

EXHIBIT "A"

CHAPTER 1

ADMINISTRATION

ARTICLE I – GENERAL PROVISIONS

DIVISION I - TITLE

1-1-1 TITLE. Upon the adoption by the City Council, this "**Revised Code of Ordinances**" is hereby declared to be and shall hereafter constitute the Official City Code. The "**Revised Code of Ordinances of Nokomis**" shall be known and cited as the "**City Code**", and it is hereby published by authority of the City Council and shall be kept up-to-date as provided in **Section 1-1-3** under the direction of the City Attorney, acting for said City Council. 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 article heading, and to the general penalty clause relating thereto, as well as to the section itself when reference is made to this City Code by title in any legal document.

1-1-2 ACCEPTANCE. The City 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 City of general and permanent effect, except the excluded ordinances enumerated in **Section 1-1-8**.

1-1-3 AMENDMENTS. Any ordinance amending this City Code shall set forth the article, 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 City Code. All such amendments or revisions by ordinance shall be semiannually forwarded to the codifiers and the said ordinance material shall be prepared for insertion in its proper place in each copy of this City Code. Each such replacement page shall be properly identified and shall be inserted in each individual copy of the City Code on a semiannual basis.

1-1-4 CODE ALTERATION. It shall be deemed unlawful for any person to alter, change, replace or deface in any way, any section or any page of this City 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 City Council. The City 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 the City Code shall make every effort to maintain said 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 City Clerk. Said Code books, while in actual possession of officials and other interested persons, shall be and remain the property of the City and shall be returned to the office of the Clerk when directed to do so by order of the City Council.

1-1-5 JURISDICTION. Unless otherwise provided herein, this Code applies to acts performed within the corporate limits of the City. Provisions of this Code also apply to acts performed outside the corporate limits and up to the limits prescribed by law, where the law confers power on the City to regulate such particular acts outside the corporate limits.

1-1-6 - 1-1-7 RESERVED.

DIVISION II – SAVING CLAUSE

1-1-8 REPEAL OF GENERAL ORDINANCES. All general ordinances of the City passed prior to the adoption of this City Code are hereby repealed, except such as are referred to herein as being still in force or are, by necessary implication, herein reserved from repeal [subject to the saving clauses contained in the following section], from which are excluded the following ordinances which are hereby not repealed:

Tax Levy Ordinances; Appropriation Ordinances; Ordinances Relating to Boundaries and Annexations; 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 City; and all Special Ordinances.

1-1-9 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 City Code, or by virtue of the preceding section, excepting as this City Code shall be considered as amending such ordinance or ordinances in respect to such provisions only.

1-1-10 COURT PROCEEDINGS. 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 the 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 consent of the party affected, applied to any judgment announced after the new ordinance takes effect.

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.

Nothing contained in this Chapter shall be construed as abating any action now pending under or by virtue of any general ordinance of the City 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 City under any ordinance or provision thereof in force at the time of the adoption of this City Code.

1-1-11 SEVERABILITY OF PROVISIONS. Each section, paragraph, sentence, clause and provision of this Code is severable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Code, nor any part thereof, other than that part affected by such decision.

1-1-12 CITY CLERK'S CERTIFICATE. The City Clerk's Certificate shall be in the following form:

CITY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF MONTGOMERY) ss. CITY CLERK'S OFFICE
CITY OF NOKOMIS)

I, Rachel Hill, City Clerk of the City of Nokomis, Illinois do hereby certify that the following Revised Ordinances of the City of Nokomis, Illinois, published by authority of the City Council were duly passed by the City Council of the City of Nokomis, Illinois, approved by the Mayor and published in book form according to law on this date, and that these ordinances are true and perfect copies of the ordinances, as passed, approved, and now of record and on file in my office, as provided by law.

In witness whereof, I have set my hand and affixed the corporate seal of the City of Nokomis, Illinois, this 14th day of September, 2020.

/s/ Rachel Hill
RACHEL HILL
CITY CLERK
CITY OF NOKOMIS, ILLINOIS

(SEAL)

1-1-13 RESERVED.

DIVISION III - DEFINITIONS

1-1-14 CONSTRUCTION OF WORDS. Whenever any word in any section of this 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.

When any subject matter, party or person is referred to in this 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 deemed to be included, provided that these rules of construction shall not be applied to any section of this Code which contains any express provision excluding such construction or where the subject matter or content may be repugnant thereto.

1-1-15 DEFINITIONS. Whenever the following words or terms are used in this Code, they shall have the meanings herein ascribed to them unless the context makes such meaning repugnant thereto:

"AGENT" as used in this Code shall mean a person acting on behalf of another.

"CITY" shall mean the City of Nokomis, Illinois.

"CODE" OR "THIS CODE" shall mean "The Revised Code of Ordinances of the City of Nokomis, Illinois".

"COMMISSIONER" shall mean the City Council, Corporate Authorities, or City Commissioners of the City of Nokomis.

"COUNCIL" unless otherwise indicated shall mean the City Council or City Commissioners of this City.

"COUNTY" shall mean the "County of Montgomery".

"EMPLOYEES" shall mean the following: Whenever reference is made in this Code to a City employee by title only, this shall be construed as though followed by the words **"of the City"**.

"FEE" as used in this Code shall mean a sum of money charged by the City for the carrying on of a business, profession or occupation.

"FISCAL YEAR". The "fiscal year" for the City shall begin on **May 1st** of each year and end on **April 30th** of the following year.

"KNOWINGLY" imports only a knowledge that the facts exist which bring the act or omission within the provisions of this Code. It does not require any knowledge of the unlawfulness of such act or omission.

"LICENSE" as used in this Code shall mean the permission granted for the carrying on of a business, profession or occupation.

"MISDEMEANOR" shall mean any offense deemed a violation of the provisions of this Code which is a lesser offense than a felony as defined by State law.

"NEGLECT", "NEGLIGENCE", "NEGLIGENT" AND "NEGLIGENTLY" import a want of such attention to the nature of probable consequences of the act of omission as a prudent man ordinarily bestows in acting in his own concern.

"NUISANCE" shall mean anything offensive or obnoxious to the health and welfare of the inhabitants of the City or any act or thing repugnant to or creating a hazard to or having a detrimental effect on the property of another person or to the community.

"OCCUPANT" as applied to a building or land shall include any person who occupies the whole or any part of such building or land, whether alone or with others.

"OFFENSE" shall mean any act forbidden by any provision of this Code or the omission of any act required by the provisions of this Code.

"OFFICERS AND EMPLOYEES". Whenever reference is made in this Code to a City officer or employee by title only, this shall be construed as though followed by the words **"of the City"** and shall be taken to mean the officer or employee of this City having the title mentioned or performing the duties indicated.

No provision of this 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 in this Code for a failure to perform such duty, unless the intention of the City Council to impose such a fine or penalty on such officer or employee is specifically and clearly expressed in the section creating the duty.

"OFFICIAL TIME". Central Standard Time shall be the official time for the transaction of City business, except during applicable Daylight Savings Time set by National or State standards when the official time shall be advanced **one (1) hour**. All clocks and other timepieces in or upon public buildings or other premises maintained by or at the expense of the City shall be set and run at the official time prescribed by this paragraph.

"OPERATOR" as used in this Code shall mean 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 or lessee of the whole or of a part of such building or land.

"PERSON" shall mean any natural individual, firm, trust, partnership, association, or corporation in his or its own capacity as administrator, conservator, executor, trustee, receiver or other representative appointed by the Court. Whenever the word "person" is used in any section of this Code prescribing a penalty or fine as applied to partnerships or any such word as applied to corporations, it shall include the officers, agents or employees thereof who are responsible for any violation of said section.

"PERSONAL PROPERTY" shall mean and include every description of money, goods, chattels, effects, evidence of rights in action and all written instruments by which any pecuniary obligation, right or title to property is created, acknowledged, transferred, increased, defeated, discharged or diminished and every right or interest therein.

"RETAILER" as used in this Code unless otherwise specifically defined, shall be understood to relate to the sale of goods, merchandise, articles or things in small quantities direct to the consumer.

"STATE" OR "THIS STATE" shall mean the "State of Illinois" unless otherwise indicated.

"STREET" shall include alleys, lanes, courts, boulevards, public squares, public places and sidewalks.

"TENANT" as applied to a building or land shall include any person who occupies the whole or any part of such building or land, whether alone or with others.

"WILLFULLY" when applied to the intent with which an act is done or omitted implies simply a purpose or willingness to commit the act or make the omission referred to. It does not require any intent to violate the law, or to injure another or to acquire an advantage.

"WRITTEN" AND "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 required by law, it shall be in the proper handwriting of such person, or in case he is unable to write, by his proper mark.

1-1-16 CATCHLINES. The catchlines of the several sections of this 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 as any part of the section, nor, unless expressly so provided, shall they be so deemed when any of such sections, including the catchlines, are amended or reenacted.

1-1-17 - 1-1-19 RESERVED.

DIVISION IV - GENERAL PENALTY

1-1-20 PENALTY.

(A) Any person convicted of a violation of any section of this Code shall be fined not less than **One Hundred Dollars (\$100.00)** unless a different minimum fine is provided for herein, nor more than **Seven Hundred Fifty Dollars (\$750.00)** for any **one (1) offense**.

(B) Any minor or person designated as a juvenile by this State convicted of a violation of any Section of this Code shall be fined not less than **Fifty Dollars (\$50.00)** unless a different minimum fine is provided for herein, nor more than **Seven Hundred Fifty Dollars (\$750.00)** for any **one (1) offense**, but may not be confined except by provisions of the Juvenile Court Act of the State of Illinois.

(C) Whoever commits an offense against the City or aids, abets, counsels, commands, induces or procures its commission is punishable as a principal.

(D) Whoever willfully causes an act to be done which, if directly performed by him or another, would be an offense against the City is punishable as a principal.

(E) All municipal ordinance offenses may be satisfied without a court appearance by a written plea of guilty and payment of the minimum fine, plus court costs, unless a court appearance is required by the ordinance violated.

(F) A warrant for your arrest may be issued if you fail to appear at any hearing.

(G) Any person accused of a violation of this Code, may request a trial by the court or by jury. You must file a written demand for a jury trial and pay a jury demand fee if you wish a trial by jury.

(Ord. No. 975; 03-12-12)

1-1-21 PENALTIES FOR VIOLATIONS.

(A) Any person accused of a violation of this Code, may settle and compromise the claim by paying to the City Clerk the minimum fine of **Fifty Dollars (\$50.00)** within **ten (10) days** from the time of the issuance of the citation therefore, or by paying to the City Clerk the sum of **Seventy-Five Dollars (\$75.00)** after **ten (10) days** but at least **three (3) days** prior to a court

appearance, unless a different minimum is otherwise provided in Section (B) hereof or elsewhere in this Code. **(Ord. No. 986; 06-25-12)**

(B) The minimum fine if paid within **ten (10) days** of issuance of a citation for a violation of the following ordinance shall be as set forth in **Appendix "A"**. Any person accused of a violation of this Code, may settle the citation with the City Clerk (phone 217-563-2514) by paying the amount specified in **Appendix "A"** within **ten (10) days** of the citation or as provided by the attached ordinance. Otherwise, you shall appear in court.

(C) The minimum fine for any offense listed in **Appendix "A"** shall be increased by **Twenty-Five Dollars (\$25.00)** if paid after **ten (10) days** but before a court appearance.

(D) The citation issued under this Section shall be as a courtesy in lieu of arrest. If the person accused of this violation does not settle the claim, and complaint or notice to appear will be issued for that violation and the person shall be subject to the penalties set forth in **Section 1-1-19** of this Code.

(Ord. No. 975; 03-12-12)

1-1-22 APPLICATION.

(A) The penalty provided in this Chapter shall be applicable to every section of this City 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 City Code where any duty is prescribed or obligation imposed or where any act which is of a continuing nature or 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 City Code.

(B) In all cases where the same offense is made punishable or is created by different clauses or sections of this City Code, the prosecuting officer may elect under which to proceed; but not more than **one (1)** 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 City Code, and there shall be no fine or penalty specifically declared for such breach, the provisions of this Chapter shall apply and a separate offense shall be deemed committed upon each day during or on which a breach or violation occurs or continues.

1-1-23 LIABILITY OF OFFICERS. The failure of any officer or employee to perform any official duty imposed by this Code shall not subject such officer or employee to the penalty imposed for violation of this Code, unless a penalty is specifically provided for.

ARTICLE II - CITY OFFICIALS

DIVISION I - CITY COUNCIL

1-2-1 COMPOSITION AND GENERAL POWERS. The City Council shall consist of the Mayor and **four (4) Commissioners**, elected at large, in conformity with this Code and State Law governing elections in cities and shall have such powers as are granted by **Chapter 65, Illinois Compiled Statutes**. The term of office shall be for **four (4) years** or until their successors are elected and have qualified.

(A) **Reports.** Every Commissioner, officer, assistant and employee shall, from time to time, as required by law or ordinance or when requested by the Council or whenever he shall deem necessary for the good of the public service, report to the Council in writing respecting the business or work of his department, subordinate department, bureau or office, or matters connected therewith.

(B) **Department Heads Agents of Council.** All Commissioners or superintendents of departments and officers are the agents of the Council only, and all their acts shall be subject to review and to approval or revocation by the Council.

1-2-2 VACANCIES - APPOINTMENT. A vacancy occurs in the office of City Commissioner by reason of resignation, failure to elect or qualify, death, permanent physical or mental disability, conviction of a disqualifying crime, abandonment of office or removal from office, or removal of residence from the City.

If a vacancy occurs in any of these offices, the remaining members of the Council, within **thirty (30) days** thereafter, shall appoint a person to fill the vacancy for the balance of the unexpired term or until the vacancy is filled by interim election pursuant to **65 ILCS 5/3.1-10-50**, and until the successor is elected and has qualified.

1-2-3 MEETINGS. The regular stated meetings of the City Council shall be held in the City Hall building on the **second (2nd) and fourth (4th) Monday** in each month at **seven o'clock (7:00) P.M.**

When the meeting date falls upon a legal holiday, the meeting shall be held on the next secular day at the same hour. Adjourned meetings may be held at such times as may be determined by the Council. Public notice of regular meetings shall be given in accordance with the State Statute being **5 ILCS 120/2.02 and 120/2.03. (See 65 ILCS 5/4-5-12)**

1-2-4 SPECIAL MEETINGS. Special meetings of the City Council may be called by the Mayor or any **two (2) Commissioners** by giving at least **twenty-four (24) hour** notice thereof, by delivering to them personally, written or printed notices of the time of such meeting at the residences of the Commissioners; such notices shall be served by mail, by the Chief of Police or his designated representative. The notices shall specify the purpose of the special meeting and the business to be taken up at that time and place. The notice shall be posted at the City Hall and shall be provided to any local newspaper of general circulation or any local radio or television station that has filed an annual request for such notice. The notice shall be provided to such news media in the same manner as the notice is given to the Mayor and members of the City Council, provided such news media has given the City an address within the City at which such notice may be given. **(65 ILCS 5/4-5-12 and 5 ILCS 120/2.02 and 120/2.03)**

1-2-5 QUORUM. At all meetings of the City Council, **three (3) members** of the City Council shall constitute a quorum to do business, but a smaller number may adjourn from time to time

and compel absentees to attend any regular or special meeting by a written citation to be signed by the Mayor and **two (2) Commissioners** issuing the same, and may be served by any official authorized to serve process within the City by reading the same to such absentees.

1-2-6 COMMITTEES.

(A) **Appointment.** The standing committees of the Council shall be annually appointed by the Mayor and he shall be authorized to fill vacancies occurring in any of the committees.

(B) **Communications; Bills.** All petitions and communications to the Council and all bills against the City, unless by the unanimous consent of all the members present, shall be referred to appropriate committee and shall not be acted upon by the Council until after the report of the committee having the same in charge shall have been made.

(C) **Reports.** Every committee of the Council in reporting upon any subject referred to them shall attach to their report papers or documents in possession of the committee relative to the matter so referred.

(D) **Deferring Acting.** Any report of a committee of the Council shall be deferred for final action thereon to the next regular meeting of the Council after the report is made, upon the request of any **two (2) members** present.

1-2-7 ELECTRONIC ATTENDANCE AT MEETINGS.

(A) **Rules Statement.** The Mayor or any Commissioner of the City of Nokomis, Illinois (the "City"), may attend any open or closed meeting of the City via electronic means (such as by telephone, video or internet connection) provided that such attendance is in compliance with these rules and any applicable laws.

(B) **Prerequisites.** The Mayor or any Commissioner of the City ("member") may attend a meeting electronically if the member meets the following conditions:

- (1) The member should notify the Clerk at least **three (3) days** before the meeting, unless impractical, so that necessary communications equipment can be arranged. Inability to make the necessary technical arrangements will result in denial of a request for remote attendance.
- (2) The member must assert one of the following **three (3) reasons** why he or she is unable to physically attend the meeting:
 - (a) The member cannot attend because of personal illness or disability; or
 - (b) The member cannot attend because of employment purposes or the business of the City; or
 - (c) The member cannot attend because of a family or other emergency.

(C) **Authorization to Participate.**

- (1) The Clerk, after receiving the electronic attendance request, shall inform the Mayor and the City Council of the City of the request for electronic attendance.
- (2) After establishing that there is a quorum is physically present at a meeting where a member desires to attend electronically, the presiding officer shall state that (i) a notice was received by a member in accordance with these Rules, and (ii) the member will be deemed authorized to attend the meeting electronically unless a motion objecting to the member's electronic attendance is made, seconded, and approved by **two-thirds (2/3)** of the members of the City Council of the City physically present at the meeting. If no such motion is made and seconded or if any such motion fails to achieve the required vote by the members of the City Council physically present at the meeting, then the request by the member to attend the meeting electronically shall be

deemed approved by and the presiding officer shall declare the requesting member present. After such declaration by the presiding officer, the question of a member's electronic attendance may not be reconsidered.

(D) **Adequate Equipment Required.** The member participating electronically and other members of the City Council must be able to communicate effectively, and members of the audience must be able to hear all communications at the meeting site. Before allowing electronic attendance at any meeting, the City shall provide equipment adequate to accomplish this objective at the meeting site.

(E) **Minutes.** Any member attending electronically shall be considered an off-site attendee and counted as present electronically for that meeting if the member is allowed to attend. The meeting minutes shall also reflect and state specifically whether each member is physically present or present by electronic means.

(F) **Rights of Remote Member.** A member permitted to attend electronically 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 meeting guidelines and procedures previously adopted and adhered to. The member attending electronically shall be heard, considered, and counted as to any vote taken. Accordingly, the name of any member attending electronically shall be called during any vote taken, and his or her vote counted and recorded by the Clerk and placed in the minutes for the corresponding meeting. A member attending electronically may leave a meeting and return as in the case of any member, provided the member attending electronically shall announce his or her leaving and returning.

(G) **Committees, Boards and Commissions.** These rules shall apply to all committees, boards and commissions established by authority of the City.
(See 5 ILCS 120/7)

1-2-8 RESERVED.

DIVISION II – CITY ADMINISTRATION

1-2-9 CITY DEPARTMENTS. The executive and administrative powers, authority and duties in the City are distributed into and among the following departments and the powers and duties to be performed are determined and assigned to the appropriate departments and officer as hereinafter set forth:

- (A) Department of Public Affairs.
- (B) Department of Accounts and Finances.
- (C) Department of Public Health and Safety.
- (D) Department of Streets and Public Improvements.
- (E) Department of Public Property.

(See 65 ILCS 5/4-5-2)

1-2-10 DEPARTMENT OF PUBLIC AFFAIRS.

(A) **Mayor's Powers.** The Mayor shall have and exercise all the powers and perform all the duties provided or prescribed by the City Code not in conflict with any provisions of the City Code, and shall have and exercise all the powers and perform all the duties provided or prescribed by law.

(B) **Mayor Superintendent.** The Mayor shall be Commissioner of Public Affairs and shall be Superintendent of the Department of Public Affairs and as such, shall have general supervision and shall oversee all departments and officers of the City.

(C) **Chief Executive Officer.** The Mayor shall be chief executive officer and representative of the City. He shall sign all contracts on behalf of the City and shall require and cause to be prepared and published all statements and reports required by law or ordinance or resolution of the Council.

(D) **Departments and Officers.** The Corporation Counsel, City Attorney, Assistant City Attorney and other officers and employees of the law department, the City Library and library buildings and grounds and Library Directors and other officers and employees in the library and their respective offices or departments and all officers and employees therein, and all property used in such respective offices or departments; and all other officers, employees or functionaries not by law or ordinance distributed or assigned to some other departments are assigned to the Department of Public Affairs. **(See 65 ILCS 5/4-5-3) (Ord. No. 904; 05-29-03)**

1-2-11 DEPARTMENT OF ACCOUNTS AND FINANCES.

(A) **Commissioner's Duties.** The Commissioner of Accounts and Finances shall be Superintendent of the Department of Accounts and Finances shall have charge of and supervision over all accounts and records of the City and in all matters relating to the accounts and finances of the City except the accounts and records of the Collector of Water Rates, his office or department, over all officers, boards or departments required to keep or make accounts, records and reports.

(B) **Inspections and Reports.** The Commissioner shall inspect or cause to be inspected all records or accounts required to be kept in any of the offices or departments of the City and shall, at least once each month, report the result of such inspection to the Council with such recommendations as he shall see fit to make.

(C) **Purchases.** The Commissioner shall have charge of the purchase, care and distribution of all supplies and other articles and chattels, and shall be the only purchasing agent of the City. All purchases must be made by and with the consent of the Commissioner of the department for which the supplies are to be purchased. He shall have charge and supervision over all printing by or for the City unless otherwise provided by law.

(D) **Claims.** The Commissioner shall examine or cause to be examined and report to the Council upon all bids, accounts and claims before they are acted upon unless otherwise provided by law or ordinance.

(E) **Departments and Officers.** The City Clerk, City Treasurer, and all their respective offices and departments and all officers, assistants and employees therein, and all bookkeepers and accountants (except the bookkeeper and accounts in the office of Collector of Water Rates, the Waterworks Department) are assigned to the Department of Accounts and Finances and shall be under the supervision and direction of the Commissioner thereof.

(F) **Utility Reports; Collection of Fees.** The Commissioner of Accounts and Finances shall procure from all persons and corporation operating public service utilities in the City such reports as they are, by law or ordinance or otherwise, required to make to the City or any of its officers, and procure copies of such reports as are made to the State or any public office or department. He shall collect all license fees, inspection fees, franchise taxes, rentals or other monies which may be due or become due the City.

He shall report to the Council any failure to make reports or to pay monies due the City with such recommendations in relation thereto as he may deem proper.

He shall, whenever the City has authority to do so, cause to be examined the accounts and records of any person or corporation operating a public service utility in the City and shall report to the Council any refusal to permit such examination with such recommendations in relation thereto as he may deem proper. **(Ord. No. 666; 04-12-76)**

1-2-12 DEPARTMENT OF PUBLIC HEALTH AND SAFETY.

(A) **Commissioner's Duties.** The Commissioner of Public Health and Safety shall take charge of all public buildings, and other improvements, and of the repair thereof when such public buildings, other improvements and repair thereof are not otherwise assigned.

He shall have charge of and supervision over any public hazards or objects or situations that could become a threat to public health and safety. He shall also periodically inspect and review all safety signs and determine their effectiveness.

Commissioner's duties also shall include the following: Building Maintenance, Animal Control Services, Street Lighting and Signs, Mosquito Chemicals, Materials, and Spraying, and all duties connected with "Tree Maintenance". **(Ord. No. 920; 06-13-05)**

(B) **Departments and Officers.** The Chief of the Fire Department and all firemen, property and apparatus used in the fire department, until such time that the fire district has taken over all functions, the fire alarm system, all fire stations, engine houses, are all distributed and assigned to the Department of Public Health and Safety.

The Animal Control Officer and all equipment are also assigned to the department. **(Ord. No. 904; 05-29-03)**

1-2-13 **DEPARTMENT OF STREETS AND PUBLIC IMPROVEMENTS.**

(A) **Commissioner's Duties.** The Commissioner of Streets and Public Improvements shall be Superintendent of the Department of Streets and Public Improvements, and shall have charge, control and supervision of all public work, the cleaning and sprinkling of streets and public places, the erection and reconstruction of all street improvements, sidewalks, sewers, bridges and viaducts.

He shall have control and supervision over all dumping grounds and dumps.

He shall have control, management, direction and supervision of the lighting of streets and alleys, of public grounds and buildings, and of all lamps, lights, lighting materials and persons charged with the care thereof.

He shall service the mowing and cleaning of all streets, alleys and vacant lots within the City. He shall supervise cutting and trimming of trees, when necessary, within the City; the cleaning of all ditches within the City; and the removal of snow, when necessary. He shall also have authority to supervise the general maintenance of all vacant lots and City property, not otherwise designated in this Section to any other department. He shall have control and supervision of the maintenance of all equipment and the buildings housing the same within the City, except as otherwise provided in this Section. **(Ord. No. 904; 05-29-03)**

(B) **Departments and Officers.** The Superintendent of Streets, their respective offices or departments and all officers, assistants and employees therein, and all property and apparatus of the respective officers, offices or departments are assigned to the Department of Streets and Public Improvements and shall be under the supervision and direction of the Commissioner thereof. **(Ord. No. 904; 05-29-03)**

1-2-14 **DEPARTMENT OF PUBLIC PROPERTY.**

(A) **Commissioner's Duties.** The Commissioner of Public Property shall be Superintendent of the Department of Public Property and shall have charge, control and supervision of and shall manage the Water System and the Sewer System of the City with all the lands, rights-of-way, pumping works, wells, machinery, sewer mains, hydrants, meters, water rents and the collection thereof, liens, apparatus, property and effects of every kind appertaining to the utility systems.

(B) **Departments and Officers.** The Superintendent of Waterworks, Superintendent of Storm Sewers, the Collector of Water and Sewer Rates, their respective offices or departments, the Department of Waterworks, the Department of Sewer Works, and all officers, assistants and employees of the same or connected with the same, and shall be under the supervision and direction of the Commissioner thereof. **(Ord. No. 904; 05-29-03)**

1-2-15 **DEPARTMENT REGULATIONS.** The Commissioner of each department shall make and enforce such rules and regulations not inconsistent with the law or this Code or rules and

regulations adopted by the City Council as may be necessary to secure efficient conduct of the service of his department or the business in charge thereof. **(Ord. No. 666; 04-12-76)**

1-2-16 MAYOR'S DUTIES.

(A) **Appointment of City Officers.** The Mayor shall appoint, by and with the advice and consent of the Council, all officers whose appointment is not otherwise provided for by law or ordinance; and whenever a vacancy shall occur in any office, which by law or ordinance he is empowered and required to fill, he shall, at the next regular meeting of the Council occurring not less than **five (5) days** after such vacancy, communicate to the Council the name of his appointee to such office, and pending the concurrence of the Council in such appointment, he may designate some suitable person to discharge the functions of such office.

(B) **Additional Duties.** The Mayor shall perform such other and further duties pertaining to his office as are or may be required of him by the laws of the State of Illinois or this Code.

1-2-17 OFFICE OF CITY CLERK/TREASURER/COLLECTOR.

(A) The Mayor shall appoint a City Clerk, and a City Treasurer in accordance with **Section 1-2-16.** Such appointees shall perform all the duties pertaining to each of the offices as prescribed by this Code, and shall also keep such additional records and books of account as may be prescribed by the Council or by the Superintendent of Accounts and Finances.

(B) All persons so appointed to the position of City Clerk or City Treasurer shall, before entering upon the duties of the offices, execute a bond to the City in the penal sum determined by the Council, conditioned for the faithful performance of the duties of the office of City Clerk and the payment of all monies that may be received by him, according to law and this Code. He shall execute a bond, as City Treasurer, payable to the City in a penal sum not less than the amount required by statute, with sureties approved by the Council, conditioned for the faithful performance of the duties of the office of City Treasurer and the payment of all monies received by him as City Treasurer, according to law and this Code.

1-2-18 DUTIES AS CITY CLERK.

(A) **Minutes; Notices.** The Clerk shall attend all meetings of the City Council and shall keep a suitable book to be styled "**The Record of the City Council**", a full and faithful record of its proceedings. He shall issue and cause to be served upon all members notices of all special meetings of the Council.

(B) **Delivery of Papers.** The Clerk shall, without delay, upon the adjournment of each meeting of the Council, notify and upon demand, shall deliver to the officers of the City, copies of all petitions, communications, reports, resolutions, orders, claims and other papers referred by the Council.

(C) **Official Papers.** The Clerk shall prepare all commissions, licenses, permits and other official documents required to be issued by him under the laws and ordinances of the City, and shall attest the same with the corporate seal; and he shall, in like manner, attest all deeds for the sale of real estate owned and conveyed by the City.

(D) **Record of Elections and Appointments.** The Clerk shall keep a record of the election or appointment and confirmation of all officers of the City, showing the date of confirmation or election, the date of commission, and the date of death, resignation, removal or expiration of term of office.

(E) **Records to Successor.** The Clerk shall carefully preserve in the office, all books, records, papers, maps and effects of every description belonging to the City or pertaining to his office, and not in the actual use and possession of other City officers, and upon the termination of his service in office, shall deliver all such books, records, papers and effects to his successor in office.

(F) **Books; Examination.** The Clerk shall, under the direction of the Commissioner of Accounts and Finances, keep a complete set of books, in which, among other things, shall be set forth the appropriation of the fiscal year for each distinct object and branch of expenditures and also the receipts from each source of revenue, so far as he can ascertain the same. The books and all contracts, bonds, deeds, warrants, vouchers, receipts, and other papers kept in his office shall be subject to the examination of the Mayor or members of the Council.

(G) **Warrants; Record.** The Clerk shall keep in a suitable book an accurate list of all warrants drawn, showing the date, number and amount of each and the name of the person in whose favor drawn. All warrants drawn shall be signed by the Mayor and countersigned by the Clerk, and shall specify therein the particular fund or appropriation in which the same is chargeable, and the person to whom payable, and no money shall be otherwise paid than upon such warrants so drawn.

(H) **Accounts.** The Clerk shall keep a detailed account of the City revenue and of each separate fund, crediting the same with all receipts or appropriations and charging it with all warrants drawn thereon, and he shall charge each warrant to the fund or appropriation against which it is drawn. He shall also keep an accurate account of all debts due from or owing to the City, and shall keep a book in which he shall enter a correct list of all notes or other obligations given by or payable to the City, with the date thereof, the person to whom or by whom payable, the rate of interest, the time and manner in which the principal and interest are payable, and such other particulars as may be necessary to the full understanding thereof.

(I) **Appropriation Exhausted.** Whenever any fund or appropriation is exhausted, the Clerk shall, without delay, notify the Council thereof, and he shall not thereafter draw any warrant against such fund or appropriation until the same shall be renewed.

(J) **Balance to General Fund.** It shall be the duty of the Clerk to transfer and place to the credit of the General Fund, all unexpended balances of appropriations of the former year remaining at the time that the annual appropriation bill of each year goes into effect. No such transfer shall be made or disposition ordered of any trust fund, or any fund arising from special assessment or special taxation, nor in cases where contracts have been made or liabilities incurred on account of any such appropriation, and remain uncompleted or unpaid at the time the appropriation bill goes into effect, nor of any fund created for any purpose or for the payment of any liability exclusively provided for by taxation, nor Water and Sewer Department funds which, by law, shall not be transferred.

(K) **Public Improvements.** The Clerk shall keep in his office a correct list of all local or public improvements ordered by the Council and let under contract by the City. All contracts and specifications therefor made by authority of the Council or by any officer of the City pursuant thereto, in relation to such improvements, shall be filed in the Clerk's office.

(L) **Monthly Report to Council.** The Clerk shall report in writing to the Council at the second regular meeting each month, an itemized statement of all monies received, the account whereon collected, and a classified summary of all expenditures during the preceding month. The report shall also show the exact condition of each fund or appropriation, the total amount which has been used or expended thereof and the balance, if any, which is subject to be used or drawn.

(M) **Official Papers.** The Clerk shall exercise a general supervision over all the officers of the City charged in any manner with the receipt, collection or disbursement of City revenues, and the collection and return of all such revenues into the City Treasury. He shall have the charge, custody and control of all deeds, leases, warrants, contracts, bonds, obligations, vouchers, books, and papers of every kind, the custody of which is not by law or this Code given to any other officer.

(N) **Annual Estimates.** The City Clerk shall, on or before **May 15th** or as soon thereafter as possible, submit to the Council a report of his estimates as near as may be of the monies necessary to defray the expenses of the City during the current fiscal year, classifying the different objects and giving as nearly as may be the amounts required for each and for this purpose, the Clerk is authorized to require of the City officers their statements of the condition and expenses of their respective departments; also for proposed improvements and the probable expense thereof, and also of the contracts already made and unfinished. He shall show the aggregate income of the preceding fiscal year from all sources, the amount of any unexpended appropriation of the preceding year, the amount of liabilities outstanding upon which interest is to be paid, and of the bonds and City debts payable during the year, when due and when payable, and shall also embody in such report such matters as by law or

ordinance are required, so that the Council may fully understand the many exigencies of the City for the current year.

(O) **Annual Report.** The Clerk shall, between the **first (1st)** and **tenth (10th) days of April** in each year, make out and file with the Commissioner of Accounts and Finances, an annual report giving a detailed statement of all the receipts and revenues of the City during the preceding fiscal year. The report shall also detail the resources and liabilities of the City, the conditions of all unexpended appropriations and unfulfilled contracts, the balance of money then remaining in the Treasury, with all sums due and outstanding; a list of all real estate owned by the City, and the amount per year received as rent for the same; the names of all persons who may have become defaulters to the City and the amount of such default; and all other matters necessary to exhibit the true financial condition of the City. The report, when examined and approved by the Council, shall be published as a part of the records of the next meeting of the Council.

(P) **Other Duties.** The Clerk shall perform all such other and further duties pertaining to his office as are or may be imposed upon him by law or ordinance or by direction of the Council.

(Q) **Deputy.** In case of the temporary absence or disability of the City Clerk, he may, at his own expense by a certificate in writing filed in his office, appoint a Deputy Clerk who, during such absence or disability and until the next regular meeting of the Council, shall be empowered to perform the duties of the City Clerk.

Such appointment shall not extend beyond the time of the next regular meeting of the Council except by the consent of the Council.

Any person whose appointment as deputy has been once disapproved by the Council shall not be appointed a second time by the City Clerk.

(R) **Bookkeeping; Payroll.** The Treasurer shall keep his books and accounts in such a manner as to show with accuracy all monies received and disbursed by him for the City, stating from whom and on what account received, and to whom and on what account paid out, and in such a way that the books and accounts may be readily investigated and understood, and the books and accounts and all files and papers of his office shall be, at all times, open to examination by the Mayor or the Department of Accounts and Finances of the Council.

The City Clerk shall prepare the City payroll for all persons who come under appropriations for salaries. **(Ord. No. 904; 05-29-03) (See 65 ILCS 5/3.1-35.65)**

1-2-19 DUTIES AS CITY TREASURER.

(A) **Register of Warrants.** The City Treasurer shall keep an accurate register of all warrants redeemed and paid by him, showing the number, date and amount of each, the fund from which paid and the name of the person to whom and when paid; and he shall cancel all warrants as soon as redeemed by him.

(B) **Drawing Warrants.** All warrants drawn upon the Treasury shall be signed by the Mayor and countersigned by the City Clerk and shall specify therein the particular fund or appropriation to which the same is chargeable, and the person to whom payable. No money shall be otherwise paid than upon such warrants so drawn.

(C) **Warrants Lost or Destroyed.** When any City warrant shall be lost or destroyed so that it cannot be presented to the City Treasurer for payment by the person entitled thereto, such person may apply by written petition to the Council for relief; and upon his filing an affidavit of the loss or destruction of the original warrant and giving bond to the City with security approved by the Council, to refund the amount of such warrant and pay all costs in case the original or lost warrant should be presented and the City be compelled to pay the same, the Council may order the City Clerk to issue a duplicate warrant to the person so entitled to payment.

(D) **Fund Exhausted.** Whenever any fund or appropriation is exhausted, the City Treasurer shall, without delay, notify the Council thereof, and no warrants shall thereafter be drawn against such fund or appropriation until the same shall be renewed.

(E) **Delinquent Officer.** It shall be the duty of the City Treasurer to report to the City Clerk any officer authorized to receive money for the use of the City who may fail to make a return of the monies received by him at the time required by law or by this Code.

1-2-20 STATEMENTS. The Treasurer shall report to the corporate authorities at the first monthly meeting, a full and detailed account of all receipts and expenditures of the Municipality as shown by his books, up to the time of the report.

1-2-21 ANNUAL ACCOUNTS; PREPARATION AND FILING; CONTENTS; PUBLICATION. Within **six (6) months** after the end of each fiscal year, the Treasurer shall annually prepare and file with the City Clerk an account of monies received and expenditures incurred during the preceding fiscal year as specified in this Section. The Treasurer shall show in such account the following:

(A) All monies received by the Municipality, indicating the total amounts in the aggregate received in each account of the Municipality with a general statement concerning the source of such receipts; provided, for the purpose of this subsection, the term "**account**" shall not be construed to mean each individual taxpayer, householder, licensee, utility user or such other persons whose payments to the Municipality are credited to a general account; and

(B) Except as provided in paragraph (C) of this Section, all monies paid out by the Municipality where the total amount paid during the fiscal year exceeds **Two Thousand Five Hundred Dollars (\$2,500.00)**, giving the name of each person to whom paid, on what account paid, and the total amount in the aggregate, paid to each person from each such account; and

(C) All monies paid out by the Municipality as compensation for personal services, giving the name of each person to whom paid, on what account paid, and the total amount in the aggregate paid to each person from each such account, except that the Treasurer may elect to report the compensation for personal services of all personnel by name, listing each employee in one of the following categories, if instructed to do so by the City Council:

- (1) under \$25,000.00;
- (2) \$25,000.00 to \$49,999.99;
- (3) \$50,000.00 to \$74,999.99;
- (4) \$75,000.00 to \$99,999.99;
- (5) \$100,000.00 to \$124,999.99; or
- (6) \$125,000.00 and over.

(D) A summary statement of operations for all funds and account groups of the Municipality, as excerpted from the annual financial report as filed with the appropriate State agency of the State of Illinois.

Upon receipt of such account from the Treasurer, the Clerk shall publish the account at least once in **one (1)** or more newspapers published in the Municipality. **(65 ILCS 5/3.1-35-65)**

1-2-22 DEPOSIT OF FUNDS.

(A) **Designation by Council.** The Treasurer, Water Revenue Collector, Sewer Revenue Collector, and the City Clerk are hereby required to keep all funds and moneys in their custody belonging to the City in such places of deposit as have been designated by **Section 1-2-23**. When requested by the Treasurer, the corporate authorities shall designate a bank or banks in which may be kept the funds and monies of the City in the custody of the City officials. When a bank has been designated as a depository, it shall continue as such depository until **ten (10) days** have elapsed after a new depository is designated and has qualified as provided by law. When a new depository is designated, the corporate authorities shall notify the sureties of the Treasurer, Water Revenue Collector, Sewer Revenue Collector, and the City Clerk of that fact, in writing, at least **five (5) days** before the transfer of funds.

(B) **Qualifications of Bank.** No bank shall be qualified to receive City funds or monies until it has furnished the corporate authorities with copies of the last **two (2)** sworn statements

of resources and liabilities which the bank is required to furnish to the Auditor of Public Accounts or to the Comptroller of Currency. Each bank designated as a depository for such funds or monies shall, while acting as such depository, furnish the corporate authorities with a copy of all statements of resources and liabilities which it is required to furnish to the Auditor of Public Accounts of the State of Illinois.

(C) **Discharge from Responsibility.** The Treasurer and the aforementioned officials shall be discharged from responsibility for all funds or monies which they deposit in a designated bank while the funds and monies are so deposited. If City funds or monies are deposited in a designated bank, however, the amount of such deposits shall not exceed **seventy-five percent (75%)** of the bank's or savings and loan association's capital stock and surplus, and the Treasurer, Collector of the City Water and Sewer Department, City Clerk, Water Revenue Collector, and the Sewer Revenue Collector shall be responsible for funds or monies deposited in the bank in excess of this limitation.

1-2-23 INVESTMENTS. Either the Finance Commissioner or the Treasurer are hereby authorized to invest surplus funds or reserve funds of the City in the following types of investments:

(A) General obligation securities of the United States of America or of the State of Illinois.

(B) Certificates of Deposit and Time Deposits in any bank where such investments are insured by the Federal Deposit Insurance Company.

(C) Short term discount obligations of the Federal National Mortgage Association.

(D) The following banks are herewith designated as places of deposit where the Treasurer is required to keep all funds and monies in his custody belonging to the Municipality:

- (1) First National Bank, Nokomis, IL
- (2) Nokomis Savings Bank, Nokomis, IL
- (3) Security National Bank, Witt, IL

(See Section 22-5-1 etc.)

1-2-24 CITY ATTORNEY.

(A) **Office Abolished.** The Office of City Attorney is abolished.

(B) **Powers and Duties Transferred.** The powers and duties of the Office of City Attorney, as may be or have been provided in this Code, are transferred to and vested in the Mayor. To the extent any such powers or duties require the services of an attorney licensed in the State of Illinois, or if the Mayor determines that such powers or duties are best exercised by an attorney licensed in the State of Illinois, then the Mayor shall designate and contract with an attorney or law firm, subject to the approval of the City Council, for such services.

(C) **References to City Attorney.** All references to "City Attorney" in this Code shall mean the Mayor or the attorney or law firm designated by the Mayor and approved by the City Council, as the case may be.

(D) **Termination of Services.** The City may terminate the services of its legal counsel as provided by law, as in the case of any contract.

(Ord. No. 2082; 08-09-21)

1-2-25 DUTIES AS PUBLIC WORKS DIRECTOR.

(A) **General Purpose.** Under guidelines set by policy and at the direction of the City Council, plans, organizes, directs, manages and oversees day-to-day and long term operations of the City's public works activities, projects and functions; to include municipal water, wastewater, street maintenance and construction and contract administration. The employee further is responsible for participation in the selection, placement, evaluation, discipline and safety of all public works employees. This position also coordinates assigned activities with other City departments and outside agencies and provides highly responsible and complex administration support to the City Council. The Director is also responsible for the operation and maintenance of all City-owned parks. The Public Works Director analyzes, prepares and oversees the budget of each public works department. The Public Works Department further oversees professional development of Superintendents to assure that employees are properly trained and appropriately licensed or certified to complete assigned duties and responsibilities.

(B) **Distinguishing Characteristics.** An incumbent of this class is an at-will, non-union supervisor with responsibility for policy development, program planning, fiscal and budget management, administration, and operational direction of the City's public works, water distribution and wastewater collection system maintenance functions. The incumbent is responsible for accomplishing department objectives and goals within guidelines established by the City Council. Incumbent must demonstrate a high level of integrity, a strong work ethic and cultivate positive and productive relationships with the City Council, staff and community members. Must be a strong team leader; be passionate about providing public services and demonstrate experience leading and managing in a local government setting.

(C) **Essential Duties and Responsibilities.** Manage and oversee the City's maintenance of City streets and rights-of-way, snow and ice removal, street sweeping, sidewalk repair and replacement, curb and gutter repair and replacement, asphalt patching and concrete repair. Oversee all public works projects, coordinating with engineers and reporting to the City Council. Oversee the Motor Fuel Tax Program. Monitor and evaluate the efficiency and effectiveness of methods and procedures and allocate resources accordingly. Plan, direct and coordinate the public works departments' work plan; assign projects and responsibility accordingly. Meet with City staff and contractors to identify and resolve problems. Assess and monitor work load. Identify opportunities for improvement; direct and implement changes to ensure efficiency. Represent the public works department to other City departments, elected officials and outside agencies. Attend various meetings and represent the City as requested by the City Council. Oversee and participate in the development and administration of the Public Works Department budgets; forecast funds needed for staffing, equipment, materials and supplies; approve expenditures and implement budgetary adjustments as appropriate and necessary. Plan equipment replacements, assess equipment needs, and develop specifications and research costs. Develop and evaluate programs and policies for implementation of departmental and City needs and goals. Assess needs and condition of the City's infrastructure and receive input from subordinate supervisors and the City Council and develop plans for upgrade, repair and replacement and calculate related costs for projects. Ensure adequate storm drainage for the City; coordinating storm water maintenance activities as needed. Examine roads to ensure safe transit. Audit the services provided and strive to improve efficiency and effectiveness. Provide leadership and guidance as required. Identify staffing requirements. Evaluate performance. Meet with citizens to evaluate city performance and resolve problems. Attend City Council meetings as requested; prepare and present monthly work and staff reports at regular and special meetings as requested. Ensure safety rules and regulations are enforced. Assist in the preparation of new City ordinances and the revision of existing ordinances. Respond to and resolve difficult and sensitive citizen inquiries and complaints. Provide general customer service (phone calls, emails, walk-in customers). Follow up on citizen questions and respond to requests regarding City related business. Ensure that street and City storm water systems are operated in compliance with City, State and Federal laws. Investigate and respond to complaints by the public regarding conditions of streets, storm drainage, parks and building maintenance. Possess knowledge of safety principles and practices.

(D) **Minimum Requirements.** Bachelor's degree from an accredited college or university with major coursework in civil engineering/technology, public or business administration or related field with at least **five (5) years** of progressive municipal public works management and

technical experience including familiarity with managing municipal utilities (water, wastewater, storm water). Significant public works management experience may be considered in lieu of education requirement. Must possess a valid Illinois Driver's License. Water Quality testing certificate and wastewater licenses must be obtained within **twelve (12) months** of hire. Good knowledge of and experience with municipal government operations. High degree of professionalism in appearance and conduct, including strong interpersonal skills and the ability to consider and respond to differing viewpoints in a professional manner, utilizing negotiation and positive communication methods. Good management skills including the ability to plan, organize and coordinate diverse activities, supervisor ability, and department level budgeting experience. Ability to express oneself clearly and concisely, both orally and in writing. Ability to engage effectively with the public and present to various groups. Candidate must be willing to relocate within **thirty-five (35) miles** of the City. A criminal record check and alcohol/drug screening test may be required as condition of employment.

(E) **Physical Demands.** While performing the duties of this job, the employee is frequently required to sit and talk or hear; use hands and fingers to handle, feel or operate objects, tools or controls; and reach with hands and arms. The employee is frequently required to climb, balance, stoop, twist, kneel, crouch, crawl, walk, carry, and push and pull. The employee must frequently lift and/or move up to **fifty (50) pounds** and occasionally lift and/or move up to **seventy-five (75) pounds**. The employee is regularly required to operate standard office equipment including the ability to type and operate a personal computer. Specific vision abilities required by this job include close vision, distance vision, peripheral vision, color vision, depth perception, and the ability to adjust focus. While performing the duties of this job, the employee is occasionally exposed to extreme temperatures, including extreme heat and cold. The noise level in the employee's environment is occasionally loud. This position requires frequent interaction with other employees and members of the public. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

NOTE: A signed contract will be required if the City pays for Water and Wastewater licensing.
(Ord. No. 2050; 05-09-18)

1-2-26 **VACANCIES.** If a vacancy occurs in any of these offices, the remaining members of the Council, within **thirty (30) days** after the vacancy occurs, shall appoint a person to fill the vacancy for the balance of the unexpired term or until the vacancy is filled by interim election under Section 3.1-10-50 of this Chapter and until the successor is elected and has qualified. **(See 65 ILCS 5/4-3-4)**

1-2-27 - 1-2-29 **RESERVED.**

DIVISION III – RULES OF THE COUNCIL

1-2-30 **COUNCIL RULES AND ORDER OF BUSINESS.**

(A) **Call to Order.** The Mayor shall take the Chair at the hour appointed for the Council to meet and immediately call the members to order. He shall order the roll to be called, and at the instance of any **two (2) members** present shall compel the attendance of absent members. If the Mayor is temporarily absent from the City or disabled, the Commissioner of Finance shall act as Mayor Pro-Tem, who, during such absence or disability shall possess the powers and perform the duties of the Mayor.

(B) **Calling Roll.** The City Clerk shall call the roll of members and shall enter upon the journal the names of members present and absent. If any member shall enter or depart after any business has been transacted, the City Clerk shall record the fact in the minutes of the meeting.

(C) **Approving Minutes.** The minutes of the last meeting and of all prior meetings which have not already been read and disposed of shall be read by the City Clerk and corrected if

necessary. If there are no objections, the presiding officer shall announce that the minutes stand approved.

(D) **Order of Reports, Etc.** The presiding officer shall call for the reports of committees and officers, and the same shall be made and acted upon, and the business shall be transacted in the following order:

- (1) Receiving and referring to proper committees, or otherwise disposing of all resolutions, petitions, ordinances, remonstrance, and communications generally.
- (2) Visitors. **(See Section 1-2-32)**
- (3) Report of City Officers.
- (4) Receiving and referring to proper committees, or otherwise disposing of all bills, etc. against the City.
- (5) Committee on ordinances, including the report of the committee on any ordinance or other matter referred to it, and such action of the Council as may be necessary on any ordinance which may be introduced, or which shall be pending before it.
- (6) Committee reports.
- (7) Miscellaneous business.
- (8) Adjournment.

(E) **Second to Motions.** Any motion or resolution made or entered by any member of the Council shall be duly considered and acted upon under the rules governing the transaction and order of business of the Council.

(F) **Members Shall Vote.** No member of the Council shall vote on any motion, resolution or question in which he has a personal, private or pecuniary interest; in all other questions before the Council all the Commissioners shall vote. The Mayor may vote at his discretion.

(G) **Suspending Order of Business.** The Council may at any time by a **two-thirds (2/3)** vote of all the members present, suspend the order of business prescribed by this Code, but no such suspension of the order of business shall have any effect or be in force for a longer time than the meeting at which it is made.

(H) **Passage of Ordinances.** No ordinance shall be passed until it shall have been read. The yeas and nays shall be taken upon the passage of all ordinances, and all propositions to create any liability against the City or for the expenditure or appropriation of its money, and in all other cases at the request of any member, which shall be entered upon the journal of its proceedings. The concurrence of a majority of all the members elected in the Council shall be necessary for the passage of any such ordinance or proposition.

(I) **Resolutions.** Resolutions may be passed with **one (1) reading** and shall be copied at length into minutes of the meeting at which the same is passed. Any member may call for the yeas and nays upon any resolution and demand that the same shall be entered at length in the minutes of the meeting.

(J) **Parliamentary Rules.** All meetings and proceedings of the Council shall be governed by the procedures prescribed in **Robert's "Rules of Order"**, except as otherwise provided by this Code.

(See 65 ILCS 5/3.1-40-15)

1-2-31 AGENDA. An itemized agenda, along with all necessary supporting documentation shall be furnished to each member of the Council no later than **forty-eight (48) hours** prior to the regular Council meeting. In the case of emergency matters, which could not have been reasonably foreseen in sufficient time to comply with this Section, a revised agenda will be furnished to each member of the Council prior to the opening of the Council meeting. **(See 5 ILCS 120/2.02)**

1-2-32 ADDRESS BY NON-MEMBERS.

(A) **Public Comment Request.** Any person not a member of the City Council may address the City Council with regard to items of proposed business under the following rules:

- (1) He or she shall rise (if not physically impaired) and state his or her name and address for the record and unless further time is granted by the Council to limit remarks to **five (5) minutes**. All remarks shall be addressed to the City Council, not to any member thereof.
- (2) No person other than the Council member recognizing the individual addressing the Council and the person having the floor shall be permitted to enter into any discussion directly or through a member of the Council without the permission of the Mayor. No questions shall be asked of an Alderman except through the Mayor. Any person making personal or impertinent remarks or who shall become disruptive addressing the City Council shall be forthwith evicted from the Council room by the Mayor.

(B) **Auxiliary Aid or Service.** The City shall take appropriate steps to ensure that communications with applicants, participants, members of the public, and companions with disabilities are as effective as communications with orders.

- (1) The City shall furnish appropriate auxiliary aid(s) and service(s) where necessary to afford qualified individuals with disabilities including applicants, participants, companions, and members of the public, an equal opportunity to participate in, and enjoy the benefits, of a service, program, or activity of the City.
- (2) Auxiliary aids and services shall be provided in a timely manner.
- (3) Individuals shall notify the City Clerk **fourteen (14) days** in advance specifying the appropriate auxiliary aids or services required. **(See Addendum "B", Request for Auxiliary Aid(s) and/or Services)**

(C) The Chief of Police or his authorized designee shall be the Sergeant at Arms at the Council meetings. He or she shall carry out all orders and instructions of the Mayor for the purposes of maintaining order and decorum. The Sergeant at Arms shall remove any person violating order and decorum of the meeting. Such removal may be accompanied by further prosecution for any violation of any ordinance under this Code. **[5 ILCS 120/2.06]**

1-2-33 - 1-2-36 RESERVED.

DIVISION IV - OFFICERS AND EMPLOYEES

1-2-37 THE SEAL.

(A) The seal provided by the Council, being circular in form, shall consist of the word, "**Seal**" in the interior circle and the words, "**City of Nokomis, Illinois, 1893**" around the outer edge of the seal. Such seal shall be and hereby is established and declared to be the seal of the City. **(See 65 ILCS 5/2-2-12)**

(B) The corporate seal shall be used as such seal in all cases provided for by law or by the ordinances of the City and in all other cases in which, by law and custom, it is usual and necessary for the corporation to use a seal. The seal shall be and remain with the City Clerk, who shall be the legal custodian. **(See 65 ILCS 5/3.1-35-90) (1927 Code)**

1-2-38 ELECTIONS.

(A) **Election Procedure.** The provisions of the **Illinois Compiled Statutes, Chapter 10 and Chapter 65, Section 5/3.1-10-10** concerning municipal elections shall govern the conduct of the City elections.

(B) **Inauguration.** The inauguration of newly elected City officials shall occur at the first regular or special meeting of the Council in the month of May following the general municipal election in April. **(See 65 ILCS 5/3.1-10-15)**

1-2-39 APPOINTMENT OF ELECTED OFFICIALS. No Commissioner of this City,

during the term of office for which he is elected, may accept or be appointed to or hold any office appointed by the Mayor except if such Commissioner is granted a leave of absence from such office. However, such Commissioner may serve as a volunteer fireman and receive compensation for such service. Any appointment in violation of this Section is void. **(See 65 ILCS 5/3.1-15-15)**

1-2-40 MUNICIPAL OFFICERS - REGULATIONS.

(A) **Effect.** The provisions of this Division shall apply alike to all officers and employees of the City, regardless of the time of the creation of the office or position or the time of the appointment of the officer or employee.

(B) **Bond.** Every officer and employee shall, if required by the City Council upon entering upon the duties of his office, give a bond in such amount and with such sureties as may be determined by the Council, conditioned upon the faithful performance of the duties of his office or position.

(C) **Books Delivered to Successor.** Every officer shall, upon going out of office, deliver to his successor, all books, papers, furniture, and other things appertaining to such office, and which are the property of the City. Within **five (5) days** after notification and request, any person who has been an officer of a municipality is required to deliver to his successor in office all property, books and effects in his possession belonging to the Municipality or pertaining to the office he has held. Upon his refusal to do so, he shall be liable for all damages caused thereby, and shall, upon conviction, be penalized according to the provisions of **Section 1-1-20** of this Code.

(D) **Books Open to Inspection.** Every officer shall, at all times when required, submit the books and papers of his office to the inspection of the Mayor or any committee or member of the Council.

(E) **Fees.** No officer of the Municipality shall be entitled to charge or receive any fees as against the City.

(F) **Report of Fees.** All officers of the City entitled to receive fees shall keep a correct account thereof, and make a report thereof, under oath to the City Council on the **first (1st) Tuesday** of each month. In the report, they shall specify from whom such fees were received, for what service, and when received. All fees received shall be paid over into the City Treasury.

(G) **Other Rules and Regulations.** Every officer of the City shall perform such other duties and be subject to such other rules and regulations as the Council may provide by law. **(See 65 ILCS 5/3.1-10-40)**

(H) **Conservators of Peace.**

(1) After receiving a certificate attesting to the successful completion of a training course administered by the Illinois Law Enforcement Training Standards Board, the Mayor, Commissioners and policemen in municipalities shall be conservators of the peace. Those persons and others authorized by ordinance shall have power:

- (a) to arrest or cause to be arrested, with or without process, all persons who break the peace or are found violating any municipal ordinance or any criminal law of the State,
- (b) to commit arrested persons for examination,

- (c) if necessary, to detain arrested persons in custody over night or Sunday in any safe place or until they can be brought before the proper court, and
 - (d) to exercise all other powers as conservators of the peace prescribed by the corporate authorities.
- (2) All warrants for the violation of municipal ordinances or the State criminal law, directed to any person, may be served and executed within the limits of a municipality by any policeman of the municipality. For that purpose, policemen have all the common law and statutory powers of sheriffs. **(See 65 ILCS 5/3.1-15-25)**
- (I) **Oath.** Before entering upon the duties of their respective offices, all municipal officers, whether elected or appointed, shall take and subscribe to the following oath:

"I, _____, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of _____ according to the best of my ability."

The Mayor and the Clerk shall have the power to administer this oath or affirmation upon all lawful occasions.
(See 65 ILCS 5/3.1-15-20)

1-2-41 INTERESTS IN CONTRACTS PROHIBITED.

(A) A municipal officer shall not be financially interested directly in the officer's own name or indirectly in the name of any other person, association, trust, or corporation, in any contract, work, or business of the municipality or in the sale of any article whenever the expense, price, or consideration of the contract, work, business, or sale is paid either from the treasury or by an assessment levied by statute or ordinance. A municipal officer shall not be interested, directly or indirectly, in the purchase of any property that (1) belongs to the municipality, (2) is sold for taxes or assessments, or (3) is sold by virtue of legal process at the suit of the municipality. For the purposes of this Section only, however, a municipal officer shall not be deemed interested if the officer is an employee of a company or owns or holds an interest of **one percent (1%)** or less in the municipal officer's individual name in a company, or both, that company is involved in the transaction of business with the municipality, and that company's stock is traded on a nationally recognized securities market, provided the interested member (i) publicly discloses the fact that he or she is an employee or holds an interest of **one percent (1%)** or less in a company before deliberation of the proposed award of the contract; (ii) refrains from evaluating, recommending, approving, deliberating, or otherwise participating in the negotiation, approval, or both, of the contract, work, or business; (iii) abstains from voting on the award of the contract though he or she shall be considered present for the purposes of establishing a quorum; and (iv) the contract is approved by a majority vote of those members currently holding office.

A municipal officer shall not be deemed interested if the officer owns or holds an interest of **one percent (1%)** or less, not in the officer's individual name but through a mutual fund or exchange-traded fund, in a company, that company is involved in the transaction of business with the municipality, and that company's stock is traded on a nationally recognized securities market.

This Section does not prohibit any person serving on a municipal advisory panel or commission or nongoverning board or commission from having an interest in a contract, work, or business of the municipality unless the municipal officer's duties include evaluating, recommending, approving, or voting to recommend or approve the contract, work, or business.

(B) **Exceptions.** Any elected or appointed member of the governing body may, however, provide materials, merchandise, property, services, or labor, subject to the following provisions under either (1) or (2):

- (1) If:
- (a) the contract is with a person, firm, partnership, association in which the interested member of the governing body of the municipality member has less than a **seven and one-half (7 ½%)** share in the ownership;
 - (b) the interested member publicly discloses the nature and extent of the interest before or during deliberations concerning the proposed award of the contract;
 - (c) the interested member abstains from voting on the award of the contract (though the member shall be considered present for the purposes of establishing a quorum);
 - (d) the contract is approved by a majority vote of those members presently holding office;
 - (e) the contract is awarded after sealed bids to the lowest responsible bidder if the amount of the contract exceeds **One Thousand Five Hundred Dollars (\$1,500.00)** (but the contract may be awarded without bidding if the amount is less than **One Thousand Five Hundred Dollars (\$1,500.00)**); and
 - (f) the award of the contract would not cause the aggregate amount of all contracts so awarded to the same person, firm, association, partnership, corporation, or cooperative association in the same fiscal year to exceed **Twenty-Five Thousand Dollars (\$25,000.00)**.
- (2) If:
- (a) the award of the contract is approved by a majority vote of the governing body of the municipality (provided that the interested member shall abstain from voting);
 - (b) the amount of the contract does not exceed **Two Thousand Dollars (\$2,000.00)**;
 - (c) the award of the contract would not cause the aggregate amount of all contracts so awarded to the same person, firm, association, partnership, corporation, or cooperative association in the same fiscal year to exceed **Four Thousand Dollars (\$4,000.00)**;
 - (d) the interested member publicly discloses the nature and extent of his interest before or during deliberations concerning the proposed award of the contract; and
 - (e) the interested member abstains from voting on the award of the contract (though the member shall be considered present for the purposes of establishing a quorum).
- (3) In addition to the above exemptions, any elected or appointed member of the governing body may provide materials, merchandise, property, services, or labor if:
- (a) the contract is with a person, firm, partnership, association, corporation, or cooperative association in which the interested member of the governing body of the municipality, advisory panel, or commission has less than a **one percent (1%)** share in the ownership; and
 - (b) the award of the contract is approved by a majority vote of the governing body of the municipality provided that any such interested member shall abstain from voting; and

- (c) such interested member publicly discloses the nature and extent of his interest before or during deliberations concerning the proposed award of the contract; and
- (d) such interested member abstains from voting on the award of the contract, though he shall be considered present for the purposes of establishing a quorum.

(C) A contract for the procurement of public utility services by a municipality with a public utility company is not barred by this Section by one or more members of the governing body being an officer or employee of the public utility company, or holding an ownership interest in no more than **seven and one-half (7 ½%)** in the public utility company, or holding an ownership interest of any size if the municipality has a population of less than **seven thousand five hundred (7,500)** and the public utility's rates are approved by the Illinois Commerce Commission. An elected or appointed member of the governing body or a nongovernmenting board or commission having an interest described in this subsection (D) does not have a prohibited interest under this Section.

(D) An officer who violates this Section is guilty of a Class 4 felony. In addition, any officer held by an officer so convicted shall become vacant and shall be so declared as part of the judgment of the court.

(E) Nothing contained in this Section, including the restrictions set forth in subsections (B) and (C), shall preclude a contract of deposit of moneys, loans, or other financial services by a municipality with a local bank or local savings and loan association, regardless of whether a member of the governing body of the municipality is interested in the bank or savings and loan association as an officer or employee or as a holder of less than **seven and one-half (7 ½%)** of the total ownership interest. A member holding an interest described in this subsection (E) in a contract does not hold a prohibited interest for purposes of this Act. The interested member of the governing body must publicly state the nature and extent of the interest during deliberations concerning the proposed award of the contract but shall not participate in any further deliberations concerning the proposed award. The interested member shall not vote on the proposed award. A member abstaining from participation in deliberations and voting under this Section may be considered present for purposes of establishing a quorum. Award of the contract shall require approval by a majority vote of those members presently holding office. Consideration and award of a contract in which a member is interested may only be made at a regularly scheduled public meeting of the governing body of the municipality.

(F) Notwithstanding any other provision of this Section or any other law to the contrary, until January 1, 1994, a member of the city council of a municipality with a population under **twenty thousand (20,000)** may purchase real estate from the municipality, at a price of not less than **one hundred percent (100%)** of the value of the real estate as determined by a written MAI certified appraisal or by a written certified appraisal of a State certified or licensed real estate appraiser, if the purchase is approved by a unanimous vote of the city council members then holding office (except for the member desiring to purchase the real estate, who shall not vote on the question).

(G) Under either of the following circumstances, a municipal officer may hold a position on the board of a not-for-profit corporation that is interested in a contract, work, or business of the municipality:

- (1) If the municipal officer is appointed by the governing body of the municipality to represent the interests of the municipality on a not-for-profit corporation's board, then the municipal officer may actively vote on matters involving either that board or the municipality, at any time, so long as the membership on the not-for-profit board is not a paid position, except the municipal officer may be reimbursed by the not-for-profit board for expenses incurred as the result of membership on the not-for-profit board.
- (2) If the municipal officer is not appointed to the governing body of a not-for-profit corporation by the governing body of the municipality, then the municipal officer may continue to serve; however, the municipal officer shall abstain from voting on any proposition before the municipal

governing body directly involving the not-for-profit corporation and, for those matters, shall not be counted as present for the purposes of a quorum of the municipal governing body.

(See 65 ILCS 5/3.1-55-10)

1-2-42 RESIDENCE REQUIREMENT. No person shall be eligible to hold any office who is not a qualified elector of the City and who shall not have resided therein for at least **one (1) year** next preceding his election or appointment, nor shall any person be eligible who is a defaulter to the City. This shall not apply to the City Engineer, City Attorney, Health Officer, or Treasurer for whom technical training or knowledge is required.

EDITOR'S NOTE: The test of residence in the Municipality is physical presence at fixed locations for **one (1) year** and permanent intention to remain in the community. **(People ex rel v. Tueffel, 334 Ill. App. 626)**

1-2-43 BONDS OF OFFICERS.

(A) **Amount.** The bonds of officers, required under **Illinois Compiled Statutes, Chapter 65, Section 5/3.1-10-30** shall be executed in the following penal sums:

(1)	Mayor	\$50,000.00
(2)	City Commissioners	\$50,000.00
(3)	City Treasurer	\$50,000.00
(4)	City Collector	\$50,000.00
(5)	City Clerk	\$50,000.00

(B) **Premium Payment by City.** The surety bonds required by law shall be paid by the City. **(See 5 ILCS 270/1)**

(C) **Surety.** The City Council shall not receive or approve any bond or security whereon the name of the City Council, any one of the Commissioners, or any elected or appointed officers of the City appear as bondsman or security. If, by mistake, a bond containing the name of any such officer is approved by the City Council, or if any bondsman, after becoming such is elected or appointed to any office, this Section shall not act as a release of any such obligation incurred.

1-2-44 CITY OFFICES CONSOLIDATED.

(A) The City Council may, from time to time, by law, impose upon any officer filling any office created by the ordinances of the City any such other or further duties as shall be consistent with the laws of this State, and may consolidate any **two (2)** or more of the offices and impose the duties thereof upon any other officer, and may make any such regulations respecting such offices as shall be consistent with the laws of this State.

(B) In case the City Council consolidates any offices created by it, the person performing the duties of the offices so consolidated shall not be entitled on account thereof to receive any salary or compensation which he would not have been entitled to receive if such consolidation had not taken place.

1-2-45 LIABILITY INSURANCE.

(A) **Purchase Of.** The City Council shall have the power to purchase liability insurance covering and insuring all municipal officers, employees and elected officials; said insurance to cover incidents occurring while in the performance of their duties, which insurance may insure, cover and protect any liability which the municipal corporation, officer, employee or elected official may incur. When the insurance has been purchased, the City shall be responsible for all premiums and deductible charges called for by any valid liability insurance policy covering the municipal corporation, officer, employee or elected official.

(B) **Indemnification.** If the City Council elects not to purchase liability insurance covering and insuring municipal officers, elected officials and employees as provided in this Section, then the City shall indemnify and cause to defend municipal officers, elected officials and employees from any claim filed by an individual, partnership or corporation when the claim is founded on any act or omission of the municipal officers, elected officials or employees while in the performance of their official duties, except the City shall not indemnify, but shall defend any municipal officer, elected official or employee from any claim made by an individual, partnership or corporation wherein the claim alleges that the municipal officer, elected official or employee acted intentionally, maliciously or wantonly and further, shall not indemnify or cause to defend the officials or employees where the claim is directly or indirectly related to the negligent care or use of a vehicle as defined by the **Illinois Compiled Statutes**, and the City shall not indemnify any municipal officer, elected official or employee from any claim made by a municipal officer, elected official or employee.

Notwithstanding any other provisions of this Code, the City shall not indemnify or cause to defend any municipal officers, elected officials or employees if the municipal officers, elected officials or employees have liability insurance insuring the municipal officers, elected officials or employees from the alleged claim; however, the City shall indemnify the municipal officer, elected official or employee the personal deductible limits of his personal policy. **(See 745 ILCS 10/2-201 et seq.)**

1-2-46 BIDDING AND CONTRACT PROCEDURES.

(A) **Competitive Bidding Required.** Any work or other public improvement which is not to be paid for in whole or in part by special assessment or special taxation, and all purchases of and contracts for supplies, materials, and services shall, except as specifically provided herein, be based whenever possible on competitive bids.

(B) **Formal Contract Procedure.** All work or other public improvement which is not to be paid for in whole or in part by special assessment or special taxation, and all purchases, orders or contracts for supplies, materials, equipment or contractual services except as otherwise provided herein, when the estimated cost thereof shall exceed **Twenty-Five Thousand Dollars (\$25,000.00)**, shall be purchased from the lowest responsible bidder, after due notice inviting bids, unless competitive bidding is waived by a vote of two-thirds (2/3) of the Aldermen then holding office.

(C) **Notice Inviting Bids.** Notice inviting bids shall be published at least once in a newspaper with general circulation within the City. The City shall also advertise all pending work or purchases by posting a notice on the public bulletin board in the City Hall.

(D) **Scope of Notice.** The newspaper notice required herein shall include a general description of the work to be performed or the articles to be purchased, shall state where specifications may be secured, and the time and place for opening bids.

(E) **Bid Deposits.** When deemed necessary by the City Council, bid deposits shall be prescribed in the public notices inviting bids. Unsuccessful bidders shall be entitled to the return of their bid deposits upon the award of the contract by the City Council. A successful bidder shall forfeit any bid deposit required by the City Council upon failure on his part to enter into a contract within **ten (10) days** after the award.

(F) **Bid Opening Procedure.**

(1) **Sealed.** Bids shall be submitted sealed to the City and shall be identified as bids on 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 made by the City Council or by a City employee, in which event, a tabulation of the bids shall be furnished to the City Council at its next regular meeting.

(G) **Rejection of Bids.** The City shall have the authority to reject all bids or parts of all bids when the public interest will be served thereby.

(H) **Bidders in Default to City.** The City shall not accept the bid of a contractor who is in default on the payment of taxes, licenses or other monies due the City.

- (I) **Award of Contract.**
- (1) **Authority in City.** The City Council shall have the authority to award contracts within the purview of this section.
 - (2) **Lowest Responsible Bidder.** Contracts shall be awarded to the lowest responsible bidder on the basis of the bid that is in the best interest of the City to accept. In awarding the contract, in addition to price, the City Council shall consider:
 - (a) The ability, capacity and skill of the bidder to perform the contract to provide the service required;
 - (b) Whether the bidder can perform the contract or provide the service promptly, or within the time specified, without delay or interference;
 - (c) The character, integrity, reputation, judgment, experience and efficiency of the bidder;
 - (d) The quality of the performance of previous contracts or services;
 - (e) The previous and existing compliance by the bidder with laws and ordinances relating to the contract or service;
 - (f) The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service;
 - (g) The quality, availability and adaptability of the supplies or contractual services to the particular use required;
 - (h) The ability of the bidder to provide future maintenance and service for the use of the subject of the contract;
 - (i) The number and scope of conditions attached to the bid.
 - (j) Whether the bidder has furnished a Certificate of Insurance indicating Worker’s Compensation and Employers’ Liability coverage and the policy limits for such coverage.
 - (3) **Performance Bonds.** The City Council shall have the authority to require a performance bond, before entering into a contract, in such amounts as it shall find reasonably necessary to protect the best interests of the City.
- (J) **Open Market Procedure.** All work and purchases of supplies, materials and services of less than the estimated value of **Twenty-Five Thousand Dollars (\$25,000.00)** shall be made in the open market, without newspaper advertisement and without observing the procedure prescribed by this section for the award of formal contracts.
- (K) **Professional Services Exempt From Bidding Requirements.** All contracts for professional services, including, but not limited to, attorneys, engineers, real estate appraisers and architects and any other profession whose ethical code involved prohibits or discourages involvement in normal bidding procedures, may be entered into by the City without observing the bidding procedures prescribed by this section for the award of formal contracts.
- (L) **Emergency Purchases.** In case of an apparent emergency which requires immediate work or purchase of supplies materials or services, the City Council shall be empowered to secure by open market procedure as herein set forth, at the lowest obtainable price, any work, supplies, materials or services regardless of the amount of the expenditure.
- (M) **Cooperative Purchasing.** The City shall have the authority to join with other units of government in cooperative purchasing plans when the best interests of the City would be served thereby. **(See 65 ILCS Sec. 5/2-2-12, 8-9-1 and 8-9-2)**
- (N) **Purchases Less Than One Thousand Dollars (\$1,000.00).** The Commissioner of the Department for which purchases or contracts in an amount of **Five Hundred Dollars (\$500.00)** or less shall approve said purchase or contract. The Mayor and the Commissioner of the Department for which purchases or contracts in an amount of **Five Hundred One Dollars (\$501.00)** to **One Thousand Dollars (\$1,000.00)** shall approve said purchases or contracts. Any purchases or contracts in an amount exceeding **One Thousand Dollars (\$1,000.00)** shall require approval of a majority of a quorum of the City Council.

1-2-47 SALARIES REGULATION.

(A) **Elected.** No salary or compensation of any elected municipal officer who is elected for a definite term of office shall be increased or diminished during such term.

(B) **Appointed.** No salary or compensation of any appointed official who is appointed for a definite term of office shall be decreased during such term, but may be increased.

(See 65 ILCS Sec. 5/4-6-1 and 5/4-6-2)

EDITOR'S NOTE: The salary of appointed officials and employees may be established in the appropriation ordinance or annual budget. The salary of elected officials must be established in an ordinance other than the appropriation ordinance at least **one hundred eighty (180) days** before the beginning of the terms of the officers whose compensation is to be filed.

1-2-48 OFFICIAL RECORDS. All official records, including the Corporate Seal, shall be kept in the City Hall.

1-2-49 FEDERAL OLD AGE AND SURVIVOR'S INSURANCE SYSTEM.

(A) **Eligible employees** shall mean all employees of the City, eligible under the Federal Act, except persons elected to office by popular election and also the City Treasurer and City Attorney.

(B) **Withholdings** from salaries or wages of employees for the purpose provided in sections hereof are hereby authorized to be made in the amounts and at such times as may be required by applicable State or Federal laws or regulations, and shall be paid quarterly.

1-2-50 RESERVED.

1-2-51 CERTIFICATES OF INSURANCE. All contractors and sub-contractors doing work for the City shall first provide a Certificate of Insurance indicating Worker's Compensation and Employers' Liability coverage and the policy limits for such coverage. **(Ord. No. 999; 09-28-82)**

1-2-52 DISPOSITION OF SURPLUS PERSONAL PROPERTY.

(A) From time to time, the Mayor and the Commissioner of Public Property shall review the personal property of the City for the purpose of determining whether there is any surplus property that is no longer of valuable or necessary use to the City.

(B) Upon the written determination in the discretion of the Mayor and the Commissioner of Public Property that an item of personal property is surplus, each of them shall report such determination to the entire Council at least **five (5) business days** prior to any intended disposition of such property. Unless action is taken by the Council, the Mayor and the Commissioner of Public Property shall be authorized to sell the designated surplus property. The manner of sale of the surplus property shall be upon such terms and conditions as are deemed by the Mayor and the Commissioner of Public Property to be in the best interests of the City.

(C) The Mayor and the Commissioner of Public Property are hereby authorized to take such actions and to execute such documents as they deem necessary or advisable to effect the sale of any such designated surplus property in a commercially reasonable manner by either public or private sale. The terms and conditions of such sale shall be reported to the Council no later than its next regular meeting.

1-2-53 CLAIMS.

(A) **Presentation.** All claims against the City for goods purchased, damages, or originating in any other way, except for claims for salaries and other allowances that are fixed by ordinance **must be presented on or before the first meeting of each month** to the City Clerk. All such claims must be in writing and items shall be specified.

(B) **Exception.** This Section does not prohibit the City Council from passing on any claims not previously presented to the City Clerk if, in the opinion of the Council, justice to the claimant requires it.

1-2-54 YEAR DEFINED.

(A) **Fiscal Year.** The fiscal year of the City shall begin on **May 1st** of each year and end on the following **April 30th. (Fiscal Year Defined: 65 ILCS Sec. 5/1-1-2)**

(B) **Municipal Year.** The municipal year of the City shall begin on **May 1st** of each year and shall end on **April 30th** of the following year.

1-2-55 EXPENSE REIMBURSEMENT.

(A) **Definitions.** The following words, terms and phrases, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

(1) **Entertainment** includes, but is not limited to, shows, amusements, theaters, circuses, sporting events, or any other place of public or private entertainment or amusement, unless ancillary to the purpose of the program or event.

(2) **Travel:** Any expenditure directly incident to official travel by employees and officers of the City or by wards or charges of the City involving reimbursement to travelers or direct payment to private agencies providing transportation or related services.

(B) **Official Business for Which Expenses May be Reimbursed.**

(1) An official of the City shall be entitled to reimbursement for travel, including meals or lodging, related to the following types of official business:

- (a) Education conferences related to the duties of the officer of the City;
- (b) Site visits to current or potential vendors of the City.

(2) An employee shall be entitled to reimbursement for travel, including meals or lodging, related to the following types of official business:

- (a) Education conferences related to the duties of the employee of the City;
- (b) Site visits to current or potential vendors of the City.

(C) **Maximum Allowable Reimbursement for Expenses.** Unless otherwise excepted herein, the maximum allowable reimbursement for an employee or officer of the City shall be those rates set by the Reimbursement Schedule of the Governor's Travel Control Board in effect at the time the expense was incurred.

(D) **Approval of Expenses.** The City Council must approve the following reimbursements for travel, including meals or lodging, by a roll call vote at an open meeting of the City Council:

- (1) Any expense of any officer or employee that exceeds the maximum permitted in paragraph (C); or
- (2) Any expense of any member of the City Council of the City.

(E) **Documentation of Expenses.** Before any reimbursement for travel, including meals or lodging, may be approved pursuant to paragraph (D), a standardized form for submission of travel, meal, and lodging expenses supported by the following minimum documentation shall first be submitted to the City Council:

- (1) an estimate of the cost of travel, meals, or lodging if expenses have not been incurred or a receipt of the cost of the travel, meals, or lodging if the expenses have already been incurred;
- (2) the name of the individual who received or is requesting the travel, meal, or lodging expense;
- (3) the job title or office of the individual who received or is requesting the travel, meal, or lodging expense; and
- (4) the date or dates and nature of the official business in which the travel, meal, or lodging expense was or will be expended.

All documents and information submitted under this Section are public records subject to disclosure under the Freedom of Information Act, **5 ILCS 140/1**.

(F) **Entertainment Expenses.** No employee or officer of the City shall be reimbursed by the City for any entertainment expense.

(Ord. No. 2034; 12-12-16)

1-2-56 - 1-2-59 RESERVED.

ARTICLE III - SALARIES

1-3-1 **ESTABLISHED.** The Mayor and City Commissioners of this City shall be paid as compensation for their services an annual salary, payable monthly or semi-monthly as the Council shall determine, in the sum hereinafter set forth opposite the designated office:

(A) **Department of Public Affairs - Mayor.** The compensation for the Mayor shall be **Five Thousand Two Hundred Dollars (\$5,200.00)** per year.

(B) **Department of Accounts and Finance - Commissioner.** The compensation for the Commissioner of the Department of Accounts and Finance shall be **Three Thousand Six Hundred Dollars (\$3,600.00)** per year.

(C) **Department of Public Health and Safety - Commissioner.** The compensation for the Commissioner of the Department of Public Health and Safety shall be **Three Thousand Six Hundred Dollars (\$3,600.00)** per year.

(D) **Department of Streets and Public Improvements - Commissioner.** The compensation for the Commissioner of the Department of Streets and Public Improvements shall be **Three Thousand Six Hundred Dollars (\$3,600.00)** per year.

(E) **Department of Public Property - Commissioner.** The compensation for the Commissioner of the Department of Public Property shall be **Three Thousand Six Hundred Dollars (\$3,600.00)** per year.

(Ord. No. 934; 10-23-06)

ARTICLE IV – MANAGEMENT ASSOCIATION

1-4-1 **PARTICIPATION.** The City Council does hereby authorize and approve membership in the Illinois Municipal League Risk Management Association and directs the Mayor and Clerk to execute an Intergovernmental Cooperation Contract with the Illinois Municipal League Risk Management Association for membership for a period of **one (1) year** beginning the date the Association commences providing risk coverage to its members and each year thereafter unless this ordinance is repealed.

1-4-2 **CONTRIBUTION.** Each member hereby agrees to contribute to the Association a sum of money to be determined by the Association at the time of application based on the needs of the Association and the loss experience of the Member, which sum shall constitute the cost of the Member’s first year contribution for membership in the Association. Membership contributions for second and subsequent years shall be calculated in accordance with the loss experience of the City, and the needs of the Association including total losses and expenditures of the Self-Insured Retention Fund of the Association.

(Ord. No. 2039; 07-25-17)

ARTICLE V – MEETING PROCEDURES

DIVISION I - RECORDING CLOSED MEETINGS

1-5-1 RECORDING CLOSED SESSIONS. The City shall keep a verbatim record of all closed or executive session meetings of the corporate authorities of the City or any subsidiary “public body” as defined by the Illinois Open Meetings Act, **5 ILCS 120/1**. The verbatim record shall be in the form of an audio or video recording as determined by the corporate authorities. **(See 5 ILCS 120/2)**

1-5-2 RESPONSIBILITY FOR RECORDING CLOSED SESSIONS AND MAINTAINING RECORDINGS. The City Clerk or his or her designee shall be responsible for arranging for the recording of such closed or executive sessions. In the absence of the City Clerk or his or her designee, the meeting Chair will arrange for the audio or video recording of the closed or executive session of the City Council. Each subsidiary public body of the City shall designate an individual who will be responsible for the recording of any and all closed or executive sessions of the subsidiary body and for providing the City Clerk with a copy of such recording. The City Clerk, or his or her designee, shall securely maintain the verbatim recordings of all closed sessions of the corporate authorities of the City and all subsidiary public bodies of the City.

1-5-3 CLOSED SESSION MINUTES. In addition to the recordings of the closed and executive session as addressed in this Division, the City will keep minutes of all closed meetings in accordance with the requirements of the Open Meetings Act, **5 ILCS 120/2.06**.

1-5-4 PROCEDURE FOR RECORDING. At the beginning of each closed session, those present shall identify themselves by voice for the audio recording. If the meeting is videotaped, those present shall individually appear on camera and identify themselves by voice at the beginning of the closed session. The meeting Chair shall also announce the times the closed session commences and ends at the appropriate points on the recording.

1-5-5 BACK-UP EQUIPMENT/PROCEDURE FOR EQUIPMENT MALFUNCTION. The City shall maintain sufficient tapes, batteries and equipment for the City to comply with this Division. The City Clerk or his/her designee shall periodically check the equipment to confirm that it is functioning. In the event that anyone present at a closed session determines that the equipment is not functioning properly, the closed session will be temporarily suspended to attempt to correct any malfunction. In the event that an equipment malfunction cannot be corrected immediately, the closed session will terminate until such time as the closed session may proceed with a functioning recording device.

1-5-6 PROCEDURE FOR REVIEW OF CLOSED SESSION MINUTES AND RECORDINGS. At one meeting at least every **six (6) months**, the agenda shall include the item: “Review of the minutes and recordings of all closed sessions that have not yet been released for public review, and determination of which minutes, if any, may be released.” Minutes shall be reviewed in closed session and shall not be released unless the corporate authorities of the City find that it is no longer necessary to protect the public interest or the privacy of an individual by keeping them confidential. As to any minutes not released, the corporate authorities shall find that the “need for confidentiality still exists” as to those minutes. Minutes of closed sessions shall be kept indefinitely.

1-5-7 MAINTENANCE AND PUBLIC RELEASE OF RECORDINGS AND ACCESS TO TAPES. The audio or video tape recordings of closed sessions shall be maintained for **eighteen (18) months** after the closed session and shall not be released to the public unless such release is

required by a court order or specifically authorized for release by a vote of the City Council. Members of the corporate authorities may listen to the closed session recordings in the presence of the City Clerk or his or her designee. Copies of such tapes will not be made or provided to anyone unless specifically authorized by vote of the City Council.

1-5-8 **PROCEDURE FOR DESTRUCTION OF RECORDINGS.** The City Clerk or his or her designee is hereby authorized to destroy the audio and video recordings of those closed sessions for which:

- (A) The corporate authorities of the City have approved the minutes of the closed sessions as to accurate content, regardless of whether the minutes have been released for public review;
- (B) More than **eighteen (18) months** have elapsed since the date of the closed session;
- (C) There is no court order requiring the preservation of such recording; and
- (D) The corporate authorities of the City have not passed a motion requiring the preservation of the verbatim recording of that meeting.

1-5-9 - 1-5-10 **RESERVED.**

DIVISION II – REMOTE MEETING PARTICIPATION

1-5-11 **STATUTORY AUTHORITY FOR PARTICIPATION.** Pursuant to Public Act 94-1058 which amends the Open Meetings Act in **5 ILCS 120/7**, this municipality does hereby establish a policy that permits members of the corporate body to attend meetings by means other than physical presence.

1-5-12 **DEFINITION OF MEETING.** The term “meeting” shall 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.

1-5-13 **AMENDMENT OF PREVIOUS TERMS.** The definition of “meeting” set forth in **Section 1-5-12** shall supersede and replace any other definition used in any previous or existing ordinance.

1-5-14 **REMOTE PARTICIPATION POLICIES.** The City hereby adopts the Remote Participation Policies, as outlined in Addendum “A” and in Addendum “C”, that permit 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.

ADDENDUM "A"

ELECTRONIC ATTENDANCE REQUEST

I hereby request to electronically attend the meeting of the City of Nokomis, Illinois, on _____
_____, 20____, at _____ p.m.

I am eligible to participate electronically because of (check one):

- _____ (1) personal illness or disability
- _____ (2) employment purposes or business of the public body
- _____ (3) a family or other emergency

During the meeting, I will be at the following location:

and reachable at the following phone number: _____

Signature of Member

Date

OR

Request received by _____ phone _____ e-mail _____ fax _____ other

Signature of Clerk

Date

ADDENDUM "B"

REQUEST FOR AUXILIARY AID(S) AND/OR SERVICE(S)

NAME OF APPLICANT: _____

NAME OF COMPANION: _____

ADDRESS: _____

TELEPHONE: _____ CELL NO.: _____

DATE OF NEEDED AUXILIARY AID OR SERVICE: _____

SPECIFY AUXILIARY AID(S) AND/OR SERVICES REQUIRED: _____

DATE: _____ SIGNED: _____

Please keep in mind that pursuant to Section 1-2-30(D)(4) that establishes rules governing the address of the City Council, all remarks must be kept to a maximum of five minutes, shall be addressed to the City Council, and shall not be disruptive to the business of the Council. The Mayor is empowered to remove individuals from any meeting should they fail to adhere to the rules regarding address of the Council.

ADDENDUM "C"

GOVERNMENTAL UNIT
 REMOTE ATTENDANCE POLICY
 DURING A DISASTER DECLARATION

(A) **Policy Statement.** It is the policy of the City that a member of any group associated with this unit of government which is subject to the provisions of the Open Meetings Act may attend and participate in any open or closed meeting of that Covered Group from a remote location via telephone, video or internet connection during a disaster declaration, provided that such attendance and participation is in compliance with this policy and any other applicable laws.

(B) **Conditions.** An open or closed meeting subject to the Open Meetings Act may be conducted by audio or video conference, without the physical presence of a quorum of the members, so long as the following conditions are met:

- (1) the Governor of the State of Illinois or the Director of the Illinois Department of Public Health has issued a disaster declaration related to public health concerns because of a disaster as defined in Section 4 of the Illinois Emergency Management Agency Act, and all or part of the jurisdiction of the City is covered by the disaster area;
- (2) the Mayor determines that an in-person meeting or a meeting conducted under this policy is not practical or prudent because of the disaster;
- (3) all members of the body participating in the meeting, wherever their physical location, shall be verified and can hear one another and can hear all discussion and testimony;
- (4) for open meetings, members of the public present at the regular meeting location of the body can hear all discussion and testimony and all votes of the members of the body, unless attendance at the regular meeting location is not feasible due to the disaster, including the issued disaster declaration, in which case the City must make alternative arrangements and provide notice pursuant to the policy of such alternative arrangements in a manner to allow any interested member of the public access to contemporaneously hear all discussion, testimony, and roll call votes, such as by offering a telephone number or a web-based link;
- (5) at least one member of the body, chief legal counsel, or chief administrative officer is physically present at the regular meeting location, unless unfeasible due to the disaster, including the issued disaster declaration; and
- (6) all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.

(C) **Notice.** Except in the event of a bona fide emergency, **forty-eight (48) hours'** notice shall be given of a meeting to be held pursuant to this policy. Notice shall be given to all members of the Covered Group, shall be posted on the website of the City, and shall also be provided to any news media who has requested notice of meetings pursuant to subsection (a) of Section 2.02 of the Open Meetings Act. If the City declares a bona fide emergency:

- (1) Notice shall be given pursuant to subsection (a) of Section 2.02 of the Open Meetings Act, and the presiding officer shall state the nature of the emergency at the beginning of the meeting;
- (2) The City must comply with the verbatim recording requirements set forth in Section 2.06 of the Open Meetings Act.

(D) **Quorum.** Each member of the body participating in a meeting by audio or video conference for a meeting held pursuant to this policy is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

(E) **Record.** A Covered Group holding open meetings under this policy must also keep a verbatim record of all its meetings in the form of an audio or video recording. Verbatim records made under this paragraph shall be made available to the public under, and are otherwise subject to, the provisions of Section 2.06 of the Open Meetings Act.

(F) **Costs.** The City shall bear all costs associated with compliance with this policy.

**CITY OF NOKOMIS, ILLINOIS
CLOSED SESSIONS – MINUTES**

NOTE: The identifying names have been changed to preserve confidentiality for Nokomis.

Inventory	Date	Purpose	Discussion	Proposed Action	Comments

Key
P Personnel
P/L Pending Litigation
L/A Land Acquisition
CB Collective Bargaining

REQUEST FOR REIMBURSEMENT

Payee _____

Address & Phone Number: _____

Job/Position/Office: _____

Date & Nature of Official Business: _____

Amount of Requested Reimbursement: _____ Date: _____

Paid by Check # _____ Date paid: _____

Attach invoice, receipts, or other documentation and submit the request to the Clerk for processing.

Notes: _____

APPENDIX "A"

VIOLATION PENALTIES

Section		Minimum Fine	
<u>Dogs</u>		<u>1st Offense</u>	<u>2nd or Subsequent Offense</u>
3-1-4	Barking Dogs/Crying Cats	\$75.00	\$150.00
3-2-3	Rabies Tags	\$75.00	\$150.00
3-2-7	City Tags (Dogs)	\$75.00	\$150.00
3-2-8	Dog at Large/Loose Dog	\$75.00	\$150.00
3-2-11	Biting Dog/Bitten Person	\$75.00	\$150.00
<u>Building Codes – Chapter 6</u>			
513-1-1	Permit Required		\$150.00
6-2-4	Dangerous and Unsafe Buildings		\$200.00
<u>Business – Chapter 7</u>		<u>1st Offense</u>	<u>2nd or Subsequent Offense</u>
7-2-11	Soliciting (Ord. No. 2045; 12-11-17)	\$100.00	\$200.00
<u>Garbage – Chapter 13</u>		<u>1st Offense</u>	<u>2nd or Subsequent Offense</u>
13-1-9	Accumulation of Garbage	\$100.00	\$200.00
<u>Taverns/Alcohol Sales – Chapter 21</u>		<u>1st Offense</u>	<u>2nd or Subsequent Offense</u>
21-3-1	Alcohol Sales/Open after Hours	\$300.00	\$600.00
21-3-6	Drinking on Public Way		\$150.00
21-3-7	Illegal Transportation of Alcoholic Liquor		\$200.00
21-3-20	Prohibited Sales to Minor/Intoxicated Person		\$250.00
21-3-22	Unlawful Purchase/Possession of Liquor (Minor)		\$250.00
<u>Traffic – Chapter 24</u>			
24-2-1	Obedience to Police		\$150.00
24-2-3	Obey Traffic Signs (Signs and Signals)		\$150.00
24-3-3	Stop Streets/Disobey Stop Sign		\$150.00
24-3-4	Yield Right-of-Way		\$150.00
24-1-1	Any IVC Violation (Rules of the Road)		\$150.00
24-4-2(a)	Careless Driving		\$150.00
24-4-2(f)	Speeding		\$150.00
24-4-2(g)	Speeding School Zone		\$200.00
24-4-9	Excessive Noise While Driving		\$150.00
24-5-1	Any IVC Equipment Violations		\$150.00
24-5-2	Muffler Required		\$150.00

24-6-4	Handicap Parking Only	\$200.00
24-6-7	Parking Violation	\$50.00
24-6-13	Semi-Tractors and Semi-Trailers No Parking Sticker	\$150.00
24-7-2(b)	Abandoned Vehicle (Private Property)	\$150.00

Nuisances – Chapter 25

25-1-1Q	Litter on Street	\$150.00
25-1-1R	Accumulation of Junk & Trash (Public/Streets)	\$150.00
25-3-1	Accumulation of Garbage (Private Property)	\$150.00
25-4-4	Inoperable Motor Vehicle	\$150.00

Offenses – Chapter 27

27-2-16	Disturbing the Peace	\$150.00
27-2-16	Public Intoxication	\$100.00
27-2-19	Discharge of Firearm/Bow & Arrow	\$100.00
27-2-20B	Games in Street (Skateboarding on Sidewalk/Street)	\$100.00
27-2-22	Throwing Rocks	\$100.00
27-2-23	Destruction of Public Property	\$100.00
27-2-25	Discarded Refrigerators	\$100.00
27-2-27	Curfew (Sun-Thurs 11p-6a/Fri-Sat 12a-6a)	\$100.00
27-4-1	Disorderly Conduct	\$100.00
27-5-2	Littering Prohibited	\$100.00
27-5-7	Littering from a Vehicle	\$100.00
27-5-9	Littering in Parks	\$100.00
27-6-1	Trespassing	\$100.00
27-9-4	Possession of Fireworks	\$100.00
27-9-5A	Throwing Fireworks (burning or non-burning)	\$100.00
27-9-5B	Throwing Fireworks (From or at Vehicle)	\$100.00
27-10-3	Possession of Drug Paraphernalia	\$250.00
27-11-2	Burning Garbage/Rubbish	\$100.00
27-11-21	Burning on Street, Alley, or Sidewalk (City Property)	\$100.00
33-2-7	Vehicles/Bicycles on Sidewalk (Good for City Parks)	\$100.00

Parks – Chapter 28

28-1-1B	In Park after Hours (Closed 10p-7a)	\$100.00
28-1-9	No Motor Vehicles	\$100.00

Property Maintenance – Chapter 29

<u>Weeds/Lawns</u>		<u>1st Offense</u>	<u>2nd or Subsequent Offense</u>
29-5-10	Weeds/Grass over 8 inches	\$100.00	\$200.00

Street Regulations – Chapter 33

<u>Obstructing Streets</u>		<u>1st Offense</u>	<u>2nd or Subsequent Offense</u>
33-2-9	Obstructing a Street (Ord. No. 2053; 09-24-18)	\$100.00	\$175.00