

TITLE I – VILLAGE GOVERNMENTAL ORGANIZATIONS AND OPERATIONS

DIVISION I – ELECTED OFFICIALS

CHAPTER 1 VILLAGE PRESIDENT

Section 1. ELECTION - TERM OF OFFICE.

The Village President shall be elected for a term of four (4) years. The President shall be President of the Board of Trustees, as is provided by statute.

Section 2. BOND.

The Village President shall furnish a surety bond, to be approved by the Village Board of Trustees. The premium of the bond to be paid by the Village.

Section 3 DUTIES.

The Village President shall be the chief executive officer of the Village, and shall perform all duties as may be required of him by statute or ordinance. The President shall have supervision over all the executive officers of the Village, and over all of the employees of the Village. The President shall have the power and authority to inspect all books and records kept by any Village officer or employee at any reasonable time.

Section 4 DESIGNATION OF DUTIES.

Whenever there is a question as to the respective powers or duties of any appointed officer of the Village, this shall be settled by the President who shall have the power to delegate to any officer any duty which is to be performed when no specific officer has been directed to perform the duty.

Section 5 OATH - SALARY.

The President shall take the oath of office as prescribed by statute, and shall receive such compensation as may be set from time to time by the board.

CHAPTER 2 VILLAGE BOARD OF TRUSTEES

Section 1. ELECTION - FUNCTIONS.

The Board of Trustees, consisting of six (6) members, shall be elected to office for a four (4) year term, but at no time shall all members of the Board be elected at the same time. Three (3) members of the Board shall be elected at each biennial election, according to the method provided by statute. The Board shall be the legislative department of the Village government, and shall perform such duties and have such powers as may be delegated by statute to it.

Section 2. OATH – SALARY.

The members of the Board of Trustees shall take the oath of office prescribed by statute, and shall receive such compensation as may be provided by ordinance. A trustee can be absent from two meetings per calendar year and still receive compensation but any future meetings missed during the calendar year will be unpaid.

CHAPTER 3 MEETINGS; RULES OF ORDER AND PROCEDURE

Section 1. MEETINGS.

- 1.1 Regular Meetings. The regular meetings of the Board shall be held on the first and third Wednesday of each month of the year at the hour of 6:00 P.M. in the Village Hall. At the start of each calendar year, the yearly schedule of the regular meetings shall be posted at Village Hall and on the Village website. Any regular meeting falling on a legal holiday shall be held on the preceding or the next following secular day, as decided by the Board, at the same hour and place. All regular Board meetings are open to the public.
- 1.2 Special Meetings. Special meetings may be called by the President or by any three Trustees by written request or notice being filed with the Clerk. At least forty-eight (48) hours in advance of the proposed meeting date, a written notice or agenda specifying the time and purpose of such special meeting shall be given by the Clerk to each Trustee, the President, and Village Administrator. The Clerk shall also ensure that the Media, and the Public receive proper notification/agenda for the special meeting within the prescribed timeframes (48 hours in advance of the meeting) as spelled out in State of Illinois statutes. Any special meetings of the Board shall be limited to those business items that necessitated the calling for the special meeting and so identified on the agenda. All special and executive session meetings of the Board shall be held in the Village Hall. All special meetings, except Executive Session meetings, shall be open to the public as required by State of Illinois statute.

Section 2. PRESIDING OFFICER.

- 2.1 President. The President shall preside at all meetings of the Board, but shall have a vote only where the state statutes or the municipal ordinances require more than a majority vote of the corporate authorities or in the event of a tie, or where one-half of the Trustees elected have voted in favor of an ordinance, resolution or motion, even though there is no tie vote.
- 2.2 President Pro Tem. A President pro tem shall be elected by the Board from one of its members to act as presiding officer of the Board during the absence or disability of the President. Where the absence or disability of the President is to be of a very short duration and no individual is required to be granted the powers of the President, the Board shall elect one of its member's temporary chairperson. The President pro tem or the temporary chairperson, when acting as presiding officer, shall vote on all questions on which the vote is taken by "yeas" and "nays," his/her name being called last. The President pro tem shall have all of the powers and duties of the President; the temporary chairperson shall only have such powers and duties as accrue to a presiding officer.

Section 3. QUORUM; ROLL CALL; ABSENT MEMBERS

- 3.1 Quorum. A quorum for the transaction of business shall consist of a majority of all the Board entitled by law to be elected.
- 3.2 Roll call. Each meeting of the Board shall convene at the time appointed for such meeting, as provided by ordinance. The Clerk, or someone appointed to fill the Clerk's place by the presiding officer, shall immediately call the roll of members. If no quorum is present, the Board shall not stand adjourned, but the members present shall be competent to adjourn or recess the Board by a majority vote.

3.3 Remote Attendance Policy.

- a. Policy Statement: It is the policy of the Village that a member of the Village Board may attend and participate in any open or closed meeting of the Village Board from a remote location via telephone, video or internet connection; provided, that such attendance and participation is in compliance with this policy and any other applicable laws.
- b. Prerequisites: A member of the Village Board shall be provided the opportunity to attend an open and closed meeting or only one of such meetings from a remote location if the member meets the following conditions and a majority of a quorum of the Village Board votes to approve the remote attendance:

The member must notify the recording Village Clerk at least twenty four (24) hours before the meeting unless advance notice is impractical;

The member must meet one of three (3) reasons described herein why he or she is unable to physically attend the meeting, including either: a) that the member cannot attend because of personal illness or disability; b) the member cannot attend because of employment purposes or the business of the village; or c) the member cannot attend because of a family or other emergency; and

A quorum of the Village Board must be physically present.

- c. Voting Procedures: After roll call, a vote of the Village Board shall be taken, considering the prerequisites set forth in subsection "b" of this section, on whether to allow an offsite board member to participate remotely. All of the members physically present are permitted to vote on whether remote participation will be allowed. A vote may be taken to permit remote participation for a stated series of meetings if the same reason applies in each case. Otherwise, a vote must be taken to allow each remote participation.
- d. Quorum and Vote Required: A quorum must be established by members physically present at any meeting before it can be considered whether to allow a member to participate in the meeting remotely. A vote of a majority of a quorum shall be necessary to decide the issue. For the meeting to continue, there shall always be a quorum physically present.
- e. Minutes: The member participating remotely shall be considered an offsite participant and counted as present, by means of video or audio conference, for that meeting if the member is allowed to participate. The meeting minutes of the village shall also reflect and state specifically whether each member is physically present, present by video, or present by audio means.
- f. Rights of Remote Member: The member permitted to participate remotely will be able to express his or her comments during the meeting and participate in the same capacity as those members physically present, subject to all general guidelines and procedures previously adopted and adhered to. The remote member shall be heard, considered, and counted as to any vote taken. Accordingly, the name of any remote member shall be called during any vote taken, and his or her vote counted and recorded by the Village Clerk and placed in the minutes for the corresponding meeting. A member participating remotely may leave a meeting and return as in the case of any member.

- g. Closed Meetings: A quorum of the Village Board must be physically present at any closed meeting. Members participating remotely shall otherwise be entitled to participate in closed meetings by video or audio conference.
- h. Costs: A member participating remotely via telephone call shall be reimbursed for the cost of the telephone call upon a valid receipt shown. Any other costs associated with remote participation, including video conferencing and other audio and video equipment, must be approved by the Village Board.
- i. Rights of Disqualified Member: A member who is disqualified from remote attendance because he or she does not meet the prerequisites set forth under subsection "b" of this section may nevertheless listen to the meeting via audio or video conference. Such a disqualified member would not have a right to vote, but would have only those rights which a member of the general public in attendance at such meeting would have.

Section 4. ORDER OF BUSINESS.

The order of business shall be as follows:

- a. Call to order.
- b. Roll call and establishment of a quorum.
- c. Pledge of Allegiance.
- d. Review and approval (with corrections and additions, if any) of past minutes.
- e. Public presentations and/or Public comments.
- f. Comments/updates from the President, Trustees and other Village officials.
- g. Unfinished business.
- h. New business.
- i. Adjournment.

Section 5. AGENDA.

Any reports, communications, ordinances, resolutions, contract documents, or any other documentation to be placed on the Agenda shall be submitted to the Village Clerk at the Village Hall by 3:00 pm on the Friday preceding the regular board meeting. All Agenda's will be will posted in accordance with the Open Meetings Act and furnished to the Village President, Village Board and Village Administrator by the Village Clerk forty-eight hours in advance of the board meeting.

Section 6. ORDER AND DECORUM; APPEALS

- 6.1 Order and Decorum. The presiding officer shall preserve order and decorum and may speak to points of order in preference to other members, and shall decide all questions of order subject to appeal. If the presiding officer refuses to allow the members to exercise their right to appeal a decision of the presiding officer, the members may consider and pass upon the matter in spite of the presiding officer's failure to grant them an appeal.

- a. In case of any disturbances or disorderly conduct, the presiding officer shall have the power to require the board room to be cleared.
 - b. While the presiding officer is putting the question, no member shall walk across or out of the boardroom.
 - c. Every member, previous to his speaking, making a motion or seconding the same, shall address himself to the presiding officer and say: "Mr. President or Mr. Mayor," and shall not proceed with his remarks until recognized and named by the presiding officer. He shall confine himself to the question under debate avoiding personalities and refraining from impugning the motives of any other member's argument or vote.
 - d. When two or more members address the presiding officer at the same time, the presiding officer shall name the member who is first to speak. The Board may by two-thirds vote expel a member for disorderly conduct. Such member may not be expelled a second time for the same offense.
 - e. A member, when called to order by the presiding officer, shall discontinue speaking and take his seat and the order or ruling of the presiding officer shall be binding and conclusive, subject only to the right of appeal.
- 6.2 Appeals. Any member may appeal to the Board from a ruling of the presiding officer and, if the appeal is seconded, the member making the appeal may briefly state his reason for the same, and the presiding officer may briefly explain his ruling; but there shall be no debate on the appeal and no other member shall participate in the discussion. The presiding officer shall then put the question, "Shall the decision of the presiding officer be sustained?" If a majority of the members present vote "No," the decision of the presiding officer shall be overruled; otherwise, it shall be sustained.

Section 7. PUBLIC COMMENT

- 7.1 Addressing the Board. Anyone desiring to address the Board will have up to three (3) minutes and may be allowed additional time, if acknowledged by the Village President. The speaker will start by stating their name for the record. Statements are to be directed to the Village Board as a whole and not to individual Board members or Village staff.
- 7.2 Public Input. Speaker input is not intended to require Board members or Village staff to provide any answers to the speaker. Discussions between the speaker and members of the audience will not be allowed. After the speaker has made his or her statement, he or she will be seated with no further debate, dialogue or comment.
- 7.3 Penalty. It shall be unlawful for any person to disturb any meeting of the Board or any Special Committee of the Board. Any person violating the provisions of this section may be evicted from the meeting room, and/or may fined, as provided in this code.

Section 8. PRESENTATION OF NEW BUSINESS AND DEFERMENT.

When a member wishes to present a communication, petition, order, resolution, ordinance or other original matter, he shall send it to the desk of the Clerk who shall read such matter when reached in its proper order. Upon the request of any two Trustees present, any report of a committee of the Board shall be deferred (for final action thereon) to the next regular meeting of the Board after the report is made.

Section 9. DEBATE.

No member shall speak more than twice on the same question, except by unanimous consent, and then not until every other member desiring to speak shall have had an opportunity to do so; provided, however, that the proponent of the matter under consideration or the chairman of the committee whose report is under consideration, as the case may be, shall have the right to open and close debate. No member shall speak longer than ten minutes at any one time, except by consent of the Board and in closing debate on any question, as above provided, the speaker shall be limited to five minutes, except by special consent of the Board.

While a member is speaking no member shall hold any private discussion, nor pass between the speaker and the Chair.

Section 10. QUESTION OF PERSONAL PRIVILEGE.

The right of a member to address the Board on a question of personal privilege shall be limited to cases in which his integrity, character or motives are assailed, questioned or impugned.

Section 11. VOTING.

Every member who shall be present when a question is stated from the Chair shall vote, unless excused by the Board, or unless he is personally interested in the question, in which case he shall not vote.

Section 12. SPECIAL ORDER OF BUSINESS.

Any matter before the Board may be set down as a special order of business at a time certain, if two-thirds of the Trustees present vote in the affirmative, but not otherwise.

Section 13. SECONDING OF MOTIONS REQUIRED; WRITTEN MOTIONS READING OF MOTIONS, RESOLUTIONS, ORDINANCES AND MINUTES.

No motion shall be put or debated by the Board unless it is seconded. When a motion is seconded, it shall be stated by the presiding officer before debate, and every motion in the Board, except motion of procedure, shall be reduced to writing if required by a member, and the member who proposed the motion shall be entitled to the floor. The reading of any motion, resolution or ordinance may be waived.

Section 14. WITHDRAWAL OF MOTIONS.

After a motion or resolution is stated by the presiding officer, it shall be deemed to be in possession of the Board, but it may be withdrawn at any time before decision, by consent of the Board.

Section 15. DIVISION OF QUESTIONS.

If any question under consideration contains several distinct propositions, the Board by a majority vote of the members present may divide each question.

Section 16. RECORD OF MOTIONS.

In all cases where a resolution or motion is entered in the minutes, the name of the member moving and seconding the same shall be entered.

Section 17. VOTES.

- 17.1 Ordinances and Propositions. The "yeas" and "nays" shall be taken upon the passage of all ordinances and on all propositions to create any liability against the Village, or for the expenditure or appropriation of this money, and in all other cases at the request of any member of the Board; and such vote shall be entered on the minutes of the proceedings, as is provided by statute.
- 17.2 Questions. The "yeas" and "nays" upon any question shall be taken and entered in the minutes. When the Clerk has commenced to call the roll of the Board for the taking of a vote by "yeas" and "nays," all debate on the question before the Board shall be deemed concluded, and during the taking of the vote a member shall be permitted to briefly explain his vote and shall respond to the calling of his name by the Clerk by answering "yea" or "nay," as the case may be.
- 17.3 Results. The result of all votes by "yeas" and "nays" shall be announced by the Clerk and no vote shall be changed after the results have been so announced.
- 17.4 Omnibus Vote. The Board may, by unanimous consent as recorded in a motion, agree to take a single vote by yeas and nays on the question of the passage of two or more designated ordinances, orders, resolutions or motions.

Section 18. RECONSIDERATION

A vote or question may be reconsidered at any time during the same meeting, or at the first regular meeting held thereafter. A motion for reconsideration, once having been made and decided in the negative, shall not be renewed, nor shall a motion to reconsider. No motion to reconsider the approval or denial of the recommendation of an advisory body required to hold public hearings shall be entertained except at the same meeting at which the original action was taken or after the matter has been referred to the advisory body for a further hearing and recommendation.

- 18.1 Motion to Reconsider. A motion to reconsider must be made and seconded by members who voted on the prevailing side of the question to be reconsidered, unless otherwise provided by law; provided, however, that where a motion has received a majority vote in the affirmative, but is declared lost solely on the ground that a greater number of affirmative votes is required by statute for the passage or adoption of such motion, then in such case a motion to reconsider may be made and seconded only by those who voted in the affirmative on such question to be reconsidered, so long as the issue presented is the same, no new information is forthcoming, and the rights of third parties have not intervened.

Section 19. THE JOURNAL OF MINUTES; READING

- 19.1 Journal. The Clerk shall keep a journal of the minutes of the proceedings of the Board.
- 19.2 Reading. Unless a reading of the minutes of a Board meeting is requested by a member of the Board, such minutes may be approved without reading if the Clerk has previously furnished each member with a copy of the minutes.

Section 20. ORDINANCES.

- 20.1 Style. The style of all ordinances shall be: "BE IT ORDAINED by the President and Board of Trustees of the Village of Coal Valley" as is provided by statute.

- 20.2 Introduction, Sponsor. Ordinances, resolutions, and other matters or subjects requiring action by the Board must be introduced and sponsored by a member of the Board, except that the President, Village Administrator or Village Attorney may present ordinances, resolutions and other matters or subjects to the Board and any Board member may assume sponsorship by moving that such ordinances, resolutions, matters or subjects be adopted; otherwise, they shall not be considered.
- 20.3 Final passage. The Village Board may waive the 2nd reading on the same day on which it is introduced.
- 20.4 Subject matter. No ordinance shall relate to more than one subject, which subject shall be clearly expressed in its title, and no ordinance, or section shall be amended or repealed unless the new ordinance contains the title of the ordinance or section amended or repealed. When practicable, all ordinances shall be introduced as amendments to existing ordinances or sections of existing ordinances.
- 20.5 Veto. All ordinances passed by the Board before they take effect, shall be deposited with the Clerk, and if the President approves he shall sign the same, and such as he shall not approve he shall return to the Board with his objections attached in writing at the next regular meeting occurring not less than five days after the passage of the ordinance. Such veto may extend to any one or more items or appropriations contained in any ordinance making an appropriation, or to the entire ordinance; and in case the veto only extends to a part of such ordinance, the residue thereof shall take effect and be in force. But in case the President shall fail to return any ordinance name with his objections by the mentioned above, the President shall be deemed to have approved such ordinances and the same shall take effect accordingly.
- 20.6 Reconsideration. Upon the return of any ordinance by the President, the vote by which the same was passed shall be reconsidered by the Board; and if, after such reconsideration, two thirds of all the members elected to the council shall agree, by yeas and nays, to pass the same, it shall go into effect notwithstanding the President may refuse to approve the ordinance.
- 20.7 Publication of Penalties. All ordinances imposing any penalty for a violation or making any appropriation shall be published as required by statute, either in a newspaper or in pamphlet form, in such case, the ordinance in its pamphlet shall be displayed for a reasonable period in a public place in the Village Hall.
- 20.8 Effective date. No ordinance which must be published to comply with the foregoing section shall go into effect until 10 days after it is so published unless a statement of the urgency of the ordinance is contained in it and it achieves passage by a two-thirds vote of the members of the corporate authorities then holding office. In all other cases, the ordinances shall go into effect upon the passage as provided by statute, even though the operation of the ordinance may not take effect until a later date.

Section 21. ADOPTION OF ROBERT'S RULE OF ORDER REVISED.

The rules of parliamentary practice comprised in the latest published edition of ROBERT'S RULES OF ORDER REVISED shall govern the Board in all cases to which they are applicable and in which they are not inconsistent with the special rules of this Board or the Statutes or laws of the State.

Section 22. TEMPORARY SUSPENSION OF RULES; AMENDMENTS OF RULES.
These rules may be temporarily suspended by vote of two-thirds of all the Trustees entitled by law to be elected, and shall not be repealed, altered or amended, unless by concurrence of two-thirds of all the Trustees entitled by law to be elected.

Section 23. CENSURE OF MEMBERS; EXPULSION OF MEMBERS.

Any member acting or appearing in a lewd or disgraceful manner, or who uses opprobrious, obscene or insulting language to or about any member of the Board, or who does not obey the order of the presiding officer, shall be, on motion, censured by a majority vote of the corporate authorities and, in addition, may be fined a maximum of \$25.00 for each such occurrence. With the concurrence of two-thirds of the Trustees elected, the Board may expel Trustees, but not a second time for the same offense.

Section 24. COMMITTEES

24.1 Special Committees. Special committees may be established by the Board from time to time to consider special questions of policy, procedure, or practice. At the time of establishment, the Board shall specify the scope and purpose of the work of the special committee and a reasonable time schedule for the special committee to complete its work.

All special committees shall be appointed by the President and shall consist of the number of Board members deemed appropriate by the President to properly carry out the work of the committee. A meeting notice shall be posted at Village Hall and on the Village website. A special committee shall make its final report to the Board in writing and shall thereafter cease to exist unless specifically authorized by the Board to continue to work on the assigned subject.

DIVISION II APPOINTED OFFICIALS

CHAPTER 1 VILLAGE ADMINISTRATOR/DIRECTOR OF FINANCE

Section 1. CREATION.

There is hereby created the combined position of Village Administrator/Director of Finance.

Section 2. APPOINTMENT.

The Village Administrator/Director of Finance shall be appointed by the Village President with the advice and consent of the Board of Trustees.

Section 3. BOND.

The Village Administrator/Director of Finance shall give bond in the amount of money that is not less than three (3) times the latest federal census of population or any subsequent census figure used for Motor Fuel Tax purposes, or in an amount established by the Village Board in excess of the foregoing, with sureties to be approved by the Village Board. The bond shall be conditioned upon the faithful performance by the Village Administrator/Director of Finance's duties of office, and to indemnify the Village for any loss due to any neglect of duty or wrongful act on the part of the Village Administrator/Director of Finance. The premium of the bond to be paid by the Village.

Section 4. DUTIES.

The Village Administrator/Director of Finance shall perform such duties as may be prescribed by statute, ordinance, or position description approved by the Board of Trustees and such other legally permissible and proper duties and functions as the Village Board may assign from time to time.

The Village Administrator/Director of Finance of the Village of Coal valley, Illinois shall be appointed as the Ethics Officer and Deputy Liquor Commissioner of the Village of Coal Valley, Illinois.

Section 5. DEPOSIT OF FUNDS.

The Village Administrator/Director of Finance shall deposit the Village funds in such depositories as may be selected from time to time as is provided by statute, and shall keep the Village money separate and distinct from personal money, and shall not intermingle personal money with it or make private or personal use of village funds.

Section 6. RECORDS.

The Village Administrator/Director of Finance shall keep accurate records showing all money received by the Village Administrator/Director of Finance, the source from which it was received, and the purpose for which it was paid out: and the Village Administrator/Director of Finance all keep a record showing at all times the financial status of the Village.

Section 7. ACCOUNTS.

The Village Administrator/Director of Finance shall keep books and accounts as may be required by the Village Board, and shall keep them in the manner required by law.

Section 8. REPORTS.

The Village Administrator/Director of Finance shall make monthly reports to the Board showing the state of the finances of the village, and the amounts received and spent during the month, which reports shall be filed. The Village Administrator/Director of Finance shall make an annual report at the close of the fiscal year with the total amount of all receipts and expenditures of the Village and the Village Administrator/Director of Finance's transactions during the preceding year.

Section 9. REGISTER OF WARRANTS.

The Village Administrator/Director of Finance shall keep a register of all warrants, bonds or orders filed with the Village Administrator/Director of Finance or paid by the Village Administrator/Director of Finance, and all vouchers, as is required by statute.

CHAPTER 2 ASSISTANT VILLAGE ADMINISTRATOR

Section 1. CREATION.

There is hereby created the position of Assistant Village Administrator, who might also serve other duties/positions.

Section 2. APPOINTMENT.

The Assistant Village Administrator shall be appointed by the Village President with the advice and consent of the Board of Trustees.

Section 3. DUTIES.

The Assistant Village Administrator shall perform such duties as may be prescribed by statute, ordinance, or position description approved by the Board of Trustees and such other legally permissible and proper duties and functions as the Village Administrator may assign from time to time.

The Assistant Village Administrator will serve as acting Village Administrator, in the absence of the Village Administrator.

CHAPTER 3 VILLAGE CLERK

Section 1. APPOINTMENT.

By resolution of the Village Board, the position of Village Clerk shall be appointed by the Village President with the concurrence of the Village Board.

Section 2. BOND.

Before entering upon the duties of office, the Village Clerk shall execute a bond in such amount as is provided by statute, conditioned upon the faithful performance of the Clerk's duties.

Section 3. SIGNATURES.

The Village Clerk shall seal and attest all contracts of the Village and all licenses, permits and other documents as shall require this formality.

Section 4. MONEY COLLECTED.

The Clerk shall turn over all money received on behalf of the Village to the Village Treasurer promptly upon receipt and shall give a statement as to the source.

Section 5. RECORDS.

In addition to the record of ordinances and other records which the Clerk is required by statute to keep, the Clerk shall keep a register of all licenses and permits issued and the payments; a record showing all of the officers and regular employees of the Village, and other records as may be required by the Board of Trustees.

Section 6. SEAL.

The Clerk shall be the custodian of the village seal, and shall affix its impression on documents whenever this is required.

Section 7. DOCUMENTS.

The Clerk shall be the custodian of all documents belonging to the Village which are not assigned to the custody of some other officer.

Section 8. INDICES.

The Clerk shall keep and maintain a proper index to all documents and records kept.

Section 9. ADDITIONAL DUTIES.

In addition to the duties provided, the Clerk shall perform other duties and functions as may be required by statute or ordinance.

CHAPTER 4 DEPUTY VILLAGE CLERK

Section 1. CREATION.

There is hereby created the position of Deputy Village Clerk, who might also serve other duties/positions.

Section 2. APPOINTMENT.

The Deputy Village Clerk shall be appointed by the Village President with the advice and consent of the Board of Trustees.

Section 3. DUTIES.

The Deputy Village Clerk shall perform such duties as may be prescribed by statute, ordinance, or position description approved by the Board of Trustees and such other legally permissible and proper duties and functions as the Village Administrator may assign from time to time.

The Deputy Village Clerk will serve as acting Village Clerk, in the absence of the Village Clerk.

CHAPTER 5 ADMINISTRATIVE ASSISTANT

Section 1. CREATION; APPOINTMENT

The position of Administrative Assistant is hereby created. The Administrative Assistant shall be appointed by the Village President with the advice and consent of the Board of Trustees.

Section 2 BOND.

The Administrative Assistant shall furnish a surety bond, to be approved by the Village Board of Trustees. The premium of the bond to be paid by the Village.

Section 3 DUTIES

The Administrative Assistant shall turn over all money received on behalf of the Village to the Village Treasurer promptly upon receipt and shall give a statement as to the source.

CHAPTER 6 PUBLIC WORKS

Section 1. CREATION; APPOINTMENT.

The position of Public Works Director is hereby created. The Public Works Director shall be appointed by the Village President with the advice and consent of the Board of Trustees.

The Public Works Director shall have overall charge of the Streets, Sewer and Waterworks Superintendents.

CHAPTER 7 RESIGNATION OR REMOVAL OF OFFICERS

Section 1. RESIGNATION.

Any Appointed Official of the Village may resign from office. If an Appointed Official resigns, such Appointed Official shall continue in office until a successor has been chosen and has qualified.

Section 2. REMOVAL.

Except where otherwise provided by statute, the President may remove any Appointed Official appointed by him under this Code, on any formal charge, whenever the President is of the opinion that the interests of the Village demand removal. The President shall report the reasons for the removal to the Board of Trustees at a meeting to be held not less than five (5) nor more than ten (10) days after the removal. If the President fails or refuses to report to the Board of Trustees the reasons for the removal, or if the Board of Trustees, by a two-thirds vote of all its members authorized by law to be elected, disapproves of the removal, the officer thereupon shall be restored to the office from which he was removed. The vote shall be by yeas and nays, which shall be entered upon the Board's journal. Upon restoration, the officer shall give a new bond and take a new oath of office. No officer shall be removed a second time for the same offense.

CHAPTER 8 LOCAL LIQUOR COMMISSIONER

Section 1. CREATION.

There is hereby created the position of Local Liquor Commissioner.

Section 2. APPOINTMENT

In accordance with the State of Illinois Liquor Control Act, the President of the Village of Coal Valley Board of Trustees is designated the Local Liquor Commissioner for the Village.

Section 3. DUTIES

The Local Liquor Commissioner shall perform such duties as may be prescribed by statute and ordinance and such other legally permissible and proper duties and functions as the Village Board may assign from time to time.

The Local Liquor Commissioner can appoint deputies, assistants, or a board to assist in discharging the duties of the Commissioner.

CHAPTER 9 LEGAL SERVICES

Section 1. THE PRESIDENT AND BOARD OF TRUSTEES

The President and Board of Trustees may from time to time engage the services of an attorney or attorneys to provide legal advice and representation for the Village. Such services may include, but are not limited to the following:

- 1.1 Legal Advice. To provide legal advice to the President and Board of Trustees and to Village officers and employees on matters pertaining to their duties; and upon request by the President or the Board of Trustees to reduce any legal opinion to writing.
- 1.2 Ordinances and Documents. To draft and/or review and approve all ordinances, contracts or other documents needed by the Village or to which the Village is a party.
- 1.3 Suits and Actions. To represent the Village in the prosecution or defense of any and all suits or actions or law or equity to which the Village may be a party, or in which it may be interested; or which may be brought against or by any officer of the Village on behalf of the Village, or in the capacity of the person as an officer of the Village.
- 1.4 Judgements. To see to the full enforcement of all judgements or decrees rendered or entered in favor of the Village, and of all similar interlocutory orders.
- 1.5 Special Assessment and Condemnation Proceedings. To see to the completion of all special assessment and condemnation proceedings.
- 1.6 Other Legal Services. To render such other legal services as may be requested by the Board of Trustees.

DIVISION III BOARDS AND COMMISSIONS

CHAPTER 1 PLANNING COMMISSION

Section 1. PURPOSE.

In order that adequate provisions be made for the preparation of a comprehensive Village plan for the guidance, direction and control of the growth and development or redevelopment of the Village and contiguous territory not more than one and one-half miles beyond the corporate limits and not included in any municipality, a Planning Commission is created under the authority of an act of the General Assembly of the State of Illinois entitled "Illinois Municipal Code 1961", as amended.

Section 2. MEMBERSHIP.

The Planning Commission shall consist of seven (7) members, who are citizens of the Village, appointed by the President, on the basis of their particular fitness for their duty on the Planning Commission and subject to the approval of the Board of Trustees.

- 2.1 Ex Officio Members. The following shall be ex officio members of the Planning Commission and shall be appointed until such time as they resign.
- 2.2 Members of the Board of Trustees to be designated by the Village President, not to exceed 3 in number, and who shall serve for the period of their elective terms as Trustees.

Section 3. TERMS OF OFFICE.

The members of the Planning Commission shall serve until either resignation or removal by Village President.

3.1 Vacancies. Vacancies shall be filled by appointment from the Village President.

3.2 Compensation. The Planning Commission President will receive \$75.00 for each meeting in attendance. The Planning Commission members will receive \$45.00 for each meeting in attendance.

Section 4. PROCEDURE.

Immediately following their appointment, the members of the Planning Commission shall meet, organize, elect officers and adopt (and later change or alter), rules and regulations of organization and procedure consistent with Village ordinances and state laws. The Commission shall keep written records of its proceedings, which shall be open at all times to public inspection. The Commission shall also file a monthly report with the Village President and the Village Board of Trustees setting forth its transactions and recommendations.

Section 5. POWERS AND DUTIES.

The Planning Commission of the Village of Coal Valley shall have the following powers and duties:

- a. To prepare and recommend to the Board of Trustees of the Village of Coal Valley, a comprehensive plan for the present and future development or redevelopment of the Village and contiguous unincorporated territory not more than one and one-half miles beyond the corporate limits of the Village of Coal Valley and not included in any other municipality. The plan may be adopted in whole or in separate geographical or functional parts, each of which, when adopted shall be the official comprehensive plan, or part thereof, of the Village.
- b. The plan shall be advisory except as to such parts of it as has been implemented by ordinances duly enacted by the Village. All requirements for public hearings, filing of notice of adoption with the County Recorder of Deeds and the filing of the plan and ordinances with the Village Clerk shall be complied with as provided for by law.
- c. To provide for the health, safety, comfort and convenience of the inhabitants of the Village and contiguous territory, the plan or plans shall establish reasonable standards of design for subdivisions and for re-subdivisions of unimproved land and of areas subject to redevelopment in respect to public improvements as herein defined and shall establish reasonable requirements governing the location, width, course, and surfacing of public streets and highways, alleys, ways for public service facilities, curbs, gutters, sidewalks, street lights, parks, playgrounds, school grounds, size of lots to be used for residential purposes, storm water drainage, water supply and distribution, sanitary sewers, and sewage collection and treatment. The requirements specified herein shall become regulatory only when adopted by ordinance.
- d. To designate land suitable for annexation to the Village and the recommended zoning classification for such land upon annexation.
- e. To recommend to the Board of Trustees of the Village from time to time, such changes in

the comprehensive plan, or any part of it, as may be deemed necessary.

- f. To prepare and recommend to the Board of Trustees, from time to time, plans and/or recommendations for specific improvements in pursuance of the official comprehensive plan.
- g. To give aid to Village officials charged with the direction of projects for improvements embraced within the official plan, or parts of it to further the making of such improvements and generally to promote the realization of the official comprehensive plan.
- h. To arrange and conduct any form of publicity relative to its activities for the general purpose of public understanding.
- i. To cooperate with municipal or regional planning commissions and other agencies or groups to further the local planning program and to assure harmonious and integrated planning for the area.
- j. To contract with other agencies for assistance in developing a comprehensive plan, such agencies including but not limited to Bi-State Metropolitan Planning Commission.
- k. To exercise such other powers germane to the powers granted under authority of the Illinois Municipal Code, 1961, as amended, and as may be conferred by the Village Board of Trustees.

Section 6. LAND SUBDIVISION OR RESUBDIVISION AND THE OFFICIAL MAP.

At anytime(s), before or after the formal adoption of the official comprehensive plan by the corporate authorities, an official map may be designated by ordinance. The map may consist of the whole area included within the official comprehensive plan, or one or more separate geographical or functional parts, and may include all or any part of the contiguous unincorporated area within 1 1/2 miles from the corporate limits of the Village.

- 6.1 Requirements. All requirements for public hearing, filing of notice of adoption with the County Recorder of Deeds, and filing of this plan and ordinances, including the official map, with the Village Clerk shall be complied with as provided by law.
- 6.2 Map Specifications. No map or plat of any subdivision or RESUBDIVISION presented for record affecting land within the corporate limits of the Village of Coal Valley or within contiguous territory which is not more than 1 1/2 miles beyond the corporate limits shall be entitled to record or shall be valid unless the subdivision shown provides for standards of design, and standards governing streets, alleys, public ways, ways for public service facilities, street lights, public grounds, size of lots to be used for residential purposes, storm and flood water run-off channels and basins, water supply and distribution, sanitary sewers, and sewage collection and treatment in conformity with the applicable requirements of the ordinances including the official map.

Section 7. IMPROVEMENTS.

The Village Clerk shall furnish the Planning Commission, for its consideration, a copy of all ordinances, plans and data relative to public improvements of any nature. The Planning Commission may report in relation to public improvement if it deems a report necessary or advisable, for the consideration of the Village Board of Trustees.

Section 8. EXPENDITURES.

The Commission may, at the discretion of the Board of Trustees, employ a paid secretary or staff, or both, whose salaries, wages, and other necessary expenses shall be provided for by the Board of Trustees from public funds. If the Planning commission shall deem it advisable to secure technical advice or services, it may be done upon authority from the Board of Trustees and appropriations by the Village Board of Trustees.

DIVISION IV PURCHASING PROCEDURES

Section 1. DEFINITIONS.

For the purpose of this Ordinance, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. "Departments" shall mean the organizational subdivisions of the Village government and shall include the individual positions of Village Treasurer and Village Clerk.
- b. "Department Heads" shall mean the individuals assigned administrative responsibility for a department and shall include the Village Treasurer and Village Clerk.
- c. "Supplies and Equipment" shall mean any and all articles and things which may be furnished to or used by a department.
- d. "Service" shall mean and include all telephone, gas, water, electric light and power service; towel and cleaning service insurance; leases for all grounds, buildings, office or other space required by the departments and the rental, repair or maintenance of equipment, machinery and other village owned personal property. The term shall not include professional and other contractual services which are in their nature unique and not subject to competition.

Section 2. ADMINISTRATION.

The Village President or Village Administrator, shall be responsible for the proper administration and enforcement of this Ordinance and, in so doing, shall have the authority to promulgate such rules, regulations, procedures and forms as may be necessary to assure its effective operation.

Section 3. PURCHASE AUTHORIZATION.

Subject to the provisions of this Ordinance and within approved budgetary authority, supplies, equipment and services required for department operations may be purchased by Department Heads subject to the following:

- a. Items costing up to \$1,501 without additional authorization.
- b. Items costing \$1,500 to \$3,001 with authorization of the Village President.
- c. Items costing \$3,001 and more with the authorization of the Village Board.

- d. Except as herein provided, it shall be unlawful for any Village officer or employee to purchase any supplies, equipment or services within the purview of this Ordinance other than in accordance with its provisions.

Section 4. PURCHASE ORDER/CONFIRMATION.

A Purchase Order/Confirmation shall be completed and filed with the Village President, or his designee for the purchase of all supplies, equipment, or services. Such Purchase Order/Confirmation shall contain: the name of the requisitioning department; the account number to which the purchased item will be charged; a description of the item being purchased; if funds are not available within the departmental budget a statement as to why the item is needed and where the funds are available to pay for such item; and the signature of the Department Head.

Subject to the provisions of the Budget Ordinance which allows limited budget revisions by department heads and to the Emergency Purchases provisions of Section 8, no supplies, equipment, or services shall be purchased for which funds are not available within an appropriate account of a Department budget without the prior authorization of the Village Board.

Section 5. FORMAL PURCHASING PROCEDURES.

When the estimated cost of supplies, equipment and services exceeds \$10,000, except as otherwise provided herein, all such supplies, equipment and services shall be purchased through formal bidding procedures from the lowest responsible bidder.

- a. Bid Deposits. When deemed necessary, bid deposits shall be prescribed in the public notice inviting bids. Unsuccessful bidders shall be entitled to a return of surety when such has been required. A successful bidder shall forfeit any surety required upon failure to enter into a contract within ten (10) days after award.
- b. Bid Opening Procedure.
 - 1. Sealed bids shall be submitted appropriately identified as bids on the outside of the envelope.
 - 2. Opening. Bids shall be opened in public at the time and place stated in the public notice.
 - 3. Tabulation. A tabulation of all bids received shall be posted for public inspection.
- c. Rejection of Bids. Any one or more or all bids may be rejected where the public interest will be served thereby.
- d. Bidders in Default to Village. A bid shall not be accepted from a bidder who is in default on a payment of taxes, licenses or other monies to the Village.
- e. Award of Contract. Contracts shall be awarded to the lowest responsible bidder. In determining the "lowest responsible bidder", in addition to price, the following shall be considered:
 - 1. The ability, capacity and skill of the bidder to provide the supplies, equipment and service required.
 - 2. Whether the bidder can provide the supplies, equipment and service promptly, or within the time specified, without delay or interference.

3. The character, integrity, reputation, judgment, experience and efficiency of the bidder.
 4. The quality of performance of the bidder under previous contracts.
 5. The previous and existing compliance by the bidder with laws and ordinances related to the contract.
 6. The sufficiency of the financial resources and ability of the bidder to perform the contract.
 7. The quality, availability and adaptability of the supplies, equipment and service to be provided for the particular use required.
 8. The ability of the bidder to provide future maintenance and services if such is required by the contract.
 9. The number and scope of conditions attached to a bid.
- f. Award to Other than Low Bidder. When the award is not given to the lowest bidder, a full and complete statement of the reasons for awarding the bid otherwise shall be prepared and filed with the other papers related to the transaction.
- g. Tie Bids.
1. Local Bidders. If two or more bids are received for the same total amount or unit price, quality and service being equal, the contract shall be awarded to a bidder whose place of business is located in the Village.
 2. Outside Bidders. Where subsection (1) above is not in effect, if two or more bids are received for the same total amount or unit price, quality and service being equal, the contract shall be awarded to one of the tie bidders by drawing lots in public.
- a. Performance Bond. A performance bond may be required, before entering into a contract, in such amount as shall deemed reasonably necessary to protect the best interests of the Village.
- b. Prohibition against Subdivision. No contract or purchase shall be subdivided to avoid the requirements of this Section.

Section 6. OPEN MARKET PURCHASING PROCEDURES.

All purchases of supplies, equipment, and contractual services of less than an estimated value of \$3,001 may be made in the open market without public notice and without observing the procedure prescribed in Section 5.

- a. Price Quotations. All open market purchases shall, whenever possible, be based on at least three competitive price quotations and shall be awarded to the lowest responsible bidder, in accordance with the standards set forth in subsection h of Section 5.
- b. Notice Inviting Price Quotations. Competitive price quotations may be solicited from appropriate responsible vendors by direct mail, telephone, or other means of notification.
- c. Records. A record shall be kept of all open market purchases and the price quotations submitted thereon, and such records shall be open for public inspection.

Section 7. EMERGENCY PURCHASES.

- a. In the case of an emergency which may vitally affect the life and health of citizens of the Village, a Department Head may purchase directly, without purchase order, any supplies or services whose immediate purchase is essential to prevent delays in the work to avert such an emergency. Time and circumstance permitting, a Department Head should first seek the approval of the Village President or Village Administrator, but should not thereby unduly delay an emergency purchase.
- b. Following completion of work on an emergency situation, a Department Head shall file a properly completed purchase order for all supplies and services purchased for the emergency work and a full written report of the circumstances of the emergency. Depending on the cost of the supplies and services purchased, appropriate purchase authorizations shall be made and a purchase order issued for the record.

Section 8. PROHIBITION OF INTEREST.

Any purchase or contract within the purview of this Ordinance in which any officer or employee of the Village is financially interested, directly or indirectly, shall be void, except that before the execution of a purchase or contract the Village Board shall have the authority to waive compliance with the Section when it finds such action to be in the best interests of the Village.

Section 9. GIFTS AND REBATES.

Every officer and employee of the Village is expressly prohibited from accepting, directly or indirectly, from any person, company, firm, or corporation to which any purchase order or contract is or might be awarded, any rebate, gift, money, or anything of value whatsoever, except when given for the use and benefit of the Village.

Section 10. COOPERATIVE PURCHASING.

The Village President, or Village Administrator, shall have the authority to join with other unit(s) of government in cooperative purchasing plans when the best interests of the Village would be served thereby. Participation in such cooperative purchasing plans shall supersede the need for formal and open market purchasing procedures contained in this Ordinance.

DIVISION V - OPERATIONS

CHAPTER 1. MUNICIPAL CODE ENFORCEMENT SYSTEM.

Section 1. ADOPTION.

The Village of Coal Valley adopts the Municipal Code Enforcement System (MUNICES) as its adjudication process for ordinance violation compliance, and the payment of violation fees when such compliance and payment of violation fees are not done in a voluntary and timely manner.

Section 2. CODE ENFORCEMENT.

- a. MUNICES can be used for adjudication of any violation of any adopted Village Ordinances and Codes. All building inspectors, police officers, and zoning enforcement officers, or their designated representatives, shall have the authority to issue violation notices.
- b. Violation Notices will be written out completely on the Village's Notice of Ordinance Violation form.

- c. The original copy of the form will be handed in to Village Hall for processing. The pink copy and the envelope will be given to the violator. When the violator is not present, the form can be given to a responsible individual (16 years or older) at the violator's residence, or the form can be mailed by certified mail, return receipt requested, to the person responsible for the ordinance violation.
- d. Any violator, who does not pay their violation notice fees within a specified time frame, will have their citation turned over to MUNICES for adjudication.

Section 3. PENALTIES.

The minimum penalty fee for an ordinance violation citation is \$45.00 with the maximum being \$750.00. The minimum fine for an ordinance violation not paid within 14 days of issue will be \$135.00. Each day the violation has not been corrected can be considered a separate violation and assessed a separate penalty fee for each day. A single Notice of Ordinance Violation form can be used for multiple days the violation continues to exist. In the event a single Notice of Ordinance Violation is used for multiple days and the violation continues to exist the minimum fine if not paid within 14 days of issue will be \$135.00 for each day the violation exists.

Section 4: OTHER JUDICIAL, NON-JUDICIAL ACTIONS:

- 4.1 Nothing herein shall prohibit the filing of a complaint in Circuit Court or through MUNICES for a subsequent violation of the same provision of Ordinance or Code.
- 4.2 The Village President and/or Village Administrator may reasonably extend the period in which fees associated with a violation can be paid.
- 4.3 The Village President and/or Village Administrator has the authority to void Notice of Ordinance Violation citations if after careful consideration it is deemed that such action is in the best interest of the Village.