container capacity or service for the first four (4) units and one additional yard of container capacity or service for each additional four (4) units or portion thereof per week. These capacity and/or service requirements shall be in effect unless the property owner has a written variance signed by the Environmental Health Field Director. (Ord. No. O-38-76, § 1, 4-12-76; Ord. No. O-54-88, § 1, 5-9-88; Ord. No. O-143-91, § 1, 10-14-91; Ord. No. O-75-92, § 1, 5-27-92)

**Cross reference(s)**--Deposits in streets prohibited, § 8-5; streets and sidewalks, Ch. 16.

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

**Sec. 12-29. Possession, consumption and use of cannabis.**

It shall be unlawful for any person to knowingly grow, use, possess, or consume cannabis in a manner inconsistent with the Cannabis Control Act or the Cannabis Regulation and Tax Act.

Any person who violates this section shall be fined according to the fees listed in the Village Fee Schedule. (Ord. No. O-37-76, § 1, 4-12-76; Ord. No. O-69-83, § 1, 10-10-83; Ord. No. 0-5-98, §15, 1-26-98; Ord. No. O-103-19, 12/2/19)

**Editor's note**--Ord. No. O-37-76, § 1, amended the 1961 Code by adding the provisions codified herein a § 12.29.

**Sec. 12-30. Betting messenger services prohibited.**

a) It shall be unlawful for any person to accept for placement, delivery or communication to or with another any wager on any horse race, game or other event, when such person receives payment of any kind to perform such service. Each such acceptance of a wager shall constitute a separate and distinct violation of this Code.

(b) It shall be unlawful for any person who owns, rents or leases property within the Village to knowingly permit the occupation of said premises or any building thereon by a person who engages in any act which violates section 12-30(a) above in said building or on said premises. Each day the owner, landlord or tenant knowingly permits the building or premises to be so occupied shall constitute a separate and distinct violation of this Code.

(c) Any person found guilty of violating any provision of this section shall be fined according to Sec. 12-40 Penalty. (Ord. No. O-11-77, § 1, 3-14-77)

**Sec. 12-31. Sale, display for sale, or distribution of items designed primarily for use with illegal drugs.**

No person shall sell, display for sale, or distribute within the Village of Palatine any item, effect, paraphernalia, accessory or thing which is designed primarily for use with illegal drugs, except as a special use within a B-1 Shopping Center District or a B-2 General Service District, provided also that no such sales, display for sale, or distribution may take place in a B-1 or B-2 District within twenty-five hundred (2500) feet of any public or private school, day care center, nursery, church, synagogue or other place of worship, or any facility holding a liquor license. Violation of this section shall be considered cause for revocation of a business license in addition to any other penalty provided in this Code. (Ord. No. O-6-78, § 3, 2-13-78)

**Cross reference(s)**--B-1 district regulations, App. A, § 6.02; B-2 district regulations, App. A, § 6.03.

**Sec. 12-32. Persons responsible for premises.**

It shall be unlawful for any person or persons who are the occupants of any premises to knowingly allow, initiate or maintain any gathering on that premises in which tenants, invitees, visitors or trespassers engage in any unlawful activity. Unlawful activity shall include, but not be limited to, drinking of alcoholic beverages by persons under twenty-one (21) years of age, disorderly conduct pursuant to section 12-3 of this Code, curfew violations in the immediate vicinity of the premises and littering pursuant to Article XII of this chapter of this Code. A person will be deemed to have permitted the gathering if that person is on the premises while the unlawful activity is occurring and has not informed the police thereof. For purposes of this section, a gathering shall consist of two (2) or more persons who are not occupants of the premises. (Ord. No. O-4-83, § 1, 1-25-83)

**Sec. 12-33. Knowingly providing false information.**

(a) It shall be unlawful for any person to knowingly furnish false information to the Village's police department, fire department, health department or other code enforcement department. This section shall apply to all information furnished, whether by telephone, in person, in writing, by way of the filing or furnishing of information for a report or otherwise. (Ord. No. O-38-83, § 1, 6-13-83; Ord. No. 0-31-95, §8, 4-10-95)

**Editor's note**--Ord. No. O-38-83 added a § 12-32 to the Code; in order to avoid duplicate section

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

numbers, the editor has redesignated these provisions as 12-33.

**Sec. 12-34. Reckless conduct.**

It shall be unlawful for any person to cause bodily harm to, or endanger the bodily safety of an individual, by any means by performing recklessly the acts which cause the harm or endanger safety, whether they otherwise are lawful or unlawful.

**Sec. 12-35. Intimidation.**

It shall be unlawful for any person to, with intent to cause another to perform or to omit the performance of any act, communicate to another, whether in person, by telephone, mail, social media, or by other electronic means, a threat to perform without lawful authority any of the following:

- (a) Infliction of physical harm on the person threatened or any other person or on property; or
- (b) Subjecting any person to physical confinement or restraint; or
- (c) Committing any criminal offense; or
- (d) Accusing any person of an offense; or
- (e) Exposing any person to hatred, contempt or ridicule.

**Sec. 12-36. Mob action.**

It shall be unlawful for any person to engage in mob action which consists of any of the following:

- (a) The use of force or violence disturbing the public peace by 2 or more persons acting together and without authority of law; or
- (b) The assembly of 2 or more persons to do an unlawful act; or
- (c) The assembly of 2 or more persons, without authority of law, for the purpose of doing violence to the person or property of anyone supposed to have been guilty of a violation of the law, or for the purpose of exercising correctional powers or regulative powers over any person by violence; or
- (d) Being a participant in a mob action, who does not immediately withdraw on being commanded to do so by any peace officer.

**Sec. 12-37. Resisting or obstructing a peace officer.**

It shall be unlawful for any person to knowingly resist or obstruct the performance by one known to the person to be a peace officer of any authorized act within his/her official capacity. For the purposes of this section, failing to provide accurate information as to one's true identity, date of birth, and residence address when so requested by a peace officer shall constitute obstructing a peace officer.

**Sec. 12-38. Truancy.**

- (a) It shall be unlawful for any person, who is subject to the compulsory attendance requirement of the Illinois School Code and is enrolled in grades 1 through 12 in a public, private or parochial school within the incorporated limits of the Village of Palatine to absent himself or herself from attendance at school for a school day or portion thereof without a valid cause. A valid cause for absence shall include absence from school because of illness, observance of a religious holiday, death in the immediate family, family emergency, situations beyond the person's control as determined by the Board of Education, or such other circumstances which cause reasonable concern to the parent or custodian for the safety or the health of the person.
- (b) Any person, who is: (1) subject to the compulsory attendance requirement of the Illinois School Code, (2) enrolled in grades 1 through 12 in a public, private or parochial school located outside the incorporated limits of the Village of Palatine; and (3) present within the incorporated limits of the Village of Palatine, without a valid cause for absence from the school in which he or she is enrolled, shall be reported to the municipality having jurisdiction

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

over the person. Jurisdiction shall be determined by the school at which the person is enrolled.

(Ord. 0-201-06, §1, 12/4/06)

**Sec. 12-39. Motorized equipment.**

It shall be unlawful for any person to operate a lawn mower, leaf blower, edge trimmer, street cleaner, industrial vacuum, or any other motorized equipment between the hours of 9:00 p.m. and 7:00 a.m. on any weekday and between the hours of 9:00 p.m. and 8:00 a.m. on the weekend or holidays. (Ord. No. 0-83-16; 6/20/16)

None of the terms or prohibitions hereof shall apply to or be enforced against:

1. Village vehicles: Any vehicle of the Village while engaged upon necessary public business.
2. Emergency operations: The operation of motorized equipment in case of urgent necessity in the interest of public health and safety.
3. Snow removal equipment. (Ord.No.0-85-99;§1-3;6-28-99)
4. Park District Golf Courses: Any vehicle utilized and necessary for the maintenance of a park district owned and operated golf course. The prohibition exemption is between the hours of 4:00 a.m. to 7:00 a.m. on weekdays and 4:00 a.m. to 8:00 a.m. on weekends. (Ord. No. 0-101-16; 8/8/16)

**Sec. 12-40. Penalty.**

Any person found guilty of violating any provision of Sections 12-1 through 12-39 shall be fined not less than seventy-five dollars (\$75.00) nor more than one thousand five hundred dollars (\$1,500.00) and up to the full cost of abatement if performed by the Village. (Ord. No. 0-31-95, §9, 4-10-95; Ord.No.0-5-98, §15, 1-26-98; Ord.No.0-85-99;§1-3;6-28-99; Ord. No. O-141-23, 12/4/23)

**Editor's note**--former § 12-34 Sales by minors, Possession of tobacco products. added by Ord. No. O-109-94, subsequently deleted by Ord. No. 0-120-96, 7-08-96, §2)

**ARTICLE II. FIRES\***

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\*Cross reference(s)--Fire prevention and protection, Ch. 7.  
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**Sec. 12-41. Prohibited except in an approved fireplace or fire pit.**

It shall be unlawful to build or light any bonfire or to burn any rubbish, leaves or other combustible refuse, anywhere in the Village without a permit. (Code 1961, § 25.015)

**Cross reference(s)**--Fire protection and protection generally, Ch. 7; burning of refuse, etc., prohibited, § 8-45.

**Sec. 12-42. Grass fires; permit required.**

- (a) It shall be unlawful to start or maintain any grass fire or controlled open burn in the Village without first securing a permit from the Fire Marshal or their designee.
- (b) The Village shall charge a permit fee of \$50 for control open burn permits; this fee shall be submitted prior to the issuance of a permit. (Ord No. O-141-23, 12/4/23)

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

**Sec. 12-43. Regulations.**

It shall be unlawful to burn refuse of any kind anywhere in the Village except as provided below:

- (1) It shall be unlawful to burn leaves anywhere in the Village.
- (2) It shall be unlawful to burn off vegetation from any area in the Village without a permit issued by the Fire Prevention Division.
- (3) It shall be unlawful to light or maintain any outdoor fires to burn construction material, wood, papers, paper goods, cardboard and plastics except as provided in the adopted International Fire Code. Outdoor cooking shall be permitted in grills or other structures/appliances designed and listed for that purpose.

(Code 1961, § 25.018)

**Secs. 12-44--12-56. Reserved.**

**ARTICLE III. RESERVED**

**ARTICLE IV. PLANTS AND WEEDS**

[Editor's Note: Article IV was replaced in its entirety by Ord. #0-91-08, passed on July 14, 2008]

**Sec. 12-70. Definitions.**

- (1) "Owner" means the legal or beneficial owner of an improved or unimproved parcel of real estate.
- (2) "Responsible party" means the occupant of any real estate or any person or entity charged with the care or management of any real estate.
- (3) "Growing season" means the period of time which weeds and grass are generally growing on the majority of real estate in the Village of Palatine, beginning no later than May 1 and ending no earlier than November 1.

**Sec. 12-71. Enumeration of prohibited plants; declared a nuisance.**

Any weeds such as jimson, burdock, ragweed, thistle, cocklebur, poison ivy, poison oak, poison sumac, or other weeds of a like kind or barberry bush found growing in any lot or tract of land in the Village are hereby declared to be nuisances, and it shall be unlawful to permit any such weeds to grow or remain in such places.  
(Code 1961, §§24.201, 24.203)

**Sec. 12-72. Height limitation.**

It shall be unlawful for any owner or responsible party of real estate located in the Village of Palatine to permit any weeds, grass or plants, other than trees, bushes, flowers, or other ornamental grasses and plants to grow to a height exceeding one (1) foot anywhere on the property and on the parkway abutting their property; and any such weeds, grass, or plants exceeding such heights are hereby declared to be a nuisance.  
(Code 1961, §24.202; Ord. No. O-124-79, §1, 11-13-79; Ord. No. O-186-96, §1, 10-14-96)

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

**Sec. 12-73. Notice.**

(1) It shall be the duty of the Village Manager or his/her designee to cause to be served a notice upon the owner and any responsible party of any such premises on which weeds, grass or plants are permitted to grow in violation of the provisions of this article, and to demand the abatement of the nuisance within three (3) days. Upon service of the notice, the owner and any responsible party shall be required to continuously maintain the premises in accordance with the provisions of this Article. Only one three (3) day notice shall be required to be served per growing season. (Code 1961, §24.204; Ord. No. O-124-79, §1, 11-13-79; Ord.No.0-78-98, §1, 6-8-98)

(2) The notice shall:

- a. Be in writing.
- b. Identify the property on which the nuisance violation was observed.
- c. Provide a description of the nuisance violation.
- d. Provide the date and time the violation was observed.
- e. State that the owner and any responsible party shall have three (3) days to abate the nuisance.

(3) Notice shall be served upon the owner and any responsible party of the property personally or by first class mail addressed to the owner and any responsible party. If the nuisance has not been abated four (4) days after the mailing of such notice by first class mail, service may be made upon such persons or entities by posting the notice in a prominent place on or about the property identified in the notice.

**Sec. 12-74. Abatement.**

If the owner so served with notice under Section 12-73 does not abate the nuisance within three (3) days after such notice, or fails to maintain the property during the growing season, the Village Manager or his/her designee may proceed to cause the abatement of such nuisance, pursuant to Section 12-292, at any time subsequent, keeping an account of the expense thereof, and such expense shall be charged to and paid by the owner. (Code 1961, §24.205; Ord. No. O-124-79, §1, 11/13/79; Ord.No.0-78-98, §2, 6/8/98)

**Sec. 12-75. Lien--Procedure for filing.**

Charges for weed, grass, or plant cutting shall be a lien upon the premises as provided by statute or collected as otherwise provided for in the Code of Ordinances. Whenever a bill for weed, grass or plant cutting remains unpaid sixty (60) days after it has been rendered, the clerk may file with the county recorder of deeds of Cook County, a statement of lien claim. This statement shall contain the legal description of the premises served, the amount of the unpaid bill, and a notice that the Village claims a lien for this amount.

After the nuisance has been abated, but prior to the filing of a lien, notice of the bill for weed, grass, or plant cutting shall be served personally on, or by certified mail to the person to whom was sent the tax bill for the general taxes on the property for the last preceding year. The notice shall contain a description of the property on which the abatement occurred and a description of the nuisance.  
(Code 1961, §24.206; Ord. No. O-124-79, §1, 11/13/79)

**State law reference(s)**--Power of municipality to enforce lien for cutting weeds, 65ILCS5/11-20-7.

**Sec. 12-76. Same--Foreclosure.**

Property subject to a lien for unpaid weed, grass or plant cutting charges shall be sold for nonpayment of the same, and the proceeds of such sale shall be applied to pay the charges, after deducting costs, as is the case in the foreclosure of statutory liens. Such foreclosures shall be by bill in equity in the name of the

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

Village.

The Village Manager or his/her designee is hereby authorized and directed to institute such proceedings, in the name of the Village, in any court having jurisdiction over such matters, against any property for which a bill for weed, grass or plant cutting has remained unpaid sixty (60) days after it has been rendered. (Code 1961, §24.207; Ord. No. O-124-79, §1, 11/13/79)

**Secs. 12-77--12-90. Reserved.**

**ARTICLE V. TAG DAY**

**Sec. 12-91. Permit required.**

It shall be unlawful for any person to go from house to house soliciting funds or subscriptions from the public or to publicly solicit either in person or by agent, upon the public streets, sidewalks, or any other public place in the Village, subscriptions for charitable or religious or educational or other organizations or purposes, whether presents or gifts or money or promises are sought, without having first secured a permit therefor. (Code 1961, §24.301)

**Sec. 12-92. Application.**

Applications for permits for tag day sales shall be made to the Village Manager who shall determine that the purposes for which such solicitations are proposed are consistent with the provisions of section 12-91. No such permit shall be issued except upon the order of the Village Manager. (Code 1961, §24.302; Ord. No. 0-15-16, §1, 2/16/16)

**Sec. 12-93. Solicitation of charitable contributions on streets and highways within the Village.**

(1) No person shall stand on any street or roadway within the Village, or on any right-of-way of same, for the purpose of peddling or soliciting except those persons soliciting for charitable contributions from the occupant of any vehicle and may do so only upon satisfying all of the requirements within Section 12-93 of this Code.

(2) The soliciting organization shall submit a completed Tag Day Permit Application and provide a Certificate of Insurance showing that the charitable organization is insured against any claims for injuries or damage to property which is causally related to an act or ordinary negligence of the soliciting agent acting on behalf of the organization. The submitted Tag Day Permit Application shall contain, at a minimum, the following information:

- a. The name, address, and telephone number of the soliciting organization, agency or project and proof that the organization, agency or project is registered with the attorney general as a charitable organization as provided by the Solicitation for Charity Act;
- b. A description of the fundraising activity in which the soliciting organization, agency or project is engaged;
- c. The intersections at which approval is being sought and the number of persons proposed to solicit at such intersections (there shall be no more than four (4) solicitors within an intersection at any time); and
- d. The dates and times at which such Tag Day event is proposed to take place (applications for solicitation may be submitted up to a maximum of one (1) year prior to the requested Tag Day event).

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

(Ord. No. 0-15-16, §1, 2/16/16)

(3) Any person engaged in the solicitation of charitable contributions shall be at least sixteen (16) years of age and shall wear a highly visible vest and identification of the organization undertaking the solicitation. (Ord. No. 0-15-16, §1, 2/16/16)

(4) The Village Manager must find that the locations, times, and durations of the proposed Tag Day event, as well as the number of proposed solicitors, shall not result in interference with the flow of vehicular traffic. No permits shall be issued when street conditions, weather, or other factors, at the discretion of the Village Manager, pose significant safety concerns to either the solicitors or the general public. (Ord. No. 0-15-16, §1, 2/16/16)

(5) No Tag Day events will be permitted from November 1 through March 31.

(6) Solicitation shall only occur during daylight hours, as reasonably determined by the Village Manager. (Ord. No. 0-15-16, §1, 2/16/16)

(7) Solicitation shall only be permitted at the following intersections:  
(Ord. No. 0-15-16, §1, 2/16/16; Ord. No. 0-45-16 4/11/16)

Baldwin Road and Rohlwing Road  
Cunningham Drive and Hicks Road  
North Court and First Bank Drive  
Palatine Road and Plum Grove Road  
Palatine Road and Quentin Road  
Palatine Road and Roselle Road (south and east legs of intersection)  
Palatine Road and Rohlwing Road  
Palatine Road and Winston Drive  
Plum Grove Road and Colfax Street  
Plum Grove Road and Illinois Avenue  
Plum Grove Road and Northwest Highway  
Quentin Road and Dundee Road (north and east legs of intersection)  
Quentin Road and Illinois Avenue  
Quentin Road and Northwest Highway  
Smith Street and Colfax Street  
Smith Street and Northwest Highway

(8) Tag Day events shall not be permitted at the same intersection in consecutive weeks. The Village Manager may waive this limitation if the requested Tag Day event is in conjunction with a regional or national Tag Day event being held on a specific date(s). (Ord. No. 0-35-16, 4-4-16)

(9) No more than two Tag Day events in any calendar year are permitted within the Village by any qualifying solicitation organization and no approved Tag Day event shall continue for more than three (3) consecutive days.  
(Ord. No. O-108-79, §1, 10/8/79; Ord. No. 0-17-11, §1, 2/22/11)

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

**Sec. 12-94. Fines for violation of section 12-93.**

Any person, corporation, unincorporated association or other entity violating any provision of section 12-93 shall upon a judicial finding of such violation, be fined not less than fifty dollars (\$50.00) and not more than seven hundred fifty dollars (\$750.00) for each such separate violation. (Ord. No. O-108-79, §1, 10/8/79; Ord.No.0-5-98, §15, 1/26/-98)

**Secs. 12-95--12-100. Reserved.**

**ARTICLE VI. PUBLIC GATHERINGS**

**Sec. 12-101. Regulations.**

It shall be unlawful to hold, manage or conduct any meeting or entertainment of any kind in the Village, in any premises other than a building constructed in full compliance with the ordinances and laws pertaining thereto for assembly use, excepting in compliance with the provisions of the International Building and Fire Code, 2015 Edition with the following amendments: (Ord. 0-57-06, §2, 3/20/06, eff. 6/1/06, Ord. 0-70-11, §1, 6/20/11, Ord. O-94-18, 08/13/18-eff. 01/01/19). (Code 1961, §24.401)

**Sec. 12-102. Inspections.**

No public gathering or entertainment shall be held or presented in any premises other than a building as described in the preceding section, unless such premises has obtained approval from the Village Council; as a condition of approval an inspection may be required. (Code 1961, §24.402)

**Sec. 12-103--12-105. Reserved.**

**Sec. 12-106. Notice.**

It shall be the duty of any person conducting, calling for, or managing any gathering in any premises other than an approved assembly occupancy constructed as provided in section 12-101, without a Special Event Permit from the Village. Any permit issued for any such gathering shall be subject to the condition that this article be fully complied with, whether or not such condition is embodied in the permit. (Code 1961, §24.406)

**Secs. 12-107--12-115. Reserved.**

**ARTICLE VII. PUBLIC BUILDINGS\***

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\*Cross reference(s)--Fire prevention generally, Ch. 7, Art. III.  
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**Sec. 12-116. Responsibility.**

The owner, agent, occupant or person charged with the custody of any public building, or the person in charge thereof and owning the same, shall be held liable for the equipment and maintenance of such apparatus as is required in the current adopted version of the International Building and Fire Code, 2015 Edition, with the following amendments: (Ord. 0-57-06, §2, 3/20/06, eff. 6/1/06, Ord. 0-70-11, §1, 6/20/11, Ord. O-94-18, 08/13/18-eff. 01/01/19) for the maintenance and safety of all corridors, exits, stairs, doors, windows or passageways. (Code 1961, §24.501)

**Sec. 12-117. Enforcement.**

It shall be the duty of the Fire Marshal or their designee to inspect all apparatus to be installed, and their location, and to make or cause to be made periodic inspections concerning the operation and accessibility of regular and emergency exits in such public places. (Code 1961, §24.502)

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

**Sec. 12-118--12-135. Reserved.**

**ARTICLE VIII. SOUND AMPLIFIERS**

[Editor's Note: Article VIII was replaced in its entirety by Ord. 0-71-06]

**Sec. 12-136. Permit required.**

It shall be unlawful to maintain or operate any loud speaker or amplifier connected with any radio, phonograph, microphone, or other device by which sounds are magnified and made heard over any public street or public place without first having secured a permit therefor.

**Sec. 12-137. Applications.**

Any person desiring a permit for the use or operation of such devices, shall file an application therefor with, no less than seven (7) days before the intend date of the event, to the Village Manager or his/her designee, upon a form provided by him/her, setting forth the name and address of the applicant, the name of the owner of such device, the date upon which it is intended to be used, and such other information as may be prescribed. School and Park District properties are exempt from the sound amplification regulations, for any school, park, or other established affiliate function, which is occurring on School or Park District property. (Ord. No. 0-155-16, 12/19/16)

**Sec. 12-138. Restrictions.**

All events for which a permit is granted will be subject to the following restrictions:

1. The permit shall be limited per the hours granted by the Village Manager.
2. A permit holder shall not operate or employ any such device within a radius of two (2) blocks from any hospital or within the radius of two (2) blocks from any church while services are being held there.
3. The only sounds permitted shall be either music or human speech, or both;
4. Speakers for sound amplification equipment shall be directed, to the extent feasible toward open or unoccupied space and away from residentially occupied property.
5. In any event, the volume of sound shall be so controlled that it will not be unreasonably loud, raucous, jarring, disturbing or a nuisance to reasonable persons of normal sensitiveness within the area of audibility.

The Village Manager or his/her designee may include additional restrictions or conditions to the permit.

This section shall not apply to radios in homes or in private pleasure vehicles, when the same are operated in such a manner as not to be audible at a distance of fifty (50) feet from such vehicle, nor to noise devices, bands or other musical devices used in any public parade, community event, or procession which is operated under a permit in accordance with the ordinances of the Village or approval of the Village Council.

No permit shall cause or permit to be emanated or emitted from any such device any lewd, obscene, profane, or indecent language or sounds, or any false representation of any matter, product, or project advertised thereby, the sale of which is prohibited by any provision of this Code or other ordinance or statute.

The Village Manager or his/her designee may revoke any permit if the sound is deemed to be in violation of any of the above restrictions.

**Secs. 12-139--12-150. Reserved.**

**ARTICLE IX. STATE OF EMERGENCY\***

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

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**\*Editor's note**--Ord. No. O-129-86, §1, adopted Sept. 29, 1986, repealed Art. IX, §§12-151--12-155, pertaining to civil emergencies and curfew which derived from Code 1961, §§24.701--24.705 and enacted new provisions designated as Art. IX, §§12-151--12-155, pertaining to state of emergency, to read as herein set out.

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**Cross reference(s)**--Civil defense organization, §2-501 et seq.  
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**Sec. 12-151. Definitions.**

For the purposes of this article, the following words shall have the meanings indicated unless their context clearly requires otherwise:

*State of emergency* means the occurrence of:

- (1) A riot or unlawful assembly characterized by the use of actual force or violence or any threat to use force if accompanied by immediate power to execute by three (3) or more persons acting together without authority of law; or
- (2) Any disaster which; shall mean an occurrence or threat from widespread or severe damage, injury or loss of life or property resulting from any natural or man-made cause, including but not limited to fire, flood, earthquake, wind, storm, oil spill or other water contamination requiring emergency action to avert danger or damage, epidemic, air contamination, blight, extended periods of severe and inclement weather, drought, infestation, critical shortages of essential fuels or energy, explosion, riot, or hostile military or paramilitary action. Disaster includes but is not limited to all occurrences and threats thereof which are contemplated by the concept of ``emergency services and disaster operations."

*Curfew* means a prohibition against any person or persons walking, running, loitering, standing or motoring upon any alley, street, highway, public property or vacant premises within the corporate limits of the Village, excepting officials of any governmental unit and persons officially designated to duty with reference to said state of emergency. (Ord. No. O-129-86, §1, 9-29-86)

**Sec. 12-152. Proclamation; contents; curfew.**

Whenever a state of emergency exists, the Mayor shall proclaim its existence by means of a written declaration. Said declaration shall be signed by him or her, under oath and contain the following:

- (1) A statement to the effect that a state of emergency, as defined by this article, does exist.
- (2) Set forth the facts supporting such findings.
- (3) A declaration of the nature of the state of emergency and the reasons for the action.
- (4) A declaration that a state of emergency does exist. Such statement shall be promptly filed with the Village Clerk.

After proclaiming a state of emergency, the Mayor, by executive order, and after consultation with the Village Manager and Chief of Police, may establish a general curfew applicable to such geographical areas of the Village, including the Village as a whole, as he or she deems advisable, to be applicable during such hours of the day or night as he or she deems necessary in the interest of the public safety and welfare. (Ord. No. O-129-86, §1, 9-29-86)

**Sec. 12-153. Enforcement.**

After the proclamation of a state of emergency, the Mayor may also, in the interests of public safety and welfare, take any or all of the following actions by executive order:

- (1) Order the closing of all liquor stores and establishments, including taverns and private clubs

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

or portions thereof wherein the consumption of intoxicating liquor and beer is permitted.

- (2) Order the discontinuance of the sale of alcoholic liquor by any wholesaler or retailer.
- (3) Order the discontinuance of selling, distributing or giving away gasoline or other liquid flammable or combustible products in any container other than a gasoline tank properly affixed to a motor vehicle.
- (4) Order the discontinuance of selling, distributing, dispensing or giving away of any firearms or ammunition of any character whatsoever.
- (5) Issue such other orders as are imminently necessary for the protection of life and property.  
(Ord. No. O-129-86, §1, 9-29-86)

**Sec. 12-154. Effective period.**

The proclamation shall be effective for a period of forty-eight (48) hours unless sooner terminated by the Mayor but, in no event, shall continue later than the adjournment of the first meeting of the Mayor and Council after the state of emergency is declared. The Mayor shall have the power to reproclaim the existence of a state of emergency at the end of each forty-eight- hour period during the time said state of emergency exists. (Ord. No. O-129-86, §1, 9-29-86)

**Sec. 12-155. Notice; posting.**

Upon issuance of the proclamation, the Village Manager or his/her designee shall notify the news media covering and serving the Village, and shall file the existence of the emergency in accordance with Illinois law. (Ord. No. O-129-86, §1, 9-29-86)

**Secs. 12-156--12-165. Reserved.**

**ARTICLE X. DUTCH ELM DISEASE AND EMERALD ASH BORER INFESTATION**

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Editor's Note – Article X was replaced in its entirety by Ordinance #0-24-08, passed on February 19, 2008.  
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**Sec. 12-166. Control of infected or infested trees.**

It shall be unlawful for the owner of any premises in the Village to permit any tree or portion thereof infected with Dutch Elm disease or infested with the Emerald Ash Borer to remain on such premises. (Code 1961, §24.801)

**Sec. 12-167. Inspection.**

The officers, agents, servants, and employees of the Village are hereby authorized and directed to enter on and upon private property whereon there is located any Elm tree or Ash tree having the appearance of or suspected of being diseased with the Dutch Elm disease or infested with the Emerald Ash Borer, for the purpose of inspecting said suspected tree and removing there from samples or portions thereof to be tested to establish whether said tree is in fact diseased or infested. (Code 1961, §24.802)

**Sec. 12-168. Declared a nuisance.**

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

Any tree or part thereof affected with the Dutch Elm disease or Emerald Ash Borer infestation is hereby declared to be a nuisance. (Code 1961, §24.803)

**Sec. 12-169. Abatement--By owner.**

The owner or occupant of the parcel of land on which said diseased Elm tree or infested Ash tree exists shall forthwith remove and destroy said Elm tree or Ash tree and properly dispose of all materials in accordance with guidelines established by the Illinois Department of Agriculture, within ten (10) days of notification to such owner, occupant, or agent that said Elm tree or Ash tree is in fact diseased or infested. (Code 1961, §24.804)

**Sec. 12-170. Same--By Village.**

In each case where the owner or occupant of the parcel of land on which said diseased Elm tree or infested Ash tree is located cannot be found, or if found and notified as aforesaid neglects or refuses to abate said nuisance, it shall be lawful for the Village to abate the same by the removal and proper dispose of all materials in accordance with guidelines established by the Illinois Department of Agriculture, of said diseased Elm tree or infested Ash tree and in that event the said owner, occupant or agent or any of them shall be charged with those expenses which may be incurred by the Village in the removal or abatement of the diseased Elm tree or Ash tree as aforesaid, which expenses shall be collected by the Village by suit or otherwise in addition to the fine for the violation. (Code 1961, §24.805)

**Sec. 12-171. Penalties.**

Any person who shall violate any provision of this chapter, upon conviction in a court of competent jurisdiction, will be subject to a fine not less than twenty-five dollars (\$25.00) nor more than seven hundred and fifty dollars (\$750.00) per offense.  
(Ord. No. 0-152-12, §1, 11/19/12)

**Secs. 12-172--12-180. Reserved.**

**ARTICLE XI. VILLAGE JAIL**

**Sec. 12-181. Establishment.**

The place in the Village heretofore established and used as the jail, or any other place which may be hereafter used for that purpose, is hereby declared to be the Village jail. (Code 1961, § 8.301)

**Sec. 12-182. Keeper.**

The Chief of Police shall be the keeper of the jail and shall have custody over all persons confined therein and of all property pertaining thereto.

**Sec. 12-183. Prisoners.**

The jail shall be used for the incarceration of all persons arrested for violating any laws of the state, the United States, or for violating any Village ordinance until such person shall be lawfully brought before a judge for a hearing or until such person shall be lawfully transferred to some other place of incarceration or otherwise lawfully released.

**Sec. 12-184. Escape.**

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

It shall be unlawful for any person to escape or attempt to escape, or to assist any prisoner to escape or attempt to escape from jail. (Code 1961, §8.304)

**Sec. 12-185. Communication with prisoners.**

It shall be unlawful for any person to communicate with any prisoner held in the jail without the permission of the Chief of Police or the police officer in charge. (Code 1961, §8.305)

**Secs. 12-186--12-190. Reserved.**

**ARTICLE XII. ANTILITTER REGULATIONS\***

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**\*Editor's note**--Ord. No. O-63-75, § 1, adopted Aug. 11, 1975, amended the 1961 Code by adding the provisions codified herein as Art. XII, §§ 12-191--12-205.  
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**Sec. 12-191. Definitions.**

For purposes of this article, the following terms, phrases, words and their derivations shall have the meaning given herein:

*Aircraft* is any contrivance now known or hereafter invented, used or designated for flight in the air. The word "aircraft" shall include helicopters and lighter-than-air dirigibles, balloons and drones.

*Commercial handbill* is any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet, or any other printed or otherwise reproduced original or copies of any matter of literature:

- (1) Which advertises for sale any merchandise, product, commodity, or thing; or
- (2) Which directs attention to any business or mercantile or commercial establishment, or other activity, for the purpose of either directly or indirectly promoting the interest thereof by sales; or
- (3) Which directs attention to or advertises any meeting, theatrical performance, exhibition, or event of any kind, for which an admission fee is charged for the purpose of private gain or profit; or
- (4) Which, while containing reading matter other than advertising matter, is predominantly and essentially an advertisement, and is distributed or circulated for advertising purposes, or for the private benefit and gain of any person so engaged as advertiser or distributor.

*Garbage* is putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

*Litter* is garbage, refuse and rubbish as defined herein and all other waste material.

*Newspaper* is any newspaper of general circulation or any newspaper duly entered with the post office department of the United States, in accordance with federal statute or regulation and, in addition thereto, shall mean and include any periodical or magazine regularly published with not less than four (4) issues per year, and sold to the public.

*Noncommercial handbill* is any printed or written matter, any sample, or device, dodger, circular, leaflet, pamphlet, newspaper, magazine, paper, booklet, or any other printed or otherwise reproduced original or copies of any matter of literature not included in the definitions of a commercial handbill or newspaper.

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

*Person* is any person, firm, partnership, association, corporation, company or organization of any kind.

*Private premises* is any dwelling, house, building, or other structure designed or used either wholly or in part for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.

*Public place* is any and all streets, sidewalks, boulevards, alleys or other public ways and any and all public squares, spaces, grounds, public parks, tot lots and public buildings.

*Refuse* is all putrescible and nonputrescible solid wastes (except body wastes), including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, and solid market and industrial wastes.

*Rubbish* is nonputrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery and similar materials.

*Vehicle* is every device in, upon or by which any person or property is or may be transported or drawn upon a highway including devices used exclusively upon stationary rails or tracks.

*Village* is the Village of Palatine, Illinois.  
(Ord. No. O-63-75, §2, 8-11-75)

**Sec. 12-192. Litter in public places.**

No person shall throw or deposit litter in or upon any street, sidewalk or other public place within the Village except in public receptacles, in authorized receptacles for collection, or in duly licensed landfills.

For special gatherings and events held on public property and approved in writing by the Village of Palatine, proper receptacles for litter must be provided by the person or organization authorized to use the public property. Within forty-eight (48) hours after any such gathering or event, all litter must be disposed of as provided herein by the responsible party. If inclement weather prevents such removal, additional time may be provided through direct request to the office of the Environmental Health Field Director. If said gathering or event is of a continuous nature, daily clearing of the litter must be provided, with the litter deposited in suitable receptacles for removal by the responsible party. (Ord. No. O-63-75, §1, 8-11-75)

**Sec. 12-193. Private property to be kept free of litter; nuisance.**

Persons owning or occupying property shall keep their property free of litter. The failure of persons owning or occupying property to properly dispose of litter located on such property is a public nuisance, and shall be subject to the abatement provisions of Article XXII of this chapter and the penalty provisions of Article XXIII of Chapter 12 of this Code. (Ord. No. O-63-75, §1, 8-11-75; Ord. No. O-1-84, §1, 1-9-84)

**Sec. 12-194. Litter thrown by persons in vehicles.**

No persons, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or other public place within the Village, or upon private property. (Ord. No. O-63-75, §1, 8-11-75)

**Sec. 12-195. Litter in lakes and fountains.**

No person shall throw or deposit litter in any fountain, pond, lake, stream, bay, creek, or any other body of water within the Village. (Ord. No. O-63-75, §1, 8-11-75)

**Sec. 12-196. Throwing or distributing handbills in public places.**

No person shall throw or deposit any commercial or noncommercial handbill or any other

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

advertisement in or upon any sidewalk, street or other public place within the Village. (Ord. No. O-63-75, §1, 8-11-75)

**Sec. 12-197. Placing commercial and noncommercial handbills on vehicles.**

No person shall throw or deposit any commercial or noncommercial handbill in or upon any vehicle. Provided, however, that it shall not be unlawful in any public place for a person to hand out or distribute, without charge, a noncommercial handbill to any occupant of a vehicle who is willing to accept it. (Ord. No. O-63-75, §1, 8-11-75)

**Sec. 12-198. Depositing commercial and noncommercial handbills on uninhabited or vacant premises.**

No person shall throw or deposit any commercial or noncommercial handbill in or upon any private premises which are continuously uninhabited or vacant. (Ord. No. O-63-75, §2, 8-11-75)

**Sec. 12-199. Distributing commercial and noncommercial handbills at inhabited private premises.**

No person shall throw, deposit or distribute any commercial or noncommercial handbill in or upon private premises which are inhabited, except by handing or transmitting any such handbill directly to the owner, occupant, or other person then present in or upon such private premises, or by placing or depositing the same in such manner as to secure or prevent such handbill from being blown or drifted about such premises of sidewalks, streets or other public places. Mailboxes may not be used for this purpose when prohibited by federal postal law or regulations. (Ord. No. O-63-75, §2, 8-11-75)

**Sec. 12-200. Exemption for mail or newspapers.**

The provisions of the foregoing section 12-199 shall not apply to the distribution of mail by the United States, nor to newspapers (as defined herein). (Ord. No. O-63-75, §2, 8-11-75)

**Sec. 12-201. Dropping litter from aircraft.**

No person in an aircraft shall throw out, drop or deposit any litter upon any property in the Village. (Ord. No. O-63-75, §2, 8-11-75)

**Sec. 12-202. Reserved.**

(Ord. No. O-63-75, §2, 8-11-75; Ord.No.0-82-98, §1,6-8-98; Ord.No.0-167-98, §1, 10-26-98; Ord. 0-127-06, §1, 7/17/06)

**Sec. 12-203. Litter on vacant lots.**

No person shall throw or deposit litter on any open or vacant private property within the Village. (Ord. No. O-63-75, §1, 8-11-75)

**Sec. 12-204. Penalties.**

Except as otherwise provided in section 12-193, any person violating any provision of this article shall be fined not less than fifty dollars (\$50.00) nor more than two hundred and fifty dollars (\$250.00) for the first such offense. Any person violating any provision of this article shall be subject to a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for the second such violation and a fine of not less than one hundred and fifty dollars (\$150.00) nor more than one thousand dollars (\$1,000.00) for the third and subsequent violations within a one-year period. (Ord. No. O-63-75, §1, 8-11-75; Ord. No. O-1-84, §3, 1-9-84; Ord.No. 0-5-98, §16,1-26-98))

**Editor's note**--Section 2 of Ord. No. O-1-84, adopted Jan. 9, 1984, repealed §12-204 as said section pertained to the notification to owners to properly dispose of litter on open private property and as derived from Ord. No. O-63-75, §1, adopted Aug. 11, 1975. Section 3 of Ord. No. O-1-84 then renumbered §12-205 as § 12-204 and amended said section as herein set out.

**Secs. 12-205--12-214. Reserved.**

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

**ARTICLE XIII. REGULATION OF PARADES AND MOTORCADES**

**Sec. 12-215. Definitions.**

*Parade:* "Parade" means a march, procession, or other similar activity consisting of persons, animals, vehicles, or things, or any combination thereof, upon a public street, sidewalk, alley, or other public place, which requires a street closing or otherwise requires stopping or rerouting vehicular traffic because the parade will not or cannot comply with normal and usual traffic regulations or controls. "Parade" does not include a political protest, march, demonstration, or other assembly protected by the First Amendment.

*Motorcade:* "Motorcade" means an organized procession containing twenty-five (25) or more vehicles, except funeral processions, upon any public street, sidewalk or alley. (Ord. No. O-56-77, §1, 6-13-77)

**Sec. 12-216. Permit required.**

It shall be unlawful for any person to conduct a parade or motorcade in or upon any public street, sidewalk or alley in the Village, or knowingly participate in any such parade unless and until a permit to conduct such a parade or motorcade has been obtained from the Village Manager, or, as hereinafter provided, from the Mayor and Council of the Village of Palatine. (Ord. No. O-56-77, §1, 6-13-77)

**Sec. 12-217. Parade or motorcade for commercial purpose prohibited.**

No permit shall be issued authorizing the conduct of a parade or motorcade which is to be held for the sole purpose of advertising any product, goods, wares, merchandise and is designed to be held purely for private profit. (Ord. No. O-56-77, §1, 6-13-77)

**Sec. 12-218. Interference with parade or motorcade.**

No person shall knowingly join or participate in any parade or motorcade conducted under permit from the Village of Palatine in violation of any of the terms of said permit or knowingly join or participate in any permitted parade or motorcade without the consent and over the objection of the permittee, nor in any manner interfere with its progress or orderly conduct. (Ord. No. O-56-77, §1, 6-13-77)

**Sec. 12-219. Application for permit.**

Any person who desires to conduct a parade or motorcade shall apply to the Village Manager for a permit at least ten (10) days in advance of the date of the proposed parade or motorcade. The application for such permit shall be in writing on a form approved by the Mayor and Council of the Village of Palatine or in a form acceptable to the Village Manager. The Village Manager may waive the ten-day requirement as provided herein. In order that adequate arrangements may be made for the proper policing of the parade or motorcade, the application shall contain the following information:

- (1) The name of the applicant, the sponsoring organization, the parade or motorcade chairman, and the addresses and telephone numbers of each.
- (2) The nature of the parade or motorcade, the date when it is proposed to be conducted, the location of the assembly area, the location of the disbanding area, route to be traveled and the approximate time when the parade or motorcade will assemble, start and terminate.
- (3) A general description of the units to be used.
- (4) A permit fee in the amount of one hundred dollars (\$100.00) must accompany each application. All applications shall be reviewed and approved prior to issuance of any permit. The Village Manager may waive or otherwise discount required fees when deemed to be in the best interest of the Village or community.

The Village Manager shall immediately forward a copy of the application to the Chief of Police and the Fire Chief. (Ord. No. O-56-77, §1, 6-13-77)

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

**Sec. 12-220. Issuance or denial of permit.**

(a) *Standards of issuance.* The Village Manager shall issue a parade or motorcade permit conditioned upon the applicant's written agreement to comply with the contents of such a permit as hereinafter specified, unless it is found that:

- (1) The time, route and size of the parade or motorcade will disrupt to an unreasonable extent the movement of other traffic.
- (2) The parade or motorcade is of a size or nature that requires the diversion of so great a number of police officers of the Village to properly police the line of movement and the areas contiguous thereto that allowing the parade or motorcade would deny reasonable police protection to the Village.
- (3) Such parade or motorcade will interfere with another parade or motorcade for which a permit has been issued.

(b) *Standards for denial.* The Village Manager shall deny an application for a parade or motorcade permit and notify the applicant of such denial where:

- (1) The Village Manager makes any finding contrary to the findings required to be made for the issuance of a permit as above specified.
- (2) The information contained in the application is found to be false or nonexistent in any material detail.
- (3) The applicant refuses to agree to abide by or comply with all the contents of the permit.

(c) *Time for issuance or denial.* The applicant shall be informed of the issuance or denial of the permit within seven (7) days of the filing of the application for same. (Ord. No. O-56-77, §1, 6-13-77)

**Sec. 12-221. Contents of permit.**

In each permit, the following shall be specified:

- (1) The assembly area and time therefor.
- (2) The starting time.
- (3) The minimum and maximum speeds of any motor vehicles.
- (4) The route of the parade or motorcade.
- (5) What portions of streets to be traversed may be occupied by such parade or motorcade.
- (6) The maximum length of such parade or motorcade in miles or fractions thereof.
- (7) The disbanding area and disbanding time.
- (8) The permittee shall advise all participants in the parade or motorcade, either orally or by written notice, of the terms and conditions of the permit prior to the commencement of such parade or motorcade.
- (9) That the parade or motorcade continue to move at a fixed rate of speed and that any willful delay or willful stopping of said parade or motorcade except that which is reasonably required for the safe and orderly conduct of the parade or motorcade shall constitute a violation of the permit, all conditions of the permit shall be complied with so far as reasonably practical.

(Ord. No. O-56-77, §1, 6-13-77)

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

**Sec. 12-222. Appeal procedure.**

Upon a denial by the Village Manager of an application made pursuant to section 12-219 of this article, the applicant may appeal from the determination of the Village Manager within five (5) days thereafter to the Mayor and Council by filing a written notice of appeal at its next meeting. Upon such appeal, the Mayor and Council may reverse, affirm or modify in any regard the determination of the Village Manager. In the event the application is not filed within the required time as specified in section 12-219, the applicant may request a waiver of such requirement by the Mayor and Council at its next regular meeting, or at a special meeting which may be called prior thereto by said Mayor and Council to consider such a matter. The Mayor and Council, if they find unusual circumstances and in the exercise of their sound discretion, may waive such requirement. (Ord. No. O-56-77, §1, 6-13-77)

**Sec. 12-223. Officials to be notified.**

Immediately upon the granting of a permit for a parade or motorcade, the Village Manager shall send a copy thereof to:

- (1) The Mayor and Council.
- (2) The Chief of Police.
- (3) The Fire Chief.

**Secs. 12-224--12-229. Reserved.**

**ARTICLE XIV. REGULATION OF ADULT BOOKSTORES AND ADULT MOVIE THEATERS\***

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\*Cross reference(s)--Indecent publications, §12-9.  
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**Sec. 12-230. Definitions.**

For purposes of this article, the following definitions shall apply:

- (1) *Adult bookstore*: An establishment having as a substantial or significant portion of its stock in trade explicit sexual material or an establishment with a segment or section devoted to the sale or display of such materials.
- (2) *Adult movie theater*: An enclosed building with the capacity of fifty (50) or more persons used for the presentation of explicit sexual material.
- (3) *Explicit sexual material*:

(a) Any picture, drawing, photograph, motion picture or other pictorial representation which depicts actual or simulated acts of human sexual intercourse, sodomy, bestiality, oral copulation, masturbation, excretory functions, torture in the context of sexual relationship or exhibition of the genitals in a state of sexual stimulation or arousal.

(b) Any artificial human penis or vagina or device primarily designed to stimulate genitals. Any description, advertisement or offer to sell or distribute such an artificial organ or device that presents either a pictorial representation or a detailed verbal description of such artificial organ or device or its manner of use.

(c) Any book, magazine, newspaper or other printed or written material which is made up in whole or in dominant part of depictions or descriptions of human sexual intercourse, oral copulation, bestiality, sodomy, masturbation or torture in the context of the sexual relationship. (Ord. No. O-54-77, §2, 6-13-77)

**Sec. 12-231. Regulations.**

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

No adult bookstore or adult movie theater shall operate or do business within the Village of Palatine, except as a special use in a B-5 Highway Business District. Said adult bookstore or adult movie theater granted a special use shall be subject to the following restrictions:

- (1) No adult bookstore or adult movie theater:
  - (a) Shall be located within a one thousand-foot radius of any other adult bookstore or adult movie theater.
  - (b) Shall be located within a two thousand-foot radius of any public or private school, day care center or nursery.
  - (c) Shall be located within a thirteen hundred twenty-foot radius of any facility holding a liquor license.
  - (d) Shall be located within a thirteen hundred twenty-foot radius of a church, synagogue, or other place of worship.
  - (e) Shall be located within a two thousand-foot radius of any public park.
- (2) It shall be unlawful to sell or offer for sale, or to circulate, pass from one (1) person to another, or expose in any public place or anywhere in view of a store or place frequented by the public, any immoral, indecent or obscene publication, printed or written picture or other representation.
- (3) It shall be unlawful to keep any such publication, printed or written matter, picture, or other representation in any place frequented by, or where it may come into the possession of minors, or to disclose or expose any such material to minors.

(Ord. No. O-54-77, §2, 6-13-77, Ord No. 141-23, 12/04/23)

**Secs. 12-232--12-240. Reserved.**

**ARTICLE XV. VANDALISM\***

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**\*Editor's note**--Ord. No. O-97-80, §§1, 2, enacted Dec. 8, 1980, amended Art. XV by repealing §§12-241, 12-243 and 12-244, renumbering § 12-242 as 12-241 and by adding a new § 12-242. Former §§12-241, 12-243 and 12-244 defined terms applicable to Art. XV and set forth the penalty and liability for violation of the article. Said former sections were derived from Ord. No. O-90-76, §1, adopted Oct. 11, 1976; Ord. No. O-94-77, §1, adopted Sept. 12, 1977; and Ord. No. O-96-80, §1, 2, adopted Dec. 8, 1980.

**Cross reference(s)**--Injury to public property, §12-1; see also Art. XVIII.  
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**Sec. 12-241. Offenses.**

No person shall commit any of the following acts within the corporate limits of the Village of Palatine:

- (1) Maliciously, recklessly, or knowingly damage, deface, or destroy any property of another person without his/her consent; or
- (2) Maliciously, recklessly, or knowingly start a fire on the land of another person without his/her consent; or
- (3) Maliciously, recklessly, or knowingly deposit on the land or in a building of another person, without his/her consent, any stink bomb, or any offensive smelling compound and thereby interfere with the use and occupancy by another of the land or building.

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

(Ord. No. O-90-76, §1, 10-11-76; Ord. No. O-97-80, §1, 12-8-80)

**Sec. 12-242. Penalty.**

A person convicted of a violation of any provision of this article shall be fined not less than seventy-five dollars (\$75.00) or in excess of one thousand five hundred dollars (\$1,500.00) for each offense. (Ord. No. O-97-80, §2, 12-8-80; Ord.No.0-5-98, §15,1-26-98, Ord No. O-141-23, 12-04-23)

**Secs. 12-243--12-249. Reserved.**

**ARTICLE XVI. THEFT\***

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\*Cross reference(s)--See Art. XVIII.  
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**Sec. 12-250. Elements of the offense.**

A person commits theft when he/she knowingly:

- (1) Obtains or exerts unauthorized control over property of the owner; or
- (2) Obtains by deception control over property of the owner; or
- (3) Obtains by threat control over property of the owner; or
- (4) Obtains control over stolen property knowing the property to have been stolen by another or under such circumstances as would reasonably induce him/her to believe that the property was stolen, and:
  - (a) Intends to deprive the owner permanently of the use or benefit of the property; or
  - (b) Knowingly uses, conceals or abandons the property in such manner as to deprive the owner permanently of such use or benefit; or
  - (c) Uses, conceals, or abandons the property knowing such use, concealment or abandonment probably will deprive the owner permanently of such use or benefit.

(Ord. O-92-78, §1, 10-9-78)

**Sec. 12-251. Value of goods.**

This article shall apply only to goods or services having a value of five hundred dollars (\$500.00) or less. (Ord. No. O-92-78, §1, 10-9-78)

**Sec. 12-252. Penalty.**

A person convicted of a violation of any provision of this article shall be fined not less than seventy-five dollars (\$75.00) nor more than two hundred fifty dollars (\$250.00) for the initial conviction, and not less than five hundred dollars (\$500.00) nor more than one thousand five hundred dollars (\$1,500.00) for any subsequent conviction. (Ord. No. O-92-78, §1, 10-9-78; Ord. No. 0-5-98, §15,1-26-98)

**Secs. 12-253--12-259. Reserved.**

**ARTICLE XVII. RETAIL THEFT (SHOPLIFTING)\***

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

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\*Cross reference(s)--See Art. XVIII.  
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**Sec. 12-260. Legislative declaration.**

It is recognized by the Village that a substantial burden is placed upon the economy of the Village because of incidences of retail theft. This is a matter of great concern to the people of this Village who have a right to be protected in their safety and welfare from the effects of this offense. (Ord. No. O-93-78, §1, 10-9-78)

**Sec. 12-261. Definitions.**

For the purposes of this article, the words and phrases defined in this section have the meanings ascribed to them unless a contrary meaning is clear from the context:

*Conceal:* To "conceal" merchandise means that, although there may be some notice of its presence, that merchandise is not visible through ordinary observation.

*Full retail value:* "Full retail value" means the merchant's stated or advertised price of the merchandise.

*Merchandise:* "Merchandise" means any type of tangible personal property.

*Merchant:* "Merchant" means an owner or operator of any retail mercantile establishment or any agent, employee, lessee, consignee, officer, director, franchisee or independent contractor of such owner or operator.

*Minor:* "Minor" means a person who is less than nineteen (19) years of age, is unemancipated and resides with their parents or legal guardian.

*Peace officer:* "Peace officer" means any person who by virtue of his/her office or public employment is vested by law with a duty to maintain public order or to make arrests for offenses whether that duty extends to all offenses or is limited to specific offenses.

*Person:* "Person" means any natural person or individual.

*Premises of a retail mercantile establishment:* "Premises of a retail mercantile establishment" includes, but is not limited to, the retail mercantile establishment, any common use areas in shopping centers and all parking areas set aside by a merchant or on behalf of a merchant for the parking of vehicles for the convenience of the patrons of such retail mercantile establishment.

*Retail mercantile establishment:* "Retail mercantile establishment" means any place where merchandise is displayed.

*Shopping cart:* "Shopping cart" means those push carts of the type or types which are commonly provided by grocery stores, drugstores or other retail mercantile establishments for the use of the public in transporting commodities in stores and markets and, incidentally, from the stores to a place outside the store.

*Under-ring:* "Under-ring" means to cause the cash register or other sales recording device to reflect less than the full retail value of the merchandise. (Ord. No. O-93-78, §1, 10-9-78)

**Sec. 12-262. Offense of retail theft.**

A person commits the offense of retail theft when he/she knowingly:

- (1) Takes possession of, carries away, transfers or causes to be carried away or transferred, any merchandise displayed, held, stored or offered for sale in a retail mercantile establishment

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

with the intention of retaining such merchandise or with the intention of depriving the merchant permanently of the possession, use or benefit of such merchandise without paying the full retail value of such merchandise; or

- (2) Alters, transfers, or removes any label, price tag, marking, indicia of value or any other markings which aid in determining value affixed to any merchandise displayed, held, stored or offered for sale, in a retail mercantile establishment and attempts to purchase such merchandise personally or in consort with another at less than the full retail value with the intention of depriving the merchant of the full retail value of such merchandise; or
- (3) Transfers any merchandise displayed, held, stored or offered for sale, in a retail mercantile establishment from the container in or on which such merchandise is displayed to any other container with the intention of depriving the merchant of the full retail value of such merchandise; or
- (4) Under-rings with the intention of depriving the merchant of the full retail value of the merchandise; or
- (5) Removes a shopping cart from the premises of a retail mercantile establishment without the consent of the merchant given at the time of such removal with the intention of depriving the merchant permanently of the possession, use or benefit of such cart.
- (6) Represents to a merchant that he, she, or another is the lawful owner of property, knowing that such representation is false, and conveys or attempts to convey that property to a merchant who is the owner of the property in exchange for money, merchandise credit or other property of the merchant; or
- (7) Uses or possesses any theft detection shielding device or theft detection device remover with the intention of using such device to deprive the merchant permanently of the possession, use or benefit of any merchandise displayed, held, stored or offered for sale in a retail mercantile establishment without paying the full retail value of such merchandise; or
- (8) Obtains or exerts unauthorized control over property of the owner and thereby intends to deprive the owner permanently of the use or benefit of the property when a lessee of the personal property of another fails to return it to the owner, or if the lessee fails to pay the full retail value of such property to the lessor in satisfaction of any contractual provision requiring such.

(Ord. No. O-93-78, §1, 10-9-78, Ord. No. 141-23, 12-04-23)

**Sec. 12-263. Presumptions.**

If any person:

- (1) Conceals upon his/her person or among his/her belongings, unpurchased merchandise displayed, held, stored or offered for sale in a retail mercantile establishment; and
- (2) Removes that merchandise beyond the last-known station for receiving payments for that merchandise in that retail mercantile establishment;

such person shall be presumed to have possessed, carried away or transferred such merchandise with the intention of retaining it or with the intention of depriving the merchant permanently of the possession, use or benefit of such merchandise without paying the full retail value of such merchandise.

(Ord. No. O-93-78, § 1, 10-9-78)

**Sec. 12-264. Detention.**

Any merchant who has reasonable grounds to believe that a person has committed retail theft may detain such person, on or off the premises of a retail mercantile establishment, in a reasonable manner and for a reasonable length of time for all or any of the following purposes:

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

- (1) To request identification;
- (2) To verify such identification;
- (3) To make reasonable inquiry as to whether such person has in his possession unpurchased merchandise and, to make reasonable investigation of the ownership of such merchandise;
- (4) To inform a peace officer of the detention of the person and surrender that person to the custody of a peace officer;
- (5) In the case of a minor, to inform a peace officer, the parents, guardian or other private person interested in the welfare of that minor of this detention and to surrender custody of such minor to such person.

A merchant may make a detention as permitted herein off the premises of a retail mercantile establishment only if such a detention is pursuant to an immediate pursuit of such person. (Ord. No. O-93-78, §1, 10-9-78)

**Sec. 12-265. Affirmative defense.**

A detention as permitted in this article does not constitute an arrest or an unlawful restraint, as defined in the Illinois Compiled Statutes, nor shall it render the merchant liable to the persons so detained. (Ord. No. O-93-78, §1, 10-9-78)

**Sec. 12-266. Value of goods.**

This article shall apply only to goods having a value or full retail value of three hundred dollars (\$300.00) or under. (Ord. No. O-93-78, §1, 10-9-78)

**Sec. 12-267. Penalty.**

A person convicted of a violation of any provision of this article shall be fined not less than seventy-five dollars (\$75.00) nor more than two hundred fifty dollars (\$250.00) for the initial conviction, and not less than five hundred dollars (\$500.00) nor more than one thousand five hundred dollars (\$1,500.00). (Ord. No. O-93-78, §1, 10-9-78; Ord. No. 0-5-98, §15,1-26-98)

**ARTICLE XVIII. PARENTAL RESPONSIBILITY**

**Sec. 12-268. Definitions.**

The following definitions shall apply to Articles XV, XVI, XVII and XVIII:

- (1) *Knowingly.* Having general knowledge of, or reason to know, or a belief or ground for belief which warrants further inquiry or inspection.
- (2) *Legal Guardian.* A person appointed guardian, or given custody, of, a minor by a Circuit Court of this State but does not include a person appointed guardian or given custody of a minor under the Juvenile Court Act.
- (3) *Parent.* A natural or adoptive parent or court designated guardian.
- (4) *Person* shall include any individual, firm, partnership, association, corporation, company or organization of any kind.
- (5) *Property* shall include any real estate, including improvements thereon, and tangible personal property.
- (6) *Unemancipated Minor.* A person under the age of eighteen (18) years still under the care and custody of his or her parents.

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

(7) *Willful*. Proceeding from a conscious and voluntary intentional motion of the will.

(Ord. No. O-97-80, §3, 12-8-80; Ord. No. 0-27-95, §10, 4-10-95)

**Sec. 12-269. General Parental Responsibility.**

It shall be unlawful for any parent or legal guardian of an unemancipated minor residing with said parent or legal guardian to knowingly allow or to knowingly permit said minor to violate or attempt to violate any state law or municipal ordinance or to knowingly or negligently act, or fail to act, in such a manner as to facilitate or contribute to any violation or attempted violation of any state law or municipal ordinance by said minor.

**Sec. 12-270. Liability of Parent or Legal Guardian of Minor Offender.**

Subject to the conditions contained in 12-269 the parent or legal guardian of an unemancipated minor who has custody of such minor shall be jointly and severally liable for any fine, condition or reparation imposed by a court and, for full restitution to any injured or damaged party or parties for the willful or malicious acts of said minor child provided that said amount shall not exceed \$1,000; provided however, that said parent or legal guardian has been served with a summons or notice to appear and written notice setting forth the charges against said minor child in the original cause as provided by law. Any person who willfully fails or refuses to answer said summons or notice to appear and to make payment in full of any amount found due to the court and to the injured or damaged party, as provided herein, or who violates any of the provisions of this section shall additionally be fined in accordance with the provisions of this Ordinance.

**Sec. 12-271. Penalty.**

Subject to the requirements contained in Section 12-269 and 12-270 any parent or legal guardian who fails or refuses to appear in court to answer a summons or notice to appear issued in conjunction with a charge or charges brought under this section against their unemancipated minor or who fails to make payment in full of any amount found due to the court and to the injured or damaged party (provided that said amounts shall not exceed \$1,000) shall be fined not less than seventy-five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00) for each such instance and shall be liable for said fine in addition to any fines, fees, costs, or restitution ordered to any injured or damaged party by the court. (Ord. No. 0-31-95, §10, 4-10-95; Ord. No. 0-5-98, §15, 1-26-98)

**Secs. 12-272–12-275. Reserved.**

**ARTICLE XIX. TRESPASS**

**Sec. 12-276. Trespass prohibited.**

It shall be unlawful for any person, firm or corporation to commit a trespass within this municipality upon either public or private property; or maliciously, recklessly, or knowingly and without authority enter into any building, house trailer, motor vehicle, aircraft or water craft or any part thereof of another person without his/her consent; provided, however, nothing herein shall prevent duly authorized representatives of the Village from being upon public or private property in the performance of their official duties and responsibilities under applicable statutes and ordinances. (Ord. No. O-91-79, §1, 7-9-79; Ord. No. O-141-23, 12-4-23))

**Sec. 12-277. Specifically enumerated trespasses; suppression.**

Without constituting any limitation upon the provisions of section 12-276, any of the following acts by any person, firm or corporation shall be deemed included among those that constitute trespasses in violation of the provisions of said section 12-276, and appropriate action may be taken hereunder at any time, or from time to time, to prevent or suppress any violation or violations of this article, the aforesaid enumerated acts so included, being as follows, to wit:

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

- (a) An entry upon the premises, or any part thereof, of another, including any public property in violation of a notice posted or exhibited at the main entrance to said premises or at any point of approach or entry or in violation of any notice, warning or protest given orally or in writing, by any owner or occupant thereof; or
- (b) The pursuit of a course of conduct or action incidental to the making of an entry upon the land of another in violation of a notice posted or exhibited at the main entrance to said premises or at any point of approach or entry, or in violation of any notice, warning or protest given orally or in writing by any owner or occupant thereof; or
- (c) A failure or refusal to depart from the premises of another in case of being requested, either orally or in writing, to leave by any owner or occupant thereof; or
- (d) An entry into or upon any vehicle, aircraft or watercraft made without the consent of the person having the right to the possession or control thereof, or a failure or refusal to leave any such vehicle, aircraft or watercraft after being requested to leave by the person having such right.
- (e) Maliciously, recklessly, or knowingly and without authority enter into any building, house trailer, motor vehicle, aircraft or water craft or any part thereof of another person without his/her consent.

(Ord. No. O-91-79, §1, 7-9-79, Ord. No. O-141-23, 12-04-23)

**Sec. 12-278. Penalties.**

Any person, firm or corporation violating any of the provisions of this article shall, upon conviction thereof, be fined in an amount not exceeding seven hundred fifty dollars (\$750.00). (Ord. No. O-91-79, §1, 7-9-79; Ord. No. 0-5-98, §15, 1-26-98)

**Secs. 12-279--12-281. Reserved.**

**ARTICLE XX. OBSTRUCTING PUBLIC EASEMENTS**

**Sec. 12-282. Blockage of easement or right-of-way.**

It shall be unlawful for any owner or occupier of real property, under, over, upon or through which the Village owns an easement or right-of-way, to block or obstruct or knowingly permit the blockage or obstruction of said easement or right of way. This shall include, but not be limited to, sheds, dog houses, landscaping beds, trees and other miscellaneous obstructions that that would hinder or impact any potential maintenance or use of the easement. (Ord. No. O-81-80, §1, 10-27-80)

**Sec. 12-283. Removal required; notice.**

It shall be the duty of the Director of Public Works, upon discovery of any obstruction which blocks or obstructs a Village easement or right-of-way, to serve notice upon the owner or occupant of such premises and to demand the removal of said obstruction forthwith. (Ord. No. O-81-80, §1, 10-27-80)

**Sec. 12-284. Abatement.**

If the person, firm or corporation so served with notice, as provided in section 12-283 above, does not cause removal of such obstruction or blockage within ten (10) days following receipt of said notice, the Director of Public Works may proceed to cause the same to be removed, keeping a true and correct account of the expenses thereof, and such expenses shall be charged to and paid to the Village by said owner or occupant; provided, however, that in the event, in the opinion of the Village Manager, it is urgently necessary

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

for the health, safety and welfare of the public that such obstruction be removed immediately or at any time prior to the expiration of said ten-day period, the Village may forthwith remove the obstruction immediately following personal delivery of said notice to the owner or occupant, or if such premises are not occupied, by certified or registered mail to the record owner thereof.  
(Ord. No. O-81-80, §1, 10-27-80)

**Sec. 12-285. Lien--Procedure for filing.**

The Village's reasonable expenses of removal of said obstruction, as provided in section 12-284 above, shall be and constitute a lien upon said premises. Whenever a bill or statement from the Village to the owner or occupant of such premises for such expenses remains unpaid sixty (60) days after it has been rendered, the Village Clerk may file with the county recorder of deeds of Cook County a statement of lien claim. This statement shall contain the legal description of the premises involved, the amount of the unpaid bill and a notice that the Village claims a lien for this amount.

A copy of the said lien claim shall be mailed to the owner of the premises; provided, however, that failure of the clerk to record such lien or to mail such notice or the failure of the owner to receive such notice shall not affect the right to foreclose the lien for such expenses as provided in the following section 12-286.  
(Ord. No. O-81-80, §1, 10-27-80)

**Sec. 12-286. Same--Foreclosure.**

Property subject to a lien claim hereunder may be sold for nonpayment of the same upon foreclosure of said lien by the Village in any court of competent jurisdiction. Proceeds of such sale shall be applied to pay the Village's charges and expenses after deducting costs, as in the case of foreclosure of statutory liens.  
(Ord. No. O-81-80, §1, 10-27-80)

**ARTICLE XXI. BURGLARY OR ROBBERY ALARM SYSTEMS**

**Sec. 12-287. Alarm user registry.**

The Palatine Police Department shall maintain a voluntary registry of any person, firm or corporation that registers their burglary or robbery alarm. (Ord. No. O-59-81, §1, 6-9-81)

**Sec. 12-288. Unlawful use prohibited.**

It shall be unlawful for any user of any type of burglary or robbery alarm to fail to appear and turn off or reset any such alarm within one hour after being notified by the Police Department to do so. (Ord. No. O-59-81, §1, 6-9-81)

**Sec. 12-289. False alarms prohibited; fees for response.**

(a) For the purposes of this section:

- (1) *False alarm.* The term "false alarm" shall mean the activation of a burglary or robbery alarm at a time when no burglary or robbery is being committed or attempted on the premises, and when the person activating such alarm has no reasonable cause to believe a burglary or robbery is being committed.
- (2) *Police response.* The term "police response" shall mean the actual physical presence of one or more Village law enforcement officers at the premises of the alarm system in question in response to a report of activation of said alarm system.

(b) It shall be unlawful for any person to activate a false alarm or for any person to notify the Police of the activation of an alarm having the knowledge that such activation was caused by an electrical or other malfunction of the alarm system without also notifying the Police of such malfunction.

(c) In the event the Palatine Police responds to three or more false alarm responses within a six-month rolling period, the Village of Palatine shall issue a ticket and assess a fine to the person having or maintaining

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

such burglary and/or robbery or trespass, elevator emergency or fire alarm on premises owned or occupied by him/her, not less than fifty (\$50.00) dollars and up to seven hundred and fifty (\$750.00) dollars per false alarm occurrence.

(d) In the event the Palatine Police responds to six (6) or more false alarm responses within a six-month rolling period, the Village of Palatine shall issue a ticket and assess a fine to the person having or maintaining such burglary and/or robbery or trespass, elevator emergency or fire alarm on premises owned or occupied by him/her, not less than one hundred (\$100.00) dollars and up to seven hundred and fifty (\$750.00) dollars per false alarm occurrence.

(e) The Village reserves the right to hold a Business Revocation Hearing for commercial properties in violation of this Article pursuant to Sec. 11-15. Suspension or revocation of license or permit. (Ord. No. O-141-23, 12-04-23)

**Sec. 12-290. Automatic dialing of Police Department or Fire Department prohibited.**

No person, firm or corporation shall use or cause or permit to be used, or engage in, the business of providing any telephone device or telephone attachment that automatically selects a public trunk line of the Police or Fire Department of the Village of Palatine and then reproduces any prerecorded message or sound to report any robbery, burglary, fire or other emergency. (Ord. No. O-59-81, §1, 6-9-81)

**Sec. 12-291. Penalty for violations.**

Any person who intentionally activates an alarm system for the purpose of summoning Police, except in the event of an actual or attempted robbery, burglary or other bona fide Police emergency, shall be punished by a fine of not less than fifty dollars (\$50.00), nor more than seven hundred fifty dollars (\$750.00) for each offense, and each day that such violation continues shall be a separate offense. The Village reserves the right to pursue additional remedies in addition to the aforesaid fine amount. (Ord. No. O-59-81, §1, 6-9-81; Ord. No. 0-5-98, §15, 1-26-98)

**ARTICLE XXII. ABATEMENT OF NUISANCES**

**Sec. 12-292. Abatement procedure.**

The following shall be the procedure for the abatement of nuisances within the jurisdiction of the Village of Palatine.

(1) Notice. Unless otherwise provided for in this Code, upon the determination that a nuisance exists, the Village authorities shall give notice as follows:

- (a) Notice shall be given to the owner of the nuisance or of the property on which the nuisance exists. For purposes of this section, the person to whom the last general tax bill on the property was sent shall be presumed the owner.
- (b) Notice shall be served upon the owner personally or by first class mail addressed to the owner. If the nuisance has not been abated four (4) days after the mailing of such notice by first class mail, notice may be served upon such owner by posting the notice in a prominent place on or about the property identified in the notice
- (c) Notice shall state the location and nature of the nuisance.
- (d) Notice may apprise the owner that if the nuisance is not abated within a specified number of days, the Village shall, at the expense of such owner, have such nuisance abated. Ten (10) days shall be such specified number unless otherwise stated in this code.

(2) Abatement. If upon the giving of notice, the owner fails to abate said nuisance within the time specified in the notice, the Village authorities are hereby authorized to effect the abatement of said nuisance, and to assess the cost thereof against the owner of the land upon which the nuisance exists. The amount of such costs shall be paid by such owner to the Village. No building permit shall be required for the Village authorities to abate a nuisance.

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

(3) If the nuisance is of such threat to the welfare and comfort of the community that it must be abated immediately, the Village Manager or his/her designee is hereby authorized to take whatever steps are necessary to effect the abatement of same.

(Ord. No. O-105-82, §1, 11-8-82; Ord. 0-91-08, §2, 7/14/08)

**Sec. 12-293. Assessment of liens for the costs of nuisance abatement.**

The cost of such abatement shall constitute a lien upon the real estate effected, superior to all subsequent liens and encumbrances, except tax liens, if within sixty (60) days after such cost or expense is incurred the Village, or the person performing the service by authority of the Village in his/her or the Village's name, files notice of lien in the office of the recorder of deeds of Cook County, or in the office of the Registrar of Titles if the real estate effected is registered under the Torrens System.

The notice shall consist of a sworn statement setting out:

- (1) A description of the real estate sufficient for identification thereof.
- (2) The amount of money representing the cost and expense incurred or payable for the service.
- (3) The date or dates when such cost and expense was incurred by the municipality.

However, the lien of the Village shall not be valid as to any purchaser whose rights in and to such real estate have arisen subsequent to the abatement and prior to the filing of such notice, and the lien of the Village shall not be valid as to any mortgages, judgment creditor, or other lien or whose rights in and to such real estate arise prior to the filing of such notice. Upon payment of the cost and expense by the owner of or persons interested in such property after notice of lien has been filed, the lien shall be released by the Village of the person in whose name the lien was filed and such release may be filed of record as in the case of filing notice of lien.

The cost of such abatement shall not be a lien upon the real estate effected unless a notice shall be served according to 12-292, paragraph (1) of this chapter. (Ord. No. O-105-82, §1, 11-8-82)

**ARTICLE XXIII. PENALTY FOR NUISANCE VIOLATIONS**

**Sec. 12-294. Penalty.**

Any person, firm or corporation causing any nuisance enumerated in this Code shall be subject to a fine of not less than two hundred dollars (\$200.00) nor more than one thousand five hundred dollars (\$1,500.00). Each time such person shall continue or re-cause a nuisance after being found guilty for the same, a new cause of action shall immediately accrue; provided however that the offender shall be given notice for each offense as set forth in section 12-292 of this chapter, and shall be allowed a reasonable time to abate such additional nuisance unless it was willful or resulted in actual damage to another. (Ord. No. O-105-82, §1, 11-8-82; Ord. No. 0-5-98, §17, 1-26-98; Ord. No. 0-91-08, §3&4, 7/14/08)

**ARTICLE XXIV. SPRAY PAINT**

**Sec. 12-294.1. Sale to minors.**

It shall be unlawful for any person holding a retail business license to sell paint in spray cans to any person under the age of eighteen (18) years.

Any person holding a retail business license to sell paint in spray cans shall have posted in a conspicuous place, a sign which clearly states that "It is unlawful to sell spray paint to any person under the age of eighteen (18) years." (Ord. No. O-13-88, §1, 2-8-87)

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

**ARTICLE XXV. RESERVED.**

**ARTICLE XXVI. REGULATION OF LIGHTING\***

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**\*Editor's note**--Ordinance No. O-109-89, adopted Aug. 14, 1989, amended Ch. 12 by adding a new Art. XXVI consisting of provisions numbered §§12-300--12-306. In order to conform to established Code format, and in order to provide possible future expansion of Art. XXV without the necessity of point-numbering, the editor has renumbered these new provisions as §§12-310--12-316. The original section numbers of these provisions have been preserved in the history notes following each section and in the Code Comparative Table at the back of this volume in order to aid the user in tracking.

**Cross reference(s)**--Streets and sidewalks, Ch. 16; street lighting requirements in subdivisions, App. B, §8.09.  
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**Sec. 12-310. Definitions.**

The following definitions shall apply in the interpretation and enforcement of this article:

*Flood light.* A luminaire designed so that at least ninety (90) percent of the emitted light is within an angle of thirty (30) degrees to the centerline of the light beam.

*Foot lambert.* One (1) foot lambert is the brightness of a perfectly diffusing surface uniformly emitting or reflecting one (1) lumen per square foot of surface.

*Footcandle.* One (1) footcandle is the amount of illumination provided by a light source of one (1) international candle at a distance of one (1) foot from the light source.

*International candle or candle power.* One (1) international candle is the unit of luminous intensity as established by standard light sources as maintained by the U.S. Bureau of Standards. This is more commonly called one (1) candle power.

*Lumen.* One (1) lumen is that quantity of luminous energy included in one (1) steradian unit solid angle from a uniform point source of one (1) candle power. It is also defined as the luminous flux intercepted by a surface of one (1) square foot, all points of which are one (1) foot from a uniform point source of one (1) candle power.

*Luminaire.* A device or fixture containing a light source and means for directing and controlling the distribution of light emitted therefrom. (Ord. No. O-109-89, §1 (12-300), 8-14-89)

**Sec. 12-311. Regulations of intensity of light.**

It is unlawful for any person, association or other legal entity owning, occupying or controlling any property within the Village of Palatine to exceed the following light intensity regulations:

- (1) No lighting source shall cause more than one-tenth (0.1) footcandle of illumination to fall on adjoining R1, R1A, R1B, R1C and R2 residentially zoned property and any property zoned P or PUD which is improved with one (1) or more single-family detached dwellings.
- (2) No lighting source shall cause more than two-tenths (0.2) footcandle of illumination to fall on adjoining R3 or R3A residential property and any property zoned P or PUD which is improved multifamily property.
- (3) No lighting source shall cause more than two (2) footcandles of illumination to fall on any adjoining commercially zoned property and any property zoned P or PUD which is improved commercial property.
- (4) No lighting source shall cause more than five (5) footcandles of illumination to fall on any public way in commercially zoned property. (Ord. No. O-109-89, §1 (12-301), 8-14-89)

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

**Sec. 12-312. Regulations on glare.**

Regulations on glare shall be as follows:

- (1) No floodlight shall be mounted higher than twenty-five (25) feet above the ground nor shall any part of any floodlight's beam strike the ground at any angle of more than forty-five (45) degrees from vertical.
- (2) No light source shall present a surface brightness when viewed between horizontal and an angle of forty-five (45) degrees above horizontal from adjoining property in accordance with the following:
  - a. 750 foot lamberts from R1, R1A, R1B, R1C and R2 zoned property.
  - b. 1,500 foot lamberts from R3 and R3A zoned property.
  - c. 2,200 foot lamberts from any commercially zoned property.
  - d. 10,000 foot lamberts from any public way.

(Ord. No. O-109-89, §1 (12-302), 8-14-89)

**Sec. 12-313. Standards of measurement.**

(a) Light intensity shall be measured in foot-candles with a direct reading portable low range light meter having a range of zero to twenty (0--20) foot-candles. Values set forth in this article are maximum values measured at ninety (90) degrees to the incidence of light from the source.

(b) Measurement methods and techniques shall be those recommended by the Illuminating Engineering Society in their "Standard Methods for Measuring and Reporting Horizontal Foot-candle."

(c) Brightness measurement based on foot lambert must be governed by the definition of the foot lambert and lumen. Calculated values for source brightness may be obtained by using comparable measurement techniques. Calculations shall be in accordance with the following:

- (1) *Spherical bare sources (incandescent lamps).* The brightness shall be calculated as total lumens divided by one-tenth the square of the diameter of the source measured in inches.
- (2) *Cylindrical bare sources (fluorescent lamps).* The brightness shall be calculated as total lumens divided by one-fiftieth the product of length and diameter of the source in inches.
- (3) *Floodlight sources.* The brightness of floodlight sources shall be calculated as the eight-tenths of the total lumens divided by the area of the face of the floodlight in square feet.

If the light source is mounted in a diffuse luminaire, seven-tenths of the above values shall be used.

The values of lumens to be used shall be based on the following efficiencies:

| Incandescent Filament Lamps | Gaseous Discharge Lamps    |
|-----------------------------|----------------------------|
| 25 watt-- 250 lumens        | 40 watts-- 1,200 lumens    |
| 40 watt-- 500 lumens        | 100 watts-- 3,000 lumens   |
| 60 watt-- 800 lumens        | 250 watts--11,000 lumens   |
| 100 watt-- 1,600 lumens     | 400 watts--25,000 lumens   |
| 200 watt-- 3,300 lumens     | 1,000 watts--65,000 lumens |
| 300 watt-- 5,000 lumens     |                            |

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

|                          |  |
|--------------------------|--|
| 500 watt-- 9,000 lumens  |  |
| 1,000 watt—20,000 lumens |  |

(Ord. No. O-109-89, §1 (12-303), 8-14-89)

**Sec. 12-314. Enforcement.**

Any existing lighting condition determined by the director of environmental health to be in violation of any of the provisions of this article shall, within the time determined on a written notice to the violator, be corrected. Service of notice may be made by personal service, publication in a local newspaper generally circulated within the Village, conspicuous posting on the premises where the violation occurs or by U.S. mail. (Ord. No. O-109-89, §1 (12-304), 8-14-89)

**Sec. 12-315. Hearing of variations.**

Where practical difficulties or particular hardship, not created by any person having interest in the property, prevents carrying out the strict letter of any of the provisions of this article, the Board of Health, on petition, may determine and vary the requirements of this article to the extent that they are still in harmony with its general purpose and intent. However, any such variation shall be made by the Board as specified only after a hearing before the Board, of which hearing there shall be notice of time and place of the hearing given by publication not less than fifteen (15) days nor more than thirty (30) days before said hearing, and also by United States mail addressed to the person(s) or entity seeking a variation from the requirements of this article and the owners of any adjacent property. (Ord. No. O-109-89, §1 (12-305), 8-14-89)

**Sec. 12-316. Violations declared a nuisance.**

The failure of persons owning or occupying the property to abate any lighting violation(s), as stated in this article, is declared a public nuisance and shall be subject to the abatement provisions of Article XXII of this chapter and the penalty provisions of Article XXIII of chapter. (Ord. No. O-109-89, §1 (12-306), 8-14-89)

**ARTICLE XXVII. GRAFFITI**

**Sec. 12-317. Graffiti Prohibited.**

It shall be unlawful for the owner of any property to not remove or paint over any prohibited sign painted directly on an exterior wall of a building or on any structure upon that property. A prohibited sign includes but is not limited to any permanent display of any letter, numeral, figure, emblem, insignia, picture, outline, character, spectacle, delineation, announcement or any combination thereof which are painted of a color different from the color of the exterior of the structure on which it is painted and which are viable beyond the boundaries of the property including signs commonly known as graffiti. A painted area on the side of a structure used to cover a prohibited sign or graffiti which is of a different color or surface material than the remaining exterior surface of that side of the structure is unlawful.

**Sec. 12-318. Failure to remove graffiti declared a nuisance.**

The failure of an owner of property to remove from the exterior of structures upon the owner's property any permanent display of a prohibited sign or graffiti in compliance with the regulations of this Code, within fourteen (14) days of notification, is declared a public nuisance and shall be subject to the abatement provisions of Article XXII of this chapter and the penalty provisions of Article XXIII of this Chapter. (Ord. No. 0-60-93 6-14-93)

**ARTICLE XXVIII. DRUG PARAPHERNALIA**

**Sec. 12-319. Definitions.**

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

As used herein, unless the context requires otherwise.

*Cannabis.* The term "cannabis" is defined in 720 ILCS 550/3(a) of the Cannabis Control Act, and Section 1-10 of the Cannabis Regulation and Tax Act. (Ord. No. O-042-20, 06/22/20)

*Controlled Substance.* The term "controlled substance" shall have the meaning ascribed to it in Section 102 of the "Illinois Controlled Substances Act" (720 ILCS 570/102), as if that definition were incorporated herein.

*Deliver or Delivery.* The terms "deliver" or "delivery" mean the actual, constructive or attempted transfer of possession, with or without consideration, whether or not there is an agency relationship.

*Drug Paraphernalia.* The term "drug paraphernalia" means all equipment, products and materials of any kind which are peculiar to and marketed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body cannabis or a controlled substance in violation of the Cannabis Control Act and the Cannabis Regulation and Tax Act, or the Illinois Controlled Substances Act. Drug Paraphernalia includes, but is not limited to: (Ord. No. O-042-20, 06/22/20)

1. Kits peculiar to and marketed for use in manufacturing, compounding, converting, producing, processing or preparing cannabis or a controlled substance.
2. Isomerization devices peculiar to and marketed for use in increasing the potency of any species of plant, which is cannabis or a controlled substance.
3. Testing equipment peculiar to and marketed for private home use in identifying or in analyzing the strength, effectiveness or purity of cannabis or controlled substance.
4. Diluents and adulterants peculiar to and marketed for cutting cannabis or a controlled substance by private persons.
5. Objects peculiar to and marketed for use in ingesting, inhaling, or otherwise introducing cannabis, cocaine, hashish, or hashish oil into the human body including, where applicable, the following items:
  - a. water pipes
  - b. carburetion tubes, pipes and devices
  - c. smoking and carburetion masks
  - d. miniature cocaine spoons and cocaine vials
  - e. electric pipes
  - f. air-driven pipes
  - g. chillums
  - h. bongs
  - I. ice pipes or chillers
  - j. roach clips
6. Any item whose purpose, as announced or described by the seller, is for use in violation of this Ordinance.

**Sec. 12-320. Sale or delivery of drug paraphernalia.**

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

(a) It is unlawful for any person to keep for sale, offer for sale, sell, or deliver for any commercial consideration any item of drug paraphernalia.

(b) Any store, place, or premises from which or in which any item of drug paraphernalia is kept for sale, offered for sale, sold, or delivered for any commercial consideration is declared a public nuisance.

**Sec. 12-321. Possession of drug paraphernalia.**

(a) It is unlawful for any person to knowingly possess an item of drug paraphernalia with the intent to use it in ingesting, inhaling, or otherwise introducing a controlled substance into the human body, or in preparing a controlled substance for that use.

(b) In determining intent under subsection (a), the trier of fact may take into consideration the proximity of the controlled substance to drug paraphernalia or the presence of controlled substance on the drug paraphernalia.

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

**Sec. 12-322. Exempt items.**

- (a) Items marketed for use in lawful research, teaching or chemical analysis of cannabis and not for sale
- (b) Items marketed for, or historically and customarily used in connection with the use of tobacco or any other lawful substance, to include, but not limited to, garden hoses, rakes, sickles, baggies, tobacco pipes, and cigarette rolling papers.
- (c) Items used for decorative purposes providing such items have been rendered completely inoperable or incapable of being used for any illicit purposes prohibited in this Ordinance.
- (d) Items used exclusively for the consumption of recreational cannabis by a person 21 years of age or older, or a person possessing a medical cannabis license. (Ord. No. O-042-20, 06/22/20)

**Sec. 12-323. Forfeiture and seizure of prohibited property.**

- (a) All drug paraphernalia is subject to forfeiture when found in violation of Village ordinance.
- (b) Property subject to forfeiture may be seized by any police officer upon process issued by a court having jurisdiction.
- (c) Seizures may be made by police officers if there is probable cause to believe that the property has been used to introduce cannabis or a controlled substance into the human body, or has cannabis or a controlled substance on it, including its residue, or is dangerous to health or safety and existing circumstances do not allow reasonable time for the officer to obtain lawful process, in violation of the Cannabis Control Act and Cannabis Regulation and Tax Act. (Ord. No. O-042-20, 06/22/20)
- (d) The presence of items which are deemed to be violations of this Ordinance or are otherwise subject to its forfeiture provisions in an inventory shall not subject the entire inventory to seizure or forfeiture.
- (e) When property is seized under this Ordinance, the Chief of Police may have the property removed to a place designated by him/her.
- (f) The Circuit Court shall determine the validity of any seizures made under this Ordinance and determine the disposition of all seized property.
- (g) When property is forfeited under this Ordinance, the Chief of Police may retain the property for official use or have the property destroyed.

**Sec. 12-324. Penalty.**

Any person who is found guilty of violating this Article shall be fined according to the fees listed in the Village Fee Schedule. (Ord. No. O-103-19, 12/2/19, Ord. No. O-042-20, 06/22/20)

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

**ARTICLE XXIX. CONFLICTS WITH CERTAIN HOME RULE COUNTY  
ORDINANCES**

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**Editor's Note:** Article XXIX was adopted by Ord. #O-50-17 on 5/1/17; Updated 12/04/2023

- A. Employers located within the Village shall comply with all applicable Federal and/or State laws and regulations as such laws and regulations may exist from time to time with regard to both the payment of minimum hourly wages and paid sick leave. Employee eligibility for paid sick leave and minimum hourly wages shall also be in compliance with all applicable Federal and/or State laws and regulations as such laws and regulations may exist from time to time.
- B. No additional obligations with regard to paid sick leave, minimum hourly wages, or other paid leave, including, without limitation, any additional obligations adopted by the County of Cook Board of Commissioners, shall apply to employers located within the Village or the Village.
- C. For the purposes of this Section, the term “employee” means an individual permitted to work by an employer regardless of the number of persons the employer employs, and the term “employer” means any person employing one or more employees, or seeking to employ one or more employees, if the person has its principal place of business within the Village or does business within the Village.
- D. For the purposes of this Section, the term “employer” does not mean:
  - (a) The government of the United States or a corporation wholly owned by the government of the United States;
  - (b) An Indian tribe or a corporation wholly owned by an Indian tribe;
  - (c) The government of the State or any agency or department thereof; or
  - (d) The Village.

**Article XXX CONFLICTS WITH PAID LEAVE FOR ALL WORKERS ACT**

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**Editor's Note:** Article XXX was adopted by Ord. #O-121-23 on 10/16/23

- A. No additional obligations with regard to paid leave, including, without limitation, any additional obligations adopted by the State of Illinois under the Paid Leave for All Workers Act, 820 ILCS 192/1, et seq., as well as any subsequent amendments, or any such obligations with regard to Paid Leave, shall apply to employees of the Village of Palatine, Illinois, and the Village opts out and declares that it is exempt from any such regulations or requirements pursuant to the Village's Home Rule Authority of such regulations or requirements.

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

**Chapter 12 OFFENSES AND MISCELLANEOUS PROVISIONS**

|              |                                                                            |
|--------------|----------------------------------------------------------------------------|
| Art. I.      | In General, §§ 12-1--12-40                                                 |
| Art. II.     | Fires, §§ 12-41--12-56                                                     |
| Art. III.    | Explosives; Fireworks, §§ 12-57--12-69                                     |
| Art. IV.     | Plants and Weeds, §§ 12-70--12-90                                          |
| Art. V.      | Tag Days, §§ 12-91--12-100                                                 |
| Art. VI.     | Public Gatherings, §§ 12-101--12-115                                       |
| Art. VII.    | Public Buildings, §§ 12-116--12-135                                        |
| Art. VIII.   | Sound Amplifiers, §§ 12-136--12-150                                        |
| Art. IX.     | State of Emergency, §§ 12-151--12-165                                      |
| Art. X.      | Dutch Elm Disease and Emerald Ash Borer Infestation, §§ 12-166--12-180     |
| Art. XI.     | Village Jail, §§ 12-181--12-190                                            |
| Art. XII.    | Antilitter Regulations, §§ 12-191--12-214                                  |
| Art. XIII.   | Regulation of Parades and Motorcades, §§ 12-215--12-229                    |
| Art. XIV.    | Regulation of Adult Bookstores and Adult Movie Theaters, §§ 12-230--12-240 |
| Art. XV.     | Vandalism, §§ 12-241--12-249                                               |
| Art. XVI.    | Theft, §§ 12-250--12-259                                                   |
| Art. XVII.   | Retail Theft (Shoplifting), §§ 12-260--12-267                              |
| Art. XVIII.  | Parental Responsibility, §§ 12-268--12-275                                 |
| Art. XIX.    | Trespass, §§ 12-276--12-281                                                |
| Art. XX.     | Obstructing Public Easements, §§ 12-282--12-286                            |
| Art. XXI.    | Burglary or Robbery Alarm Systems, §§ 12-287--12-291                       |
| Art. XXII.   | Abatement of Nuisances, §§ 12-292, 12-293                                  |
| Art. XXIII.  | Penalty for Nuisance Violations, § 12-294                                  |
| Art. XXIV.   | Spray Paint, § 12-294.1                                                    |
| Art. XXV.    | General Penalty; Citations, §§ 12-295--12-309                              |
| Art. XXVI.   | Regulation of Lighting, §§ 12-310--12-316                                  |
| Art. XXVII.  | Graffiti, §§ 12-317--12-318                                                |
| Art. XXVIII. | Drug Paraphernalia §§ 12-319--12-324                                       |
| Art. XXIX.   | Conflicts with Certain Home Rule County Ordinances                         |

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**Editor's Note:** Article XXIX Conflicts with Certain Home Rule County Ordinances, a new article, was adopted by Ordinance #O-50-17, passed on May 1, 2017.

**Editor's Note:** Article XXVIII Drug Paraphernalia, a new article, was adopted by Ordinance # 0-22-01 passed on March 12, 2001.

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**Editor's Note:** Article X Dutch Elm Disease and Emerald Ash Borer Infestation, was replaced in its entirety by Ordinance 0-24-08, passed on February 19, 2008.

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**Editor's Note:** Article IV Plants and Weeds was replaced in its entirety by Ord. #0-91-08, passed on 7/14/08

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**Editor's Note:** Chapter 12 was replaced in its entirety by Ord. #O-141-23 passed on 12/4/23  
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**ARTICLE I. IN GENERAL**

**Sec. 12-1 Damage to public property.**

It shall be unlawful to damage, deface or interfere with any property belonging to the Village without proper authority from the Village Council. (Code 1961, § 8.604)

**Cross reference(s)-**Vandalism, § 12.241 et seq.

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

**Sec. 12-2. Gambling.**

Unless otherwise authorized by the Village, it shall be unlawful to gamble or attend any gambling resort or to make a bet, lottery (other than lawfully approved lotteries) or gambling hazard, or to buy or sell any chances or tickets in any gambling game, arrangement or device or use a video gaming terminal.

Unless otherwise authorized and licensed by the Village, it shall be unlawful to possess or expose for public use any video gaming terminal, slot machine, sweepstakes machine, or other coin-operated device designed for gambling or games of chance or any other gambling device, punch board or paraphernalia with the intent to use the same for an unlawful purpose; and any such gambling device or paraphernalia may be confiscated by any officer of the Police Department. (Ord. O-35-22, 04-11-2022)

It shall be unlawful to maintain or patronize any establishment maintained for illegal gambling.

It shall be unlawful to advertise any gambling establishment within the Village. (Code 1961, § 25.001, O-35-22, 04-11-22)

**Sec. 12-3. Disorderly conduct.**

A person commits disorderly conduct when he or she knowingly:  
(Ord No. O-91-20; 12-07-2020)

1. Breaches the peace by behaviors, actions or conduct which alarm or disturb another, or;
2. Starts a fight, or fights in public with another person so as to alarm or endanger other members of the public, or;
3. Disrupts a lawful assembly, or;
4. Starts or spreads any false alarm of fire in the Village

**Sec. 12-3.1 Harassment by telephone.**

A person commits harassment by telephone when he or she uses telephone communication from or to a location in the Village for any of the following purposes:

1. Making any comment, request, suggestion or proposal which is obscene, lewd, lascivious, filthy or indecent with an intent to offend;
2. Making a telephone call, whether or not conversation ensues, with intent to abuse, threaten or harass any person at the called number;
3. Making or causing the telephone of another repeatedly to ring, with intent to harass any person at the called number;
4. Making repeated telephone calls, during which conversation ensues, solely to harass any person at the called number;
5. Knowingly permitting any telephone under one's control to be used for any of the purposes mentioned herein.

**Sec. 12-3.2 Harassment by electronic communications.**

A person commits harassment by electronic communications when he or she uses electronic communication, including social media or other electronic means, from or to a location in the Village for any of the following purposes:

1. Making any comment, request, suggestion or proposal which is obscene with an intent to offend;
2. Interrupting, with the intent to harass, the telephone service or the electronic communication service of any person;
3. Transmitting to any person, with the intent to harass and regardless of whether the communication is read in its entirety or at all, any file, document, or other communication which prevents that person from using his or her telephone service or electronic communications device;
4. Threatening injury to the person or to the property of the person to whom an electronic communication is directed or to any of his or her family or household members;
5. Knowingly permitting any electronic communications device to be used for any of the

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

6. purposes mentioned in this subsection;  
Evidence that a defendant made additional telephone calls or engaged in additional electronic communications after having been requested by a named complainant or by a family or household member of the complainant to stop may be considered as evidence of an intent to harass unless disproved by evident to the contrary.

**Sec. 12-4. Possession of alcoholic beverages in public places.**

It shall be unlawful for any person to be in possession of an alcoholic beverage in a public street or public place unless such beverage is in its original container with the seal unbroken, or unless such possession is on the premises of an establishment licensed by the Village of Palatine to sell or serve alcoholic beverages. For purposes of this section, a public place shall include, but not be limited to, all Village-owned parking facilities and lots, and all parking lots serving commercial establishments and serving multi-family residential developments containing four or more dwelling units. Further, it shall be unlawful for any person to be in possession of an alcoholic beverage in a common area of: a property owners association serving a multi-family residential development containing four or more dwelling units, an apartment complex or a Common Element, as defined by the Illinois Condominium Property Act, 765 ILCS 605/2(e), except for patios and balconies. A common area does not include the interior, residential living unit. A common area includes, but is not limited to, parking lots, sidewalks, grass areas, open space areas, detention areas, stairways, hallways and storage rooms. Upon application by the owner, manager or property owner association (collectively, owner), the Village Council may, in its discretion, permit consumption of alcoholic beverages in certain defined areas agreed to by the Village and the owner. (Code 1961, § 25.003; Ord. No. O-78-76, § 1, 9-13-76; Ord. No. O-113-90, § 1, 9-24-90; Ord. No. 0-155-97 § 1, 9-8-97; Ord. No. 0-169-97, § 1, 10-13-97, Ord. No. 0-149-00 § 1, 11-13-00)

**Sec. 12-5. Reserved.**

**Sec. 12-6. Public indecency.**

(a) *Definitions.* The following defined terms apply to this section:

- (1) *Nudity* means the displaying of the human male or female genitals, pubic area or buttocks with less than a fully opaque covering, the displaying of the female breasts with less than a fully opaque covering of any part of the nipple, or displaying covered male genitals in a discernibly turgid state.
- (2) *Public place* for the purpose of this section means any place where the conduct may reasonably be expected to be viewed by others.
- (3) *Sexual conduct* means any intentional or knowing touching or fondling by the person or other person, either directly or through clothing, of the sex organs, anus or breast of the person or other person, or any part of the body of a child under thirteen (13) years of age, for the purpose of sexual gratification or arousal of the person or other person.
- (4) *Sexual penetration* means any contact, however slight, between the sex organ of one person and the sex organ, mouth or anus of another person, or any intrusion, however slight, of any part of the body of one person or of any animal or object into the sex organ or anus of another person, including, but not limited to, cunnilingus, fellatio or anal penetration. Evidence of emission of semen is not required to prove sexual penetration.

(b) *Acts constituting public indecency.* Any person of the age of seventeen (17) years and upwards who performs any of the following acts in a public place commits a public indecency:

- (1) An act of sexual penetration or sexual conduct as defined herein;
- (2) A lewd exposure of the body done with intent to arouse or to satisfy the sexual desire of the person or of persons observing; or
- (3) Appearing or bathing in a state of nudity.

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

(c) *Penalty.* Any person found to have committed a public indecency shall be fined according to Sec. 12-40 Penalty. (Code 1961, §25.005; Ord. No. O-163-91, §3, 11-25-91; Ord. No. 0-5-98, §15, 1-26-98)

**Sec. 12-7. Assault and battery.**

(a) Assault. It shall be unlawful for any person to, without lawful authority, engage in conduct which places another in reasonable apprehension of receiving a battery.

(b) Battery. It shall be unlawful for any person to intentionally or knowingly without legal justification and by any means, to (1) cause bodily harm to an individual or (2) to make physical contact of an insulting or provoking nature with an individual. (Code 1961, §25.006; Ord. No. 0-27-95 §7, 4-10-95)

**Sec. 12-8. False fire alarms.**

It shall be unlawful for any person to knowingly start or spread any false alarm of fire in the Village. (Code 1961, §25.007) **State law reference(s).**

**Sec. 12-9. Disturbing assemblages.**

It shall be unlawful for any person to disturb any lawful assemblage or gathering in the Village. (Code 1961, §25.008)

**Sec. 12-10. Hunting.**

It shall be unlawful for any person to engage in killing or to hunt any animal other than as prescribed by law in the Village. (Code 1961, §25.009)

**Sec. 12-11. Weapons.**

It shall be unlawful to carry any concealed weapons within the Village without having first secured a license to carry such concealed weapons issued under Illinois Public Safety Firearm Concealed Carry Act 430ILCS66/1-999. (Code 1961, §25.010)

**Sec. 12-12. Discharge of firearms.**

It shall be unlawful to discharge any firearms or air gun within the Village. This section shall not be construed to prohibit any officer of the law to discharge a firearm in the performance of his/her duty; nor to any citizen to discharge a firearm when lawfully defending his/her person or property. For purposes of this section, the term “air gun” shall include any air rifle, air pistol, spring gun, spring pistol, B-B gun, paint ball or water bead gun, pellet gun or a pellet constructed of hard plastic, steel, lead or other hard materials, with a force that reasonably is expected to cause bodily harm. (Code 1961, §25.016, Ord. # 0-118-13, §1, 10/14/13; Ord. No. O-141-23, 12/4/23)

**Sec. 12-13. Missiles.**

It shall be unlawful to cast, throw, or propel any missile on any street, alley or public place; and it shall be unlawful to throw or deposit any glass, nails, tacks or other similar articles on any street, alley, sidewalk, or other public place in the Village. (Code 1961, §25.012)

**Sec. 12-14. Advertising.**

It shall be unlawful to advertise any unlawful business or article in the Village and it shall be unlawful to damage, destroy or deface any lawful advertisement or notice. (Code 1961, §25.013)

**Sec. 12-15. Unlawful assemblages.**

It shall be unlawful to collect, gather or be a member of any disorderly crowd, or any crowd gathered together for any unlawful purpose. (Code 1961, §25.014)

**Sec. 12-16. Reserved.**

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

**Sec. 12-17. Posting bills.**

It shall be unlawful to post any bills or advertisement on any public property without the authority of the Village Manager and it shall be unlawful to post any bill or advertisement on any property without the written consent of the owner thereof. (Code 1961, §25.020)

**Sec. 12-18--12-19 Reserved.**

**Sec. 12-20. Scaffolds.**

Any scaffold or ladders placed in such a position that they overhang or can fall onto any public street, alley or other public place in the Village, shall be prohibited without review and approval by the Village; and it shall be unlawful to place or leave any tools or article on any such place in such a manner that the same can fall into any such street, sidewalk, alley or other public way from a greater height than four (4) feet. (Code 1961, § 25.024)

**Sec. 12-21. Articles on windows.**

It shall be unlawful to place any movable article on any window ledge, or other place abutting a public street, alley or other place at a height above four (4) feet from the ground, in such a manner that the same can be or is in danger of falling onto such sidewalk, street, alley or other public place. (Code 1961, § 25.025)

**Sec. 12-22--12-25 Reserved.**

**Sec. 12-26. Obstructing storm water flow.**

It shall be unlawful for any person to place any obstruction, or deposit, or cause to be deposited any junk, debris, earthen fill, grass clippings, brush, tree limbs, yard waste or other foreign matter, in any drainage ditch or swale, into or along any branch or tributary of Salt Creek or Buffalo Creek and their floodplains, lake, pond, detention basin, drain tiles, storm sewers, roadside culverts, roadside ditches or other area that periodically collects or conveys storm water runoff within the boundaries of the Village. Any person who deposits any of the above, or is in control of such property where deposits exist, shall remove it or shall cause it to be removed therefrom immediately. The Director of Public Works or his/her duly authorized agents or employees upon proper identification to the owner or person in charge of the property shall be permitted to enter upon the property within the Village of Palatine for the purposes of inspection, observation, measurement and enforcement in accordance with the provisions of this section. (Code 1961, § 25.030, Ord. 0-59-03, §1, 3/10/03)

**Sec. 12-27. Curfew for minors.**

(a) It shall be unlawful for a person less than seventeen (17) years of age to be present at or upon any public assembly, building, place, street or highway at the following times, unless accompanied and supervised by a parent, legal guardian or other responsible companion at least eighteen (18) years of age approved by a parent or legal guardian, or unless engaged in a business or occupation which the laws of the state authorize a person less than seventeen (17) years of age to perform:

- (1) Between 12:01 a.m. and 6:00 a.m. Saturday;
- (2) Between 12:01 a.m. and 6:00 a.m. Sunday; and
- (3) Between 11:00 p.m. on Sunday to Thursday inclusive, and 6:00 a.m. on the following day.

(b) It shall be unlawful for a parent, legal guardian or other person to knowingly permit a person in his/her custody or control to violate this section.

(c) A person convicted of a violation of any provision of this section shall be guilty of a petty offense and shall be fined according to Sec. 12-40 Penalty.

**Sec. 12-28. Rubbish, refuse, etc., on streets, alleys, public places; removal.**

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

(a) It shall be unlawful for any person, firm or corporation to throw, deposit, place or cause, suffer or permit to be thrown, deposited or placed in any street, alley, public ground or place any rubbish, refuse, material, obstruction or encroachment of any kind.

(b) Any person, firm or corporation who violates this section by throwing, depositing, placing, or causing, suffering or permitting to be thrown, deposited or placed in any street, alley, public ground or place any rubbish, refuse, material, obstruction or encroachment of any kind shall, upon conviction, be fined according to Sec. 12-40 Penalty.

(c) It shall be the duty of any person, firm or corporation throwing, depositing, placing or causing, suffering or permitting to be thrown, deposited or placed in any street, alley, public ground or place any rubbish, refuse, material, obstruction or encroachment of any kind, contrary to the provisions of the foregoing subsection (a), to remove the same promptly and leave such street, alley, public ground or place in good condition after such removal.

(d) Upon the failure of any person, firm or corporation to remove the rubbish, refuse, material, obstruction or encroachment, the Village Manager shall cause the same to be removed from the street, alley, public ground or place and shall bill the responsible person, firm or corporation for all costs incurred.

(e) It shall be unlawful for any person who owns or occupies premises in the Village in industrial, multi-family residential, commercial districts, or in planned developments wherein industrial, multi-family residential, or commercial uses are authorized, which premises generate more than four (4) cubic yards of refuse, garbage or other waste material per week, to allow to be placed or remain on such premises refuse containers designed to hold one cubic yard or more of refuse, garbage, other waste material or materials for recycling unless such containers are firmly covered at all times and surrounded by wooden, masonry or metal fencing at least six (6) feet in height and in residential areas screened by landscaping approved by the department of Community Development unless excused by the Village Mayor and Council for good cause shown.

In any event, all refuse containers located on such properties which are designed to hold one cubic yard or more of refuse, garbage, other waste material, or materials for recycling which are visible from a public right-of-way shall be screened from view by wooden, masonry, other synthetic materials, or opaque metal fencing at least six (6) feet in height as approved by the Community Development Department.

Any refuse container not maintained in accordance with this section hereby is declared to be a nuisance detrimental to the public health and welfare and may be abated by the Village Manager or his/her designee pursuant to section 12-292 et seq of the Code of Ordinances of the Village of Palatine, Illinois.

Any existing refuse container not in compliance herewith on the date of adoption of this paragraph (e) or located on property newly annexed to the Village after the adoption of this paragraph (e) shall be brought into compliance within ninety (90) days following written notice to do so from the Village served upon the owner or occupier of the premises where such refuse container is located.

(f) All multi-family residential dwellings which have refuse collected in a bulk container shall meet the following minimum capacity and/or service requirements: One yard of container capacity or service for the first four (4) units and one additional yard of container capacity or service for each additional four (4) units or portion thereof per week. These capacity and/or service requirements shall be in effect unless the property owner has a written variance signed by the Environmental Health Field Director. (Ord. No. O-38-76, § 1, 4-12-76; Ord. No. O-54-88, § 1, 5-9-88; Ord. No. O-143-91, § 1, 10-14-91; Ord. No. O-75-92, § 1, 5-27-92)

**Cross reference(s)**--Deposits in streets prohibited, § 8-5; streets and sidewalks, Ch. 16.

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

**Sec. 12-29. Possession, consumption and use of cannabis.**

It shall be unlawful for any person to knowingly grow, use, possess, or consume cannabis in a manner inconsistent with the Cannabis Control Act or the Cannabis Regulation and Tax Act.

Any person who violates this section shall be fined according to the fees listed in the Village Fee Schedule. (Ord. No. O-37-76, § 1, 4-12-76; Ord. No. O-69-83, § 1, 10-10-83; Ord. No. 0-5-98, § 15, 1-26-98; Ord. No. O-103-19, 12/2/19)

**Editor's note**--Ord. No. O-37-76, § 1, amended the 1961 Code by adding the provisions codified herein as § 12.29.

**Sec. 12-30. Betting messenger services prohibited.**

a) It shall be unlawful for any person to accept for placement, delivery or communication to or with another any wager on any horse race, game or other event, when such person receives payment of any kind to perform such service. Each such acceptance of a wager shall constitute a separate and distinct violation of this Code.

(b) It shall be unlawful for any person who owns, rents or leases property within the Village to knowingly permit the occupation of said premises or any building thereon by a person who engages in any act which violates section 12-30(a) above in said building or on said premises. Each day the owner, landlord or tenant knowingly permits the building or premises to be so occupied shall constitute a separate and distinct violation of this Code.

(c) Any person found guilty of violating any provision of this section shall be fined according to Sec. 12-40 Penalty. (Ord. No. O-11-77, § 1, 3-14-77)

**Sec. 12-31. Sale, display for sale, or distribution of items designed primarily for use with illegal drugs.**

No person shall sell, display for sale, or distribute within the Village of Palatine any item, effect, paraphernalia, accessory or thing which is designed primarily for use with illegal drugs, except as a special use within a B-1 Shopping Center District or a B-2 General Service District, provided also that no such sales, display for sale, or distribution may take place in a B-1 or B-2 District within twenty-five hundred (2500) feet of any public or private school, day care center, nursery, church, synagogue or other place of worship, or any facility holding a liquor license. Violation of this section shall be considered cause for revocation of a business license in addition to any other penalty provided in this Code. (Ord. No. O-6-78, § 3, 2-13-78)

**Cross reference(s)**--B-1 district regulations, App. A, § 6.02; B-2 district regulations, App. A, § 6.03.

**Sec. 12-32. Persons responsible for premises.**

It shall be unlawful for any person or persons who are the occupants of any premises to knowingly allow, initiate or maintain any gathering on that premises in which tenants, invitees, visitors or trespassers engage in any unlawful activity. Unlawful activity shall include, but not be limited to, drinking of alcoholic beverages by persons under twenty-one (21) years of age, disorderly conduct pursuant to section 12-3 of this Code, curfew violations in the immediate vicinity of the premises and littering pursuant to Article XII of this chapter of this Code. A person will be deemed to have permitted the gathering if that person is on the premises while the unlawful activity is occurring and has not informed the police thereof. For purposes of this section, a gathering shall consist of two (2) or more persons who are not occupants of the premises. (Ord. No. O-4-83, § 1, 1-25-83)

**Sec. 12-33. Knowingly providing false information.**

(a) It shall be unlawful for any person to knowingly furnish false information to the Village's police department, fire department, health department or other code enforcement department. This section shall apply to all information furnished, whether by telephone, in person, in writing, by way of the filing or furnishing of information for a report or otherwise. (Ord. No. O-38-83, § 1, 6-13-83; Ord. No. 0-31-95, § 8, 4-10-95)

**Editor's note**--Ord. No. O-38-83 added a § 12-32 to the Code; in order to avoid duplicate section

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

numbers, the editor has redesignated these provisions as 12-33.

**Sec. 12-34. Reckless conduct.**

It shall be unlawful for any person to cause bodily harm to, or endanger the bodily safety of an individual, by any means by performing recklessly the acts which cause the harm or endanger safety, whether they otherwise are lawful or unlawful.

**Sec. 12-35. Intimidation.**

It shall be unlawful for any person to, with intent to cause another to perform or to omit the performance of any act, communicate to another, whether in person, by telephone, mail, social media, or by other electronic means, a threat to perform without lawful authority any of the following:

- (a) Infliction of physical harm on the person threatened or any other person or on property; or
- (b) Subjecting any person to physical confinement or restraint; or
- (c) Committing any criminal offense; or
- (d) Accusing any person of an offense; or
- (e) Exposing any person to hatred, contempt or ridicule.

**Sec. 12-36. Mob action.**

It shall be unlawful for any person to engage in mob action which consists of any of the following:

- (a) The use of force or violence disturbing the public peace by 2 or more persons acting together and without authority of law; or
- (b) The assembly of 2 or more persons to do an unlawful act; or
- (c) The assembly of 2 or more persons, without authority of law, for the purpose of doing violence to the person or property of anyone supposed to have been guilty of a violation of the law, or for the purpose of exercising correctional powers or regulative powers over any person by violence; or
- (d) Being a participant in a mob action, who does not immediately withdraw on being commanded to do so by any peace officer.

**Sec. 12-37. Resisting or obstructing a peace officer.**

It shall be unlawful for any person to knowingly resist or obstruct the performance by one known to the person to be a peace officer of any authorized act within his/her official capacity. For the purposes of this section, failing to provide accurate information as to one's true identity, date of birth, and residence address when so requested by a peace officer shall constitute obstructing a peace officer.

**Sec. 12-38. Truancy.**

- (a) It shall be unlawful for any person, who is subject to the compulsory attendance requirement of the Illinois School Code and is enrolled in grades 1 through 12 in a public, private or parochial school within the incorporated limits of the Village of Palatine to absent himself or herself from attendance at school for a school day or portion thereof without a valid cause. A valid cause for absence shall include absence from school because of illness, observance of a religious holiday, death in the immediate family, family emergency, situations beyond the person's control as determined by the Board of Education, or such other circumstances which cause reasonable concern to the parent or custodian for the safety or the health of the person.
- (b) Any person, who is: (1) subject to the compulsory attendance requirement of the Illinois School Code, (2) enrolled in grades 1 through 12 in a public, private or parochial school located outside the incorporated limits of the Village of Palatine; and (3) present within the incorporated limits of the Village of Palatine, without a valid cause for absence from the school in which he or she is enrolled, shall be reported to the municipality having jurisdiction

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

over the person. Jurisdiction shall be determined by the school at which the person is enrolled.

(Ord. 0-201-06, §1, 12/4/06)

**Sec. 12-39. Motorized equipment.**

It shall be unlawful for any person to operate a lawn mower, leaf blower, edge trimmer, street cleaner, industrial vacuum, or any other motorized equipment between the hours of 9:00 p.m. and 7:00 a.m. on any weekday and between the hours of 9:00 p.m. and 8:00 a.m. on the weekend or holidays. (Ord. No. 0-83-16; 6/20/16)

None of the terms or prohibitions hereof shall apply to or be enforced against:

1. Village vehicles: Any vehicle of the Village while engaged upon necessary public business.
2. Emergency operations: The operation of motorized equipment in case of urgent necessity in the interest of public health and safety.
3. Snow removal equipment. (Ord.No.0-85-99;§1-3;6-28-99)
4. Park District Golf Courses: Any vehicle utilized and necessary for the maintenance of a park district owned and operated golf course. The prohibition exemption is between the hours of 4:00 a.m. to 7:00 a.m. on weekdays and 4:00 a.m. to 8:00 a.m. on weekends. (Ord. No. 0-101-16; 8/8/16)

**Sec. 12-40. Penalty.**

Any person found guilty of violating any provision of Sections 12-1 through 12-39 shall be fined not less than seventy-five dollars (\$75.00) nor more than one thousand five hundred dollars (\$1,500.00) and up to the full cost of abatement if performed by the Village. (Ord. No. 0-31-95, §9, 4-10-95; Ord.No.0-5-98, §15, 1-26-98; Ord.No.0-85-99;§1-3;6-28-99; Ord. No. O-141-23, 12/4/23)

**Editor's note**--former § 12-34 Sales by minors, Possession of tobacco products. added by Ord. No. O-109-94, subsequently deleted by Ord. No. 0-120-96, 7-08-96, §2)

**ARTICLE II. FIRES\***

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\*Cross reference(s)--Fire prevention and protection, Ch. 7.  
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**Sec. 12-41. Prohibited except in an approved fireplace or fire pit.**

It shall be unlawful to build or light any bonfire or to burn any rubbish, leaves or other combustible refuse, anywhere in the Village without a permit. (Code 1961, § 25.015)

**Cross reference(s)**--Fire protection and protection generally, Ch. 7; burning of refuse, etc., prohibited, § 8-45.

**Sec. 12-42. Grass fires; permit required.**

- (a) It shall be unlawful to start or maintain any grass fire or controlled open burn in the Village without first securing a permit from the Fire Marshal or their designee.
- (b) The Village shall charge a permit fee of \$50 for control open burn permits; this fee shall be submitted prior to the issuance of a permit. (Ord No. O-141-23, 12/4/23)

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

**Sec. 12-43. Regulations.**

It shall be unlawful to burn refuse of any kind anywhere in the Village except as provided below:

- (1) It shall be unlawful to burn leaves anywhere in the Village.
- (2) It shall be unlawful to burn off vegetation from any area in the Village without a permit issued by the Fire Prevention Division.
- (3) It shall be unlawful to light or maintain any outdoor fires to burn construction material, wood, papers, paper goods, cardboard and plastics except as provided in the adopted International Fire Code. Outdoor cooking shall be permitted in grills or other structures/appliances designed and listed for that purpose.

(Code 1961, § 25.018)

**Secs. 12-44--12-56. Reserved.**

**ARTICLE III. RESERVED**

**ARTICLE IV. PLANTS AND WEEDS**

[Editor's Note: Article IV was replaced in its entirety by Ord. #0-91-08, passed on July 14, 2008]

**Sec. 12-70. Definitions.**

- (1) "Owner" means the legal or beneficial owner of an improved or unimproved parcel of real estate.
- (2) "Responsible party" means the occupant of any real estate or any person or entity charged with the care or management of any real estate.
- (3) "Growing season" means the period of time which weeds and grass are generally growing on the majority of real estate in the Village of Palatine, beginning no later than May 1 and ending no earlier than November 1.

**Sec. 12-71. Enumeration of prohibited plants; declared a nuisance.**

Any weeds such as jimson, burdock, ragweed, thistle, cocklebur, poison ivy, poison oak, poison sumac, or other weeds of a like kind or barberry bush found growing in any lot or tract of land in the Village are hereby declared to be nuisances, and it shall be unlawful to permit any such weeds to grow or remain in such places.  
(Code 1961, §§24.201, 24.203)

**Sec. 12-72. Height limitation.**

It shall be unlawful for any owner or responsible party of real estate located in the Village of Palatine to permit any weeds, grass or plants, other than trees, bushes, flowers, or other ornamental grasses and plants to grow to a height exceeding one (1) foot anywhere on the property and on the parkway abutting their property; and any such weeds, grass, or plants exceeding such heights are hereby declared to be a nuisance.  
(Code 1961, §24.202; Ord. No. O-124-79, §1, 11-13-79; Ord. No. O-186-96, §1, 10-14-96)

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

**Sec. 12-73. Notice.**

(1) It shall be the duty of the Village Manager or his/her designee to cause to be served a notice upon the owner and any responsible party of any such premises on which weeds, grass or plants are permitted to grow in violation of the provisions of this article, and to demand the abatement of the nuisance within three (3) days. Upon service of the notice, the owner and any responsible party shall be required to continuously maintain the premises in accordance with the provisions of this Article. Only one three (3) day notice shall be required to be served per growing season. (Code 1961, §24.204; Ord. No. O-124-79, §1, 11-13-79; Ord.No.0-78-98, §1, 6-8-98)

(2) The notice shall:

- a. Be in writing.
- b. Identify the property on which the nuisance violation was observed.
- c. Provide a description of the nuisance violation.
- d. Provide the date and time the violation was observed.
- e. State that the owner and any responsible party shall have three (3) days to abate the nuisance.

(3) Notice shall be served upon the owner and any responsible party of the property personally or by first class mail addressed to the owner and any responsible party. If the nuisance has not been abated four (4) days after the mailing of such notice by first class mail, service may be made upon such persons or entities by posting the notice in a prominent place on or about the property identified in the notice.

**Sec. 12-74. Abatement.**

If the owner so served with notice under Section 12-73 does not abate the nuisance within three (3) days after such notice, or fails to maintain the property during the growing season, the Village Manager or his/her designee may proceed to cause the abatement of such nuisance, pursuant to Section 12-292, at any time subsequent, keeping an account of the expense thereof, and such expense shall be charged to and paid by the owner. (Code 1961, §24.205; Ord. No. O-124-79, §1, 11/13/79; Ord.No.0-78-98, §2, 6/8/98)

**Sec. 12-75. Lien--Procedure for filing.**

Charges for weed, grass, or plant cutting shall be a lien upon the premises as provided by statute or collected as otherwise provided for in the Code of Ordinances. Whenever a bill for weed, grass or plant cutting remains unpaid sixty (60) days after it has been rendered, the clerk may file with the county recorder of deeds of Cook County, a statement of lien claim. This statement shall contain the legal description of the premises served, the amount of the unpaid bill, and a notice that the Village claims a lien for this amount.

After the nuisance has been abated, but prior to the filing of a lien, notice of the bill for weed, grass, or plant cutting shall be served personally on, or by certified mail to the person to whom was sent the tax bill for the general taxes on the property for the last preceding year. The notice shall contain a description of the property on which the abatement occurred and a description of the nuisance.  
(Code 1961, §24.206; Ord. No. O-124-79, §1, 11/13/79)

**State law reference(s)**--Power of municipality to enforce lien for cutting weeds, 65ILCS5/11-20-7.

**Sec. 12-76. Same--Foreclosure.**

Property subject to a lien for unpaid weed, grass or plant cutting charges shall be sold for nonpayment of the same, and the proceeds of such sale shall be applied to pay the charges, after deducting costs, as is the case in the foreclosure of statutory liens. Such foreclosures shall be by bill in equity in the name of the

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

Village.

The Village Manager or his/her designee is hereby authorized and directed to institute such proceedings, in the name of the Village, in any court having jurisdiction over such matters, against any property for which a bill for weed, grass or plant cutting has remained unpaid sixty (60) days after it has been rendered. (Code 1961, §24.207; Ord. No. O-124-79, §1, 11/13/79)

**Secs. 12-77--12-90. Reserved.**

**ARTICLE V. TAG DAY**

**Sec. 12-91. Permit required.**

It shall be unlawful for any person to go from house to house soliciting funds or subscriptions from the public or to publicly solicit either in person or by agent, upon the public streets, sidewalks, or any other public place in the Village, subscriptions for charitable or religious or educational or other organizations or purposes, whether presents or gifts or money or promises are sought, without having first secured a permit therefor. (Code 1961, §24.301)

**Sec. 12-92. Application.**

Applications for permits for tag day sales shall be made to the Village Manager who shall determine that the purposes for which such solicitations are proposed are consistent with the provisions of section 12-91. No such permit shall be issued except upon the order of the Village Manager. (Code 1961, §24.302; Ord. No. 0-15-16, §1, 2/16/16)

**Sec. 12-93. Solicitation of charitable contributions on streets and highways within the Village.**

(1) No person shall stand on any street or roadway within the Village, or on any right-of-way of same, for the purpose of peddling or soliciting except those persons soliciting for charitable contributions from the occupant of any vehicle and may do so only upon satisfying all of the requirements within Section 12-93 of this Code.

(2) The soliciting organization shall submit a completed Tag Day Permit Application and provide a Certificate of Insurance showing that the charitable organization is insured against any claims for injuries or damage to property which is causally related to an act or ordinary negligence of the soliciting agent acting on behalf of the organization. The submitted Tag Day Permit Application shall contain, at a minimum, the following information:

- a. The name, address, and telephone number of the soliciting organization, agency or project and proof that the organization, agency or project is registered with the attorney general as a charitable organization as provided by the Solicitation for Charity Act;
- b. A description of the fundraising activity in which the soliciting organization, agency or project is engaged;
- c. The intersections at which approval is being sought and the number of persons proposed to solicit at such intersections (there shall be no more than four (4) solicitors within an intersection at any time); and
- d. The dates and times at which such Tag Day event is proposed to take place (applications for solicitation may be submitted up to a maximum of one (1) year prior to the requested Tag Day event).

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

(Ord. No. 0-15-16, §1, 2/16/16)

(3) Any person engaged in the solicitation of charitable contributions shall be at least sixteen (16) years of age and shall wear a highly visible vest and identification of the organization undertaking the solicitation. (Ord. No. 0-15-16, §1, 2/16/16)

(4) The Village Manager must find that the locations, times, and durations of the proposed Tag Day event, as well as the number of proposed solicitors, shall not result in interference with the flow of vehicular traffic. No permits shall be issued when street conditions, weather, or other factors, at the discretion of the Village Manager, pose significant safety concerns to either the solicitors or the general public. (Ord. No. 0-15-16, §1, 2/16/16)

(5) No Tag Day events will be permitted from November 1 through March 31.

(6) Solicitation shall only occur during daylight hours, as reasonably determined by the Village Manager. (Ord. No. 0-15-16, §1, 2/16/16)

(7) Solicitation shall only be permitted at the following intersections:

(Ord. No. 0-15-16, §1, 2/16/16; Ord. No. 0-45-16 4/11/16)

Baldwin Road and Rohlwing Road  
Cunningham Drive and Hicks Road  
North Court and First Bank Drive  
Palatine Road and Plum Grove Road  
Palatine Road and Quentin Road  
Palatine Road and Roselle Road (south and east legs of intersection)  
Palatine Road and Rohlwing Road  
Palatine Road and Winston Drive  
Plum Grove Road and Colfax Street  
Plum Grove Road and Illinois Avenue  
Plum Grove Road and Northwest Highway  
Quentin Road and Dundee Road (north and east legs of intersection)  
Quentin Road and Illinois Avenue  
Quentin Road and Northwest Highway  
Smith Street and Colfax Street  
Smith Street and Northwest Highway

(8) Tag Day events shall not be permitted at the same intersection in consecutive weeks. The Village Manager may waive this limitation if the requested Tag Day event is in conjunction with a regional or national Tag Day event being held on a specific date(s). (Ord. No. 0-35-16, 4-4-16)

(9) No more than two Tag Day events in any calendar year are permitted within the Village by any qualifying solicitation organization and no approved Tag Day event shall continue for more than three (3) consecutive days.  
(Ord. No. O-108-79, §1, 10/8/79; Ord. No. 0-17-11, §1, 2/22/11)

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

**Sec. 12-94. Fines for violation of section 12-93.**

Any person, corporation, unincorporated association or other entity violating any provision of section 12-93 shall upon a judicial finding of such violation, be fined not less than fifty dollars (\$50.00) and not more than seven hundred fifty dollars (\$750.00) for each such separate violation. (Ord. No. O-108-79, §1, 10/8/79; Ord.No.0-5-98, §15, 1/26/-98)

**Secs. 12-95--12-100. Reserved.**

**ARTICLE VI. PUBLIC GATHERINGS**

**Sec. 12-101. Regulations.**

It shall be unlawful to hold, manage or conduct any meeting or entertainment of any kind in the Village, in any premises other than a building constructed in full compliance with the ordinances and laws pertaining thereto for assembly use, excepting in compliance with the provisions of the International Building and Fire Code, 2015 Edition with the following amendments: (Ord. 0-57-06, §2, 3/20/06, eff. 6/1/06, Ord. 0-70-11, §1, 6/20/11, Ord. O-94-18, 08/13/18-eff. 01/01/19). (Code 1961, §24.401)

**Sec. 12-102. Inspections.**

No public gathering or entertainment shall be held or presented in any premises other than a building as described in the preceding section, unless such premises has obtained approval from the Village Council; as a condition of approval an inspection may be required. (Code 1961, §24.402)

**Sec. 12-103--12-105. Reserved.**

**Sec. 12-106. Notice.**

It shall be the duty of any person conducting, calling for, or managing any gathering in any premises other than an approved assembly occupancy constructed as provided in section 12-101, without a Special Event Permit from the Village. Any permit issued for any such gathering shall be subject to the condition that this article be fully complied with, whether or not such condition is embodied in the permit. (Code 1961, §24.406)

**Secs. 12-107--12-115. Reserved.**

**ARTICLE VII. PUBLIC BUILDINGS\***

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\*Cross reference(s)--Fire prevention generally, Ch. 7, Art. III.  
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**Sec. 12-116. Responsibility.**

The owner, agent, occupant or person charged with the custody of any public building, or the person in charge thereof and owning the same, shall be held liable for the equipment and maintenance of such apparatus as is required in the current adopted version of the International Building and Fire Code, 2015 Edition, with the following amendments: (Ord. 0-57-06, §2, 3/20/06, eff. 6/1/06, Ord. 0-70-11, §1, 6/20/11, Ord. O-94-18, 08/13/18-eff. 01/01/19) for the maintenance and safety of all corridors, exits, stairs, doors, windows or passageways. (Code 1961, §24.501)

**Sec. 12-117. Enforcement.**

It shall be the duty of the Fire Marshal or their designee to inspect all apparatus to be installed, and their location, and to make or cause to be made periodic inspections concerning the operation and accessibility of regular and emergency exits in such public places. (Code 1961, §24.502)

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

**Sec. 12-118--12-135. Reserved.**

**ARTICLE VIII. SOUND AMPLIFIERS**

[Editor's Note: Article VIII was replaced in its entirety by Ord. 0-71-06]

**Sec. 12-136. Permit required.**

It shall be unlawful to maintain or operate any loud speaker or amplifier connected with any radio, phonograph, microphone, or other device by which sounds are magnified and made heard over any public street or public place without first having secured a permit therefor.

**Sec. 12-137. Applications.**

Any person desiring a permit for the use or operation of such devices, shall file an application therefor with, no less than seven (7) days before the intend date of the event, to the Village Manager or his/her designee, upon a form provided by him/her, setting forth the name and address of the applicant, the name of the owner of such device, the date upon which it is intended to be used, and such other information as may be prescribed. School and Park District properties are exempt from the sound amplification regulations, for any school, park, or other established affiliate function, which is occurring on School or Park District property. (Ord. No. 0-155-16, 12/19/16)

**Sec. 12-138. Restrictions.**

All events for which a permit is granted will be subject to the following restrictions:

1. The permit shall be limited per the hours granted by the Village Manager.
2. A permit holder shall not operate or employ any such device within a radius of two (2) blocks from any hospital or within the radius of two (2) blocks from any church while services are being held there.
3. The only sounds permitted shall be either music or human speech, or both;
4. Speakers for sound amplification equipment shall be directed, to the extent feasible toward open or unoccupied space and away from residentially occupied property.
5. In any event, the volume of sound shall be so controlled that it will not be unreasonably loud, raucous, jarring, disturbing or a nuisance to reasonable persons of normal sensitiveness within the area of audibility.

The Village Manager or his/her designee may include additional restrictions or conditions to the permit.

This section shall not apply to radios in homes or in private pleasure vehicles, when the same are operated in such a manner as not to be audible at a distance of fifty (50) feet from such vehicle, nor to noise devices, bands or other musical devices used in any public parade, community event, or procession which is operated under a permit in accordance with the ordinances of the Village or approval of the Village Council.

No permit shall cause or permit to be emanated or emitted from any such device any lewd, obscene, profane, or indecent language or sounds, or any false representation of any matter, product, or project advertised thereby, the sale of which is prohibited by any provision of this Code or other ordinance or statute.

The Village Manager or his/her designee may revoke any permit if the sound is deemed to be in violation of any of the above restrictions.

**Secs. 12-139--12-150. Reserved.**

**ARTICLE IX. STATE OF EMERGENCY\***

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

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**\*Editor's note**--Ord. No. O-129-86, §1, adopted Sept. 29, 1986, repealed Art. IX, §§12-151--12-155, pertaining to civil emergencies and curfew which derived from Code 1961, §§24.701--24.705 and enacted new provisions designated as Art. IX, §§12-151--12-155, pertaining to state of emergency, to read as herein set out.

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**Cross reference(s)**--Civil defense organization, §2-501 et seq.  
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**Sec. 12-151. Definitions.**

For the purposes of this article, the following words shall have the meanings indicated unless their context clearly requires otherwise:

*State of emergency* means the occurrence of:

- (1) A riot or unlawful assembly characterized by the use of actual force or violence or any threat to use force if accompanied by immediate power to execute by three (3) or more persons acting together without authority of law; or
- (2) Any disaster which; shall mean an occurrence or threat from widespread or severe damage, injury or loss of life or property resulting from any natural or man-made cause, including but not limited to fire, flood, earthquake, wind, storm, oil spill or other water contamination requiring emergency action to avert danger or damage, epidemic, air contamination, blight, extended periods of severe and inclement weather, drought, infestation, critical shortages of essential fuels or energy, explosion, riot, or hostile military or paramilitary action. Disaster includes but is not limited to all occurrences and threats thereof which are contemplated by the concept of ``emergency services and disaster operations."

*Curfew* means a prohibition against any person or persons walking, running, loitering, standing or motoring upon any alley, street, highway, public property or vacant premises within the corporate limits of the Village, excepting officials of any governmental unit and persons officially designated to duty with reference to said state of emergency. (Ord. No. O-129-86, §1, 9-29-86)

**Sec. 12-152. Proclamation; contents; curfew.**

Whenever a state of emergency exists, the Mayor shall proclaim its existence by means of a written declaration. Said declaration shall be signed by him or her, under oath and contain the following:

- (1) A statement to the effect that a state of emergency, as defined by this article, does exist.
- (2) Set forth the facts supporting such findings.
- (3) A declaration of the nature of the state of emergency and the reasons for the action.
- (4) A declaration that a state of emergency does exist. Such statement shall be promptly filed with the Village Clerk.

After proclaiming a state of emergency, the Mayor, by executive order, and after consultation with the Village Manager and Chief of Police, may establish a general curfew applicable to such geographical areas of the Village, including the Village as a whole, as he or she deems advisable, to be applicable during such hours of the day or night as he or she deems necessary in the interest of the public safety and welfare. (Ord. No. O-129-86, §1, 9-29-86)

**Sec. 12-153. Enforcement.**

After the proclamation of a state of emergency, the Mayor may also, in the interests of public safety and welfare, take any or all of the following actions by executive order:

- (1) Order the closing of all liquor stores and establishments, including taverns and private clubs

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

or portions thereof wherein the consumption of intoxicating liquor and beer is permitted.

- (2) Order the discontinuance of the sale of alcoholic liquor by any wholesaler or retailer.
  - (3) Order the discontinuance of selling, distributing or giving away gasoline or other liquid flammable or combustible products in any container other than a gasoline tank properly affixed to a motor vehicle.
  - (4) Order the discontinuance of selling, distributing, dispensing or giving away of any firearms or ammunition of any character whatsoever.
  - (5) Issue such other orders as are imminently necessary for the protection of life and property.
- (Ord. No. O-129-86, §1, 9-29-86)

**Sec. 12-154. Effective period.**

The proclamation shall be effective for a period of forty-eight (48) hours unless sooner terminated by the Mayor but, in no event, shall continue later than the adjournment of the first meeting of the Mayor and Council after the state of emergency is declared. The Mayor shall have the power to reproclaim the existence of a state of emergency at the end of each forty-eight- hour period during the time said state of emergency exists. (Ord. No. O-129-86, §1, 9-29-86)

**Sec. 12-155. Notice; posting.**

Upon issuance of the proclamation, the Village Manager or his/her designee shall notify the news media covering and serving the Village, and shall file the existence of the emergency in accordance with Illinois law. (Ord. No. O-129-86, §1, 9-29-86)

**Secs. 12-156--12-165. Reserved.**

**ARTICLE X. DUTCH ELM DISEASE AND EMERALD ASH BORER INFESTATION**

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Editor's Note – Article X was replaced in its entirety by Ordinance #0-24-08, passed on February 19, 2008.  
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**Sec. 12-166. Control of infected or infested trees.**

It shall be unlawful for the owner of any premises in the Village to permit any tree or portion thereof infected with Dutch Elm disease or infested with the Emerald Ash Borer to remain on such premises. (Code 1961, §24.801)

**Sec. 12-167. Inspection.**

The officers, agents, servants, and employees of the Village are hereby authorized and directed to enter on and upon private property whereon there is located any Elm tree or Ash tree having the appearance of or suspected of being diseased with the Dutch Elm disease or infested with the Emerald Ash Borer, for the purpose of inspecting said suspected tree and removing there from samples or portions thereof to be tested to establish whether said tree is in fact diseased or infested. (Code 1961, §24.802)

**Sec. 12-168. Declared a nuisance.**

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

Any tree or part thereof affected with the Dutch Elm disease or Emerald Ash Borer infestation is hereby declared to be a nuisance. (Code 1961, §24.803)

**Sec. 12-169. Abatement--By owner.**

The owner or occupant of the parcel of land on which said diseased Elm tree or infested Ash tree exists shall forthwith remove and destroy said Elm tree or Ash tree and properly dispose of all materials in accordance with guidelines established by the Illinois Department of Agriculture, within ten (10) days of notification to such owner, occupant, or agent that said Elm tree or Ash tree is in fact diseased or infested. (Code 1961, §24.804)

**Sec. 12-170. Same--By Village.**

In each case where the owner or occupant of the parcel of land on which said diseased Elm tree or infested Ash tree is located cannot be found, or if found and notified as aforesaid neglects or refuses to abate said nuisance, it shall be lawful for the Village to abate the same by the removal and proper dispose of all materials in accordance with guidelines established by the Illinois Department of Agriculture, of said diseased Elm tree or infested Ash tree and in that event the said owner, occupant or agent or any of them shall be charged with those expenses which may be incurred by the Village in the removal or abatement of the diseased Elm tree or Ash tree as aforesaid, which expenses shall be collected by the Village by suit or otherwise in addition to the fine for the violation. (Code 1961, §24.805)

**Sec. 12-171. Penalties.**

Any person who shall violate any provision of this chapter, upon conviction in a court of competent jurisdiction, will be subject to a fine not less than twenty-five dollars (\$25.00) nor more than seven hundred and fifty dollars (\$750.00) per offense.  
(Ord. No. 0-152-12, §1, 11/19/12)

**Secs. 12-172--12-180. Reserved.**

**ARTICLE XI. VILLAGE JAIL**

**Sec. 12-181. Establishment.**

The place in the Village heretofore established and used as the jail, or any other place which may be hereafter used for that purpose, is hereby declared to be the Village jail. (Code 1961, § 8.301)

**Sec. 12-182. Keeper.**

The Chief of Police shall be the keeper of the jail and shall have custody over all persons confined therein and of all property pertaining thereto.

**Sec. 12-183. Prisoners.**

The jail shall be used for the incarceration of all persons arrested for violating any laws of the state, the United States, or for violating any Village ordinance until such person shall be lawfully brought before a judge for a hearing or until such person shall be lawfully transferred to some other place of incarceration or otherwise lawfully released.

**Sec. 12-184. Escape.**

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

It shall be unlawful for any person to escape or attempt to escape, or to assist any prisoner to escape or attempt to escape from jail. (Code 1961, §8.304)

**Sec. 12-185. Communication with prisoners.**

It shall be unlawful for any person to communicate with any prisoner held in the jail without the permission of the Chief of Police or the police officer in charge. (Code 1961, §8.305)

**Secs. 12-186--12-190. Reserved.**

**ARTICLE XII. ANTILITTER REGULATIONS\***

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**\*Editor's note**--Ord. No. O-63-75, § 1, adopted Aug. 11, 1975, amended the 1961 Code by adding the provisions codified herein as Art. XII, §§ 12-191--12-205.  
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**Sec. 12-191. Definitions.**

For purposes of this article, the following terms, phrases, words and their derivations shall have the meaning given herein:

*Aircraft* is any contrivance now known or hereafter invented, used or designated for flight in the air. The word "aircraft" shall include helicopters and lighter-than-air dirigibles, balloons and drones.

*Commercial handbill* is any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet, or any other printed or otherwise reproduced original or copies of any matter of literature:

- (1) Which advertises for sale any merchandise, product, commodity, or thing; or
- (2) Which directs attention to any business or mercantile or commercial establishment, or other activity, for the purpose of either directly or indirectly promoting the interest thereof by sales; or
- (3) Which directs attention to or advertises any meeting, theatrical performance, exhibition, or event of any kind, for which an admission fee is charged for the purpose of private gain or profit; or
- (4) Which, while containing reading matter other than advertising matter, is predominantly and essentially an advertisement, and is distributed or circulated for advertising purposes, or for the private benefit and gain of any person so engaged as advertiser or distributor.

*Garbage* is putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

*Litter* is garbage, refuse and rubbish as defined herein and all other waste material.

*Newspaper* is any newspaper of general circulation or any newspaper duly entered with the post office department of the United States, in accordance with federal statute or regulation and, in addition thereto, shall mean and include any periodical or magazine regularly published with not less than four (4) issues per year, and sold to the public.

*Noncommercial handbill* is any printed or written matter, any sample, or device, dodger, circular, leaflet, pamphlet, newspaper, magazine, paper, booklet, or any other printed or otherwise reproduced original or copies of any matter of literature not included in the definitions of a commercial handbill or newspaper.

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

*Person* is any person, firm, partnership, association, corporation, company or organization of any kind.

*Private premises* is any dwelling, house, building, or other structure designed or used either wholly or in part for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.

*Public place* is any and all streets, sidewalks, boulevards, alleys or other public ways and any and all public squares, spaces, grounds, public parks, tot lots and public buildings.

*Refuse* is all putrescible and nonputrescible solid wastes (except body wastes), including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, and solid market and industrial wastes.

*Rubbish* is nonputrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery and similar materials.

*Vehicle* is every device in, upon or by which any person or property is or may be transported or drawn upon a highway including devices used exclusively upon stationary rails or tracks.

*Village* is the Village of Palatine, Illinois.  
(Ord. No. O-63-75, §2, 8-11-75)

**Sec. 12-192. Litter in public places.**

No person shall throw or deposit litter in or upon any street, sidewalk or other public place within the Village except in public receptacles, in authorized receptacles for collection, or in duly licensed landfills.

For special gatherings and events held on public property and approved in writing by the Village of Palatine, proper receptacles for litter must be provided by the person or organization authorized to use the public property. Within forty-eight (48) hours after any such gathering or event, all litter must be disposed of as provided herein by the responsible party. If inclement weather prevents such removal, additional time may be provided through direct request to the office of the Environmental Health Field Director. If said gathering or event is of a continuous nature, daily clearing of the litter must be provided, with the litter deposited in suitable receptacles for removal by the responsible party. (Ord. No. O-63-75, §1, 8-11-75)

**Sec. 12-193. Private property to be kept free of litter; nuisance.**

Persons owning or occupying property shall keep their property free of litter. The failure of persons owning or occupying property to properly dispose of litter located on such property is a public nuisance, and shall be subject to the abatement provisions of Article XXII of this chapter and the penalty provisions of Article XXIII of Chapter 12 of this Code. (Ord. No. O-63-75, §1, 8-11-75; Ord. No. O-1-84, §1, 1-9-84)

**Sec. 12-194. Litter thrown by persons in vehicles.**

No persons, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or other public place within the Village, or upon private property. (Ord. No. O-63-75, §1, 8-11-75)

**Sec. 12-195. Litter in lakes and fountains.**

No person shall throw or deposit litter in any fountain, pond, lake, stream, bay, creek, or any other body of water within the Village. (Ord. No. O-63-75, §1, 8-11-75)

**Sec. 12-196. Throwing or distributing handbills in public places.**

No person shall throw or deposit any commercial or noncommercial handbill or any other

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

advertisement in or upon any sidewalk, street or other public place within the Village. (Ord. No. O-63-75, §1, 8-11-75)

**Sec. 12-197. Placing commercial and noncommercial handbills on vehicles.**

No person shall throw or deposit any commercial or noncommercial handbill in or upon any vehicle. Provided, however, that it shall not be unlawful in any public place for a person to hand out or distribute, without charge, a noncommercial handbill to any occupant of a vehicle who is willing to accept it. (Ord. No. O-63-75, §1, 8-11-75)

**Sec. 12-198. Depositing commercial and noncommercial handbills on uninhabited or vacant premises.**

No person shall throw or deposit any commercial or noncommercial handbill in or upon any private premises which are continuously uninhabited or vacant. (Ord. No. O-63-75, §2, 8-11-75)

**Sec. 12-199. Distributing commercial and noncommercial handbills at inhabited private premises.**

No person shall throw, deposit or distribute any commercial or noncommercial handbill in or upon private premises which are inhabited, except by handing or transmitting any such handbill directly to the owner, occupant, or other person then present in or upon such private premises, or by placing or depositing the same in such manner as to secure or prevent such handbill from being blown or drifted about such premises of sidewalks, streets or other public places. Mailboxes may not be used for this purpose when prohibited by federal postal law or regulations. (Ord. No. O-63-75, §2, 8-11-75)

**Sec. 12-200. Exemption for mail or newspapers.**

The provisions of the foregoing section 12-199 shall not apply to the distribution of mail by the United States, nor to newspapers (as defined herein). (Ord. No. O-63-75, §2, 8-11-75)

**Sec. 12-201. Dropping litter from aircraft.**

No person in an aircraft shall throw out, drop or deposit any litter upon any property in the Village. (Ord. No. O-63-75, §2, 8-11-75)

**Sec. 12-202. Reserved.**

(Ord. No. O-63-75, §2, 8-11-75; Ord.No.0-82-98, §1,6-8-98; Ord.No.0-167-98, §1, 10-26-98; Ord. 0-127-06, §1, 7/17/06)

**Sec. 12-203. Litter on vacant lots.**

No person shall throw or deposit litter on any open or vacant private property within the Village. (Ord. No. O-63-75, §1, 8-11-75)

**Sec. 12-204. Penalties.**

Except as otherwise provided in section 12-193, any person violating any provision of this article shall be fined not less than fifty dollars (\$50.00) nor more than two hundred and fifty dollars (\$250.00) for the first such offense. Any person violating any provision of this article shall be subject to a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for the second such violation and a fine of not less than one hundred and fifty dollars (\$150.00) nor more than one thousand dollars (\$1,000.00) for the third and subsequent violations within a one-year period. (Ord. No. O-63-75, §1, 8-11-75; Ord. No. O-1-84, §3, 1-9-84; Ord.No. 0-5-98, §16,1-26-98))

**Editor's note**--Section 2 of Ord. No. O-1-84, adopted Jan. 9, 1984, repealed §12-204 as said section pertained to the notification to owners to properly dispose of litter on open private property and as derived from Ord. No. O-63-75, §1, adopted Aug. 11, 1975. Section 3 of Ord. No. O-1-84 then renumbered §12-205 as § 12-204 and amended said section as herein set out.

**Secs. 12-205--12-214. Reserved.**

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

**ARTICLE XIII. REGULATION OF PARADES AND MOTORCADES**

**Sec. 12-215. Definitions.**

*Parade*: "Parade" means a march, procession, or other similar activity consisting of persons, animals, vehicles, or things, or any combination thereof, upon a public street, sidewalk, alley, or other public place, which requires a street closing or otherwise requires stopping or rerouting vehicular traffic because the parade will not or cannot comply with normal and usual traffic regulations or controls. "Parade" does not include a political protest, march, demonstration, or other assembly protected by the First Amendment.

*Motorcade*: "Motorcade" means an organized procession containing twenty-five (25) or more vehicles, except funeral processions, upon any public street, sidewalk or alley. (Ord. No. O-56-77, §1, 6-13-77)

**Sec. 12-216. Permit required.**

It shall be unlawful for any person to conduct a parade or motorcade in or upon any public street, sidewalk or alley in the Village, or knowingly participate in any such parade unless and until a permit to conduct such a parade or motorcade has been obtained from the Village Manager, or, as hereinafter provided, from the Mayor and Council of the Village of Palatine. (Ord. No. O-56-77, §1, 6-13-77)

**Sec. 12-217. Parade or motorcade for commercial purpose prohibited.**

No permit shall be issued authorizing the conduct of a parade or motorcade which is to be held for the sole purpose of advertising any product, goods, wares, merchandise and is designed to be held purely for private profit. (Ord. No. O-56-77, §1, 6-13-77)

**Sec. 12-218. Interference with parade or motorcade.**

No person shall knowingly join or participate in any parade or motorcade conducted under permit from the Village of Palatine in violation of any of the terms of said permit or knowingly join or participate in any permitted parade or motorcade without the consent and over the objection of the permittee, nor in any manner interfere with its progress or orderly conduct. (Ord. No. O-56-77, §1, 6-13-77)

**Sec. 12-219. Application for permit.**

Any person who desires to conduct a parade or motorcade shall apply to the Village Manager for a permit at least ten (10) days in advance of the date of the proposed parade or motorcade. The application for such permit shall be in writing on a form approved by the Mayor and Council of the Village of Palatine or in a form acceptable to the Village Manager. The Village Manager may waive the ten-day requirement as provided herein. In order that adequate arrangements may be made for the proper policing of the parade or motorcade, the application shall contain the following information:

- (1) The name of the applicant, the sponsoring organization, the parade or motorcade chairman, and the addresses and telephone numbers of each.
- (2) The nature of the parade or motorcade, the date when it is proposed to be conducted, the location of the assembly area, the location of the disbanding area, route to be traveled and the approximate time when the parade or motorcade will assemble, start and terminate.
- (3) A general description of the units to be used.
- (4) A permit fee in the amount of one hundred dollars (\$100.00) must accompany each application. All applications shall be reviewed and approved prior to issuance of any permit. The Village Manager may waive or otherwise discount required fees when deemed to be in the best interest of the Village or community.

The Village Manager shall immediately forward a copy of the application to the Chief of Police and the Fire Chief. (Ord. No. O-56-77, §1, 6-13-77)

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

**Sec. 12-220. Issuance or denial of permit.**

(a) *Standards of issuance.* The Village Manager shall issue a parade or motorcade permit conditioned upon the applicant's written agreement to comply with the contents of such a permit as hereinafter specified, unless it is found that:

- (1) The time, route and size of the parade or motorcade will disrupt to an unreasonable extent the movement of other traffic.
- (2) The parade or motorcade is of a size or nature that requires the diversion of so great a number of police officers of the Village to properly police the line of movement and the areas contiguous thereto that allowing the parade or motorcade would deny reasonable police protection to the Village.
- (3) Such parade or motorcade will interfere with another parade or motorcade for which a permit has been issued.

(b) *Standards for denial.* The Village Manager shall deny an application for a parade or motorcade permit and notify the applicant of such denial where:

- (1) The Village Manager makes any finding contrary to the findings required to be made for the issuance of a permit as above specified.
- (2) The information contained in the application is found to be false or nonexistent in any material detail.
- (3) The applicant refuses to agree to abide by or comply with all the contents of the permit.

(c) *Time for issuance or denial.* The applicant shall be informed of the issuance or denial of the permit within seven (7) days of the filing of the application for same. (Ord. No. O-56-77, §1, 6-13-77)

**Sec. 12-221. Contents of permit.**

In each permit, the following shall be specified:

- (1) The assembly area and time therefor.
- (2) The starting time.
- (3) The minimum and maximum speeds of any motor vehicles.
- (4) The route of the parade or motorcade.
- (5) What portions of streets to be traversed may be occupied by such parade or motorcade.
- (6) The maximum length of such parade or motorcade in miles or fractions thereof.
- (7) The disbanding area and disbanding time.
- (8) The permittee shall advise all participants in the parade or motorcade, either orally or by written notice, of the terms and conditions of the permit prior to the commencement of such parade or motorcade.
- (9) That the parade or motorcade continue to move at a fixed rate of speed and that any willful delay or willful stopping of said parade or motorcade except that which is reasonably required for the safe and orderly conduct of the parade or motorcade shall constitute a violation of the permit, all conditions of the permit shall be complied with so far as reasonably practical.

(Ord. No. O-56-77, §1, 6-13-77)

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

**Sec. 12-222. Appeal procedure.**

Upon a denial by the Village Manager of an application made pursuant to section 12-219 of this article, the applicant may appeal from the determination of the Village Manager within five (5) days thereafter to the Mayor and Council by filing a written notice of appeal at its next meeting. Upon such appeal, the Mayor and Council may reverse, affirm or modify in any regard the determination of the Village Manager. In the event the application is not filed within the required time as specified in section 12-219, the applicant may request a waiver of such requirement by the Mayor and Council at its next regular meeting, or at a special meeting which may be called prior thereto by said Mayor and Council to consider such a matter. The Mayor and Council, if they find unusual circumstances and in the exercise of their sound discretion, may waive such requirement. (Ord. No. O-56-77, §1, 6-13-77)

**Sec. 12-223. Officials to be notified.**

Immediately upon the granting of a permit for a parade or motorcade, the Village Manager shall send a copy thereof to:

- (1) The Mayor and Council.
- (2) The Chief of Police.
- (3) The Fire Chief.

**Secs. 12-224--12-229. Reserved.**

**ARTICLE XIV. REGULATION OF ADULT BOOKSTORES AND ADULT MOVIE THEATERS\***

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\*Cross reference(s)--Indecent publications, §12-9.  
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**Sec. 12-230. Definitions.**

For purposes of this article, the following definitions shall apply:

- (1) *Adult bookstore*: An establishment having as a substantial or significant portion of its stock in trade explicit sexual material or an establishment with a segment or section devoted to the sale or display of such materials.
- (2) *Adult movie theater*: An enclosed building with the capacity of fifty (50) or more persons used for the presentation of explicit sexual material.
- (3) *Explicit sexual material*:

(a) Any picture, drawing, photograph, motion picture or other pictorial representation which depicts actual or simulated acts of human sexual intercourse, sodomy, bestiality, oral copulation, masturbation, excretory functions, torture in the context of sexual relationship or exhibition of the genitals in a state of sexual stimulation or arousal.

(b) Any artificial human penis or vagina or device primarily designed to stimulate genitals. Any description, advertisement or offer to sell or distribute such an artificial organ or device that presents either a pictorial representation or a detailed verbal description of such artificial organ or device or its manner of use.

(c) Any book, magazine, newspaper or other printed or written material which is made up in whole or in dominant part of depictions or descriptions of human sexual intercourse, oral copulation, bestiality, sodomy, masturbation or torture in the context of the sexual relationship. (Ord. No. O-54-77, §2, 6-13-77)

**Sec. 12-231. Regulations.**

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

No adult bookstore or adult movie theater shall operate or do business within the Village of Palatine, except as a special use in a B-5 Highway Business District. Said adult bookstore or adult movie theater granted a special use shall be subject to the following restrictions:

- (1) No adult bookstore or adult movie theater:
  - (a) Shall be located within a one thousand-foot radius of any other adult bookstore or adult movie theater.
  - (b) Shall be located within a two thousand-foot radius of any public or private school, day care center or nursery.
  - (c) Shall be located within a thirteen hundred twenty-foot radius of any facility holding a liquor license.
  - (d) Shall be located within a thirteen hundred twenty-foot radius of a church, synagogue, or other place of worship.
  - (e) Shall be located within a two thousand-foot radius of any public park.
- (2) It shall be unlawful to sell or offer for sale, or to circulate, pass from one (1) person to another, or expose in any public place or anywhere in view of a store or place frequented by the public, any immoral, indecent or obscene publication, printed or written picture or other representation.
- (3) It shall be unlawful to keep any such publication, printed or written matter, picture, or other representation in any place frequented by, or where it may come into the possession of minors, or to disclose or expose any such material to minors.

(Ord. No. O-54-77, §2, 6-13-77, Ord No. 141-23, 12/04/23)

**Secs. 12-232--12-240. Reserved.**

**ARTICLE XV. VANDALISM\***

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**\*Editor's note**--Ord. No. O-97-80, §§1, 2, enacted Dec. 8, 1980, amended Art. XV by repealing §§12-241, 12-243 and 12-244, renumbering § 12-242 as 12-241 and by adding a new § 12-242. Former §§12-241, 12-243 and 12-244 defined terms applicable to Art. XV and set forth the penalty and liability for violation of the article. Said former sections were derived from Ord. No. O-90-76, §1, adopted Oct. 11, 1976; Ord. No. O-94-77, §1, adopted Sept. 12, 1977; and Ord. No. O-96-80, §1, 2, adopted Dec. 8, 1980.

**Cross reference(s)**--Injury to public property, §12-1; see also Art. XVIII.  
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**Sec. 12-241. Offenses.**

No person shall commit any of the following acts within the corporate limits of the Village of Palatine:

- (1) Maliciously, recklessly, or knowingly damage, deface, or destroy any property of another person without his/her consent; or
- (2) Maliciously, recklessly, or knowingly start a fire on the land of another person without his/her consent; or
- (3) Maliciously, recklessly, or knowingly deposit on the land or in a building of another person, without his/her consent, any stink bomb, or any offensive smelling compound and thereby interfere with the use and occupancy by another of the land or building.

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

(Ord. No. O-90-76, §1, 10-11-76; Ord. No. O-97-80, §1, 12-8-80)

**Sec. 12-242. Penalty.**

A person convicted of a violation of any provision of this article shall be fined not less than seventy-five dollars (\$75.00) or in excess of one thousand five hundred dollars (\$1,500.00) for each offense. (Ord. No. O-97-80, §2, 12-8-80; Ord.No.0-5-98, §15,1-26-98, Ord No. O-141-23, 12-04-23)

**Secs. 12-243--12-249. Reserved.**

**ARTICLE XVI. THEFT\***

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\*Cross reference(s)--See Art. XVIII.  
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**Sec. 12-250. Elements of the offense.**

A person commits theft when he/she knowingly:

- (1) Obtains or exerts unauthorized control over property of the owner; or
- (2) Obtains by deception control over property of the owner; or
- (3) Obtains by threat control over property of the owner; or
- (4) Obtains control over stolen property knowing the property to have been stolen by another or under such circumstances as would reasonably induce him/her to believe that the property was stolen, and:
  - (a) Intends to deprive the owner permanently of the use or benefit of the property; or
  - (b) Knowingly uses, conceals or abandons the property in such manner as to deprive the owner permanently of such use or benefit; or
  - (c) Uses, conceals, or abandons the property knowing such use, concealment or abandonment probably will deprive the owner permanently of such use or benefit.

(Ord. O-92-78, §1, 10-9-78)

**Sec. 12-251. Value of goods.**

This article shall apply only to goods or services having a value of five hundred dollars (\$500.00) or less. (Ord. No. O-92-78, §1, 10-9-78)

**Sec. 12-252. Penalty.**

A person convicted of a violation of any provision of this article shall be fined not less than seventy-five dollars (\$75.00) nor more than two hundred fifty dollars (\$250.00) for the initial conviction, and not less than five hundred dollars (\$500.00) nor more than one thousand five hundred dollars (\$1,500.00) for any subsequent conviction. (Ord. No. O-92-78, §1, 10-9-78; Ord. No. 0-5-98, §15,1-26-98)

**Secs. 12-253--12-259. Reserved.**

**ARTICLE XVII. RETAIL THEFT (SHOPLIFTING)\***

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

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\*Cross reference(s)--See Art. XVIII.  
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**Sec. 12-260. Legislative declaration.**

It is recognized by the Village that a substantial burden is placed upon the economy of the Village because of incidences of retail theft. This is a matter of great concern to the people of this Village who have a right to be protected in their safety and welfare from the effects of this offense. (Ord. No. O-93-78, §1, 10-9-78)

**Sec. 12-261. Definitions.**

For the purposes of this article, the words and phrases defined in this section have the meanings ascribed to them unless a contrary meaning is clear from the context:

*Conceal:* To "conceal" merchandise means that, although there may be some notice of its presence, that merchandise is not visible through ordinary observation.

*Full retail value:* "Full retail value" means the merchant's stated or advertised price of the merchandise.

*Merchandise:* "Merchandise" means any type of tangible personal property.

*Merchant:* "Merchant" means an owner or operator of any retail mercantile establishment or any agent, employee, lessee, consignee, officer, director, franchisee or independent contractor of such owner or operator.

*Minor:* "Minor" means a person who is less than nineteen (19) years of age, is unemancipated and resides with their parents or legal guardian.

*Peace officer:* "Peace officer" means any person who by virtue of his/her office or public employment is vested by law with a duty to maintain public order or to make arrests for offenses whether that duty extends to all offenses or is limited to specific offenses.

*Person:* "Person" means any natural person or individual.

*Premises of a retail mercantile establishment:* "Premises of a retail mercantile establishment" includes, but is not limited to, the retail mercantile establishment, any common use areas in shopping centers and all parking areas set aside by a merchant or on behalf of a merchant for the parking of vehicles for the convenience of the patrons of such retail mercantile establishment.

*Retail mercantile establishment:* "Retail mercantile establishment" means any place where merchandise is displayed.

*Shopping cart:* "Shopping cart" means those push carts of the type or types which are commonly provided by grocery stores, drugstores or other retail mercantile establishments for the use of the public in transporting commodities in stores and markets and, incidentally, from the stores to a place outside the store.

*Under-ring:* "Under-ring" means to cause the cash register or other sales recording device to reflect less than the full retail value of the merchandise. (Ord. No. O-93-78, §1, 10-9-78)

**Sec. 12-262. Offense of retail theft.**

A person commits the offense of retail theft when he/she knowingly:

- (1) Takes possession of, carries away, transfers or causes to be carried away or transferred, any merchandise displayed, held, stored or offered for sale in a retail mercantile establishment

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

with the intention of retaining such merchandise or with the intention of depriving the merchant permanently of the possession, use or benefit of such merchandise without paying the full retail value of such merchandise; or

- (2) Alters, transfers, or removes any label, price tag, marking, indicia of value or any other markings which aid in determining value affixed to any merchandise displayed, held, stored or offered for sale, in a retail mercantile establishment and attempts to purchase such merchandise personally or in consort with another at less than the full retail value with the intention of depriving the merchant of the full retail value of such merchandise; or
- (3) Transfers any merchandise displayed, held, stored or offered for sale, in a retail mercantile establishment from the container in or on which such merchandise is displayed to any other container with the intention of depriving the merchant of the full retail value of such merchandise; or
- (4) Under-rings with the intention of depriving the merchant of the full retail value of the merchandise; or
- (5) Removes a shopping cart from the premises of a retail mercantile establishment without the consent of the merchant given at the time of such removal with the intention of depriving the merchant permanently of the possession, use or benefit of such cart.
- (6) Represents to a merchant that he, she, or another is the lawful owner of property, knowing that such representation is false, and conveys or attempts to convey that property to a merchant who is the owner of the property in exchange for money, merchandise credit or other property of the merchant; or
- (7) Uses or possesses any theft detection shielding device or theft detection device remover with the intention of using such device to deprive the merchant permanently of the possession, use or benefit of any merchandise displayed, held, stored or offered for sale in a retail mercantile establishment without paying the full retail value of such merchandise; or
- (8) Obtains or exerts unauthorized control over property of the owner and thereby intends to deprive the owner permanently of the use or benefit of the property when a lessee of the personal property of another fails to return it to the owner, or if the lessee fails to pay the full retail value of such property to the lessor in satisfaction of any contractual provision requiring such.

(Ord. No. O-93-78, §1, 10-9-78, Ord. No. 141-23, 12-04-23)

**Sec. 12-263. Presumptions.**

If any person:

- (1) Conceals upon his/her person or among his/her belongings, unpurchased merchandise displayed, held, stored or offered for sale in a retail mercantile establishment; and
- (2) Removes that merchandise beyond the last-known station for receiving payments for that merchandise in that retail mercantile establishment;

such person shall be presumed to have possessed, carried away or transferred such merchandise with the intention of retaining it or with the intention of depriving the merchant permanently of the possession, use or benefit of such merchandise without paying the full retail value of such merchandise.

(Ord. No. O-93-78, § 1, 10-9-78)

**Sec. 12-264. Detention.**

Any merchant who has reasonable grounds to believe that a person has committed retail theft may detain such person, on or off the premises of a retail mercantile establishment, in a reasonable manner and for a reasonable length of time for all or any of the following purposes:

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

- (1) To request identification;
- (2) To verify such identification;
- (3) To make reasonable inquiry as to whether such person has in his possession unpurchased merchandise and, to make reasonable investigation of the ownership of such merchandise;
- (4) To inform a peace officer of the detention of the person and surrender that person to the custody of a peace officer;
- (5) In the case of a minor, to inform a peace officer, the parents, guardian or other private person interested in the welfare of that minor of this detention and to surrender custody of such minor to such person.

A merchant may make a detention as permitted herein off the premises of a retail mercantile establishment only if such a detention is pursuant to an immediate pursuit of such person. (Ord. No. O-93-78, §1, 10-9-78)

**Sec. 12-265. Affirmative defense.**

A detention as permitted in this article does not constitute an arrest or an unlawful restraint, as defined in the Illinois Compiled Statutes, nor shall it render the merchant liable to the persons so detained. (Ord. No. O-93-78, §1, 10-9-78)

**Sec. 12-266. Value of goods.**

This article shall apply only to goods having a value or full retail value of three hundred dollars (\$300.00) or under. (Ord. No. O-93-78, §1, 10-9-78)

**Sec. 12-267. Penalty.**

A person convicted of a violation of any provision of this article shall be fined not less than seventy-five dollars (\$75.00) nor more than two hundred fifty dollars (\$250.00) for the initial conviction, and not less than five hundred dollars (\$500.00) nor more than one thousand five hundred dollars (\$1,500.00). (Ord. No. O-93-78, §1, 10-9-78; Ord. No. 0-5-98, §15,1-26-98)

**ARTICLE XVIII. PARENTAL RESPONSIBILITY**

**Sec. 12-268. Definitions.**

The following definitions shall apply to Articles XV, XVI, XVII and XVIII:

- (1) *Knowingly.* Having general knowledge of, or reason to know, or a belief or ground for belief which warrants further inquiry or inspection.
- (2) *Legal Guardian.* A person appointed guardian, or given custody, of, a minor by a Circuit Court of this State but does not include a person appointed guardian or given custody of a minor under the Juvenile Court Act.
- (3) *Parent.* A natural or adoptive parent or court designated guardian.
- (4) *Person* shall include any individual, firm, partnership, association, corporation, company or organization of any kind.
- (5) *Property* shall include any real estate, including improvements thereon, and tangible personal property.
- (6) *Unemancipated Minor.* A person under the age of eighteen (18) years still under the care and custody of his or her parents.

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

(7) *Willful*. Proceeding from a conscious and voluntary intentional motion of the will.

(Ord. No. O-97-80, §3, 12-8-80; Ord. No. 0-27-95, §10, 4-10-95)

**Sec. 12-269. General Parental Responsibility.**

It shall be unlawful for any parent or legal guardian of an unemancipated minor residing with said parent or legal guardian to knowingly allow or to knowingly permit said minor to violate or attempt to violate any state law or municipal ordinance or to knowingly or negligently act, or fail to act, in such a manner as to facilitate or contribute to any violation or attempted violation of any state law or municipal ordinance by said minor.

**Sec. 12-270. Liability of Parent or Legal Guardian of Minor Offender.**

Subject to the conditions contained in 12-269 the parent or legal guardian of an unemancipated minor who has custody of such minor shall be jointly and severally liable for any fine, condition or reparation imposed by a court and, for full restitution to any injured or damaged party or parties for the willful or malicious acts of said minor child provided that said amount shall not exceed \$1,000; provided however, that said parent or legal guardian has been served with a summons or notice to appear and written notice setting forth the charges against said minor child in the original cause as provided by law. Any person who willfully fails or refuses to answer said summons or notice to appear and to make payment in full of any amount found due to the court and to the injured or damaged party, as provided herein, or who violates any of the provisions of this section shall additionally be fined in accordance with the provisions of this Ordinance.

**Sec. 12-271. Penalty.**

Subject to the requirements contained in Section 12-269 and 12-270 any parent or legal guardian who fails or refuses to appear in court to answer a summons or notice to appear issued in conjunction with a charge or charges brought under this section against their unemancipated minor or who fails to make payment in full of any amount found due to the court and to the injured or damaged party (provided that said amounts shall not exceed \$1,000) shall be fined not less than seventy-five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00) for each such instance and shall be liable for said fine in addition to any fines, fees, costs, or restitution ordered to any injured or damaged party by the court. (Ord. No. 0-31-95, §10, 4-10-95; Ord. No. 0-5-98, §15, 1-26-98)

**Secs. 12-272--12-275. Reserved.**

**ARTICLE XIX. TRESPASS**

**Sec. 12-276. Trespass prohibited.**

It shall be unlawful for any person, firm or corporation to commit a trespass within this municipality upon either public or private property; or maliciously, recklessly, or knowingly and without authority enter into any building, house trailer, motor vehicle, aircraft or water craft or any part thereof of another person without his/her consent; provided, however, nothing herein shall prevent duly authorized representatives of the Village from being upon public or private property in the performance of their official duties and responsibilities under applicable statutes and ordinances. (Ord. No. O-91-79, §1, 7-9-79; Ord. No. O-141-23, 12-4-23))

**Sec. 12-277. Specifically enumerated trespasses; suppression.**

Without constituting any limitation upon the provisions of section 12-276, any of the following acts by any person, firm or corporation shall be deemed included among those that constitute trespasses in violation of the provisions of said section 12-276, and appropriate action may be taken hereunder at any time, or from time to time, to prevent or suppress any violation or violations of this article, the aforesaid enumerated acts so included, being as follows, to wit:

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

- (a) An entry upon the premises, or any part thereof, of another, including any public property in violation of a notice posted or exhibited at the main entrance to said premises or at any point of approach or entry or in violation of any notice, warning or protest given orally or in writing, by any owner or occupant thereof; or
- (b) The pursuit of a course of conduct or action incidental to the making of an entry upon the land of another in violation of a notice posted or exhibited at the main entrance to said premises or at any point of approach or entry, or in violation of any notice, warning or protest given orally or in writing by any owner or occupant thereof; or
- (c) A failure or refusal to depart from the premises of another in case of being requested, either orally or in writing, to leave by any owner or occupant thereof; or
- (d) An entry into or upon any vehicle, aircraft or watercraft made without the consent of the person having the right to the possession or control thereof, or a failure or refusal to leave any such vehicle, aircraft or watercraft after being requested to leave by the person having such right.
- (e) Maliciously, recklessly, or knowingly and without authority enter into any building, house trailer, motor vehicle, aircraft or water craft or any part thereof of another person without his/her consent.

(Ord. No. O-91-79, §1, 7-9-79, Ord. No. O-141-23, 12-04-23)

**Sec. 12-278. Penalties.**

Any person, firm or corporation violating any of the provisions of this article shall, upon conviction thereof, be fined in an amount not exceeding seven hundred fifty dollars (\$750.00). (Ord. No. O-91-79, §1, 7-9-79; Ord. No. 0-5-98, §15, 1-26-98)

**Secs. 12-279--12-281. Reserved.**

**ARTICLE XX. OBSTRUCTING PUBLIC EASEMENTS**

**Sec. 12-282. Blockage of easement or right-of-way.**

It shall be unlawful for any owner or occupier of real property, under, over, upon or through which the Village owns an easement or right-of-way, to block or obstruct or knowingly permit the blockage or obstruction of said easement or right of way. This shall include, but not be limited to, sheds, dog houses, landscaping beds, trees and other miscellaneous obstructions that that would hinder or impact any potential maintenance or use of the easement. (Ord. No. O-81-80, §1, 10-27-80)

**Sec. 12-283. Removal required; notice.**

It shall be the duty of the Director of Public Works, upon discovery of any obstruction which blocks or obstructs a Village easement or right-of-way, to serve notice upon the owner or occupant of such premises and to demand the removal of said obstruction forthwith. (Ord. No. O-81-80, §1, 10-27-80)

**Sec. 12-284. Abatement.**

If the person, firm or corporation so served with notice, as provided in section 12-283 above, does not cause removal of such obstruction or blockage within ten (10) days following receipt of said notice, the Director of Public Works may proceed to cause the same to be removed, keeping a true and correct account of the expenses thereof, and such expenses shall be charged to and paid to the Village by said owner or occupant; provided, however, that in the event, in the opinion of the Village Manager, it is urgently necessary

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

for the health, safety and welfare of the public that such obstruction be removed immediately or at any time prior to the expiration of said ten-day period, the Village may forthwith remove the obstruction immediately following personal delivery of said notice to the owner or occupant, or if such premises are not occupied, by certified or registered mail to the record owner thereof.  
(Ord. No. O-81-80, §1, 10-27-80)

**Sec. 12-285. Lien--Procedure for filing.**

The Village's reasonable expenses of removal of said obstruction, as provided in section 12-284 above, shall be and constitute a lien upon said premises. Whenever a bill or statement from the Village to the owner or occupant of such premises for such expenses remains unpaid sixty (60) days after it has been rendered, the Village Clerk may file with the county recorder of deeds of Cook County a statement of lien claim. This statement shall contain the legal description of the premises involved, the amount of the unpaid bill and a notice that the Village claims a lien for this amount.

A copy of the said lien claim shall be mailed to the owner of the premises; provided, however, that failure of the clerk to record such lien or to mail such notice or the failure of the owner to receive such notice shall not affect the right to foreclose the lien for such expenses as provided in the following section 12-286.  
(Ord. No. O-81-80, §1, 10-27-80)

**Sec. 12-286. Same--Foreclosure.**

Property subject to a lien claim hereunder may be sold for nonpayment of the same upon foreclosure of said lien by the Village in any court of competent jurisdiction. Proceeds of such sale shall be applied to pay the Village's charges and expenses after deducting costs, as in the case of foreclosure of statutory liens.  
(Ord. No. O-81-80, §1, 10-27-80)

**ARTICLE XXI. BURGLARY OR ROBBERY ALARM SYSTEMS**

**Sec. 12-287. Alarm user ~~permits registry required; fee; application.~~**

~~The Palatine Police Department shall maintain a voluntary registry of It shall be unlawful for any person, firm or corporation to have or maintain on any premises any that registers their type of burglary or robbery alarm, calling for emergency response by the Palatine Police Department, without first having obtained a Village of Palatine permit for such alarm issued by the Palatine Police Department. An annual alarm permit fee shall be collected for each residential and commercial address with a burglary or robbery alarm as listed in the Village Fee Schedule. All applications shall be reviewed and approved by the Palatine Police Department prior to issuance of any permit.~~ (Ord. No. O-59-81, §1, 6-9-81)

**Sec. 12-288. Unlawful use prohibited.**

It shall be unlawful for any user of any type of burglary or robbery alarm to fail to appear and turn off or reset any such alarm within one hour after being notified by the Police Department to do so. (Ord. No. O-59-81, §1, 6-9-81)

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

**Sec. 12-289. False alarms prohibited; fees for response; ~~suspension or revocation of permit.~~**

(a) For the purposes of this section:

- (1) *False alarm.* The term "false alarm" shall mean the activation of a burglary or robbery alarm at a time when no burglary or robbery is being committed or attempted on the premises, and when the person activating such alarm has no reasonable cause to believe a burglary or robbery is being committed.
- (2) *Police response.* The term "police response" shall mean the actual physical presence of one or more Village law enforcement officers at the premises of the alarm system in question in response to a report of activation of said alarm system.

(b) It shall be unlawful for any person to activate a false alarm or for any person to notify the ~~P~~police of the activation of an alarm having the knowledge that such activation was caused by an electrical or other malfunction of the alarm system without also notifying the ~~P~~police of such malfunction.

~~(c) (e)~~ In the event the Palatine Police responds to three or ~~more~~ more false alarm responses within a six-month rolling period, the Village of Palatine shall issue a ticket and assess a fine to the person having or maintaining such burglary and/or robbery or trespass, elevator emergency or fire alarm on premises owned or occupied by him/her, not less than ~~one hundred fifty~~ (\$100.00) dollars and up to seven hundred and fifty (\$750.00) dollars per false alarm occurrence.

~~(d)~~ In the event the Palatine Police responds to six (6) or more false alarm responses within a six-month rolling period, the Village of Palatine shall issue a ticket and assess a fine to the person having or maintaining such burglary and/or robbery or trespass, elevator emergency or fire alarm on premises owned or occupied by him/her, not less than one hundred (\$100.00) dollars and up to seven hundred and fifty (\$750.00) dollars per false alarm occurrence.

~~(e)~~ The Village reserves the right to hold a Business Revocation Hearing for commercial properties in violation of this Article pursuant to Sec. 11-15. Suspension or revocation of license or permit. (Ord. No. O-141-23, 12-04-23)

**Sec. 12-290. Automatic dialing of ~~police-Police department-Department~~ or ~~fire-Fire department~~ Department prohibited.**

No person, firm or corporation shall use or cause or permit to be used, or engage in, the business of providing any telephone device or telephone attachment that automatically selects a public trunk line of the ~~police-Police~~ or ~~fire-De~~partment of the Village of Palatine and then reproduces any prerecorded message or sound to report any robbery, burglary, fire or other emergency. (Ord. No. O-59-81, §1, 6-9-81)

**Sec. 12-291. Penalty for violations.**

Any person who intentionally activates an alarm system for the purpose of summoning ~~P~~police, except in the event of an actual or attempted robbery, burglary or other bona fide ~~police-Police~~ emergency, ~~or notifying the police of the activation of an alarm having knowledge that such activation was caused by malfunction of the alarm system without also first notifying the police of such malfunction; or any person, firm or corporation that fails to:~~

- ~~(a) Obtain an alarm system user permit as required in section 12-287;~~
- ~~(b) File a written report as required by section 12-289;~~
- ~~(c) Submit to inspection of the alarm system as required by section 12-289d~~
- ~~(d) Pay the fee required by section 12-289;~~
- ~~(e) Obey any lawful order of the Village Manager of suspension, revocation or disconnection of alarm user permit;~~ shall be punished by a fine of not less than fifty dollars (\$50.00), nor more than seven

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

hundred fifty dollars (\$750.00) for each offense, and each day that such ~~violation~~ continues shall be a separate offense. The Village reserves the right to pursue additional remedies in addition to the aforesaid fine amount. (Ord. No. O-59-81, §1, 6-9-81; Ord. No. 0-5—98, §15, 1-26-98)

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

**ARTICLE XXII. ABATEMENT OF NUISANCES**

**Sec. 12-292. Abatement procedure.**

The following shall be the procedure for the abatement of nuisances within the jurisdiction of the Village of Palatine.

(1) Notice. Unless otherwise provided for in this Code, upon the determination that a nuisance exists, the Village authorities shall give notice as follows:

- (a) Notice shall be given to the owner of the nuisance or of the property on which the nuisance exists. For purposes of this section, the person to whom the last general tax bill on the property was sent shall be presumed the owner.
- (b) Notice shall be served upon the owner personally or by first class mail addressed to the owner. If the nuisance has not been abated four (4) days after the mailing of such notice by first class mail, notice may be served upon such owner by posting the notice in a prominent place on or about the property identified in the notice
- (c) Notice shall state the location and nature of the nuisance.
- (d) Notice may apprise the owner that if the nuisance is not abated within a specified number of days, the Village shall, at the expense of such owner, have such nuisance abated. Ten (10) days shall be such specified number unless otherwise stated in this code.

(2) Abatement. If upon the giving of notice, the owner fails to abate said nuisance within the time specified in the notice, the Village authorities are hereby authorized to effect the abatement of said nuisance, and to assess the cost thereof against the owner of the land upon which the nuisance exists. The amount of such costs shall be paid by such owner to the Village. No building permit shall be required for the Village authorities to abate a nuisance.

(3) If the nuisance is of such threat to the welfare and comfort of the community that it must be abated immediately, the Village Manager or his/her designee is hereby authorized to take whatever steps are necessary to effect the abatement of same.

(Ord. No. O-105-82, §1, 11-8-82; Ord. 0-91-08, §2, 7/14/08)

**Sec. 12-293. Assessment of liens for the costs of nuisance abatement.**

The cost of such abatement shall constitute a lien upon the real estate effected, superior to all subsequent liens and encumbrances, except tax liens, if within sixty (60) days after such cost or expense is incurred the Village, or the person performing the service by authority of the Village in his/her or the Village's name, files notice of lien in the office of the recorder of deeds of Cook County, or in the office of the Registrar of Titles if the real estate effected is registered under the Torrens System.

The notice shall consist of a sworn statement setting out:

- (1) A description of the real estate sufficient for identification thereof.
- (2) The amount of money representing the cost and expense incurred or payable for the service.
- (3) The date or dates when such cost and expense was incurred by the municipality.

However, the lien of the Village shall not be valid as to any purchaser whose rights in and to such real estate have arisen subsequent to the abatement and prior to the filing of such notice, and the lien of the Village shall not be valid as to any mortgages, judgment creditor, or other lien or whose rights in and to such real estate arise prior to the filing of such notice. Upon payment of the cost and expense by the owner or persons interested in such property after notice of lien has been filed, the lien shall be released by the Village of the person in whose name the lien was filed and such release may be filed of record as in the case of filing notice of lien.

## PALATINE CODE OF ORDINANCES – CHAPTER 12 OFFENSES AND MISCELLANEOUS PROVISIONS

The cost of such abatement shall not be a lien upon the real estate effected unless a notice shall be served according to 12-292, paragraph (1) of this chapter. (Ord. No. O-105-82, §1, 11-8-82)

### ARTICLE XXIII. PENALTY FOR NUISANCE VIOLATIONS

#### Sec. 12-294. Penalty.

Any person, firm or corporation causing any nuisance enumerated in this Code shall be subject to a fine of not less than two hundred dollars (\$200.00) nor more than one thousand five hundred dollars (\$1,500.00). Each time such person shall continue or re-cause a nuisance after being found guilty for the same, a new cause of action shall immediately accrue; provided however that the offender shall be given notice for each offense as set forth in section 12-292 of this chapter, and shall be allowed a reasonable time to abate such additional nuisance unless it was willful or resulted in actual damage to another. (Ord. No. O-105-82, §1, 11-8-82; Ord. No. 0-5-98, §17,1-26-98; Ord. No. 0-91-08, §3&4, 7/14/08)

### ARTICLE XXIV. SPRAY PAINT

#### Sec. 12-294.1. Sale to minors.

It shall be unlawful for any person holding a retail business license to sell paint in spray cans to any person under the age of eighteen (18) years.

Any person holding a retail business license to sell paint in spray cans shall have posted in a conspicuous place, a sign which clearly states that "It is unlawful to sell spray paint to any person under the age of eighteen (18) years." (Ord. No. O-13-88, §1, 2-8-87)

### ARTICLE XXV. RESERVED.

### ARTICLE XXVI. REGULATION OF LIGHTING\*

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**\*Editor's note**--Ordinance No. O-109-89, adopted Aug. 14, 1989, amended Ch. 12 by adding a new Art. XXVI consisting of provisions numbered §§12-300--12-306. In order to conform to established Code format, and in order to provide possible future expansion of Art. XXV without the necessity of point-numbering, the editor has renumbered these new provisions as §§12-310--12-316. The original section numbers of these provisions have been preserved in the history notes following each section and in the Code Comparative Table at the back of this volume in order to aid the user in tracking.

**Cross reference(s)**--Streets and sidewalks, Ch. 16; street lighting requirements in subdivisions, App. B, §8.09.  
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#### Sec. 12-310. Definitions.

The following definitions shall apply in the interpretation and enforcement of this article:

*Flood light.* A luminaire designed so that at least ninety (90) percent of the emitted light is within an angle of thirty (30) degrees to the centerline of the light beam.

*Foot lambert.* One (1) foot lambert is the brightness of a perfectly diffusing surface uniformly emitting or reflecting one (1) lumen per square foot of surface.

*Footcandle.* One (1) footcandle is the amount of illumination provided by a light source of one (1) international candle at a distance of one (1) foot from the light source.

## PALATINE CODE OF ORDINANCES – CHAPTER 12 OFFENSES AND MISCELLANEOUS PROVISIONS

*International candle or candle power.* One (1) international candle is the unit of luminous intensity as established by standard light sources as maintained by the U.S. Bureau of Standards. This is more commonly called one (1) candle power.

*Lumen.* One (1) lumen is that quantity of luminous energy included in one (1) steradian unit solid angle from a uniform point source of one (1) candle power. It is also defined as the luminous flux intercepted by a surface of one (1) square foot, all points of which are one (1) foot from a uniform point source of one (1) candle power.

*Luminare.* A device or fixture containing a light source and means for directing and controlling the distribution of light emitted therefrom. (Ord. No. O-109-89, §1 (12-300), 8-14-89)

### **Sec. 12-311. Regulations of intensity of light.**

It is unlawful for any person, association or other legal entity owning, occupying or controlling any property within the Village of Palatine to exceed the following light intensity regulations:

- (1) No lighting source shall cause more than one-tenth (0.1) footcandle of illumination to fall on adjoining R1, R1A, R1B, R1C and R2 residentially zoned property and any property zoned P or PUD which is improved with one (1) or more single-family detached dwellings.
- (2) No lighting source shall cause more than two-tenths (0.2) footcandle of illumination to fall on adjoining R3 or R3A residential property and any property zoned P or PUD which is improved multifamily property.
- (3) No lighting source shall cause more than two (2) footcandles of illumination to fall on any adjoining commercially zoned property and any property zoned P or PUD which is improved commercial property.
- (4) No lighting source shall cause more than five (5) footcandles of illumination to fall on any public way in commercially zoned property. (Ord. No. O-109-89, §1 (12-301), 8-14-89)

### **Sec. 12-312. Regulations on glare.**

Regulations on glare shall be as follows:

- (1) No floodlight shall be mounted higher than twenty-five (25) feet above the ground nor shall any part of any floodlight's beam strike the ground at any angle of more than forty-five (45) degrees from vertical.
- (2) No light source shall present a surface brightness when viewed between horizontal and an angle of forty-five (45) degrees above horizontal from adjoining property in accordance with the following:
  - a. 750 foot lamberts from R1, R1A, R1B, R1C and R2 zoned property.
  - b. 1,500 foot lamberts from R3 and R3A zoned property.
  - c. 2,200 foot lamberts from any commercially zoned property.
  - d. 10,000 foot lamberts from any public way.

(Ord. No. O-109-89, §1 (12-302), 8-14-89)

### **Sec. 12-313. Standards of measurement.**

(a) Light intensity shall be measured in foot-candles with a direct reading portable low range light meter having a range of zero to twenty (0--20) foot-candles. Values set forth in this article are maximum values measured at ninety (90) degrees to the incidence of light from the source.

(b) Measurement methods and techniques shall be those recommended by the Illuminating Engineering Society in their "Standard Methods for Measuring and Reporting Horizontal Foot-candle."

(c) Brightness measurement based on foot lambert must be governed by the definition of the foot lambert and lumen. Calculated values for source brightness may be obtained by using comparable

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

measurement techniques. Calculations shall be in accordance with the following:

- (1) *Spherical bare sources (incandescent lamps).* The brightness shall be calculated as total lumens divided by one-tenth the square of the diameter of the source measured in inches.
- (2) *Cylindrical bare sources (fluorescent lamps).* The brightness shall be calculated as total lumens divided by one-fiftieth the product of length and diameter of the source in inches.
- (3) *Floodlight sources.* The brightness of floodlight sources shall be calculated as the eight-tenths of the total lumens divided by the area of the face of the floodlight in square feet.

If the light source is mounted in a diffuse luminaire, seven-tenths of the above values shall be used.

The values of lumens to be used shall be based on the following efficiencies:

| Incandescent Filament Lamps | Gaseous Discharge Lamps    |
|-----------------------------|----------------------------|
| 25 watt-- 250 lumens        | 40 watts-- 1,200 lumens    |
| 40 watt-- 500 lumens        | 100 watts-- 3,000 lumens   |
| 60 watt-- 800 lumens        | 250 watts--11,000 lumens   |
| 100 watt-- 1,600 lumens     | 400 watts--25,000 lumens   |
| 200 watt-- 3,300 lumens     | 1,000 watts--65,000 lumens |
| 300 watt-- 5,000 lumens     |                            |
| 500 watt-- 9,000 lumens     |                            |
| 1,000 watt--20,000 lumens   |                            |

(Ord. No. O-109-89, §1 (12-303), 8-14-89)

**Sec. 12-314. Enforcement.**

Any existing lighting condition determined by the director of environmental health to be in violation of any of the provisions of this article shall, within the time determined on a written notice to the violator, be corrected. Service of notice may be made by personal service, publication in a local newspaper generally circulated within the Village, conspicuous posting on the premises where the violation occurs or by U.S. mail. (Ord. No. O-109-89, §1 (12-304), 8-14-89)

**Sec. 12-315. Hearing of variations.**

Where practical difficulties or particular hardship, not created by any person having interest in the property, prevents carrying out the strict letter of any of the provisions of this article, the Board of Health, on petition, may determine and vary the requirements of this article to the extent that they are still in harmony with its general purpose and intent. However, any such variation shall be made by the Board as specified only after a hearing before the Board, of which hearing there shall be notice of time and place of the hearing given by publication not less than fifteen (15) days nor more than thirty (30) days before said hearing, and also by United States mail addressed to the person(s) or entity seeking a variation from the requirements of this article and the owners of any adjacent property. (Ord. No. O-109-89, §1 (12-305), 8-14-89)

**Sec. 12-316. Violations declared a nuisance.**

The failure of persons owning or occupying the property to abate any lighting violation(s), as stated in this article, is declared a public nuisance and shall be subject to the abatement provisions of Article XXII of

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

this chapter and the penalty provisions of Article XXIII of chapter. (Ord. No. O-109-89, §1 (12-306), 8-14-89)

**ARTICLE XXVII. GRAFFITI**

**Sec. 12-317. Graffiti Prohibited.**

It shall be unlawful for the owner of any property to not remove or paint over any prohibited sign painted directly on an exterior wall of a building or on any structure upon that property. A prohibited sign includes but is not limited to any permanent display of any letter, numeral, figure, emblem, insignia, picture, outline, character, spectacle, delineation, announcement or any combination thereof which are painted of a color different from the color of the exterior of the structure on which it is painted and which are viable beyond the boundaries of the property including signs commonly known as graffiti. A painted area on the side of a structure used to cover a prohibited sign or graffiti which is of a different color or surface material than the remaining exterior surface of that side of the structure is unlawful.

**Sec. 12-318. Failure to remove graffiti declared a nuisance.**

The failure of an owner of property to remove from the exterior of structures upon the owner's property any permanent display of a prohibited sign or graffiti in compliance with the regulations of this Code, within fourteen (14) days of notification, is declared a public nuisance and shall be subject to the abatement provisions of Article XXII of this chapter and the penalty provisions of Article XXIII of this Chapter. (Ord. No. 0-60-93 6-14-93)

**ARTICLE XXVIII. DRUG PARAPHERNALIA**

**Sec. 12-319. Definitions.**

As used herein, unless the context requires otherwise.

*Cannabis.* The term "cannabis" is defined in 720 ILCS 550/3(a) of the Cannabis Control Act, and Section 1-10 of the Cannabis Regulation and Tax Act. (Ord. No. O-042-20, 06/22/20)

*Controlled Substance.* The term "controlled substance" shall have the meaning ascribed to it in Section 102 of the "Illinois Controlled Substances Act" (720 ILCS 570/102), as if that definition were incorporated herein.

*Deliver or Delivery.* The terms "deliver" or "delivery" mean the actual, constructive or attempted transfer of possession, with or without consideration, whether or not there is an agency relationship.

*Drug Paraphernalia.* The term "drug paraphernalia" means all equipment, products and materials of any kind which are peculiar to and marketed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body cannabis or a controlled substance in violation of the Cannabis Control Act and the Cannabis Regulation and Tax Act, or the Illinois Controlled Substances Act. Drug Paraphernalia includes, but is not limited to: (Ord. No. O-042-20, 06/22/20)

1. Kits peculiar to and marketed for use in manufacturing, compounding, converting, producing, processing or preparing cannabis or a controlled substance.
2. Isomerization devices peculiar to and marketed for use in increasing the potency of any species of plant, which is cannabis or a controlled substance.

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

3. Testing equipment peculiar to and marketed for private home use in identifying or in analyzing the strength, effectiveness or purity of cannabis or controlled substance.
4. Diluents and adulterants peculiar to and marketed for cutting cannabis or a controlled substance by private persons.
5. Objects peculiar to and marketed for use in ingesting, inhaling, or otherwise introducing cannabis, cocaine, hashish, or hashish oil into the human body including, where applicable, the following items:
  - a. water pipes
  - b. carburetion tubes, pipes and devices
  - c. smoking and carburetion masks
  - d. miniature cocaine spoons and cocaine vials
  - e. electric pipes
  - f. air-driven pipes
  - g. chillums
  - h. bongs
  - I. ice pipes or chillers
  - j. roach clips
6. Any item whose purpose, as announced or described by the seller, is for use in violation of this Ordinance.

**Sec. 12-320. Sale or delivery of drug paraphernalia.**

- (a) It is unlawful for any person to keep for sale, offer for sale, sell, or deliver for any commercial consideration any item of drug paraphernalia.
- (b) Any store, place, or premises from which or in which any item of drug paraphernalia is kept for sale, offered for sale, sold, or delivered for any commercial consideration is declared a public nuisance.

**Sec. 12-321. Possession of drug paraphernalia.**

- (a) It is unlawful for any person to knowingly possess an item of drug paraphernalia with the intent to use it in ingesting, inhaling, or otherwise introducing a controlled substance into the human body, or in preparing a controlled substance for that use.
- (b) In determining intent under subsection (a), the trier of fact may take into consideration the proximity of the controlled substance to drug paraphernalia or the presence of controlled substance on the drug paraphernalia.

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

**Sec. 12-322. Exempt items.**

- (a) Items marketed for use in lawful research, teaching or chemical analysis of cannabis and not for sale
- (b) Items marketed for, or historically and customarily used in connection with the use of tobacco or any other lawful substance, to include, but not limited to, garden hoses, rakes, sickles, baggies, tobacco pipes, and cigarette rolling papers.
- (c) Items used for decorative purposes providing such items have been rendered completely inoperable or incapable of being used for any illicit purposes prohibited in this Ordinance.
- (d) Items used exclusively for the consumption of recreational cannabis by a person 21 years of age or older, or a person possessing a medical cannabis license. (Ord. No. O-042-20, 06/22/20)

**Sec. 12-323. Forfeiture and seizure of prohibited property.**

- (a) All drug paraphernalia is subject to forfeiture when found in violation of Village ordinance.
- (b) Property subject to forfeiture may be seized by any police officer upon process issued by a court having jurisdiction.
- (c) Seizures may be made by police officers if there is probable cause to believe that the property has been used to introduce cannabis or a controlled substance into the human body, or has cannabis or a controlled substance on it, including its residue, or is dangerous to health or safety and existing circumstances do not allow reasonable time for the officer to obtain lawful process, in violation of the Cannabis Control Act and Cannabis Regulation and Tax Act. (Ord. No. O-042-20, 06/22/20)
- (d) The presence of items which are deemed to be violations of this Ordinance or are otherwise subject to its forfeiture provisions in an inventory shall not subject the entire inventory to seizure or forfeiture.
- (e) When property is seized under this Ordinance, the Chief of Police may have the property removed to a place designated by him/her.
- (f) The Circuit Court shall determine the validity of any seizures made under this Ordinance and determine the disposition of all seized property.
- (g) When property is forfeited under this Ordinance, the Chief of Police may retain the property for official use or have the property destroyed.

**Sec. 12-324. Penalty.**

Any person who is found guilty of violating this Article shall be fined according to the fees listed in the Village Fee Schedule. (Ord. No. O-103-19, 12/2/19, Ord. No. O-042-20, 06/22/20)

**PALATINE CODE OF ORDINANCES – CHAPTER 12  
OFFENSES AND MISCELLANEOUS PROVISIONS**

**ARTICLE XXIX. CONFLICTS WITH CERTAIN HOME RULE COUNTY  
ORDINANCES**

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**Editor's Note:** Article XXIX was adopted by Ord. #O-50-17 on 5/1/17; Updated 12/04/2023

- A. Employers located within the Village shall comply with all applicable Federal and/or State laws and regulations as such laws and regulations may exist from time to time with regard to both the payment of minimum hourly wages and paid sick leave. Employee eligibility for paid sick leave and minimum hourly wages shall also be in compliance with all applicable Federal and/or State laws and regulations as such laws and regulations may exist from time to time.
- B. No additional obligations with regard to paid sick leave, minimum hourly wages, or other paid leave, including, without limitation, any additional obligations adopted by the County of Cook Board of Commissioners, shall apply to employers located within the Village or the Village.
- C. For the purposes of this Section, the term “employee” means an individual permitted to work by an employer regardless of the number of persons the employer employs, and the term “employer” means any person employing one or more employees, or seeking to employ one or more employees, if the person has its principal place of business within the Village or does business within the Village.
- D. For the purposes of this Section, the term “employer” does not mean:
  - (a) The government of the United States or a corporation wholly owned by the government of the United States;
  - (b) An Indian tribe or a corporation wholly owned by an Indian tribe;
  - (c) The government of the State or any agency or department thereof; or
  - (d) The Village.

**Article XXX CONFLICTS WITH PAID LEAVE FOR ALL WORKERS ACT**

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**Editor's Note:** Article XXX was adopted by Ord. #O-121-23 on 10/16/23

- A. No additional obligations with regard to paid leave, including, without limitation, any additional obligations adopted by the State of Illinois under the Paid Leave for All Workers Act, 820 ILCS 192/1, et seq., as well as any subsequent amendments, or any such obligations with regard to Paid Leave, shall apply to employees of the Village of Palatine, Illinois, and the Village opts out and declares that it is exempt from any such regulations or requirements pursuant to the Village's Home Rule Authority of such regulations or requirements.

## Consider a Motion to Approve the 2024 Summer Farmers' Market and 2024-2025 Winter Farmers' Market

### BACKGROUND:

Since 2001, the Farmers' Market has operated in the Train Station parking lot every Saturday, May through October. In addition to fresh produce and food products, the Market employs ten residents and encourages participation by civic groups and local musicians.

### KEY ISSUES:

- The Palatine Farmers' Market requests approval for the 2024 Summer Market dates every Saturday (May 4 - October 26) from 7 AM to 1 PM in the Palatine Train Station Parking Lot (B). The Market's layout will be consistent with last year's. The Market includes over 30 vendors with increased organic products, a wider variety of local products, and a knife sharpener.
- The Farmers' Market requests approval of the following 2024-2025 Winter Market dates: November 2 and 16, December 7 and 21 of 2024 and January 4 and 18, February 1 and 15, March 1 and 15, April 5 and 19 of 2025. The Winter Market, held from 10 AM to noon, will include two vendors in Parking Lot B and 10-12 vendors inside the Train Station. Katich Breads will be allowed in the lot to deliver customer pre-orders every Saturday November through April for one hour from 10 -11 AM.
- The Farmers' Market is also seeking approval to place five (real estate size) signs at key intersections on Saturdays between 6 AM and 2 PM.
- To ensure that the Village collects all Sales and Food and Beverage Tax, vendors will be provided with all applicable State and Village forms for remittance. Village staff will periodically check to confirm payments are being made.

### ALTERNATIVES:

1. Approve the proposed 2024 Summer Farmers' Market and 2024-2025 Winter Market dates.
2. Refer back to Staff with comments.

### RECOMMENDATION:

Staff recommends approval.

### ACTION REQUIRED:

Motion to approve the proposed 2024 Summer Farmers' Market and 2024-2025 Winter Market dates.

|                  |                                                 |
|------------------|-------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED BY CONSENT VOTE [UNANIMOUS]</b>     |
| <b>MOVER:</b>    | Scott Lamerand, District 2 Councilman           |
| <b>SECONDER:</b> | Tim Millar, District 1 Councilman               |
| <b>AYES:</b>     | Millar, Lamerand, Myslinski, Solberg, Kozlowski |
| <b>ABSENT:</b>   | Brad Helms                                      |

# Consider a Motion to Approve the Temporary Closure of Public Streets and Waiver of Fees All Related to the Jaycees' Proposed 2024 Hometown Fest

## BACKGROUND:

The Palatine Jaycees are planning to hold their annual Hometown Fest from Wednesday, July 3 - Sunday, July 7, 2024. This festival is the Jaycees' largest fundraiser of the year, with proceeds going directly back to the community through the many programs they sponsor. The proposed festival hours are as follows :

- Wednesday, July 3: 5 PM - 12 AM (Special Needs Carnival from 3 - 5 PM)
- Thursday, July 4: Noon - Midnight
- Friday, July 5: Noon - 12 AM (Fireworks at 9:30 PM)
- Saturday, July 6: Noon - Midnight (Parade Kicks Off at 11 AM)
- Sunday, July 7: Noon - 5 PM

## KEY ISSUES:

1. The Jaycees are requesting approval of the following:
  - Waiver of fees for Village services, permits, and licenses.
  - Temporary closure of Wood Street, between Mozart Street and Oak Street, from Monday, July 1 (evening) - Sunday, July 7 for the carnival. This approval would be subject to access being maintained to the Village Hall and Park District facilities throughout the event.
  - Carnival Setup will begin Tuesday, July 2 and tear down will start Sunday afternoon on July 7th and conclude on Monday, July 8th.
  - Temporary closure of streets on Saturday, July 6 for the parade.
  - The proposed event hours are consistent with what was approved by the Palatine Park District at their January 23, 2024 Board Meeting.
2. The Sanborn School parking lot will be closed starting Sunday June 30<sup>th</sup> for carnival equipment arrival and set-up. The school and Park District have approved this closure.
3. Any requested overnight security from the Palatine Police Department will be billed and paid for by the Jaycees.

## ALTERNATIVES:

1. Approve the request for the temporary closure of public streets and the waiver of Village fees.
2. Do not approve the request for the temporary closure of public streets and the waiver of Village fees.

## RECOMMENDATION:

Staff recommends approval of the Palatine Jaycees Hometown Fest and related requests.

## ACTION REQUIRED:

A motion to approve the request for the temporary closure of public streets and the waiver of Village fees, subject to the conditions outlined above.

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

# Consider a Motion to Award a Contract for the 2023 Water Main Replacement Contract 1 Phase 2 Project

## BACKGROUND:

The Rand Road water main from Lilly Lane to Dundee Road and the Dundee Road water main from Aspen Court to Quentin Road are recommended for replacement due to their age and the number of breaks that have occurred over the last several years. These facilities were planned for replacement in 2023 but the Illinois Department of Transportation delayed issuing permits until just recently. After the required permits were secured, the project was competitively bid.

## KEY ISSUES:

- On Tuesday, February 6, 2024, 5 bids were received, ranging from a high of \$1,234,568 to a low of \$700,500.
- The low responsive and responsible bidder was Trine Construction Corporation of Saint Charles, Illinois in the amount of \$700,500.
- The Engineer's estimate was \$1,229,485.

## ALTERNATIVES:

1. Award the contract for the 2023 Water Main Replacement Contract 1 Phase 2 to Trine Construction Corporation.
2. Refer back to Staff with comments.

## RECOMMENDATION:

It is recommended that the contract for the 2023 Water Main Replacement Contract 1 Phase 2 Project be awarded to Trine Construction Corporation of Saint Charles, Illinois in the amount of \$700,550.

## BUDGET IMPACT:

Funding is available in the water fund of the 2023 Capital Improvement Program to accommodate this work.

## ACTION REQUIRED:

Motion to award the contract for the 2023 Water Main Replacement Contract 1 Phase 2 Project to Trine Construction Corporation of Saint Charles, Illinois in the amount of \$700,550.

|                  |                                                 |
|------------------|-------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED BY CONSENT VOTE [UNANIMOUS]</b>     |
| <b>MOVER:</b>    | Scott Lamerand, District 2 Councilman           |
| <b>SECONDER:</b> | Tim Millar, District 1 Councilman               |
| <b>AYES:</b>     | Millar, Lamerand, Myslinski, Solberg, Kozlowski |
| <b>ABSENT:</b>   | Brad Helms                                      |

# Consider a Motion to Award a Contract for the 2024 Street Resurfacing Program

## BACKGROUND:

On a yearly basis, the Village of Palatine undertakes a street resurfacing program designed to achieve the Village's stated goal of having all streets at the "good" level as defined by the COE-APWA Micro Paver Program.

Forty-two sections of streets were identified for resurfacing, totaling approximately 38,087 feet or 7.21 miles. In addition, the proposed work includes inlet repairs, sidewalk replacement for ADA accessible ramps, curb/gutter replacement, installation of new concrete edging on non-curbed streets, along with base course repairs.

## KEY ISSUES:

- The street resurfacing program's major funding source is State Motor Fuel Tax (MFT) fund, thus bidding and contract awards must be in accordance with IDOT procedures.
- On Tuesday, January 30, 2024, six bids were received that were properly prepared, with affidavits completed and signatures executed, and therefore found to be compliant.
- The 2024 program budget is \$3,362,027. The low bid is 1.3% under the 2024 Adopted Budget.
- Builders Paving of Hillside, Illinois submitted the lowest compliant bid in the amount of \$3,318,638.

## ALTERNATIVES:

1. Award the contract for the 2024 Street Resurfacing Program to Builders Paving.
2. Refer back to Staff with comments.

## RECOMMENDATION:

It is recommended that the contract for the 2024 Street Resurfacing Program be awarded to Builders Paving of Hillside, Illinois in the amount of \$3,318,638.

## BUDGET IMPACT:

Funds have been budgeted in the 2024 Capital Improvement Program. The low compliant bid will result in a savings of approximately \$43,389.

## ACTION REQUIRED:

Motion to award the contract for the 2024 Street Resurfacing Program to Builders Paving, LLC of Hillside, Illinois in the amount of \$3,318,638.

|                  |                                                 |
|------------------|-------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED BY CONSENT VOTE [UNANIMOUS]</b>     |
| <b>MOVER:</b>    | Scott Lamerand, District 2 Councilman           |
| <b>SECONDER:</b> | Tim Millar, District 1 Councilman               |
| <b>AYES:</b>     | Millar, Lamerand, Myslinski, Solberg, Kozlowski |
| <b>ABSENT:</b>   | Brad Helms                                      |

# Consider an Ordinance Amending Chapter 12 Offenses and Miscellaneous Provisions of the Palatine Code of Ordinances

## BACKGROUND:

Due to end-of-life false alarm permitting software and a review of the program, the Police Department and Village Manager's Office are recommending changes to Article XXI. Burglary or Robbery Alarm Systems in Chapter 12 - Offenses and Miscellaneous Provisions.

## KEY ISSUES:

The following outlines the significant revisions included within the proposed amendments:

- Updated false alarm and permitting sections to remove a required alarm permit and replace with an optional and free registration;
- Update the false alarm fee structure to assess a \$50 penalty for the third and fourth false alarm and increase that penalty to \$100 for the sixth and subsequent false alarms;
- General grammatical, spelling, punctuation and general errors and updates throughout.

## ALTERNATIVES:

1. Approve ordinance amending Chapter 12.
2. Do not approve ordinance amending Chapter 12.

## RECOMMENDATION:

Staff recommends approval of the ordinance amending Chapter 12- Offenses and Miscellaneous Provisions of the Code of Ordinances.

## ACTION REQUIRED:

Motion to approve the ordinance amending Chapter 12- Offenses and Miscellaneous Provisions of the Code of Ordinances.

|                  |                                                 |
|------------------|-------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED BY CONSENT VOTE [UNANIMOUS]</b>     |
| <b>MOVER:</b>    | Scott Lamerand, District 2 Councilman           |
| <b>SECONDER:</b> | Tim Millar, District 1 Councilman               |
| <b>AYES:</b>     | Millar, Lamerand, Myslinski, Solberg, Kozlowski |
| <b>ABSENT:</b>   | Brad Helms                                      |