

**TITLE 1  
ADMINISTRATIVE REGULATIONS**

**CHAPTER 1**

**1-1-1: TITLE:**

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

**1-1-2: ACCEPTANCE:**

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

**1-1-3: AMENDMENTS:**

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

#### **1-1-4: CONTINUATION OF EXISTING ORDINANCES**

The provisions appearing in this code, so far as they are substantially the same as those of other ordinances existing at the time of the adoption of this code shall be construed as a continuation thereof and not as new enactments.

#### **1-1-5: CODE ALTERATIONS:**

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

### **CHAPTER 2 SAVING CLAUSE**

#### **1-2-1: REPEAL OF GENERAL ORDINANCES:**

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

**1-2-2: PUBLIC WAYS AND PUBLIC UTILITY ORDINANCES:**

No ordinance relating to railroads or railroad crossings with streets and other public ways, or relating to the conduct, duties, service or rates of public utilities shall be repealed by virtue of the adoption of this code or by virtue of the preceding section, excepting as the code may contain provisions for such matters, in which case, this code shall be considered as amending such ordinance or ordinances in respect to such provisions only.

**1-2-3: COURT PROCEEDINGS:**

- A. No new ordinance shall be construed or held to repeal a former ordinance, whether such former ordinance is expressly repealed or not, as to any offense committed against such former ordinance or as to any act done, any penalty, forfeiture or punishment so incurred, or any right accrued or claim arising under the former ordinance, or in any way whatever to affect any such offense or act so committed or so done, or any penalty, forfeiture or punishment so incurred or any right accrued or claim arising before the new ordinance takes effect, save only that proceedings thereafter shall conform to the ordinance in force at the time of such proceeding, so far as practicable. If any penalty, forfeiture or punishment be mitigated by any provision of a new ordinance, such provision may be, by the consent of the party affected, applied to any judgment announced after the new ordinance takes effect.
- B. This Section shall extend to all repeals, either by express words or implication, whether the repeal is in the ordinance making any new provisions upon the same subject or in any other ordinance.
- C. Nothing contained in this Chapter shall be construed as abating any action now pending under or by virtue of any general ordinance of the Village herein repealed and the provisions of all general ordinances contained in this Code shall be deemed to be continuing provisions and not a new enactment of the same provision; nor shall this Chapter be deemed as discontinuing, abating, modifying or altering any penalty accrued or to accrue, or as affecting the liability of any person, firm or corporation, or as waiving any right of the Village under any ordinance or provision thereof in force at the time of the adoption of this Village Code.

**1-2-4: AUTHORIZING THE PAYMENT OF LEGAL FEES FOR OFFICIALS AND EMPLOYEES:**

- A. Authorizing Payment Under Certain Circumstances: If any civil claim or action is brought or instituted against an official or employee, where such claim or action arises out of an act or omission of the official or employee, performed in good faith in the discharge of his or her official duties or in the course of his or her employment, the village shall indemnify such official or employee for any reasonable costs incurred by such official or employee in the defense of such claim or action, including reasonable attorney fees, and shall pay any judgment or settlement arising out of such claim or action, provided that any such official or employee shall fully cooperate with the village in the defense of any such claim or action. Payment of judgements or settlements shall not extend to the payment of punitive damage awards.
  
- B. Authorizing Payment Under Other Circumstances: If any criminal proceeding is brought by the state's attorney, attorney general or United States' attorney against any present or former president or trustee alleging an offense related to or arising out of the holding of said elected office, and if at the final conclusion of any such proceeding there is a finding, verdict or judgment of "not guilty" of all charges made or if all charges are dismissed, then the village shall indemnify such present or former president or trustee for any reasonable costs incurred thereby in the defense thereof, including reasonable attorney fees.

**1-2-4: SEVERABILITY CLAUSE:**

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

## **CHAPTER 3 DEFINITIONS**

### **1-3-1: CONSTRUCTION OF WORDS:**

- A. Whenever any word in any section of this Village Code importing the plural number is used in describing or referring to any matters, parties or persons, any single matter, party or person shall be deemed to be included, although distributive words may not have been used.
  
- B. When any subject matter, party or person is referred to in this Village Code by words importing the singular number only, or the masculine gender, several matters, parties or persons and females as well as males and bodies corporate shall be applied to any section of this Village Code which contains any express provision excluding such construction or where the subject matter or content may be repugnant thereto.
  
- C. The word "ordinance" contained in the ordinances of the Village has been changed in the content of this Village Code to "title", "chapter", "section", and/or "subsection" or words of like import for organizational and clarification purposes only. Such change to the Village's ordinances is not meant to amend the passage and effective dates of such original ordinances.

### **1-3-2: DEFINITIONS:**

In the interpretation and construction of this code, the following definitions shall be observed, unless they are inconsistent with the manifest intent of the Board of Trustees or the context clearly requires otherwise:

**ACTION:** Shall include suits, prosecutions and all judicial proceedings.

**AGENT:** A person acting on behalf of another with authority conferred, either expressly or compliedly to do so.

**BOARD OR THE BOARD:** The corporate authorities of the village of Willow Springs, Illinois.

**CODE:** The municipal code of the village of Willow Springs, and amendments thereto.

COMPUTATION OF TIME: The time within which any act provided by law is to be done shall be computed by excluding the first day and including the last, unless the last day is Sunday or a legal holiday, and then it shall also be excluded. If the day succeeding such Sunday or holiday is also a holiday or a Sunday, then such succeeding day shall also be excluded.

COUNTY OR THE COUNTY: Cook County in the state of Illinois.

EMPLOYEES: Whenever reference is made in this code to a village employee by title only, this shall be construed as though followed by the words "of the village of Willow Springs".

FEE: A sum of money charged by the village for the carrying on of a business, profession or occupation.

FISCAL YEAR: The fiscal year of the village shall begin on May 1 of each calendar year.

IN THE VILLAGE OR WITHIN THE VILLAGE: Means and includes all territory over which the village now has or shall hereafter acquire jurisdiction for the exercise of its police powers or other regulatory powers.

JOINT AUTHORITY: Words purporting to give a joint authority to three (3) or more public officers or other persons shall be construed as giving such authority to a majority of such officers or persons.

LICENSE: The permission granted for the carrying on of a business, profession or occupation.

MISDEMEANOR: Any offense for which a sentence to a term of imprisonment in other than a penitentiary for less than one year may be imposed.

MONTH: A calendar month.

NUISANCE: Anything offensive to the sensibilities of reasonable persons, or any act or activity creating a hazard which threatens the health and welfare of inhabitants of the village, or any activity which by its perpetuation can reasonably be said to have a detrimental effect on the property of a person or persons within the community.

OATH: Shall be deemed to include an affirmation and the word "sworn" shall be construed to include the word "affirmed".

OCCUPANT OR TENANT: The word "occupant" or "tenant" applied to a

building or land means any person who holds a written or oral lease of or actually occupies the whole or a part of such building or land either alone or with others.

OFFENSE: Any act forbidden by any provision of this code or the omission of any act required by the provisions of this code.

OFFICERS: Whenever the title of any village officer is used, it shall be construed as if the words "of the village of Willow Springs" follow it.

OPERATOR: The person who is in charge of any operation, business or profession.

OWNER: As applied to a building or land, shall include any part owner, joint owner, tenant in common, joint tenant in partnership, joint tenant of the whole or a part of the holder in any beneficial interest of such building or land.

PERSON: Any public or private corporation, firm, partnership, association, organization, government or any other group acting as a unit and includes any trustee, receiver, assignee or personal representative thereof, as well as a natural person.

PERSONAL PROPERTY: Shall include every species of property, except "real property" as defined in this section.

PRECEDING, FOLLOWING: The next before and next after, respectively.

PRESIDENT: The President of the village of Willow Springs.

PRESIDENT PRO TEM: The President pro tem of the village of Willow Springs.

PROPERTY: Includes real and personal property.

REAL PROPERTY: Includes lands, tenements and hereditaments and shall embrace all chattels real.

RETAILER: Unless otherwise specifically defined, shall be understood to relate to the sale of goods, merchandise, articles or things directly to the consumer.

SEAL: The seal of the village of Willow Springs.

SIDEWALK: That portion of a street between the curb lines or the lateral

lines of a roadway and the adjacent property lines, intended for the use of pedestrians.

STATE: The state of Illinois.

STREET: The entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right for purposes of vehicular traffic.

VILLAGE: The village of Willow Springs in Cook County, state of Illinois, except as otherwise provided.

VILLAGE PRESIDENT: The President of the village may be referred to as "mayor" or "President" of the village.

WHOLESALE: The words "wholesaler" and "wholesale dealer" as used in this code, unless otherwise specifically defined, shall be understood to relate to the sale of goods, merchandise, articles or things to persons who purchase for the purpose of resale.

WRITTEN, IN WRITING: May include printing and any other mode of representing words and letters, but when the written signature of any person is required by law to any official or public writing or bond, it shall be in the proper handwriting of such person, or in case he is unable to write, by his proper mark.

YEAR: A calendar year unless otherwise expressed.

### **1-3-3: CATCHLINES:**

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

## **CHAPTER 4 GENERAL PENALTY**

### **1-4-1: GENERAL PENALTY:**

- A. Any person who violates, disobeys, omits, neglects or refuses to comply with, or who resists the enforcement of any of the provisions of the Village Code, or who shall refuse to remedy a violation of any such provisions shall, upon conviction, where no specific penalty is provided for the section being violated, be punished by a fine not to exceed seven hundred fifty dollars (\$750.00) for any one offense. A separate offense shall be deemed committed for each day such violation shall continue.
  
- B. In the event any building or structure erected, constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure or land is used in violation of the Village Code, the Village by and through its Building Commissioner, or other appropriate official, in addition to other remedies, may institute an appropriate action or proceeding: 1) to prevent the unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use; 2) to prevent the occupancy of the building, structure or land; 3) to prevent any illegal action, conduct, business or use in or about the premises; or 4) to restrain, correct or abate the violation.

### **1-4-2: APPLICATION:**

- A. The penalty provided in this Chapter shall be applicable to every section of this Village Code the same as though it were a part of each and every separate section. Any person convicted of a violation of any section of this Village Code where any duty is prescribed or obligation imposed, or where any action which is of a continuing nature is forbidden or is declared to be unlawful, shall be deemed guilty of a misdemeanor. A separate offense shall be deemed committed upon each day such duty or obligation remains unperformed or such act continues, unless otherwise specifically provided in this Village Code.
  
- B. In all cases where the same offense is made punishable or is created by different clauses or sections of this Village Code, the prosecuting officer may elect under which to proceed; but not more than one recovery shall be had against the same person for the same offense;

provided, that the revocation of a license or permit shall not be considered a recovery or penalty so as to bar any other penalty being enforced.

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

**1-4-3: LIABILITY OF OFFICERS:**

No provision of this Village Code designating the duties of any officer or employee shall be so construed as to make such officer or employee liable for any fine or penalty provided for a failure to perform such duty, unless the intention of the Board of Trustees to impose such fine or penalty on such officer or employee is specifically and clearly expressed in the section creating the duty.

**1-4-4: ADMINISTRATIVE ADJUDICATION:**

- A. Purpose: The purpose of this section is to provide as fair and efficient enforcement of village ordinances as may be allowed by law through an administrative adjudication of violations of such village ordinances.
- B. Adoption: The village of Willow Springs hereby adopts 65 ILCS 5/1-2.2-1 et seq., in its current form and as it may be amended from time to time for adjudication of municipal code violations to the extent permitted by the Illinois constitution.
- C. Definitions: As used in this section, unless the context requires otherwise:

CODE: Any municipal ordinance except for: building code violations that must be adjudicated pursuant to 65 ILCS 5/11-31.1 et seq., in its current form and as may be amended from time to time, and any offense under the Illinois vehicle code or a similar offense that is a traffic regulation governing the movement of vehicles and except for a reportable offense under section 6-204 of the Illinois vehicle code.

HEARING OFFICER: A municipal employee or an officer or agent of the village of Willow Springs, other than a law enforcement officer, whose duty it is to:

1. Preside at an administrative hearing called to determine whether or not a code violation exists;

2. Hear testimony and accept evidence from all interested parties relevant to the existence of a code violation;
3. Preserve and authenticate the transcript and record of the hearing and all exhibits and evidence introduced at the hearing; and
4. Issue and sign a written finding, decision, and order stating whether a code violation exists.

D. Code Hearing Department:

1. There is hereby established a code hearing department in the village of Willow Springs. The function of said code hearing department is to expedite the prosecution and correction of code violations in the manner set forth herein.
2. The code hearing department may adjudicate any violation of a municipal ordinance except for: a) building code violations that must be adjudicated pursuant to 65 ILCS 5/11-31.1 et seq., in its current form and as amended from time to time, and b) any offense under the Illinois vehicle code or similar offense that is a traffic regulation governing the movement of vehicles and except for any reportable offense under section 6-204 of the Illinois vehicle code.

E. Qualifications Of Hearing Officers: Prior to conducting proceedings under this section, the hearing officer shall successfully complete a formal training program that includes the following:

1. Instruction on the rules of procedure of the hearing that they will conduct;
2. Orientation to each subject area of the code violations that they will administer;
3. Observation of administrative hearings; and
4. Participation in hypothetical cases, including rules on evidence and issuing final orders.

In addition, every hearing officer must be an attorney licensed to practice law in the state of Illinois for at least three (3) years.

F. Hearing Procedure Not Exclusive: This section does not preclude the village of Willow Springs from using other methods to enforce the provisions of its code.

G. Procedures For Code Enforcement:

1. When a police officer, an auxiliary police officer, or other individual authorized to issue a code violation finds a code violation to exist, he or she shall note the violation on a multiple copy violation notice and report form that indicates: a) the name and address of the defendant, b) the type and nature of the violation, c) the date and time the violation was observed, and d) the names of the witnesses of the violation.
2. The violation report form shall be forwarded to the code hearing department where a docket number shall be stamped on all copies of the report and a hearing date shall be noted in the blank spaces provided for that purpose on the form. The hearing date shall not be less than thirty (30) nor more than sixty (60) days after the violation is reported.
3. One copy of the violation report form shall be maintained in the files of the code hearing department and shall be part of the record of hearing, one copy of the report form shall be returned to the individual representing the municipality in the case so that he or she may prepare evidence of the code violation for presentation at the hearing on the date indicated, and one copy of the report form shall be served by first class mail to the defendant along with a summons commanding the defendant to appear at the hearing.

H. Subpoenas; Defaults: At any time prior to the hearing date, the hearing officer assigned to hear the case may, at the request of either party, direct witnesses to appear and give testimony at the hearing. If on the dates set for the hearing the defendant or his or her attorney fails to appear, the hearing officer may find the defendant in default and shall proceed with the hearing and accept evidence relevant to the existence of a code violation.

I. Continuances; Representation At Code Hearings: The Hearing Officer is authorized to grant one continuance at his or her discretion, at the request of the defendant and one continuance at the request of the Village Prosecutor or at any time when a continuance is absolutely necessary to protect the rights of the defendant. Lack of preparation shall not be grounds for a continuance. The case for the defendant

may be presented by the defendant, his or her attorney, or any other agent or representative of the defendant.

J. Hearing; Evidence: As indicated in subsection C of this section, a hearing officer shall preside at all hearings as provided herein, and accept any evidence relevant to the existence or nonexistence of a code violation. The strict rules of evidence applicable to judicial proceedings shall not apply to hearings authorized by this section. The hearing officer shall be appointed by the Village President with the advice and consent of the village board.

K. Findings, Decision And Order:

1. At the conclusion of the hearing, the hearing officer shall make a determination on the basis of the evidence presented at the hearing as to whether or not a code violation exists. The determination may be in writing and may be designated as findings, decision or order.
2. A monetary sanction for a violation under this section shall not exceed the amount provided for in 65 ILCS 5/1-2.2-45 in its current form and as amended from time to time. A copy of any findings, decisions, or orders shall be served on the defendant within five (5) days after it is issued. Service shall be in the same manner that the report form and summons are served under subsection G3 of this section. A monetary sanction for a violation under this subsection shall not exceed the amount provided for in section 1-4-1 of this chapter. Furthermore, a penalty may include, or consist of, a requirement that the defendant perform some reasonable public service work.

L. Review Under Administrative Review Law: The findings, decision and order of the hearing officer shall be subject to review in the circuit court of Cook County. The provisions of the administrative review act and the rules adopted thereto, shall apply to and govern every action for the judicial review of the findings, decisions, and order of a hearing officer under this section.

M. Judgment On Findings, Decision And Order:

1. A fine, other sanction, or costs imposed, or part of any fine, other sanction or costs imposed, remaining unpaid after the exhaustion of, or the failure to exhaust, judicial review procedures under the administrative review act shall be a debt due and owing the village of Willow Springs and, as such, may be collected in accordance with applicable law.

2. After expiration of the period within which judicial review under the administrative review act may be sought for a final determination of the code violation, the village of Willow Springs may command a proceeding in the circuit court of Cook County in the village of Willow Springs for purposes of obtaining a judgment. Nothing in this subsection shall prevent the village of Willow Springs from consolidating multiple findings, decisions, and orders against a person in such a proceeding. Upon commencement of the action, the village of Willow Springs shall file a certified copy of the findings, decision, and order, which shall be accompanied by a certification that recites facts sufficient to show that the findings, decision, and order was issued in accordance with this section and the applicable municipal ordinances. Service of the summons and a copy of the petition may be by any method provided that the total amount of fines, other sanctions, and costs imposed by the findings, decision, and order does not exceed two thousand five hundred dollars (\$2,500.00). If the court is satisfied that the findings, decision and order was entered in accordance with the requirements of this section and the applicable municipal ordinance and that the defendant had an opportunity for a hearing under this section and for judicial review as provided in this section:

a. The court shall render judgment in favor of the village of Willow Springs and against the defendant for the amount indicated in the findings, decision, and order, plus costs. The judgment shall have the same effect and may be enforced in the same manner as other judgments for the recovery of money;

b. The court may also issue any other orders and injunctions that are requested by the village of Willow Springs to enforce the order of the hearing officer to correct a code violation.

N. Impact On Existing Administrative Adjudication Systems: This section shall not affect the validity of systems of administrative adjudication that were authorized by state law, including the village of Willow Springs ordinances, and in existence prior to the effective date hereof.

## **CHAPTER 5 VILLAGE PRESIDENT**

### **1-5-1: ELECTION AND TERM:**

There shall be elected at the regular annual village election for the year 1979, and every four (4) years thereafter, a President of the village, who

shall hold his office for four (4) years and until his successor is elected and qualified.

### **1-5-2: BOND; COMPENSATION**

- A. Bond: The Village President shall before entering upon his duties, execute a bond with security to be approved by the Board of Trustees, payable to the Village in the penal sum of fifty thousand dollars (\$50,000.00). The village shall pay the cost of such bonds as it may require of the employees or officers.
- B. Compensation: The Village President shall devote such time to the duties of his office as the faithful discharge thereof may require, and shall receive as compensation therefor an annual salary of three thousand dollars (\$3,000.00), payable in equal monthly installments. He shall receive an additional two-hundred dollars (\$200) annually for serving as local liquor control commissioner.

### **1-5-3: POWERS AND DUTIES:**

- A. Executive Duties:
  - 1. The President of the Board of Trustees shall perform the duties and exercise the powers conferred upon the mayor of a city.
  - 2. The President of the Board of Trustees may exercise the same veto powers and with like effect as the mayor of a city; and the Board of Trustees may pass ordinances over such veto in like manner as a city council.
- B. Appointments and Removals:
  - 1. Appointments: The Village President, with the advice and consent of the Board of Trustees, shall appoint all officers of the village whose appointments are not otherwise provided for by statute; and whenever a vacancy shall occur in any office which by statute or ordinance the President is authorized to fill, he shall, at the regular meeting of the Board of Trustees next occurring, communicate to said board the name of his appointee to such office and, pending the approval or rejection by the board as to such appointment, he may designate some suitable person to discharge the duties of said office.

2. Removals: The President shall have power to remove any officer appointed by him on any formal charge whenever he shall be of the opinion that the interests of the Village demand such removal, but he shall report the reasons for such removal to the Board of Trustees at the next regular meeting. He shall fill all vacancies of appointed officers with the consent of the Board of Trustees.
- C. Signature; Revoke Licenses: The President shall sign all commissions, licenses, permits and warrants granted, issued or ordered by the Board of Trustees or authorized by the ordinances of the village, and may revoke any such licenses for the causes hereinafter provided.
- D. Litigation Powers:
1. The President shall sign, and is hereby authorized to sign on behalf of the village, all instruments necessary to the prompt prosecution or defense of any or all actions brought by or against the village, including bonds for injunction.
  2. Upon the receipt of any notice, summons or subpoena, the President shall contact the village attorney who shall immediately represent the village. The President is authorized to cause litigation to be instituted on behalf of the village in all cases where he shall deem it in the best interest of the village to proceed to do so and shall contact the village attorney for advice. The village attorney shall represent the village in all such legal matters.

**1-5-4: PRESIDENT PRO TEM:**

- A. Election. The Village Board shall elect one of its members to act as President Pro Tem.
- B. Duties.
1. The President Pro Tem shall perform all of the duties of the President during an absence or disability of the President. Absence of the President shall occur whenever the exercise of Presidential duties and/or powers requires the physical presence of the President and the President is not able to be physically present: i) at a previously scheduled event or ii) within an hour following notice given by the Village Administrator or Village Clerk.
  2. In the event the President fails to attend a meeting of the Village Board or portion thereof, the President Pro Tem shall chair the

meeting; and while so serving as chairman, shall have the right to vote only in the capacity as a board member. In the absence of both the President and President Pro Tem from a meeting of the Village Board, the Village Board shall elect one of its members to act as temporary chairman.

3. The President Pro Tem shall serve as Deputy Local Liquor Control Commissioner and shall exercise all powers and duties of the local liquor control commissioner in the absence of or at the direction of the President.

C. Term. The board member serving as President Pro Tem shall serve until:

1. Such board member resigns as President Pro Tem; or
2. Such board member is no longer a village board member.

## **CHAPTER 6 VILLAGE BOARD OF TRUSTEES**

### **1-6-1: ELECTION; QUALIFICATIONS; FUNCTIONS:**

The legislative body of the village shall consist of the Village President and six (6) trustees who shall possess the qualifications requisite for such office, and are elected by the electors of the village to a four (4) year term. They shall take the oath of office as prescribed by the Constitution of the State of Illinois and shall have the powers and perform the duties provided by statute.

### **1-6-2: COMPENSATION:**

Village trustees shall receive compensation in the sum of fifty dollars (\$50) per meeting attended which shall be paid monthly.

### **1-6-3: MEETINGS:**

- A. Regular meetings: Regular meetings of the corporate authorities shall be held at the village hall on the date and time specified in a resolution of meetings adopted prior to the close of each calendar year.
- B. Special Meetings: Special meetings of the corporate authorities may be called by the President or any three (3) trustees. The call shall be in

writing, include an agenda and be delivered to the office of the Village Clerk. The Village Clerk shall post notice and shall effectuate actual or constructive notice the special meeting to the President and board of trustee and news media by an appropriate method.

C. Agenda: The agenda for each regular meeting of the President and board of trustee shall be prepared by the Village Clerk in consultation with the village Administrator.

D. Remote Participation:

1. Definition Of Meeting: The term "meeting" as used in any existing village of Willow Springs resolutions, ordinances or rules shall be defined to mean, "any gathering, whether in person or by video or audio conference, telephone calls, electronic means (such as, without limitation, electronic mail, electronic chat and instant messaging), or other means of contemporary interactive communication, of a majority of a quorum of the members of a public body held for the purpose of discussing public business" or such other definition as shall be contained within the state statutes.
2. Remote Participation Policy: The village of Willow Springs hereby adopts the remote participation policy, attached to the ordinance codified herein, that permits a member of the public body to attend and participate in any meeting of a public body as defined in the open meetings act from a remote location via telephone, video or internet connection provided that such attendance and participation is in compliance with the policy and any applicable laws.

**1-6-4: PRESIDENT; DECIDING VOTE; VETO:**

A. President Of The Board; Deciding Vote: The President shall preside at all meetings of the Board of Trustees and shall not vote on any ordinance, resolution or motion except:

1. Where the vote of the trustees has resulted in a tie; or
2. Where one-half ( $1/2$ ) of the trustees elected have voted in the affirmative, even though there is no tie vote.

3. Where the statute requires that he shall vote.
4. When a vote greater than a majority is needed by law, statute or ordinance.

B. Vetoes:

1. The President may veto any ordinance, resolution or motion that expends municipal funds, in writing with his objections and shall report such veto at the next regularly scheduled meeting of the board.
2. The Board of Trustees, at the next regular meeting after the veto is returned, may reconsider and pass over the President's veto. If two-thirds ( $\frac{2}{3}$ ) of all members of the board then holding office shall vote to pass such vetoed action notwithstanding the veto, it shall become effective.

**1-6-5: QUORUM AND VOTING:**

- A. A quorum for the transaction of business in the Board of Trustees shall consist of a majority of the corporate authorities.
- B. Every ordinance and resolution shall be reduced to writing and presented to the corporate authorities before a vote thereon by the members is taken. Upon every such vote the names of all members of the Board of Trustees present shall be called and their yeas and nays shall be recorded.

**1-6-6: MEETINGS OF THE BOARD:**

- A. All meetings of the Village Board, standing or special committees of the board, and any other board or commission of the Village of Willow Springs shall be open to the public, except when such board, committee or commissions are authorized to close proceedings under the provisions of 5 ILCS 120, as amended from time to time.
- B. All meetings shall be held in accordance with a resolution of meetings adopted annually by the President and Board of Trustees.

C. RULES AND PROCEDURES FOR MEETINGS:

1. Adoption Of Robert's Rules of Order Newly Revised: The President and Board of Trustees hereby adopt "Robert's Rules Of Order Newly Revised", most recent edition, as its rules and procedures and to govern the conduct of all meetings of the village board and committees thereof. Notwithstanding the foregoing, the more specific rules contained in the remaining subsections of this section shall govern where applicable. In all cases where the rules set forth below in the remaining subsections of this section are in conflict with the aforesaid "Robert's Rules of Order Newly Revised", the rules contained in the remaining subsections of this section shall govern and control.
2. All board meetings, as well as the meetings of all committees, commissions or other public bodies of the village, shall allow for an agenda item titled "Public Comment" on its agenda during every public meeting.
3. Anyone desiring to speak at any Village meeting subject to the Open Meetings Act must sign a public comment sheet available at the location of the meeting, by Village staff, prior to the start of the meeting. The speaker must include their name, agenda topic/village concern, and optionally any contact information that they desire to provide. Although not required, speakers are encouraged to provide contact information so that the Village can be more responsive, including following up on concerns or questions raised.
4. After the speaker is recognized by the Village President or other presiding officer by name, said speaker will approach the designated area to address the Village Board or members at any other Village meeting. The speaker shall begin their statement by stating their name for the record.
5. Comments are limited to three (3) minutes per speaker. A speaker cannot give his or her allotted minutes to another speaker to increase that person's allotted time.
6. Public comment is not intended to require public officials to provide any answers to the speaker.

7. Discussions between speakers and members of the audience will not be allowed.
8. If a group of persons share a particular concern, the group will be encouraged, but not required, to appoint one or more spokespersons to speak on behalf of the group.
9. After the speaker has made his or her statement, he or she shall be seated with no further debate, dialogue or comment.
10. All persons addressing the public body shall maintain decorum and refrain from personal attacks of others. Comments shall be limited to public business. Comments supporting or opposing a person's candidacy for elected office are precluded.
11. The Public Comment portion of any meeting shall not exceed thirty (30) minutes, unless a majority of the Village Board or sub-unit of government of the Village agrees to extend the time allotted for public participation for that specific meeting.

12. PUBLIC HEARING.

a) Public Hearings are not intended to fulfill the requirements of Public Comment. Public Hearings shall be conducted under separate rules with a separate purpose than Public Comment as outline in this section.

b) No person shall be permitted to address the public body during a portion of the meeting once a public hearing has been declared open, except as determined by the presiding officer. During a public hearing, the presiding officer may require testimony be provided in accordance with requirements of a public hearing and may limit comments to those matters relevant to the subject set forth in the notice of public hearing and any other manner necessary to accomplish the purpose of said public hearing. Witnesses, wishing to avail themselves of a public hearing, may be required to give testimony under oath, state his or her name, state his or her address prior to giving any testimony and be

cross-examined and questioned by any member of the public body, any party to the public hearing or any other witness.

**1-6-7: STANDING COMMITTEES OF THE BOARD:**

- A. Establishment: The following shall be the standing committees of the village board of trustees:
1. Building and Zoning committee: The Building and Zoning committee shall be responsible for annexations, subdivisions, variations, dedications, vacations, planning and zoning commission liaison, Chicago Area Transportation Study liaison, permits and inspections for buildings, sites and signs and all ordinances. Provides fiscal oversight to the Building Department.
  2. Finance and Administration committee: The Finance and Administration committee shall be responsible for budgeting, appropriation tax levy, audits, purchases, insurance, personnel, collection and depositories and administration of the village. Provides fiscal oversight of general government programs and all village fiscal operations, and vehicle purchase and maintenance.
  3. License and Franchises committee: The License and Franchises committee shall be responsible for providing recommendations to the board as they relate to business licenses and franchise agreements.
  4. Municipal Buildings and Grounds committee: The Municipal Buildings and Grounds committee shall be responsible for developing policies for utilization and maintenance of all village owned or leased buildings, structures, land and parks and develops recreation programs and social functions.
  5. Public Safety committee: The Public Safety committee shall be responsible for public safety, police department, traffic control, parades, and provides liaison to the fire district, police commission, police pension board, and Cook County health inspectors. Provides fiscal oversight of police department and public health programs.
  6. Public Works committee: The Public Works committee shall be responsible for road maintenance programs, flood control programs, operation and development of sewer and water systems and

recommending usage rates and fees, and weed and grass control. Provides fiscal oversight of department of public works.

- B. Appointment Of Members: All committees of the Board of Trustees shall be committees of the whole board. Committee chairs and vice chairs shall be appointed by the President with the advice and consent of the Board of Trustees.
- C. Reports: Any report of a committee can be deferred for final action thereon, to the next regular meeting of the Board of Trustees, after the report is made, upon the request of any two (2) Trustees.
- D. Special and ad hoc committees: The corporate authorities may create such special and ad hoc committees as they deem necessary and expedient. Chairs, vice chairs and membership shall be appointed in the same manner as standing committees of the board.

## **CHAPTER 7 VILLAGE ADMINISTRATOR**

### **1-7-1: OFFICE CREATED; APPOINTMENT:**

- A. Office Created: There is hereby created the position of Village Administrator.
- B. Appointment: The Village Administrator shall be appointed by the President and Board of Trustees ("Corporate Authorities"). The Village Administrator shall be appointed on the basis of his/her qualifications, without regard to political beliefs. The Village Administrator shall be the direct representative of the corporate authorities in the transaction of all Village business and in all matters concerning the citizens of the Village, and shall have such specific duties as are assigned to him/her, from time to time, by the corporate authorities.

### **1-7-2: COMPENSATION AND BOND:**

- A. The village administrator shall receive such compensation as the corporate authorities shall from time to time establish.
- B. The village administrator shall before entering upon his duties, execute a bond with security to be approved by the Board of Trustees, payable to the Village in the penal sum of fifty thousand dollars (\$50,000.00). The village shall pay the cost of such bond.

### **1-7-3: POWERS, DUTIES AND FUNCTIONS:**

The Village Administrator shall be the chief administrative officer of the Village, under the corporate authorities. The Village Administrator shall be responsible to the corporate authorities for proper administration of all Village departments and all the affairs of the Village. To that end, the Village Administrator shall have the authority, and shall be required:

- A. To enforce or cause to be enforced, all ordinances of the Village.
- B. To attend all meetings of the village board and committees thereof, unless excused therefrom. He shall be entitled to notice of all meetings, regular and special, of the village board and shall have the privilege of taking part in the discussion of all matters before the village board in a consulting and advisory capacity;  
The Village Administrator shall work and cooperate with all village officials and employees and the attorneys, accountants, engineers and other consultants representing the village, and such persons shall render to him the assistance and shall furnish him the oral or written information and material relating to the affairs of the village as he may request.
- C. To hire, discipline and terminate all employees, except as otherwise provided in the village code, the village's personnel manual or collective bargaining agreements, upon such terms as shall, in the Village Administrator's judgement, be reasonable and consistent with the provisions of the village code and the village's personnel manual. The aforementioned authority shall include the authority to hire or terminate individual employees, and to delegate portions of this authority to appropriate department heads, subject to the Village Administrator's review and approval prior to final action. This authority extends to all department heads including the Village Clerk, Chief of Police, Building Commissioner and Public Works Director except that termination of said department heads shall be at the sole discretion of the corporate authorities.
- D. Subject to the discretion of the corporate authorities, to exercise administrative control of all departments of the village, and all divisions of each department, now in existence or that may hereafter be created by the corporate authorities including the use of office space and use of vehicles and village owned equipment, and to recommend a standard schedule of pay for each position of the village.

- E. To investigate the affairs of any department or division under his jurisdiction, investigate all complaints in relation to matters under his jurisdiction concerning the administration of the government of the village and in regard to services maintained by the public utilities in the village, and see that all franchises, permits and privileges granted by the village are faithfully observed.
- F. To see to the purchase of all materials, supplies and equipment, for which funds are appropriated in the budget, without need for prior approval of the corporate authorities, provided the amount of any such purchase does not exceed fifteen thousand dollars (\$15,000). The Village Administrator may not purchase any item, in the event that said purchase would exceed the appropriation amount set forth in the Village's budget, without the prior consent of the corporate authorities. The Village Administrator may issue rules and regulations governing purchases and requisitions and the transaction of the business of purchasing, subject to approval by the corporate authorities. In the case of a public emergency, which does not allow for timely action to be taken by the corporate authorities at a special meeting, the Village Administrator may, without the prior consent of the corporate authorities, enter into contracts and make purchases for the purpose of addressing the public emergency in a timely manner, but shall promptly file with the corporate authorities a written document summarizing said public emergency, and the necessity of the actions taken by the Village Administrator in relation thereto, together with an itemized account of all expenditures made in relation thereto. (Ord 2020-O-14, 04-23-20)
- G. From time to time, to make recommendations to the corporate authorities relative to the adoption of such ordinances and resolutions as he deems necessary and expedient.
- H. From time to time, to make reports or recommendations to the corporate authorities, or to the appropriate board, commission or committee, relative to the affairs of the village, as he may deem advisable or as the President or Board of Trustees may direct.
- I. To coordinate all village operations affecting more than one department, office or officers and employees. He may, if he deems necessary, with the consent of the corporate authorities, consolidate or combine offices, positions or departments within the village.
- J. To coordinate with appropriate grant writers, village employees, attorneys, auditors and engineers, applications for grants and funding

where available; coordinate with the village treasurer and the finance and administration committee the preparation of the annual appropriation and tax levy ordinances and otherwise keep the corporate authorities advised of the financial condition of the village.

- K. To submit, or cause to be submitted to the corporate authorities, monthly and annual written reports of the activities and financial status of all village departments and operations under his administration. The annual report shall be submitted within thirty (30) days following the end of each fiscal year.
- L. As required from time to time, to provide reports and general information to the several committees of the Board of Trustees and shall assure that all actions requiring approval of the corporate authorities are first referred to the appropriate committee of the Board of Trustees for its recommendation.
- M. To advise, and as necessary, provide assistance to all duly constituted boards, commissions and advisory committees for the village;
- N. To perform such other duties and services consistent with the laws of the state of Illinois and the village code as the corporate authorities may from time to time direct.

#### **1-7-4: ASSISTANT VILLAGE ADMINISTRATOR**

- A. Office Created; Appointment; Term: There is hereby created the office of Assistant Village Administrator who shall be appointed by the Village Administrator with the approval of the corporate authorities. The term of the Assistant Village Administrator shall be at the pleasure of the appointing Administrator and may not exceed the term of the appointing Administrator.
- B. Powers And Duties: The Assistant Village Administrator shall perform such duties as are assigned by the Village Administrator or the corporate authorities and shall serve at the pleasure of the Village Administrator.
- C. Compensation and bond: The compensation of the Assistant Village Administrator shall be determined by the corporate authorities. The Assistant Village Administrator shall before entering upon his duties, execute a bond with security to be approved by the corporate authorities, payable to the Village in the penal sum of fifty thousand

dollars (\$50,000.00). The village shall pay the cost of such bond.

## **CHAPTER 8 VILLAGE CLERK**

### **1-8-1: ESTABLISHMENT OF OFFICE; APPOINTMENT:**

The Village Clerk is an appointed officer of the Village pursuant to 65 ILCS 5/3.1-25-90. The Village Clerk shall be appointed by the Village President with the concurrence of the Village Board of Trustees.

### **1-8-2: TERM:**

The term of office of the Village Clerk shall be for one year, commencing May 1, or the day of appointment if it shall occur thereafter, and shall terminate on April 30 of the following year. In the event of resignation or the termination of such term by lapse of time, the Village Clerk shall remain in office until a successor is appointed and qualified.

### **1-8-3: DUTIES:**

- A. The Village Clerk shall attend all meetings of the Board of Trustees, and keep a complete and correct written record of its proceedings.
- B. The Village Clerk shall keep the Corporate Seal of the Village and all ordinances and ballots of the Village, and record in a book all ordinances passed by the Board of Trustees, and index all ordinances by their number and title, making a memorandum at the foot of the record of each ordinance of the date of passage and the publication or posting of such ordinance. The Village Clerk shall also keep any and all other records, papers and documents of the Village as directed by the Corporate authorities. The Village Clerk shall not allow any records, papers or other documents to be taken from the Village Clerk's office by any person other than the Village Clerk, the President or a committee of the Board of Trustees appointed to examine accounts. The Village Clerk shall be liable for all damages that may accrue by the loss or destruction of any records, papers or documents of the Village entrusted to the Village Clerk for keeping. Said damages may be recovered in any court of competent jurisdiction in the name of the Village.

- C. The Village Clerk shall attest all deeds, contracts, leases or other documents requiring attestation, made by the Board of Trustees and in conjunction with the President, sign all ordinances, resolutions, bonds, licenses and warrants on the Treasurer and affix the Seal of the Village thereto.
- D. The Village Clerk shall issue and cause to be served upon the President and the Board of Trustees notices of all special meetings of the Board of Trustees and shall post, publish or otherwise provide all appropriate meeting notices and notices of ordinances or resolutions as may be required.
- E. The Village Clerk shall keep a record of the election or appointment and confirmation of all officers of the Village and the records shall exhibit the name of the officer, to what office elected or appointed, the date of confirmation of election, the date of commission, and the date of death, resignation, removal from office or expiration of term of office. The Village Clerk shall, within five (5) days after the result of any election is certified or appointment is made, notify all persons elected or appointed.
- F. The Village Clerk shall also perform such other duties as may be required by State statute or as may from time to time be established by the Board of Trustees and shall at all times be subject to the authority and direction of the Corporate authorities.

**1-8-4: CLERK AS COLLECTOR:**

The Village Clerk shall serve as Village Collector.

**1-8-5: COMPENSATION AND BOND:**

- A. Compensation: The compensation of the Village Clerk shall be determined by the corporate authorities.
- B. Bond: The Village Clerk shall before entering upon his duties, execute a bond with security to be approved by the Board of Trustees, payable to the Village in the penal sum of fifty thousand dollars (\$50,000.00). The village shall pay the cost of such bond.

**1-8-6: DEPUTY CLERK:**

- D. Office Created; Appointment; Term: There is hereby created the office of deputy clerk who shall be appointed by the Village Clerk then in

office. The term of the deputy clerk shall be at the pleasure of the appointing clerk and may not exceed the term of the appointing clerk.

- E. Powers And Duties: The deputy clerk shall have the powers and duties set forth in state law and such other duties as the Village Clerk and the Board of Trustees shall prescribe.
- F. Compensation and bond: The compensation of the deputy clerk shall be determined by the corporate authorities. The deputy clerk shall before entering upon his duties, execute a bond with security to be approved by the Board of Trustees, payable to the Village in the penal sum of fifty thousand dollars (\$50,000.00). The village shall pay the cost of such bond.

## **CHAPTER 9 VILLAGE COLLECTOR**

### **1-9-1: ESTABLISHMENT OF POSITION:**

There is hereby established the position of employment of Village Collector of the Village, an administrative position of the Village. The Village Clerk shall hold the position of the Village Collector.

### **1-9-2: TERM:**

The term of the Village Collector shall be the same as that of the Village Clerk.

### **1-9-3: DUTIES:**

- A. The Village Collector shall preserve all warrants returned and shall keep all books and accounts in the manner prescribed by the Board of Trustees. The Village Collector's warrants, books and vouchers and all papers pertaining to such office may be examined at any time by the President, or any member of the Board of Trustees. Weekly, the Village Collector shall pay over to the Village Treasurer all money collected by Village Collector from any source whatsoever, taking the Treasurer's receipt therefor in duplicate and filing one of the receipts immediately with the Village Clerk. License fees, fees for inspections, fees for permits, sewer fees and all other payments of money due the Village, not otherwise specifically provided for, shall be paid to the Village Collector, and such payments shall be transmitted by him to the Village Treasurer.

- B. The Village Collector shall also perform such other duties as may from time to time be established by the Board of Trustees.

**CHAPTER 10  
VILLAGE FINANCE DIRECTOR**

**1-10-1: OFFICE CREATED; APPOINTMENT:**

The office of the village finance director is hereby created. The finance director shall be appointed by the Village President with the advice and consent of the Board of Trustees and shall be a part time position. The finance director may be an independent contractor.

**1-10-2: OATH OF OFFICE:**

Before entering upon the duties of his office, the village finance director shall take and subscribe the oath provided by law.

**1-10-3: COMPENSATION AND BOND:**

- A. The compensation of the finance director shall be as set by the corporate authorities.
- B. The finance director shall before entering upon his duties, execute a bond with security to be approved by the Board of Trustees, payable to the Village in the penal sum of fifty thousand dollars (\$50,000.00). The village shall pay the cost of such bond.

**1-10-4: POWERS AND DUTIES:**

- A. The finance director shall serve as ex officio village treasurer and shall have all powers and duties of village treasurer as set by law. The finance director shall also direct, coordinate and be responsible for the collection, investment, budgeting and disbursement of all village funds in coordination with the village administrator. The finance director shall also exercise and perform such further duties as assigned relating to village finances, accounting, payroll, risk management, and purchasing.
- B. The finance director shall follow practices and procedures which are customary in the sound management of the fiscal affairs of a municipality.

- C. The finance director shall generally perform such other duties as may be required by the corporate authorities, this code and state law.

**CHAPTER 11  
VILLAGE ATTORNEY**

**1-11-1: ESTABLISHMENT OF OFFICE; APPOINTMENT:**

The office of Village Attorney is hereby created. The Village Attorney shall be appointed by the President with the advice and consent of the Village Board and shall enjoy all of the emoluments of the office whether appointed and holding office as an independent contractor or as an employee. He shall have direct communication with the Village Board and its members individually as well as with the other village officials.

**1-11-2: DUTIES:**

- A. The village attorney shall be responsible for all legal matters pertaining to the village. Upon request by the president or village board, he shall render any given legal opinion in writing. The village attorney shall attend all meetings of the president and board of trustees, unless excused therefrom.
- B. The village attorney shall be the chief legal advisor to the boards and commissioners of the village, prepare all ordinances and resolutions, and render opinions on village bond issues.
- C. The village attorney shall carry out such other duties and perform such other services as the village president and board of trustees shall, from time to time, request.

**CHAPTER 12  
VILLAGE PROSECUTOR**

**1-12-1: ESTABLISHMENT OF POSITION; APPOINTMENT; QUALIFICATION:**

The office of village prosecutor is hereby created. The village prosecutor shall be appointed by the village president with the advice and consent of the board of trustees. The village prosecutor shall be an attorney licensed to practice law in the state. The village prosecutor may, but need not be, the village attorney.

**1-12-2: DUTIES:**

The village prosecutor shall prosecute all traffic, village code and ordinance violations and appeals thereof to which the village may be a party or in which the village may be interested. In addition, the village prosecutor shall carry out such other duties, investigations or responsibilities as may be directed by the president or board of trustees.

## **CHAPTER 13 STATE OFFICIALS AND EMPLOYEES ETHICS ACT**

### **1-13-1: ADOPTION:**

A. The regulations of section 5-15<sup>5</sup> and article 10<sup>6</sup> of the state officials and employees ethics act, 5 ILCS 430/1-1 et seq., (hereinafter referred to as the "act" in this chapter) are hereby adopted by reference and made applicable to the officers and employees of the village to the extent required by 5 ILCS 430/70-5.

### **1-13-2: GIFTS PROHIBITED:**

- A. The solicitation or acceptance of gifts prohibited to be solicited or accepted under the act, by any officer or any employee of the village, is hereby prohibited.
- B. The offering or making of gifts prohibited to be offered or made to an officer or employee of the village under the act, is hereby prohibited.

### **1-13-3: PROHIBITED POLITICAL ACTIVITIES:**

The participation in political activities prohibited under the act, by any officer or employee of the village, is hereby prohibited.

### **1-13-4: DEFINITIONS:**

For purposes of this chapter, the terms "officer" and "employee" shall be defined as set forth in 5 ILCS 430/70-5(c).

### **1-13-5: PENALTIES:**

The penalties for violations of this chapter shall be the same as those penalties set forth in 5 ILCS 430/50-5 for similar violations of the act.

**1-13-6: EXISTING ORDINANCES AND POLICIES:**

This chapter does not repeal or otherwise amend or modify any existing ordinances or policies which regulate the conduct of village officers and employees. To the extent that any such existing ordinances or policies are less restrictive than this chapter, however, the provisions of this chapter shall prevail in accordance with the provisions of 5 ILCS 430/70-5(a).

**1-13-7: AMENDMENTS:**

Any amendment to the act that becomes effective after the effective date of this chapter shall be incorporated into this chapter by reference and shall be applicable to the solicitation, acceptance, offering and making of gifts and to prohibited political activities. However, any amendment that makes its provisions optional for adoption by municipalities shall not be incorporated into this chapter by reference without formal action by the corporate authorities of the village.

**1-13-8: ACT FOUND UNCONSTITUTIONAL:**

- A. If the Illinois supreme court declares the act unconstitutional in its entirety, then this chapter shall be repealed as of the date that the Illinois supreme court's decision becomes final and not subject to any further appeals or re-hearings. This chapter shall be deemed repealed without further action by the corporate authorities of the village if the act is found unconstitutional by the Illinois Supreme Court.
  
- B. If the Illinois supreme court declares part of the act unconstitutional but upholds the constitutionality of the remainder of the act, or does not address the remainder of the act, then the remainder of the act as adopted by this chapter shall remain in full force and effect; however, that part of this chapter relating to the part of the act found unconstitutional shall be deemed repealed without further action by the corporate authorities of the village. (Amd. Ord. 2018-O-34, 08-16-2018)