

Ordinances of the Village of Stanford
Online Convenience Copy Only - Record Copy on File at Village Hall

TITLE I: GENERAL PROVISIONS	3
CHAPTER 10: GENERAL PROVISIONS	3
TITLE III: ADMINISTRATION	10
CHAPTER 30: TRUSTEE-VILLAGE FORM	10
CHAPTER 31: VILLAGE OFFICIALS	10
CHAPTER 32: BOARD OF TRUSTEES	22
CHAPTER 33: EMPLOYMENT POSITIONS	30
CHAPTER 34: INDEPENDENT CONTRACTORS	34
CHAPTER 35: FINANCE AND REVENUE	36
CHAPTER 36: PUBLIC RECORDS	51
CHAPTER 37: CIVIL EMERGENCIES	61
CHAPTER 38: POLICE RULES AND REGULATIONS	63
CHAPTER 39: IDENTITY THEFT POLICY	70
CHAPTER 40 TRAVEL EXPENSE CONTROL	74
TITLE V: PUBLIC WORKS	76
CHAPTER 50: UTILITY SERVICES REGULATIONS	76
CHAPTER 51: CROSS-CONNECTION CONTROL	83
CHAPTER 52: SANITARY SEWER SYSTEM	92
TITLE VII: TRAFFIC CODE	92
CHAPTER 70: GENERAL PROVISIONS	92
CHAPTER 71: TRAFFIC AND TRUCK TRAFFIC REGULATIONS	95
CHAPTER 72: PARKING REGULATIONS	99
TITLE IX: GENERAL REGULATIONS	103
CHAPTER 90: ABANDONED VEHICLES	104
CHAPTER 91: ANIMALS	109
CHAPTER 92: EMERGENCY MANAGEMENT AGENCY	115
CHAPTER 93: FIREWORKS; FIRE PREVENTION	120
CHAPTER 94: HEALTH AND SANITATION	125
CHAPTER 95: NOISE CONTROL	127
CHAPTER 96: NUISANCES	129
CHAPTER 97: STREETS, ALLEYS, AND PUBLIC WAYS	133
CHAPTER 98: UNSAFE AND DANGEROUS BUILDINGS	138
SECTION 99: IMPROVEMENTS TO PUBLIC RIGHT OF WAY	142
TITLE XI: BUSINESS REGULATIONS	143

Ordinances of the Village of Stanford

CHAPTER 110: LIQUOR CONTROL	143
CHAPTER 111: ADULT BUSINESSES	157
CHAPTER 112: PEDDLERS, ITINERANT MERCHANTS, AND SOLICITORS	162
CHAPTER 113: COIN OPERATED MACHINES	166
TITLE XIII: GENERAL OFFENSES	170
CHAPTER 130: GENERAL OFFENSE PROVISIONS	170
CHAPTER 131: WEAPONS	172
CHAPTER 132: CURFEW	177
CHAPTER 133 DISORDERLY CONDUCT	179
CHAPTER 134: SMOKING PROVISIONS	181
CHAPTER 135: OTHER OFFENSES AGAINST PUBLIC ORDER	185
CHAPTER 136: POSSESSION, SALE, AND DELIVERY OF DRUGS	186
TITLE XV: LAND USAGE	190
CHAPTER 150: SUBDIVISION REGULATIONS	190
CHAPTER 151: ZONING	216
GLOSSARY	231
INDEX	233

Ordinances of the Village of Stanford

TITLE I: GENERAL PROVISIONS

CHAPTER 10: GENERAL PROVISIONS

Section

- 10.01 Title of code
- 10.02 Definitions
- 10.03 Section headings
- 10.04 Title of office
- 10.05 Interpretation of language
- 10.06 Grammatical interpretation
- 10.07 Acts by agents
- 10.08 Prohibited acts include causing and permitting
- 10.09 Computation of time
- 10.10 Construction
- 10.11 Revivor; Repeal shall not revive any ordinance
- 10.12 Conflicting provisions
- 10.13 Amendments to code
- 10.14 Severability
- 10.15 Ordinances repealed
- 10.16 Ordinances unaffected
- 10.17 References to other Sections
- 10.18 Errors and omissions
- 10.19 Technical codes
- 10.20 Statutory references
- 10.21 Service of documents

- 10.99 General penalty provision

SECTION 10.01 TITLE OF CODE.

This codification by and for the Village of Stanford shall be designated as the Stanford Municipal Code or the Ordinances of the Village of Stanford and may be so cited.

SECTION 10.02 DEFINITIONS.

The following words and phrases, whenever used in the Stanford Municipal Code or the Ordinances of the Village of Stanford, McLean County, Illinois, shall be construed as defined in this Section unless the context clearly indicates or requires a different meaning.

Another. When used to designate the owner of property which is the subject of an offense, includes not only natural persons but also every other owner of property.

Board of Trustees or Village Board. The Board of Trustees of the Village of Stanford consists of the Village President and the Village's six Trustees.

Code. A codification of the Ordinances of the Village of Stanford.

Ordinances of the Village of Stanford

Council. The Village Board of the Village of Stanford and includes the Village President and the Village's six Trustees.

County. McLean County, Illinois.

County Board. The County Board of McLean County, Illinois. (5 ILCS 70/1.07)

Court. Construed to mean any court of competent jurisdiction.

Decree. Synonymous with **Judgement**. (5 ILCS 70/1.24)

Electors. Persons qualified to vote for elective officers at municipal elections. (65 ILCS 5/1-1-2)

Executive Officer. Words used for an executive or ministerial officer may include any deputy or other person performing the duties of such officer, either generally or in special cases. (5 ILCS 70/1.08)

Heretofore or Hereafter. **Heretofore** means any time previous to the day on which the ordinance, resolution, or statute takes effect; and the word **Hereafter** at any time after such day. (5 ILCS 70/1.17)

Highway, Road, or Street. **Highway, Road, or Street** may include any road laid out by authority of the United States, or of this State, or of any town or county of this State, and all bridges upon the same. (5 ILCS 70/1.16)

ILCS. Illinois Compiled Statutes (ILCS) as heretofore and hereafter amended.

Law. Denotes applicable federal law, the Constitution and statutes of the State of Illinois, the Stanford Municipal Code or the Ordinances of the Village of Stanford, and when appropriate, any and all rules and regulations which may be promulgated thereunder.

Land or Real Estate. Includes rights and easements of an incorporeal nature.

May. The act referred to is permissive.

Month. A calendar month. (5 ILCS 70/1.10)

Municipal Code. The Illinois Municipal Code, 65 ILCS 5.

Must and Shall. **Must** and **Shall** are each mandatory.

Oath. Includes an affirmation or declaration in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases, the words "swear" and "sworn" shall be construed to include the words "affirm" or "affirmed". (5 ILCS 70/1.12)

Owner. When applied to property such as a building or land, includes any part owner, joint owner, purchaser and seller under a contract and/or deed, joint tenant, tenant by the entirety, or tenant in common of the whole or part of the property, and includes any beneficiary of a land trust which owns property.

Person. Any legal person; includes any natural person, joint ventures, joint stock companies, partnerships, associations, clubs, corporations, businesses, trusts, organizations, and bodies politic and corporate as well as individuals, such as managers, lessees, agents, servants, officers, or employees of any of the persons stated. (5 ILCS 70/1.05)

Ordinances of the Village of Stanford

Personal Property. Includes all property, such as money, goods, chattels, things in action, and evidences of debt, except real property.

Police Officers. Police Officers employed and in the service of the Village of Stanford. **Police Force** shall be construed to include such persons in the employ of the Village of Stanford as members of the Department of Police, who are or shall hereafter be appointed and sworn as police officers. (5 ILCS 70/1.20)

Preceding and Following. Next before and next after, respectively.

President. The President of the Village of Stanford.

Property. Includes real and personal property.

Public Authority. Includes school districts; units of legal government; the Village, county, state, or federal governments, officers and agencies thereof, or any commissions or committees thereof; or any duly authorized public official.

Public Place. Includes any street, sidewalk, park, cemetery, school yard, body of water or watercourse, public conveyance, or any other place for the sale of merchandise, public accommodation, or amusement.

Real Property. Includes lands, tenements, and hereditaments.

Registered Mail. Includes certified mail and **Certified Mail** includes registered mail.

Shall. The act referred to is mandatory.

Sidewalk. That portion of the street between the curb line and the adjacent property line principally intended for the use of pedestrians. (625 ILCS 5/1-188)

State. The State of Illinois.

Streets. Includes all streets, highways, avenues, lanes, alleys, courts, places, squares, curbs, or other public ways in the Village of Stanford which have been or may hereafter be dedicated or opened or opened to public use, or such other public property so designated in any law of this State.

Tenant, Occupant, or Resident. As applied to a building or land, includes any person holding a written or oral lease, or who actually occupies the whole or any part of such building or land, alone or with others.

This Code or This Code of Ordinances. The Stanford Municipal Code hereby adopted, and as hereinafter modified by amendment, revision, and by the adoption of new titles, chapters, or sections.

Units of Local Government. The meaning established in Section 1 of Article VII of the Constitution of the State of Illinois of 1970. (5 ILCS 70/1.28)

Village. The Village of Stanford, McLean County, Illinois, or the area within the territorial limits of the Village of Stanford, McLean County, Illinois and such territory outside of the Village over which it has jurisdiction or control by virtue of any constitutional or statutory provision.

Week. Seven consecutive days.

Whoever. Includes all persons, natural and artificial; partners; principals, agents, and employees; and all officials, public or private.

Written or In Writing. Includes printing, electronic, 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 that person, or in case he is unable to write, his proper mark, or by his duly

Ordinances of the Village of Stanford

authorized facsimile signature under the Illinois Uniform Facsimile Signature of Public Officials Act. If the signature is derived from an electronic source, the electronic signature must adhere to the definition under the Electronic Commerce Security Act except as otherwise provided by law. (5 ILCS 70/1.15)

Year. A calendar year unless otherwise expressed and the word “year” alone is equivalent to the expression “year of our Lord”. (5 ILCS 70/1.10)

SECTION 10.03 SECTION HEADINGS.

Headings and captions used in this code are employed for reference purposes only, and shall not be deemed a part of the text of any section.

SECTION 10.04 TITLE OF OFFICE.

Use of the title of any officer, employee, department, board, or commission means that officer, employee, department, board, or commission of the Village of Stanford.

SECTION 10.05 INTERPRETATION OF LANGUAGE.

All words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases and such others that may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.

SECTION 10.06 GRAMMATICAL INTERPRETATION.

The following grammatical rules shall apply in the Stanford Municipal Code, unless it is apparent from the context that a different construction is intended:

- (1) The singular number shall include the plural, and the plural shall include the singular. (5 ILCS 70/1.03)
- (2) Words of one gender, whether masculine, feminine, or neuter gender, shall include the other genders. (5 ILCS 70/1.04)
- (3) Words in the present tense shall include the future. (5 ILCS 70/1.02)
- (4) **AND** may be read **OR**, and **OR** may be read **AND**, if the context admits.

SECTION 10.07 ACTS BY AGENTS.

When an act is required by an ordinance, the same being such that it may be done as well by an agent as by the principal, such requirement shall be construed to include all such acts performed by an authorized agent.

SECTION 10.08 PROHIBITED ACTS INCLUDE CAUSING AND PERMITTING.

Whenever in the Stanford Municipal Code, any act or omission is made unlawful, it shall include causing, allowing, permitting, aiding, abetting, suffering, or concealing the fact of such act or omission.

Ordinances of the Village of Stanford

SECTION 10.09 COMPUTATION OF TIME.

Except when otherwise provided, the time within which an act is required to be done shall be computed by excluding the first day and including the last day, unless the last day is Saturday or Sunday or is a holiday as defined or fixed in any statute now or hereafter in force in this State, in which case it shall be excluded. If the day succeeding Saturday, Sunday, or a holiday is also a holiday or a Saturday or Sunday, then the succeeding day shall also be excluded. (5 ILCS 70/1.11)

SECTION 10.10 CONSTRUCTION.

The provisions of the Stanford Municipal Code or the Ordinances of the Village of Stanford and all proceedings under them are to be construed with a view to effect their objects and promote justice. These rules of construction shall not apply to any provision of this code which shall contain any express provision excluding that construction, or when the subject matter or context of this code may be repugnant thereto. All general provisions, terms, phrases, and expressions shall be liberally construed in order that the true intent and meaning of the President and Board of Trustees of the Village of Stanford may be fully carried out. (5 ILCS 70/1.01)

SECTION 10.11 REVIVOR; REPEAL SHALL NOT REVIVE ANY ORDINANCES.

- (A) The repeal of an ordinance shall not repeal the repealing clause of an ordinance or revive any ordinance which has been repealed thereby. (5 ILCS 70/3)
- (B) The reenactment, amendment, or repeal of an ordinance does not do any of the following, except as provided in (C) of this section.
- (1) Affect the prior operation of the ordinance or any prior action taken thereunder.
 - (2) Affect any validation, cure, right, privilege, obligation, or liability previously acquired, accrued, accorded, or incurred thereunder.
 - (3) Affect any violation thereof or penalty, forfeiture, or punishment incurred in respect thereto, prior to the amendment or repeal.
 - (4) Affect any investigation, proceeding, or remedy in respect of any privilege, obligation, liability, penalty, forfeiture, or punishment. The investigation, proceeding, or remedy may be instituted, continued, or enforced, and the penalty, forfeiture, or punishment imposed, as if the ordinance had not been repealed or amended. (5 ILCS 85/2)
 - (5) The provisions of any ordinance, so far as they are the same as those of any prior ordinance, shall be construed as a continuation of the prior provisions, and not as a new enactment. (5 ILCS 70/2)
- (C) If the penalty, forfeiture, or punishment for any offense is reduced by reenactment or amendment to an ordinance, the penalty, forfeiture, or punishment, if not already imposed, shall be imposed according to the ordinance as amended. (5 ILCS 70/4)

SECTION 10.12 CONFLICTING PROVISIONS.

If the provisions of different codes, chapters, or sections of these codified ordinances conflict with or contravene each other, the provisions bearing the latest passage date shall prevail. If the conflicting provisions bear the same

Ordinances of the Village of Stanford

passage date, the conflict shall be construed so as to be consistent with the meaning or legal effect of the questions of the subject matter taken as a whole.

SECTION 10.13 AMENDMENTS TO CODE.

All ordinances passed subsequent to this code which amend, repeal, or in any way affect this code may be numbered in accordance with numbering system of this code and printed for inclusion herein, or in the case of repealed chapters, sections, and subsections, or any part thereof, by subsequent ordinances, the repealed portions may be excluded from the code by the omission from reprinted pages affected thereby, and the subsequent ordinances as numbered and printed or omitted, in the case of repeal, shall be prima facie evidence of subsequent ordinances until this code of ordinances and subsequent ordinances numbered or omitted are re-adopted as a new code of ordinances by the Board of Trustees.

SECTION 10.14 SEVERABILITY.

If any provisions of these codified ordinances or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the section or related sections which can be given without the invalid provision or application, and to this end the provisions are severable. (5 ILCS 70/1.31)

SECTION 10.15 ORDINANCES REPEALED.

This code, from and after its effective date, shall contain all of the provisions of a general nature pertaining to the subjects herein enumerated and embraced. All prior ordinances pertaining to the subjects treated by this code shall be deemed repealed from and after the effective date of this code.

SECTION 10.16 ORDINANCES UNAFFECTED.

All ordinances of a temporary or special nature (including, but not limited to tax levy ordinances; appropriation ordinances; ordinances relating to boundaries and annexations; franchise ordinances and other ordinances granting special rights to persons or corporations; contract ordinances and ordinances authorizing the execution of a contract or the issuance of warrants; salary ordinances; ordinances establishing, naming, or vacating streets, alleys, or other public places; improvement ordinances; bond ordinances; ordinances relating to elections, ordinances relating to the transfer or acceptance of real estate by or from the Village; and all special ordinances) shall remain in full force and effect unless herein repealed expressly or by necessary implication.

SECTION 10.17 REFERENCES TO OTHER SECTIONS.

Whenever one section reference is made to another section hereof, the reference shall extend and apply to the section referred to as subsequently amended, revised, re-codified, or renumbered unless the subject matter is changed or materially altered by the amendment or revision and the context clearly indicates that the reference to the section as amended or revised was not intended.

SECTION 10.18 ERRORS AND OMISSIONS.

If a manifest error is discovered consisting of the misspelling of any word or words, the omission of any word or words necessary to express the intention of the provisions affected, the use of a word or words to which no meaning can be attached, or the use of a word or words when another word or words was clearly intended to express the intent, the spelling shall be corrected, and the word or words supplied, omitted, or substituted as will conform with the manifest intention, and the provision shall have the same effect as though the correct words were contained in

Ordinances of the Village of Stanford

the text as originally published. No alteration shall be made or permitted if any question exists regarding the nature or extent of the error.

SECTION 10.19 TECHNICAL CODES.

Whenever any technical codes are incorporated herein by reference, any subsequent amendments or revisions to such technical codes shall automatically become part of this code and shall be made available for public inspection by the Village. Further, to the extent of any conflict between the technical provisions of this code and any technical codes adopted by reference, the most restrictive provision shall prevail. (50 ILCS 220/2, 50 ILCS 220/3, and 65 ILCS 5/1-3-2)

SECTION 10.20 STATUTORY REFERENCES.

If an Illinois Compiled Statutes (ILCS) cite is included, this indicates that the text of the Section is derived from or is similar to the statute so cited. If an "ILCS" cite is set forth as a "statutory reference" following the text of the Section, this indicates that the reader should refer to that statute for further information.

SECTION 10.21 SERVICE OF DOCUMENTS.

Any notice that is required to be served by certified mail or registered mail by the Stanford Municipal Code or any other ordinance, rule, resolution, or regulation of the Village of Stanford may in lieu thereof may be served upon the person to whom said notice is directed by either personal or abode service. Service may be made by the McLean County Sheriff, a licensed private detective, a court appointed private process server, or any police officer of the Village of Stanford.

SECTION 10.99 GENERAL PENALTY PROVISION.

(A) Any person found guilty of violating, disobeying, omitting, neglecting, or refusing to comply with, or resisting or opposing the investigation or enforcement of any of the provisions of this code, upon conviction thereof, shall be punished by a fine of not less than \$200.00, nor more than \$750.00 for the first offense, and not less than \$300.00, nor more than \$750.00 for the second and each subsequent offense. Each day any violation of any provision of this Code or of any ordinance shall constitute a separate offense. In addition, the court may impose a requirement that the defendant perform some reasonable public service work such as, but not limited to, picking up litter in public parks or along public highways or the maintenance of public facilities. Any such "public service" must be ordered by the Circuit Court of McLean County.

B. In lieu of the provisions of (A) of Section 10.99 persons who have received a citation for a violation of the provisions of the Village Code hereinafter listed may settle an Ordinance violation charge by paying the amount set forth in this Section. Violation of the following Sections of the Village Code may be settled by payment of the following fines:

<u>Chapter</u>	<u>1st</u>	<u>Offense</u> <u>2nd</u>	<u>3rd</u>
71 – Traffic	\$100.00	\$200.00	\$300.00
72 – Parking	\$100.00	\$200.00	\$300.00
90 – Abandoned Vehicles	\$100.00	\$250.00	\$500.00
91 – Animals	\$100.00	\$200.00	\$300.00
93 – Fireworks	\$100.00	\$200.00	\$300.00
94 – Health & Sanitation	\$100.00	\$200.00	\$300.00
95 – Noise Control	\$100.00	\$200.00	\$300.00
96 – Nuisances–Plants & Weeds	\$100.00	\$200.00	\$300.00
98 – Unsafe & Dangerous Bldg.	\$250.00	\$500.00	\$700.00
99 – Improvements to Public			

Ordinances of the Village of Stanford

Right of Way	\$100.00	\$200.00	\$300.00
110 – Liquor Control	\$100.00	\$250.00	\$500.00
111 – Adult Business	\$100.00	\$200.00	\$300.00
112 – Peddlers	\$100.00	\$200.00	\$300.00
113 – Coin-Operated Machines	\$100.00	\$200.00	\$300.00
131 – Weapons	\$100.00	\$250.00	\$500.00
132 – Curfew	\$100.00	\$200.00	\$300.00

Any other Section of the Village Code that are hereinafter enacted unless otherwise specified:

1st Offense – no less than \$200.00 but no more than \$750.00

2nd Offense – no less than \$300.00 but no more than \$750.00

(B) To settle a first, second or third Ordinance violation, the person charged must within fourteen (14) days of the date of a citation pay the required settlement amount, sign the citation issued and return the signed citation and payment amount to the Village Clerk. The payment shall be made, by money order, cashier's check or cash, together with the violator's copy of the ticket, at the Village of Stanford, Village Hall, 206 W. Main Street, Stanford, Illinois 61774, during regular business hours, Monday through Friday. Money orders or cashier's checks should be made payable to the Village of Stanford.

TITLE III: ADMINISTRATION

CHAPTER 30: TRUSTEE-VILLAGE FORM

Section

30.01 Governing Officers

SECTION 30.01 GOVERNING OFFICERS.

The Village of Stanford shall be governed by an elected official who is called the President and by an elected legislative body which is called the Board of Trustees and which shall consist of the President and six Trustees.

CHAPTER 31: VILLAGE OFFICIALS

Section

General Provisions

Ordinances of the Village of Stanford

31.01	Qualifications
31.02	Oath; bond
31.03	Certificate of appointment
31.04	Date of inauguration
31.05	Further duties
31.06	Compensation
31.07	Assignment of copies of the Stanford Municipal Code to Village officials
31.08	Purchasing Rules

President

31.20	Election; term; vacancy
31.21	Powers, duties, and responsibilities
31.22	Compensation

Clerk

3	Election; term; vacancy
3	Powers, duties, and responsibilities
3	Compensation

Treasurer

3	Election; term; vacancy
3	Duties
3	Compensation

Village Collector

3	Election; term; vacancy
3	Powers, duties, and responsibilities
3	Compensation

Other Appointed Officials

3	Building Inspector
3	Director of Community Development
3	Member of the Zoning Board of Appeals
3	Appointment of other Village officials
3	Duties and Fees; Bond

GENERAL PROVISIONS

SECTION 31.01 QUALIFICATIONS.

No person shall be eligible for any Village office unless such person is a qualified elector of the Village and has resided therein at least one year next preceding his election or appointment. However, these requirements shall not apply to the Village Engineer, Health Officers, or other officers who require technical training or knowledge, to the Village Treasurer, Village Clerk, or Village Collector. Nor shall

Ordinances of the Village of Stanford

these requirements apply to the Village Attorney. However, no person shall be eligible for any Village office who is a defaulter to the Village. A defaulter is any person who fails or has failed to discharge a duty in relation to the Village when the duty is expected or required.

SECTION 31.02 OATH; BOND.

Before entering upon the duties of their respective offices, all Village officers, whether elected or appointed, shall take and subscribe 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 (insert office here) according to the best of my ability.@

This oath, so subscribed, shall be filed in the office of the Clerk.

Before entering upon the duties of their respective offices, all Village officers, except Trustees, shall execute a bond with security, to be approved by the Board of Trustees. The bond shall be payable to the Village conditioned upon the faithful performance of the duties of the office and the payment of all money received by such officer, according to law and the Stanford Municipal Code. Such bond may provide that the obligation of the sureties shall not extend to any loss sustained by the insolvency, failure, or closing of any bank or savings and loan association organized and operating, either under the laws of the State or the United States, wherein such officer has placed funds in his custody, if the bank or savings and loan association has been approved by the Board of Trustees as a depository for these funds. These bonds shall be filed with the Clerk, except the bond of the Clerk, which shall be filed with the Treasurer. (65 ILCS 5/3.1-10-25 and 65 ILCS 5/3.1-10-30)

SECTION 31.03 CERTIFICATE OF APPOINTMENT.

Whenever a person has been appointed or elected to office, the President shall issue a certificate of appointment or election, under the corporate seal, to the Clerk. All officers elected or appointed under Chapter 65 of the Illinois Compiled Statutes (ILCS) and under this Chapter of the code except the Clerk, the Trustees, and the President, shall be commissioned by warrant, under the corporate seal, signed by the Clerk and the presiding officer of the Board of Trustees. Within five days after notification and request, any person who has been an officer of the Village shall deliver to his successor in office all property, books, and effects in his possession, belonging to the Village, or pertaining to the office he has held. Upon refusal to do so, he shall be liable for all the damages caused thereby, and to whatever penalty may be prescribed by ordinance. (65 ILCS 5/3.1-10-35 and 65 ILCS 5/3.1-55-5)

SECTION 31.04 DATE OF INAUGURATION.

All newly elected officials of the Village of Stanford shall take office on the first regular or special meeting of the Village of Stanford in the month of May following their election.

SECTION 31.05 FURTHER DUTIES.

Every officer shall perform such duties in addition to those that may be prescribed by law, and be subject to such other rules and regulations, as the Board of Trustees may provide by ordinance. (65 ILCS 5/3.1-10-40)

SECTION 31.06 COMPENSATION.

Ordinances of the Village of Stanford

All Village officers, except as otherwise provided, shall receive the salary, fees, or other compensation fixed by special ordinance. After they are once fixed, these salaries, fees, or other compensation shall not be increased nor decreased, so as to take effect during the term of any elected Village officer. The salaries, fees, or other compensation of any appointed Village officer, not including those appointed to fill vacancies in elective offices, may be increased but not decreased so as to take effect during the term for which such officer was appointed. (65 ILCS 5/3.1-50-5)

The Board of Trustees may fix the salary of all Village officers, except those who are elected for a definite term, and of all employees, in the annual appropriation ordinance or in a separate ordinance. They may fix the salary of all officers who are elected for a definite term in an ordinance other than the appropriation ordinance. Salaries that are fixed by ordinance in the annual appropriation ordinance shall neither be increased nor decreased during the fiscal year for which the appropriation is made. Salaries that are fixed by ordinance for those officers who are elected for a definite term shall neither be increased nor decreased during that term, and shall be fixed at least two months prior to a general Village election in which voting is held for such offices. No compensation shall be paid to any Village officer or employee in addition to that provided in the ordinance fixing his salary. (65 ILCS 5/3.1-50-10)

Cross Reference:

Compensation of President, See Sec. 31.22

Compensation of Trustees, See Sec. 32.04

SECTION 31.07 ASSIGNMENT OF COPIES OF THE STANFORD MUNICIPAL CODE TO VILLAGE OFFICIALS.

The President, the members of the Board of Trustees, the Village Clerk, the Village Attorney, and the Chief of Police shall each be assigned a numbered copy of the Stanford Municipal Code. Each Village official shall utilize the copy of the Stanford Municipal Code while fulfilling their position of the Village. When a Village official has resigned or otherwise vacated his position, he shall return the copy of the Stanford Municipal Code within four (4) days of resignation or vacation of office so that the next person to fill his position may utilize the same.

The Village Clerk shall be assigned a copy of the Stanford Municipal Code on a master computer disk set or other magnetic media and a back-up master computer disk set or other magnetic media for use in Village operations. The Village Attorney shall be assigned a copy of the Stanford Municipal Code on a computer disk set or other magnetic media while serving as the Village Attorney for the Village.

Any Village official who violates any provision of this Section shall be subject to the general penalty provisions, Section 10.99, of this Stanford Municipal Code.

SECTION 31.08 PURCHASING RULES

(A) PURCHASE OF MATERIALS, PRODUCTS AND SERVICES FOR A TOTAL COST UNDER

\$500.00: An employee may purchase any materials, products or services for the Village that have a total expenditure of \$500.00 or less without first obtaining as is set forth within this section.

(B) EXPENDITURE IN EXCESS OF \$500.00: No employee shall purchase any materials, Products or services requiring expenditure by the Village in excess of \$500.00 and less than \$1,000.00 without first obtaining approval. The approval shall be from the Chairman of the Committee that supervises the expenditure or in the event that the Chairman of the Committee is not available the President of the Board of Trustees or the Village Clerk may provide a substitute approval for the Chairman of the Committee. However, in the event of an emergency expenditures may be authorized by the employee provided that the employee notifies the Committee Chairman or in the absence of the Chairman, the Village President, within 24 hours and provides information concerning the nature and extent of the emergency that occurred.

(C) EXPENDITURES IN EXCESS OF \$1,000.00: Expenditures in excess of \$1,000.00 may not

Ordinances of the Village of Stanford

be charged, incurred or otherwise obligated by any employee of the Village without first obtaining the approval of the Board of Trustees of the Village at a regularly scheduled or special meeting. However, in the event of an emergency, expenditures in excess of \$1,000.00 may be authorized as provided in the preceding sub-paragraph B.

- (D) EXCEPTION FOR SERVICES AND REGULAR BILLS: Professional services that are provided to the Village, such as legal services and engineering services, regularly scheduled bills authorized by the Board of Trustees in advance, utilities, and any other bills or services hereinafter exempted shall not be governed by the rules that are set forth within this Section of the Village Code.

THE VILLAGE PRESIDENT

SECTION 31.20 ELECTION; TERM; VACANCY.

The President shall be elected by the electors of the Village at a general Village election held therein.

The President shall hold his office for a term of four years and until his successor is elected and has qualified. The four-year term for President may be changed to two years pursuant to 65 ILCS 5/3.1-10-65.

Whenever a vacancy in the office of the President occurs during his term, the vacancy shall be filled for the remainder of the term in the manner provided in 65 ILCS 5/3.1-10-50 and 65 ILCS 5/3.1-10-55. During the period from the time the vacancy occurs until another President is elected, and has qualified, the vacancy may be filled by the appointment of an Acting President by the Board of Trustees. (65 ILCS 5/3.1-10-50) If a temporary absence or disability of the President incapacitates him from the performance of his duties but does not create a vacancy in the office, the Board of Trustees shall elect one of its members to act as President Pro Tem. The President Pro Tem, during this absence or disability, shall perform the duties and possess all of the rights and powers of the President. (65 ILCS 5/3.1-35-35)

SECTION 31.21 POWERS, DUTIES, AND RESPONSIBILITIES.

The Village President shall be the chief executive officer of the Village and shall possess all powers and perform and fulfill all duties and responsibilities conferred or imposed, by law, of the office of the Village President. His obligation with respect to economic disclosure statements shall be proscribed by law. (65 ILCS 5/3.1-35-5)

The Village President shall be President of the Board of Trustees thereof and shall preside at all meetings of the Board. He shall devote to the duties of his office whatever time the faithful discharge thereof may require. The President from time to time, may and annually shall give the Board of Trustees information relative to the affairs of the Village, and may recommend for their consideration such measures as he believes expedient. (65 ILCS 5/3.1-35-5)

The Village President shall have the power to administer oaths and affirmations upon all lawful occasions. (65 ILCS 5/3.1-15-20)

The Village President may, at all times, examine and inspect the books, records, and papers of any agent, employee, or officer of the Village. (65 ILCS 5/3.1-35-20)

The Village President may designate another to affix the signature of the President to any written instrument, which is required to be signed by the President. The President shall send written notice of this designation to the Board of Trustees, stating the name of the person whom he has selected and what instrument the person will have authority to sign. A written signature of the President executed by the person so designated, with the signature of the person so designated underneath, shall be attached to the notice. The notice, with the signatures attached, shall be recorded in the journal of the Board and then filed with the Village Clerk. When the signature of the President is placed on a written instrument at

Ordinances of the Village of Stanford

the direction of the President in the specified manner, the instrument, in all respects, shall be as binding on the Village as if signed by the President in person. (65 ILCS 5/3.1-35-30) Statutory Reference: Duties as conservator of the peace, See 65 ILCS 5/3.1-15-25 and 725 ILCS 5/107-16.

The Village President shall also possess all powers and fulfill all duties and responsibilities conferred on the office of Village President by Village ordinance, including those enumerated in this code which, among others, include the following:

Council Responsibilities B The Village President shall preside at all meetings of the Board of Trustees and shall vote and exercise his veto power to the extent and in the manner prescribed by statute.

Committee Responsibilities B

The Village President shall designate the Board committees on which each member of the Board shall serve and shall name the Chairman of each. Such assignments and designations may be changed at will by the President.

The Village President shall serve as an ex-officio member of each Board Committee.

The Village President shall serve as a voting member of the Finance Committee and has the authority to co-sign Village checks.

With the advice and consent of the Board, the Village President shall name persons to serve on all Village Advisory Boards and Commissions or in non-compensated Village positions. (65 ILCS 5/3.1-30-5)

Employee Responsibilities B

Hiring B The Village President shall screen, hire (subject to the Board=s approval of the terms and conditions contained in the employment contract), and fire (in the manner provided in such employment contract, if any) persons to fill all employment positions created by the Village Board except for part-time police officers appointments and re-appointments, which shall be made by the Board of Trustees. (65 ILCS 5/3.1-30-5)

Part-time Assistance B In ordinary situations with prior approval of the Village Board and in emergency situations without prior Board approval, the Village President may hire hourly workers to assist Village employees in the performance of their duties and responsibilities.

Supervision B The Village President and the particular Board committee or committees having supervisory responsibility over a particular Village employee shall each have the power and authority to supervise and direct that employee. To the extent of a conflict between direction given by the Village President and direction given by any committee Chairman, the employee shall follow the direction given by the Village President.

Independent Contractor Responsibility B

Retention B The Village President shall screen, select (subject to Board approval of the terms and conditions of the contractual relationship), and terminate (in the manner provided in the contract for services) any and all independent contractors retained by the Village.

Supervision B The Village President shall supervise, direct, and evaluate the work of all independent contractors retained by the Village.

5. **Designation of Duties and Responsibilities** B The Village President shall resolve all questions as to the respective powers and duties or responsibilities of Village officers and employees and independent contractors. The Village President has the power and authority to delegate to any such person any power or duty not otherwise conferred or assigned.

Ordinances of the Village of Stanford

SECTION 31.22 COMPENSATION.

The Village President shall be entitled to the salary prescribed for the office by special ordinance. The salary shall be payable in quarterly installments which shall be paid at the first regular Board meeting following each quarter. An increase or decrease in the salary of the President shall not take effect during the term for which that President is elected. His salary shall be fixed at least two months before an election in which voting is held for his office. (65 ILCS 5/3.1-50-10)

THE VILLAGE CLERK

SECTION 31.35 APPOINTMENT; TERM; VACANCY.

The Village Clerk of the Village of Stanford shall be appointed by the Village President with the concurrence of the Board of Trustees of the Village of Stanford, effective May1, 2005. The term of the appointed Village clerk shall be the same term as the elected Village President. In the event that there is a vacancy in the office of a Clerk, the vacancy shall be filled by appointment by the Village President with the concurrence of the Board of Trustees of the Village. (65 ILCS 5/3.1-25-90)

SECTION 31.36 POWERS, DUTIES, AND RESPONSIBILITIES.

The Village Clerk shall possess all the powers and perform and fulfill all the duties and responsibilities conferred or imposed by law on the office or position of Village Clerk. The obligations with respect to oath of office and responsibilities with respect to the filing of statements of economic disclosure and the posting of surety bonds shall be as provided by law and this code.

The Village Clerk shall also hold the office of Village Collector. (65 ILCS 5/3/1-50-25)

The Village Clerk shall have the power to administer oaths and affirmations upon all lawful occasions. (65 ILCS 5/3.1-15-20)

In addition, the Village Clerk shall have the following duties and responsibilities:

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

The Clerk shall keep and maintain a proper index to all documents and records kept by him, so that ready access thereto and use thereof may be had.

The Clerk shall be the custodian of the Village seal, to be provided by the Board of Trustees.

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

The Clerk shall attend all meetings of the Board of Trustees and keep a full record of its proceedings in the journal. Copies of all papers duly filed in his office, and transcripts from the journals and other records and files of his office, certified by him under the corporate seal, shall be evidence in all courts in like manner as if the original were produced. (65 ILCS 5/3.1-35-90)

The Clerk shall maintain the Village website.

The Clerk shall post agendas, prepare and distribute board packages prior to any Village Board and/or Committee meetings.

The Clerk shall, at the direction of the Village Board, prepare Intergovernmental Agreements, Ordinances and Resolutions as required. All such documents shall be prepared at the direction of the Village Board only after consultation with the Village Attorney.

Ordinances of the Village of Stanford

The Clerk shall order office supplies for Village employees as needed.

In addition to the duties herein provided, the Clerk shall perform such other duties and functions as may be required by the Board of Trustees of the Village by written resolution.

SECTION 31.37 COMPENSATION.

The Village Clerk shall be entitled to the salary that is established by the Board of Trustees by special ordinance. The salary shall be payable in equal monthly installments, with each installment payable at the conclusion of the month. An increase or decrease in the salary of the Village Clerk shall not take effect during the term for which that Clerk is elected. His salary shall be fixed at least two months before an election in which voting is held for his office. (65 ILCS 5/3.1-50-10)

TREASURER

SECTION 31.40 APPOINTMENT; TERM; VACANCY.

The President, by and with the advice and consent of the Board of Trustees, shall appoint a Village Treasurer.

The Treasurer may resign from his office. If such officer resigns, he shall continue in office until his successor has been chosen and has qualified. If there is a failure to appoint a Treasurer, or the person appointed fails to qualify, the person filling the office shall continue in office until his successor has been chosen and has qualified. (65 ILCS 5/3.1-30-5)

The term of office of the Treasurer shall not exceed that of the President. (65 ILCS 5/3.1-30-5)

SECTION 31.41 POWERS, DUTIES, AND RESPONSIBILITIES.

The Village Treasurer shall possess all the powers and perform and fulfill all the duties and responsibilities conferred or imposed by law on the office or position of AVillage Treasurer@. The obligations with respect to oath of office and responsibilities with respect to the filing of statements of economic disclosure and the posting of surety bonds shall be proscribed by law.

Said powers and duties shall include but shall not be limited to the following:

He shall receive all money paid to the Village, either directly from the person paying it or from the hands of such other officer or employee as may receive it.

The Treasurer shall give every person paying money into the treasury a receipt therefor, specifying the date of payment, and upon what account paid. He shall file copies of these receipts with the Clerk, with the monthly reports. If he has in his possession money properly appropriated to the payment of any warrant lawfully drawn upon him, he shall pay the money specified in this warrant to the person designated by the warrant. (65 ILCS 5/3.1-35-40)

He shall pay out money of the Village only on vouchers or orders properly signed by the President of the Board of Trustees and the Treasurer.

The Treasurer may be required to keep all funds and money in his custody belonging to the Village in such places of deposit that are designated by the Board of Trustees by appropriate resolution. The designated depository shall continue as such until ten days have elapsed after a new depository is designated and has qualified by furnishing the statements of resources and liabilities as required by this Section. When, if ever, a new depository is designated, the Board of Trustees shall notify the sureties of the Treasurer of that fact, in writing, at least five days before the transfer of funds. The Treasurer shall be discharged from the responsibility for all funds or money, which he deposits in a designated bank or savings and loan association while the funds and money are so deposited.

Ordinances of the Village of Stanford

The Treasurer may require any bank or savings and loan association to deposit with the Treasurer securities or mortgages which have market value at least equal to the amount of the funds or moneys of the Village deposited with the bank or savings and loan association which exceeds the insurance limitation provided by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation.

4. The Treasurer shall keep all money belonging to the Village in his custody separate and distinct from his own money, and he shall not use, either directly or indirectly, the Village=s money or warrants in his custody for his own use and benefit, or that of any other person. Any violation of this provision shall subject him to immediate removal from office by the Board of Trustees, who may declare the Treasurer=s office vacant. In that case, his successor shall be appointed, and he shall hold his office for the remainder of the in-expired term of the Treasurer so removed. The provisions of 65 ILCS 5/3.1-10-50 shall govern this Section. (65 ILCS 5/3.1-35-55)

5. He shall keep such records showing all money received by him, the source from which it was received, and the purposes for which it was paid out and shall keep a record showing at all times the financial status of the Village.

The Treasurer shall report to the Board of Trustees, as often as they require, a full and detailed account of all receipts and expenditures of the Village, as shown by his books, up to the time of the report, as set forth in 65 ILCS 5/3.1-35-65 through 65 ILCS 5/3.1-35-75.

Any Treasurer who fails, neglects, or refuses to discharge any duty imposed on him, or who violates any provisions of 65 ILCS 5/3.1-35-65 through 65 ILCS 5/3.1-35-75, is guilty of a petty offense, and upon conviction thereof, shall be fined not less than \$25.00 nor more than \$100.00. (65 ILCS 5/3.1-35-80) All money received on any special assessment shall be held by the Treasurer as a special assessment fund, to be applied to the payment of the improvement for which the assessment was made, and the money shall be used for no other purpose, except to reimburse the Village for money expended for such improvement.

6. The Treasurer shall keep such books and accounts, as may be required by the President and the Board of Trustees, in a manner prescribed by ordinance. These books and accounts shall always be subject to the inspection of any member of the Board of Trustees provided, however, that the Village may by designate by ordinance a person or institution which, as Bond Trustee, shall receive from the County Collector amounts payable to the Village as taxes levied pursuant to a bond issuance.

The Treasurer shall keep a separate account of each fund or appropriation, and the debits and credits belonging thereto.

7. At the end of every month, and more often if required by the Board of Trustees, the Treasurer shall render an account under oath to the Board of Trustees, or to such officer as may be designated by ordinance, showing the state of the treasury at the date of the account, and the balance of money in the treasury. He shall accompany the account with a statement of all money received into the treasury, and on what account, together with all warrants redeemed and paid by him. On the day he renders an account, these warrants, with all vouchers held by him, shall be delivered to the Clerk and filed, together with the account, in the Clerk=s office. He shall return all warrants paid by him marked Apaid@. He shall keep a register of all warrants, which shall describe each warrant, showing its date, amount, and number, the fund from which paid, the name of the person to whom paid, and when paid. (65 ILCS 5/3.1-35-45)

8. He shall make an annual report at the close of the fiscal year, with the total amount of all receipts and expenditures of the Village and its transactions during the preceding year.

9. He shall cause the publication of the Report of Receipts and Expenditures in the manner required by law and shall file copies thereof and supporting affidavits as required by law.

10. He shall discharge the duties set forth in the Investment Policy Section 35.50 et seq, of this Stanford Municipal Code.

Ordinances of the Village of Stanford

529003384. The Treasurer shall, after consultation with the Village Board, prepare an Annual Budget for the Village. Further, after consultation with the President and Board of Trustees of the Village, the Treasurer shall work with the Village Attorney to have the annual Appropriation Ordinance and Tax levy Ordinance prepared.

529003385. The Treasurer shall, on a least a monthly basis, advise the President and Board of Trustees of the Village on the status of the Village finances. The advice shall include, but is not limited to, preparing financial reports for the Village Board meetings and preparing a list of bills to be proof of payment at Village Board meetings.

529003386. The Village treasurer shall maintain records of finances in a computer software system approved by the Board of Trustees of the Village. In addition, the Treasurer shall prepare checks and distribute them after payment has been authorized by the President and Board of Trustees of the Village.

529003387. The Village treasurer shall receive funds and/or financial information that are furnished to the Village Treasurer by the Village Collector.

529003388. The Village Treasurer shall maintain an appropriate payroll system to pay the employees of the Village. Payroll shall be paid after authorized by the Board of Trustees of the Village and then distributed to employees. Federal and state required tax reports and payments shall be timely paid by the Treasurer.

SECTION 31.42 COMPENSATION.

The Treasurer shall be entitled to the salary prescribed for the office by special ordinance. The salary shall be payable in equal monthly installments, with each installment payable at the conclusion of the month. (65 ILCS 5/3.1-50-10)

VILLAGE COLLECTOR

SECTION 31.45 APPOINTMENT; TERM; VACANCY.

The Village President of Stanford, with concurrence of the Board of Trustees, shall appoint a Collector for the Village. The Collector shall be the same person who is appointed as the Village Clerk. The term of the appointed Collector shall be the same term as the term of the appointed Clerk. (65 ILCS 5/3.1-50-25)

SECTION 31.46 POWERS, DUTIES, AND RESPONSIBILITIES.

The Collector shall perform the following duties:

The Village Collector shall possess all the powers and perform and fill all the duties and responsibilities conferred or imposed by law on the office or position of Village Collector.

The Village Collector shall maintain accounts in the water billing software maintained by the Village.

(C) The Village Collector shall send out water bills, shut off notices and all other correspondence required with regard to the financial operation of the water system.

(D) The Village Collector shall receive water payments, make deposits and forward proof of deposits to the Village Treasurer. Deposits shall be made as soon as reasonably possible after funds are received.

(E) The Village Collector shall send out meter reading cards.

(F) The Village collector shall determine any refunds for the water systems and forward information for refunds to the Village Treasurer.

Ordinances of the Village of Stanford

(G) The Village Collector shall collect monies other than taxes that are received for any purpose of the Village and forward any such monies received to the Village Treasurer.

(H) The Village Collector shall make and return to the President a semi-annual report verified by affidavit of all fees and other compensation received by the Collector pursuant to 65 ILCS 5/3.1-35-125.

(I) In addition to the duties herein described, the Village Collector shall perform other such duties that may be required by the Board of Trustees of the Village by written resolution.

SECTION 31.47 COMPENSATION.

The Village Collector shall receive as compensation for service as Village Collector a salary as set from time to time by a Resolution of the Board of Trustees. (65 ILCS 5/3.1-50-10)

The Village Collector shall be entitled to receive reimbursement from the municipality for expenses actually incurred in the course of the duties as the Village Collector.

The compensation of the Village Collector may be increased but shall not be decreased so as to take effect with the term for which the appointed Village Collector was appointed.

OTHER APPOINTED OFFICIALS

SECTION 31.50 BUILDING INSPECTOR.

The Building Inspector shall have the following powers, duties, and responsibilities:

Those enumerated in the zoning and subdivision regulations of the Stanford Municipal Code as contained in Title XV, Chapter 151.

The Building Inspector shall be entitled to compensation that is established by the Board of Trustees through special ordinance.

SECTION 31.51 DIRECTOR OF COMMUNITY DEVELOPMENT.

The Director of Community Development shall have the following powers, duties, and responsibilities:

Those of the Civil Defense Director (Emergency Services and Disaster Director);

Additional duties as assigned.

SECTION 31.52 MEMBER OF THE ZONING BOARD OF APPEALS.

The Zoning Board of Appeals, by and through its appointed members, shall have the powers, duties, and responsibilities as enumerated in the zoning and subdivision regulations of the Stanford Municipal Code for the Village of Stanford as contained in Title XV.

Members of the Zoning Boards of Appeals shall be entitled to compensation that is established by the Board of Trustees through special ordinance.

SECTION 31.53 APPOINTMENT OF OTHER VILLAGE OFFICIALS.

The President, with the advice and consent of the Board of Trustees, shall appoint such other officers and commissioners as may be designated by ordinance. (65 ILCS 5/3.1-30-5)

Ordinances of the Village of Stanford

SECTION 31.54 DUTIES AND FEES; BOND.

The duties, fees, and bond amounts of the officers appointed pursuant to Section 31.54 will be so designated by ordinance and may be changed by ordinance. (65 ILCS 5/3.1-45-10)

Ordinances of the Village of Stanford

CHAPTER 32: BOARD OF TRUSTEES

Section

General Provisions

- 32.01 Composition
- 32.02 Trustees; Election; Term; Vacancies
- 32.03 Powers, duties, and responsibilities
- 32.04 Compensation

Rules of Procedure

- 32.20 Proceedings before the Board of Trustees
- 32.21 Presiding officer
- 32.22 Meetings
- 32.23 Deferral of committee reports

Ordinances

- 32.40 Ordinances and rules to execute powers
- 32.41 Ordaining clause
- 32.42 Vote required; Method of voting
- 32.43 Approval, Disapproval by President
- 32.44 Reconsideration
- 32.45 Publication requirements; Effective date
- 32.46 Recordation
- 32.47 Revision
- 32.48 Adoption of codes and public records by reference

Standing Committees

- 32.60 Committee structure
- 32.61 Water Committee
- 32.62 Streets and Alleys Committee
- 32.63 Police Committee
- 32.64 Health, Sanitation and Safety Committee
- 32.65 Drainage Committee
- 32.66 Community Development Committee
- 32.67 Finance Committee
- 32.68 Creation of new committees

Ordinances of the Village of Stanford

GENERAL PROVISIONS

SECTION 32.01 COMPOSITION.

The Board of Trustees shall consist of the Village President and six Trustees. It shall meet in accordance with the Open Meetings Act, 5 ILCS 120/1 et seq. The Village Clerk on behalf of the Board shall keep a journal of its own proceedings. (65 ILCS 5/3.1-40-5)

SECTION 32.02 TRUSTEES; ELECTION; TERM; VACANCIES.

(A) Except as otherwise provided in 65 ILCS 5/3.1-25-10, the electors of the Village shall elect six Trustees. The term of office shall be four years and until their successors are elected and have qualified. Three Trustees shall be elected at the consolidated election in each odd numbered year for a term of four years. Elections and primary elections shall be conducted pursuant to the Illinois Election Code, 10 ILCS 5.

(B) Whenever a vacancy in the office of a Trustee occurs during his term, the vacancy shall be filled for the remainder of the term at the next consolidated election as provided in 65 ILCS 5/3.1-10-50. During the period from the time that the vacancy occurs until a Trustee is elected, as provided in this Section, and has qualified, the vacancy may be filled by the appointment of a Trustee by the President and remaining Trustees, voting jointly. If there is a failure to elect any Village officer, or the person elected fails to qualify, the person filling the office shall continue in office until his successor has been elected and has qualified. (65 ILCS 5/3.1-10-50, 65 ILCS 5/3.1-15-5, and 65 ILCS 5/3.1-25-5)

Qualifications, Section 31.01

Oath Requirement, Section 31.02 (A) and (B)

SECTION 32.03 POWERS, DUTIES, AND RESPONSIBILITIES.

(A) The Board of Trustees shall constitute the legislative branch of the Village's government. The Board shall possess all powers and perform and fulfill all duties and responsibilities conferred or imposed by law on the Board of Trustees and as set forth in 65 ILCS. The obligations with respect to the oath or affirmation of office, the posting of surety bonds, and the filing of economic disclosure statements shall be proscribed by law. The Board of Trustees shall also possess all power and perform and fulfill all duties and responsibilities conferred on the Board of Trustees by Village ordinance, including those enumerated in this code. It shall pass ordinances, resolutions, and motions in the same manner as a city council. The President of the Board of Trustees may exercise the same veto power, and with like effect, as set forth herein. The Trustees may pass ordinances, resolutions, and motions over his veto power as set forth herein. (65 ILCS 5/3.1-45-5)

(B) The Board shall be the sole judge of the election to office of the Trustees. It shall also be the sole judge whether Trustees are eligible to their offices in accordance with 65 ILCS 5/3.1-10-5. However, a court shall not be prohibited from hearing and determining a proceeding quo warrant. (65 ILCS 5/3.1-40-10)

(C) The Board shall determine its own rules of proceeding and punish its members for disorderly conduct. With the concurrence of two-thirds of the Trustees elected, the Board may expel a Trustee, but not a second time for the same offense. (65 ILCS 5/3.1-40-15)

(D) The Board may prescribe by ordinance the times and places of the Board meetings, and the manner in which special Board meetings may be called. The President or any two Trustees may call special meetings of the Board. In addition to any notice requirements prescribed by the Board, public notice of meetings must be given as prescribed in 5 ILCS 120/2.02 and 5 ILCS 120/2.03. (65 ILCS 5/3.1-40-25)

(E) In the absence of the President, acting President or President Pro Tem, the Board may elect a Trustee to act as a temporary chairman pursuant to Section 32.21 following. He shall have only the powers of a presiding officer and a right to vote in his capacity as Trustee on any ordinance, resolution, or motion. (65 ILCS 5/3.1-35-35)

Ordinances of the Village of Stanford

(F) Members of the Board of Trustees shall attend and faithfully discharge their responsibilities as a member of the Board of Trustees. Voting requirements shall be those provided by law.

(G) Members of the Board of Trustees shall serve on, and if named President, chair such Board committees as the Village President may designate.

(H) To the extent a member of the Board of Trustees chairs a Board committee which has the supervisory responsibility over one or more particular Village employees, that member shall have the power and authority to supervise and direct that employee.

SECTION 32.04 COMPENSATION.

(A) Members of the Board of Trustees shall receive the compensation prescribed by special ordinance at least two months prior to the election in which voting is held for such Trustee's office. The salary shall be payable in quarterly installments which shall be paid at the first regular Board meeting. (65 ILCS 5/3.1-50-10)

(B) Such ordinance shall specify whether Trustees are to be compensated at an annual rate or for each meeting of the Board of Trustees actually attended by each Trustee.

(C) If authorized in advance by the Board of Trustees, each Trustee shall receive reimbursement from the Village for expenses incurred in attending meetings of the Board of Trustees or for such other expenses as may be incurred by the Trustee when in the course of his duties as Trustee. (65 ILCS 5/3.1-50-10)

RULES OF PROCEDURE

SECTION 32.20 PROCEEDINGS BEFORE THE BOARD OF TRUSTEES.

(A) Rules of Order. The current edition of Robert's Rules of Order shall govern the conduct and deliberations of the Board of Trustees except when in conflict with any provisions of this code or with the provisions of any statute of the State of Illinois; provided however, that the Board may adopt rules of order revising, repealing, amending, supplementing, or supplanting, in whole or in part, Robert's Rules of Order. Each new Board, upon inauguration of the Village officers newly elected at any consolidated election, shall have the right by a majority vote of the Board of Trustees to repeal, amend, or replace any rules of order adopted by a previous Board.

(B) Addressing Meetings. It shall be unlawful for any person to address or attempt to address any regular or special meeting of the Board except upon the consent of the President or with the consent of a majority of the members present.

(C) Disturbing Meetings. It shall be unlawful for any person to knowingly do any act or engage in any conduct which disrupts, disturbs, or interferes with the orderly presentation and transaction of business pending before the Board of Trustees or any committees or to continue any such act or conduct after being declared out of order by the officer presiding at the meeting. Any person doing such acts or engaging in such conduct shall be subject to the general penalty provisions of this code and may be summarily ejected from the meeting and the Village Hall.

SECTION 32.21 PRESIDING OFFICER.

The Village President shall be the presiding officer at all regular and special meetings of the Board of Trustees and at all times when the Board meets as a committee of the whole. He shall not vote on any ordinance, resolution, or motion except where the vote of the Board of Trustees has resulted in a tie; or where one half of the Board of

Ordinances of the Village of Stanford

Trustees elected have voted in favor of an ordinance, resolution, or motion even though there is no tie vote; or where a vote greater than the majority of the Board of Trustees is required to adopt an ordinance, resolution, or motion. In each instance specified, the President shall vote. Nothing in this Section shall deprive an acting President or President Pro Tem from voting in his capacity as Trustee, but he shall not be entitled to another vote in his capacity as acting President or President Pro Tem. (65 ILCS 5/3.1-40-30)

(A) In the temporary absence of the Village President, for such length of time as to warrant the appointment of a fully empowered replacement or in the case of physical or mental inability to perform the duties of his office, the Board of Trustees may appoint a President Pro Tem.

(B) If a majority of the Board members present at a regular meeting, or a meeting specially called by any member, agree at such meeting that an emergency exists within the municipality during (1) a vacancy in the office of the President, or (2) the temporary absence of the President from the municipality, then the Board may appoint a member of the Board to exercise the duties of the President until (a) a vacancy in the office ceases to exist pursuant to Section 31.20 of this code, (b) the return of the President, or (c) such time as the Board revokes the appointment of the member.

SECTION 32.22 MEETINGS.

(A) Regular Meetings. Regular meetings of the Board of Trustees shall be held at 7:00 P.M. at least once a month. The Board of Trustees of the Village each year shall establish a regular meeting schedule. The Board shall also give public notice of such schedule stating the dates, times, and places of such meetings. The regular meeting place of the Board shall be at the Stanford Village Hall, Stanford, Illinois, unless otherwise ordered by the Board. No other notice of time and place of regular meetings shall be required. (5 ILCS 120/2.02)

(B) Special Meetings. Special meetings may be called by the Village President or any two Trustees upon notice and compliance with the Illinois Open Meetings Act. Public notice of any special meeting except a meeting held in the event of a bona-fide emergency, or of any rescheduled regular meeting or of any reconvened meeting shall be given at least 48-hours notice before such meeting, specifying the date, time, place, and purpose of the special meeting to the President and all other members of the Board. If, however, the President and all of the Trustees are present at a regular meeting during which a special meeting is called or at such special meeting, such notice requirements shall be waived. However, the requirement of public notice of reconvened meetings does not apply to any case where the meeting was open to the public and 1) it is to be reconvened within 24 hours or 2) an announcement of the time and place of the reconvened meeting was made at the original meeting and there is no charge in the agenda. (5 ILCS 120/2.02)

(1) The Village Clerk is hereby authorized and directed to give such notices of regular and special meetings as are required to comply with the Illinois Open Meetings Act.

(C) The Order of business of the Board of Trustees of the Village of Stanford shall be as follows:

- (1) Pledge of Allegiance
- (2) Roll Call
- (3) Approval or correction of minutes of preceding meetings
- (4) Treasurer's Report
- (5) Approval of new bills and ratification of previous payments
- (6) Public concerns
- (7) Committee reports and concerns
- (8) Attorney's Report

Ordinances of the Village of Stanford

(9) Other business

(10) Adjournment

SECTION 32.23 DEFERRAL OF COMMITTEE REPORTS.

Upon the request of any two Trustees present, any report of a committee of the Board shall be deferred, for final action, thereon, to the next regular meeting of the Board after the report is made. (65 ILCS 5/3.1-40-35)

ORDINANCES

SECTION 32.40 ORDINANCES AND RULES TO EXECUTE POWERS.

The Board of Trustees may pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to the Village, with such fines or penalties as may be deemed proper, provided that no fine or penalty shall exceed \$750.00 except civil penalties provided for failure to make returns or to pay any taxes levied by the Village. A penalty imposed for the violation of an ordinance may include or consist of a requirement that the defendant perform some reasonable public service work such as but not limited to the picking up of litter in public parks or along public highways or the maintenance of public facilities. (65 ILCS 5/1-2-1)

SECTION 32.41 ORDAINING CLAUSE.

The ordaining clause of ordinances shall be: "Be it ordained by the President and the Board of Trustees of the Village of Stanford." (65 ILCS 5/1-2-2)

SECTION 32.42 VOTE REQUIRED; METHOD OF VOTING.

(A) The passage of all ordinances for whatever purpose, and of any resolution or motion to create any liability against the Village or for the expenditure or appropriation of its money, shall require the concurrence of a majority of all members then holding office on the Board of Trustees, including the President. (65 ILCS 5/3.1-40-40)

(B) The yeas and nays shall be taken upon the question of the passage of the designated ordinances, resolutions, or motions and recorded in the journal of the Board. (65 ILCS 5/3.1-40-40)

(C) Likewise, the yeas and nays shall be taken upon the question of the passage of any other resolution or motion at the request of any Trustee and shall be recorded in the journal. (65 ILCS 5/3.1-40-40)

SECTION 32.43 APPROVAL, DISAPPROVAL BY PRESIDENT.

All resolutions and motions which create any liability against the Village or which provide for the expenditure or appropriation of its money, or to sell any Village property, and all ordinances passed by the Board of Trustee, shall be deposited with the Clerk. If the President approves of them, he shall sign them. Those of which he disapproves,

Ordinances of the Village of Stanford

he shall return to the Board of Trustees, with his written objections, at the next regular meeting of the Board occurring not less than five days after their passage. The President may disapprove of any or more sums appropriated in any ordinance, resolution, or motion making an appropriation, and, if so, the remainder shall be effective. However, the President may disapprove entirely of an ordinance or any specified resolution or motion with his written objections, within the designated time, it shall become effective despite the absence of his signature. (65 ILCS 5/3.1-40-45)

SECTION 32.44 RECONSIDERATION.

(A) Every resolution and motion specified, specified in Section 32.43, and every ordinance, which is returned to the Board of Trustees by the President shall be reconsidered by the Board of trustees at the next regular meeting. If, after such reconsideration, two-thirds of all the Trustees then holding office on the Board shall agree at such regular meeting to pass an ordinance, resolution, or motion, notwithstanding the President's refusal to approve it, then it shall be effective. The vote on the question of passage over the President's veto shall be by yeas and nays, and shall be recorded in a journal. (65 ILCS 5/3.1-40-50)

(B) No vote of the Board of Trustees shall be reconsidered or rescinded at a special meeting, unless there are present at the special meeting as many Trustees as were present when the vote was taken. (65 ILCS 5/3.1-40-55)

SECTION 32.45 PUBLICATION REQUIREMENTS; EFFECTIVE DATE.

(A) All ordinances imposing any fine, penalty, imprisonment, or forfeiture, or making any appropriation, shall be printed or published in book or pamphlet form, published by authority of the Board of Trustees, or be published at least once, within 30 days after passage, in one or more newspapers published in the Village, or if no newspaper is published therein, then in one or more newspapers with a general circulation within the Village. If there is an error in printing, the publishing requirement of this Section shall be accomplished by reprinting that portion of the ordinance, which was in error as above enumerated within 30 days after passage is validated.

(B) Except as provided in 65 ILCS 5/1-2-4, no such ordinance shall take effect until ten days after it is so published.

(C) Anything in this Section to the contrary notwithstanding, any ordinance which contains a statement of its urgency in the preamble or body thereof, other than an ordinance relating to finance, appropriations, or taxes, adopted under 65 ILCS 5/8-1-1 may take effect immediately upon its passage provided that the Board of Trustees, by a vote of two-thirds of all members then holding office, so direct. The decision of the Board of Trustees as to the urgency of any ordinance shall not be subject to judicial review except for an abuse of discretion. (65 ILCS 5/1-2-4)

SECTION 32.46 RECORDATION.

The Clerk shall record, in a book used exclusively for that purpose, all ordinances passed by the Board of Trustees. Immediately following each ordinance, the Clerk shall make a memorandum of the date of the passage and of the publication, or posting where required, of the ordinance. This record and memorandum, or a certified copy thereof, shall be prima facie evidence of the contents, passage, and of the publication or posting of ordinances. (65 ILCS 5/1-2-5)

SECTION 32.47 REVISION.

The President may appoint, by and with the advice and consent of the Board of Trustees, one or more competent persons to prepare and submit to the Board of Trustees for adoption or rejection, an ordinance to revise the Village ordinances. The compensation for this revision shall be fixed by the Board of Trustees and paid out of the Village treasury. (65 ILCS 5/1-2-3)

Ordinances of the Village of Stanford

SECTION 32.48 ADOPTION OF CODES AND PUBLIC RECORDS BY REFERENCE.

(A) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Public Record. Any village, state, or federal statute, rule, or regulation and any ordinance or resolution of McLean County, adopted prior to the exercise by the Village of the authority to incorporate by reference herein granted; however, this definition shall not include the village ordinances, rules, or regulations of any village except those of the Village of Stanford when exercising the right to incorporate by reference, nor shall this definition include the state laws, rules, or regulations of any state other than the State of Illinois.

Published. Printed, lithographed, multigraphed, mimeographed, or otherwise reproduced.

Regulations. Any published compilation of rules and regulations which have been prepared by nationally recognized technical trade or service associations and shall include specifically, building codes; plumbing codes; electrical wiring codes; fire prevention codes; codes for the slaughtering, processing, and selling of meats and meat products for human consumption; codes for the production, pasteurizing, and sale of milk and milk products.

(B) The Village is hereby authorized to adopt by reference, as criteria for the issuance of construction, reconstruction, alteration, or installation permits, the provisions of any regulations or portions of any regulations as defined in Division (A) of this Section, without setting forth the provisions of such regulations in full, provided that at least three copies of such regulations which are incorporated or adopted by reference are filed in the office of the Clerk and there kept for public use, inspection, or examination. The Village is likewise authorized and empowered to adopt by reference the provisions of any public records, provided, likewise, that three copies of such public record are kept on file in the office of the Clerk as provided above for regulations. The filing requirement herein prescribed shall not be deemed to be complied with unless the required copies of such regulations or public records are filed with the Clerk for a period of 30 days prior to adoption of the ordinance, which incorporates such regulations or public records, by reference. No regulations or public record of any jurisdiction other than the State shall be adopted hereunder covering any subject matter for which standards are available in any public record of the State. (65 ILCS 5/1-3-2)

(C) Any codes adopted by the Village pursuant to Division (B) preceding shall be so adopted by ordinance amending Division (C) herein and shall hereafter listed upon their adoption.

1. Illinois Plumbing Code, 77 Ill. Adm. Code 890
2. The Illinois Motor Vehicle Code, 625 ILCS 5

Statutory Reference: Incorporation by reference of technical codes and public records, 50 ILCS 220/1 through 50 ILCS 220/7.

STANDING COMMITTEES

SECTION 32.60 COMMITTEE STRUCTURE.

The following committees are created for the purpose of assisting the President and the Board of Trustees in the administration of the Village's affairs. Each committee shall have those powers, duties, and responsibilities enumerated hereunder in this code. Members shall be appointed as provided in Section 31.21 of this Stanford Municipal Code.

SECTION 32.61 WATER COMMITTEE.

Ordinances of the Village of Stanford

The powers, duties, and responsibilities of the Water Committee shall include but not be limited to the following:

- (A) To operate and maintain Village water wells, treatment plant, storage facilities, and distribution mains.
- (B) To implement and carry out the responsibilities set forth in Title V, Chapter 50 herein.
- (C) To serve as the hearing board described in Title V, Chapter 50 herein.
- (D) To supervise the Village Water Plant Operator and the Superintendent of Public Works in the performance of their duties and responsibilities related to the Village's water wells, water plant, storage facilities, and distribution mains.
- (E) To supervise any other employee of the Village in the performance of his duties and responsibilities as they relate to the Village's water wells, water plan, storage facilities, and distribution mains.

SECTION 32.62 STREETS AND ALLEYS COMMITTEE.

The powers, duties, and responsibilities of the Streets and Alleys Committee shall include but not be limited to the following:

- (A) To provide maintenance on all Village streets and public ways.
- (B) To provide snow removal on all Village streets and public ways.
- (C) To review and make recommendations with the respect to new streets or street extensions.
- (D) To supervise the Village Water Plant Operator and the Superintendent of Public Works in the performance of their duties and responsibilities related to the Village's water wells, water plant, storage facilities, and distribution mains.
- (E) To supervise any other employee of the Village in the performance of his duties and responsibilities as they relate to the Village's water wells, water plan, storage facilities, and distribution mains.

SECTION 32.63 POLICE COMMITTEE.

The powers, duties, and responsibilities of the Police Committee shall include but not be limited to the following:

- (A) To supervise the Chief of Police.
- (B) To interpret and apply the provisions of the Police Department Rules and Regulations as contained in Chapter 38 of this code.
- (C) To apply and interpret the "non-health related nuisance provisions" of this code.
- (D) To foster and promote professional police activities.

SECTION 32.64 HEALTH, SANITATION AND SAFETY COMMITTEE.

The powers, duties, and responsibilities of the Health, Sanitation and Safety Committee shall include but not be limited to the following:

- (A) To administer the provisions of this code relating to weeds, junk, junk vehicles and debris, garbage, abandoned buildings, rats, cruelty to animals, open wells, mosquito abatement, and health and sanitation nuisances.

Ordinances of the Village of Stanford

SECTION 32.65 DRAINAGE COMMITTEE.

The powers, duties, and responsibilities of the Drainage Committee shall include but not be limited to the following:

(A) To resolve disputes and problems arising under provisions of this code relating to storm water drainage, field tile, and standing water.

SECTION 32.66 COMMUNITY DEVELOPMENT COMMITTEE.

The powers, duties, and responsibilities of the Community Development Committee shall include but not be limited to the following:

(A) To encourage beautification, economic development, and provision of essential human services within the Village.

SECTION 32.67 FINANCE COMMITTEE.

(A) There shall be a staff committee known as the "Finance Committee" which shall be comprised of the President and the entire Board of Trustees.

(B) The duties and responsibilities of the Finance Committee shall include preparation of the budget, appropriation and tax levy, payment of bills, planning responsibility, and general administrative responsibility.

SECTION 32.68 CREATION OF NEW COMMITTEES.

The President may from time to time create new or additional advisory committees. Such committees shall be empowered and directed by the President and the Board of Trustees.

CHAPTER 33: EMPLOYMENT POSITIONS

Section

Chief of Police

33.01 Powers, Duties, and Responsibilities

33.02 Compensation

Village Water Plant Operator

Ordinances of the Village of Stanford

33.10 Powers, Duties, and Responsibilities

33.11 Compensation

Superintendent of Streets

33.20 Powers, Duties, and Responsibilities

33.21 Compensation

Police Officers

33.25 Police training standards

CHIEF OF POLICE

SECTION 33.01 POWERS, DUTIES, AND RESPONSIBILITIES.

The Chief of Police shall have the following powers, duties, and responsibilities:

- (A) To show direct supervision of all subordinate officers of the Village, including relief night town watchmen, special police, and all other personnel assigned to the Police Department under the Police Department Rules and Regulations as adopted by the Board of Trustees.
- (B) To provide and give full cooperation to any other law enforcement agency of the federal, State, or County governments.
- (C) To be charged with the enforcement of the laws of the United States, the State of Illinois, and the County of McLean, and the Stanford Municipal Code or Ordinances of the Village of Stanford, and his department is charged with the safeguarding of the lives and property of all the citizens of the Village of Stanford.
- (D) To familiarize himself with the Stanford Municipal Code or the Ordinances of the Village of Stanford, laws, and regulations of the Village of Stanford, and be charged with the enforcement of said laws, in accordance with and pursuant to the Police Department Rules and Regulations as adopted by the Board of Trustees. Three copies of the Police Department Rules and Regulations shall be maintained and made available for public inspection or may be copied at the Village Hall.
- (E) To be on call for twenty-four hours per day, if needed and shall, therefore, at all times carry a weapon.
- (F) To be the administrative officer for the enforcement of ordinances regulating stray dogs.
- (G) To perform such other duties and responsibilities as may be assigned by the President, Police Department, Community Development and Emergency Services Committee, or by ordinance of the Village.
- (H) To maintain and not less frequently than monthly, turn over to the Chairman of the Police Committee and President, an accurate log of all Village police activities.
- (I) To be subject to the general supervision and direction of the Village President, or the Chairman of the Police Committee to the extent that the President's supervisory authority is delegated to that individual.

SECTION 33.02 COMPENSATION.

Ordinances of the Village of Stanford

The Chief of Police of the Village of Stanford, if he diligently and competently performs the duties and responsibilities prescribed by this code, shall be entitled to the salary and benefits specified annually by motion of the Board of Trustees.

VILLAGE WATER PLANT OPERATOR

SECTION 33.10 POWERS, DUTIES, AND RESPONSIBILITIES.

The Village Water Plant Operator shall have a Class B Water License and shall have the following powers, duties, and responsibilities:

- (A) With the consent and authorization of the President of the Board of Trustees or the Chairman of the Water Committee, to hire and in all cases to thereafter direct and supervise subordinate officers and employees of the Village.
- (B) To repair and maintain the Village's water plant and to add and install equipment as directed by the Board of Trustees.
- (C) To maintain the integrity of the Village water plant and to direct the analyzing of the Village's water supply to monitor and ensure its quality.
- (D) To maintain Village equipment.
- (E) To recommend to the Village Board additions, maintenance, or repairs to Village equipment, water, and drainage systems which are beyond his expertise and capability.
- (F) To be subject to the general supervision and direction of the Village President and the Chairman of the Water Committee and shall perform and carry out such additional duties and responsibilities as are assigned or required by law.

SECTION 33.11 COMPENSATION.

The Village Water Plant Operator, if he diligently and competently performs his duties and responsibilities prescribed by this code and any other requirements imposed by a then-current employment contract between the Village and the employee, he shall be entitled to the salary and benefits specified annually by motion of the Board of Trustees.

SUPERINTENDENT OF STREETS

SECTION 33.20 POWERS, DUTIES, AND RESPONSIBILITIES.

The Village Superintendent of Streets shall have the following powers, duties, and responsibilities:

Ordinances of the Village of Stanford

- (A) To maintain all streets and alleys by spreading gravel, patching blacktop, cleaning out and reshaping drainage ditches and culverts, and replacing culverts as needed.
- (B) To recommend to the Board additions, maintenance, or repairs to the Village equipment and the Village's street and drainage systems which are beyond his expertise or capability.
- (C) To spread cinders, spread salt, and perform snow removal on streets and alleys, as weather conditions warrant.
- (D) To mow weeds and grass on Village property and on private property at the direction of the Board of Trustees.
- (E) To assist the Water Plant Operator when he needs aid and to maintain the water plant when the operator is not working.
- (F) To maintain and repair all existing water mains and fire hydrants.
- (G) To install any new water mains and fire hydrants.
- (H) To install new water services and repair existing services of water customers.
- (I) To read water meters as directed by the Board of Trustees.
- (J) To secure the water plant at all times and return and store all Village equipment in the Maintenance Building at the conclusion of each working day and specifically to see that the South room in the water plant is locked at all times and that the North room is locked when employees are not present.
- (K) To maintain Village equipment.
- (L) To participate with the Village Clerk and a member of the Board in compilation of the annual parts inventory.
- (M) To attend meetings of the Board of Trustees as requested.
- (N) To be subject to the general supervision and direction of the Village President and the Chairman of the Streets and Alleys Committee and to perform and carry out such additional duties and responsibilities as assigned by the Village President, the Chairman of the Streets and Alleys Committee, or by the Board of Trustees. Refer to Section 31.21 (F).

SECTION 33.21 COMPENSATION.

The Village Superintendent of Streets, if he diligently and competently performs the duties and responsibilities prescribed by this code and any other requirements imposed by a then-current employment contract between the Village and the employee, shall be entitled to the salary and benefits specified annually by motion of the Board of Trustees.

POLICE OFFICERS

SECTION 33.25 POLICE TRAINING STANDARDS.

Ordinances of the Village of Stanford

All police officers shall be qualified to enter and successfully complete any training mandated by the Illinois Law Enforcement Training Standards Board or any State agency that subsequently becomes a successor to the Illinois Law Enforcement Training Standards Board. Further, all police officers must possess a valid driver's license, must be a United States citizen with no felony convictions, and must be at least 21 years of age.

CHAPTER 34: INDEPENDENT CONTRACTORS

Section

Village Attorney

34.01 Duties and responsibilities

34.02 Compensation

Village Engineer

34.10 Duties and responsibilities

34.11 Compensation

Village Auditor

34.20 Duties and responsibilities

34.21 Compensation

VILLAGE ATTORNEY

SECTION 34.01 DUTIES AND RESPONSIBILITIES.

The Village Attorney shall have the following duties and responsibilities:

(A) The Village Attorney shall prosecute or defend any and all such suits or actions at law or equity to which the Village may be a party, including special assessments and condemnations, or in which it may be interested, or which may be brought against or by an officer, agent, or employee of the Village on behalf of the Village, or in capacity of such person as an officer, agent, or employee of the Village.

(B) It shall be the duty of the Village Attorney to see to the full enforcement of all judgments, decrees, and orders rendered or entered in favor of the Village.

(C) The Village Attorney shall be the legal advisor of the Village and shall render advice on all legal questions affecting the Village, whenever requested to do so by any Village official. Upon request of the President or any member of the Board of Trustees, he shall reduce any opinion in writing.

(D) It shall be the duty of the attorney to draft or supervise the language of any contract, lease, or other documents or instruments, to which the Village may be a party; and upon request of the President or any member of the Board of Trustees, to draft ordinances covering any subjects within the power of the Village.

Ordinances of the Village of Stanford

(E) Such other duties and responsibilities as may be prescribed in any retainer agreement, retainer resolution, or contract for services.

SECTION 34.02 COMPENSATION.

A person holding the Village Attorney position who diligently and competently performs the duties and responsibilities prescribed by this code and any other requirements imposed by a then-current contract or retainer resolution or agreement, the attorney shall be entitled to the compensation and benefits specified in that contract or retainer resolution or agreement.

VILLAGE ENGINEER

SECTION 34.10 DUTIES AND RESPONSIBILITIES.

The Village Engineer shall have the following duties and responsibilities:

(A) The Village Engineer shall keep accurate maps, plats, and records of all public works, lands, and property owned by the Village of Stanford and provide copies as requested.

(B) He shall advise the President, the Board of Trustees, and Village officials on all engineering matters referred to him.

(C) He shall from time to time as required by the President and Board of Trustees, make reports regarding public improvements, repairs of streets, bridges, and sidewalks, or other such work as they may request, and shall make such suggestions to the Village regarding the same, as shall in his judgment seem best and proper.

(D) He shall perform such duties as are provided by law and ordinance, and in addition thereto, such other duties as from time to time may be imposed upon him by the President and the Board of Trustees, including those imposed in any agreement or contract for services.

SECTION 34.11 COMPENSATION.

Any person holding the Village Engineer position who diligently and competently performs the duties and responsibilities prescribed by this code and any other requirements imposed by a then-current contract or agreement between the Village and the engineer shall be entitled to the compensation and benefits specified in that contract or agreement.

VILLAGE AUDITOR

SECTION 34.20 DUTIES AND RESPONSIBILITIES.

The Village Auditor shall have the following duties and responsibilities:

Ordinances of the Village of Stanford

- (A) To review the financial books, records, and accounts of the Village, including those pertaining to bonded indebtedness of the Village.
- (B) To prepare and submit to the State such audit or audit report as may be required by the Village of Stanford under the Illinois Municipal Auditing Law or otherwise required by law and to provide the Village sufficient copies of the audit for the President, the members of the Board of Trustees, the Clerk, the Treasurer and three additional copies for public information and use.
- (C) To recommend to the President, the Board of Trustees, and the Village Treasurer changes and alterations or to its financial record keeping practices and procedures which, in the opinion of the auditor, would conform the Village's financial record keeping more closely with accepted municipal accounting procedures.
- (D) To do and perform such other duties and responsibilities as may be prescribed in any retainer agreement, retainer resolution, or contract for services.

SECTION 34.21 COMPENSATION.

A person or firm holding the Village Auditor position who diligently and competently performs the duties and responsibilities prescribed by this code and any other requirements imposed by a then-current contract between the Village and the firm shall be entitled to the compensation and benefits specified in that contract.

CHAPTER 35: FINANCE AND REVENUE

Section

General Provisions

- 35.01 Administration of finances
- 35.02 Annual appropriation ordinance
- 35.03 Supplemental appropriation; Transfers
- 35.04 Limitations; Emergency; Borrowing
- 35.05 Levy and collection of taxes
- 35.06 Annual audits and reports
- 35.07 Contracts

Municipal Utility Tax

- 35.15 Definitions
- 35.16 Tax imposed
- 35.17 Electricity amendment
- 35.18 Tax imposed
- 35.19 Exceptions
- 35.20 Additional taxes
- 35.21 Collection
- 35.22 Reports to municipality
- 35.23 Credit for overpayment
- 35.24 Statute of limitations

Ordinances of the Village of Stanford

Telecommunications Infrastructure Maintenance Fee

- 35.30 Definitions
- 35.31 Registration of telecommunications providers
- 35.32 Municipal telecommunications infrastructure maintenance fee
- 35.33 Collection, enforcement, and administration of telecommunications infrastructure maintenance fees
- 35.34 Compliance with other laws
- 35.35 Existing franchises and licenses
- 35.36 Enforcement
- 35.37 Severability
- 35.38 Conflict

Investment Policy

- 35.50 Policy
- 35.51 Scope
- 35.52 Prudence
- 35.53 Objective
- 35.54 Delegation of authority
- 35.55 Ethics and conflicts of interest
- 35.56 Authorized financial dealers and institutions
- 35.57 Authorized and suitable investments
- 35.58 Collateralization
- 35.59 Safekeeping and custody
- 35.60 Diversification
- 35.61 Maximum maturities
- 35.62 Internal control
- 35.63 Performance standards
- 35.64 Reporting
- 35.65 Marking to market
- 35.66 Investment Policy review
- 35.99 Penalty

GENERAL PROVISIONS

SECTION 35.01 ADMINISTRATION OF FINANCES; FISCAL YEAR.

- (A) The Board of Trustees shall control the finances of the Village of Stanford. (65 ILCS 5/8-1-1)
- (B) The fiscal year for the Village shall begin on May 1 of each year and shall end on April 30 of the following year.

SECTION 35.02 ANNUAL APPROPRIATION ORDINANCE.

- (A) The Board of Trustees shall pass a special ordinance within the first quarter of each fiscal year, to be termed the annual appropriation ordinance. In this ordinance, the Board shall appropriate such sums of money as are deemed necessary to defray all necessary expenses and liabilities of the Village, and shall specify the objects and

Ordinances of the Village of Stanford

purposes for which these appropriations are made, and the amount appropriated for each object or purpose. (65 ILCS 5/8-2-9)

(B) Except as provided in Section 35.03 following, no further appropriations shall be made at any other time within the same fiscal year, unless a proposition to make each additional appropriation has been first sanctioned by a petition signed by the electors of the Village numbering more than 50% of the number of votes cast for the candidates for President at the last preceding general Village election at which a President was elected, by a petition signed by them, or by a majority of those voting on the question at a regular election or at an emergency referendum authorized in accordance with the general election law. The Board of Trustees may, by ordinance, initiate the submission of such proposition. (65 ILCS 5/8-2-9)

(C) The Board of Trustees shall file with the County Clerk within 30 days of their adoption a certified copy of its appropriation and budget ordinances or resolutions, as well as an estimate, certified by the chief fiscal officer of the Village, of revenues, by source, anticipated to be received by the Village in the following fiscal year. Failure of the Board to file the required documents shall authorize the County Clerk to refuse to extend the tax levy imposed by the Board until such documents are so filed and upon giving timely notice of such failure to file to the Board by the County Clerk.

SECTION 35.03 SUPPLEMENTAL APPROPRIATION; TRANSFERS.

(A) The Board of Trustees may adopt a supplemental appropriation ordinance in an amount not in excess of the aggregate of any additional revenue available to the Village, or estimated to be received by the Village subsequent to the adoption of the annual appropriation ordinance for that fiscal year, or from fund balances available when the annual appropriation ordinance was adopted but which were not appropriated at that time. The provision of this Section prohibiting further appropriation without sanction by petition or election shall not apply to such supplemental appropriation for that fiscal year. (65 ILCS 5/8-2-9)

(B) The Board of Trustees at any time after the first half of each fiscal year by a two-thirds vote of all members of such body, may make transfers within any department or other separate agency of the Village government, of sums of money appropriated for one corporate object or purpose to another corporate object or purpose, but no appropriation for any object or purpose shall thereby be reduced below an amount sufficient to cover all obligations incurred or to be incurred against such appropriation. Nothing herein contained shall deprive the Board of Trustees of the power to provide for and cause to be paid from the funds of the Village any charge imposed by law without the action of the Board of Trustees, the payment of which is ordered by a court of competent jurisdiction. (65 ILCS 5/8-2-8 and 65 ILCS 5/8-2-9)

SECTION 35.04 LIMITATIONS; EMERGENCY; BORROWING.

(A) Neither the Board of Trustees nor any department or officer of the Village shall add to the Village expenditures in any fiscal year anything over and above the amount provided for in the annual appropriation ordinance of that year. No expenditure for any improvement to be paid for out of the General Fund of the Village shall exceed in any fiscal year the amount provided for that improvement in the annual appropriation ordinance. (65 ILCS 5/8-1-6)

(B) Nothing herein contained shall prevent the Board of Trustees, by two-thirds vote, from making additional appropriations for the purpose of making improvements or restorations, the necessity for which is caused by any casualty or accident happening after the annual appropriation ordinance is passed, nor from making additional appropriations necessary to meet any emergency, happening after and unforeseen at the time of passing the annual appropriation ordinance. ***Emergency***, as used in this Section, means a condition requiring immediate action to suppress or prevent the spread of disease, or to prevent or remove imminent danger to persons or property. For the purpose of providing for these additional appropriations, the Board of Trustees, by two-thirds vote, may authorize the President to borrow the amount of money necessary therefor for a space of time not extending beyond the close of the next fiscal year. The sum borrowed and the interest thereon, shall be added to the amount authorized to be raised in the next general tax levy and embraced therein. (65 ILCS 5/8-1-6)

Ordinances of the Village of Stanford

(C) Should a judgment be obtained against the Village, the President, under the sanction of the Board of Trustees, may borrow a sufficient amount to pay the judgment for a space of time not extending beyond the close of the next fiscal year. This sum and the interest thereon shall be added to the amount authorized to be raised in the general tax levy of the next year and embraced therein. (65 ILCS 5/8-1-6)

SECTION 35.05 LEVY AND COLLECTION OF TAXES.

The Board of Trustees shall levy and collect taxes for corporate purposes in the manner provided in 65 ILCS 5/8-3-1, and subject to the Truth in Taxation Act.

SECTION 35.06 ANNUAL AUDITS AND REPORTS.

(A) The Board of Trustees shall cause an audit of the funds and accounts of the Village to be made by an accountant as required. (65 ILCS 5/8-8-3)

(B) The Village, within six months after the close of each fiscal year, unless an extension is granted, shall file with the State Comptroller an audit report and supplemental report or a financial report as required. (65 ILCS 5/8-8-3 and 65 ILCS 5/8-8-4)

SECTION 35.07 CONTRACTS.

(A) No contract shall be entered into by the Village of Stanford for goods or services unless such contract is approved by resolution or ordinance duly passed by the Board of Trustees, except as hereafter provided.

(B) All contracts of the Village shall be signed by the President.

(C) No contract shall be approved for which there is no prior appropriation.

(D) Any work or other public improvement not paid for in whole or in part by special assessment or special taxation, when the expense thereof shall exceed \$5,000 shall:

1. Be let to the lowest responsible bidder after advertising for bids in one or more newspapers of general circulation within the Village or, in the case of public works, in such manner as may be established by the Board of Trustees after consultation with a registered professional engineer; or,

2. Let without bids if authorized by a vote of two-thirds of the Trustees then holding office, the President not voting.

Statutory Reference: General requirements for contracts, 65 ILCS 5/8-9-1; General requirements for contracts for water, 65 ILCS 5/11-124-1; Interest of Village officers in contracts, 65 ILCS 5/3-14-4 and 65 ILCS 5/4-8-6; Construction of public works by Village employees using purchased materials, 65 ILCS 5/8-9-1.

MUNICIPAL UTILITY TAX

SECTION 35.15 DEFINITIONS.

For the purpose of this Section and the imposing said tax, the following definitions or meanings shall apply:

Ordinances of the Village of Stanford

Gross Receipts. The consideration received for the transmission of messages, the consideration received for distributing, supplying, furnishing, or selling gas used for use or consumption and not for resale, and the consideration received for distributing, supplying, furnishing, or selling electricity for use or consumption and not for resale, and the consideration received for distributing, supplying, furnishing, or selling water for use or consumption and not for resale, and all other services rendered in connection therewith valued in money, whether received in money or otherwise, including cash, credit, services, and property of every kind and material and for all services rendered therewith, and shall be determined without any deduction on account of the service, produce or commodity supplied, the cost of materials used, labor or service costs, or any other expenses whatsoever.

Transmitting Messages. In addition to the usual and popular meaning of person-to-person communication, shall include the furnishing for a consideration of services or facilities (whether owned or leased), or both, to persons in connection with the transmission of messages where such persons do not, in turn, receive any consideration in connection therewith, but shall not include transmission of messages to the extent that any such services or facilities for the transmission of messages are furnished for a consideration, by such persons to other persons, for the transmission of messages.

SECTION 35.16 TAX IMPOSED.

(A) A tax is imposed on all persons engaged in the following occupations or privileges:

1. Persons engaged in the business of transmitting messages by electricity, i.e. telecommunications, at the rate of 5% of the gross receipts from such business originating within the corporate limits of the Village of Stanford.
2. Persons engaged in the business of distributing, supplying, furnishing, or selling gas for use or consumption within the corporate limits of the Village of Stanford, and not for resale, at the rate of 5% of the gross receipts thereon.
3. Persons engaged in the business of distributing, supplying, furnishing, or selling electricity for use or consumption within the corporate limits of the Village of Stanford, and not for resale, at the rate of 5% of the gross receipts thereon.
4. Persons engaged in the business of distributing, supplying, furnishing, or selling water for use or consumption within the corporate limits of the Village, and not for resale, at the rate of 5% of the gross receipts therefrom.

(B) Exemptions. None of the taxes authorized by this ordinance may be imposed with respect to any transaction in interstate commerce or otherwise to the extent to which such business may not, under the Constitution and Statutes of the United States, be made the subject of taxation by this State or any political subdivision thereof; nor shall any person engaged in the business of distributing, supplying, furnishing, and selling of gas, water, or electricity, or engaged in the business of transmitting messages, be subject to taxation under the provisions of this Section for such transactions as are or may become subject to taxation under the provisions of the "Municipal Retailers' Occupation Tax Act" authorized by 65 ILCS 5/8-11-1; nor shall any tax authorized by this Section be imposed upon any person engaged in the business unless such tax is imposed in like manner and at the same rate upon all persons engaged in the businesses of the same class in the municipality, whether privately or municipally owned or operated.

(C) Tax additional to other charges. Any of the taxes enumerated in this Section may be in addition to the payment of money, or value of products or compensation for the use of its streets, alleys, or other public places, or installation and maintenance therein, thereon, or thereunder of poles, wires, pipes, or other equipment used in the operation of the taxpayer's business.

(D) Return of taxpayer. Each taxpayer so affected shall make a return to the Village Clerk of Stanford stating:

1. Name of taxpayer;
2. Principal place of business of taxpayer;

Ordinances of the Village of Stanford

3. His gross receipts during those months upon the basis of which the tax was imposed;
4. Amount of tax;
5. Such other reasonable and related information as the corporate authorities may require.

On or before the first day of each month, each taxpayer making the return herein provided for shall, at the time of making such return, pay to the Village Treasurer the amount of tax herein imposed; provided that in connection with any return the taxpayer may, if he so elects, report and pay an amount based upon his total billings of business subject to the tax during the period for which the return was made (exclusive of any amounts previously billed) with prompt adjustments of later payments based upon any differences between such billings and taxable gross receipts.

(E) Overpayment. If it shall appear that an amount of tax has been paid which was not due under the provisions of this Section whether as a result of a mistake of fact or an error of law, then such amount shall be credited against any tax due, or to become due, under this Section from the taxpayer who made the erroneous payment; provided no amounts erroneously paid more than three years prior to the filing of a claim therefor shall be so credited.

SECTION 35.17 ELECTRICITY AMENDMENT.

Section 35.16 of the Stanford Municipal Code is hereby amended by deleting the word “electricity” each and every place that the said word appears effective on August 1, 1999 for residential customers and effective on the earlier of (1) bill issued prior to December 31, 2000 or (2) the date of the first bill pursuant to 220 ILCS Section 5/16-104 for non-residential customers.

SECTION 35.18 TAX IMPOSED.

(A) A tax is imposed on all persons engaged in the following occupations or privileges:

The privilege of using or consuming electricity acquired in a purchase at retail and used or consumed within the corporate limits of the municipality at the following rates, calculated on a monthly basis for each purchaser:

1. For the first 2,000 kilowatt-hours used or consumed in a month; 0.5388 cents per kilowatt-hour;
2. For the next 48,000 kilowatt-hours used or consumed in a month; 0.3533 cents per kilowatt-hour;
3. For the next 50,000 kilowatt-hours used or consumed in a month; 0.3180 cents per kilowatt-hour;
4. For the next 400,000 kilowatt-hours used or consumed in a month; 0.3091 cents per kilowatt-hour;
5. For the next 500,000 kilowatt-hours used or consumed in a month; 0.3003 cents per kilowatt-hour;
6. For the next 2,000,000 kilowatt-hours used or consumed in a month; 0.2826 cents per kilowatt-hour;
7. For the next 2,000,000 kilowatt-hours used or consumed in a month; 0.2782 cents per kilowatt-hour;
8. For the next 5,000,000 kilowatt-hours used or consumed in a month; 0.2738 cents per kilowatt-hour;
9. For the next 10,000,000 kilowatt-hours used or consumed in a month; 0.2694 cents per kilowatt-hour;
10. For all electricity used or consumed in excess of 20,000,000 kilowatt-hours in a month; 0.2650 cents per kilowatt-hour.

Ordinances of the Village of Stanford

The tax rates set forth in the preceding table will be used at least through December 31, 2008, are proportional to the rates enumerated in 65 ILCS 5/8-11-2 (as modified by Public Act 90-561), and do not exceed the revenue that could have been collected during 1997 using the rates enumerated in 65 ILCS 5/8-11-2 (as modified by Public Act 90-561).

(B) Pursuant to 65 ILCS 5/8-11-2, the rates set forth in subsection (A) above shall be effective:
(1) on August 1, 1998 for residential customers; and (2) on the earlier of (a) the last bill issued prior to December 31, 2000, or (b) the date of the first bill issued pursuant to 220 ILCS 5/16-104, for nonresidential customers.

(C) The provisions of Section 35.18 shall not be effective until August 1, 1999.

SECTION 35.19 EXCEPTIONS.

None of the taxes authorized by this ordinance may be imposed with respect to any transaction in interstate commerce or otherwise to the extent to which the business or privilege may not, under the Constitution and Statutes of the United States, be made the subject of taxation by this State or any political subdivision thereof; nor shall any persons engaged in the business of distributing, supplying, furnishing, or selling or transmitting gas, water, or electricity, or engaged in the business of transmitting messages, or using or consuming electricity acquired in a purchase at retail, be subject to taxation under the provisions of this ordinance for those transactions that are or may become subject to taxation under the provisions of the "Municipal Retailers' Occupation Tax Act" authorized by 65 ILCS 5/8-11-1; nor shall any tax authorized by this ordinance be imposed upon any person engaged in a business or on any privilege unless the tax is imposed in like manner and at the same rate upon all persons engaged in business of the same class in the municipality, whether privately or municipally owned or operated, or exercising the same privilege within the municipality.

SECTION 35.20 ADDITIONAL TAXES.

Such tax shall be in addition to other taxes levied upon the taxpayer or its business.

SECTION 35.21 COLLECTION.

The tax authorized by this ordinance shall be collected from the purchaser by the person maintaining a place of business in this State who delivers the electricity to the purchaser. This tax shall constitute a debt of the purchaser to the person who delivers the electricity to the purchaser and if unpaid, is recoverable in the same manner as the original charge for delivering the electricity. Any tax required to be collected pursuant to this ordinance and any such tax collected by a person delivering electricity shall constitute a debt owed to the municipality by such person delivering the electricity. Person delivering electricity shall collect the tax from the purchaser by adding such tax to the gross charge for delivering the electricity. Persons delivering electricity shall also be authorized to add to such gross charge an amount equal to 3% of the tax to reimburse the person delivering the electricity for the expense incurred in keeping records, billing customers, preparing and filing returns, remitting the tax and supplying data to the municipality upon request. If the person delivering electricity fails to collect the tax from the purchaser, then the purchaser shall be required to pay the tax directly to the municipality in the manner prescribed by the municipality. Persons delivering electricity who file return pursuant to this paragraph shall, at the time of filing such return, pay the municipality the amount of the tax collected pursuant to this ordinance.

SECTION 35.22 REPORTS TO MUNICIPALITY.

On or before the last day of each month, each taxpayer shall make a return to the Village of Stanford for the preceding month stating:

(A) Name of taxpayer;

Ordinances of the Village of Stanford

- (B) Principal place of business of taxpayer;
- (C) Gross receipts and/or kilowatt-hour usage during the month upon the basis of which the tax is imposed;
- (D) Amount of tax;
- (E) Such other reasonable and related information as the corporate authorities may require.

The taxpayer making the return herein provided for shall, at the time of making such return, pay to the Village of Stanford, the amount of the tax herein imposed; provided that in connection with any return, the taxpayer may, if he so elects, report and pay an amount based upon his total billings of business subject to the tax during the period for which the return is made (exclusive of any amounts previously billed) with prompt adjustments of later payments based upon any differences between such billings, and the taxable gross receipts.

SECTION 35.23 CREDIT FOR OVERPAYMENT.

If it shall appear that an amount of tax has been paid which was not due under the provisions of this Chapter, whether as a result of a mistake of fact or an error of law, then such amount shall be credited against any tax due, or to become due, under this Chapter from the taxpayer who made the erroneous payment; provided that no amounts erroneously paid more than **three (3) years** prior to the filing of a claim therefor shall be so credited.

SECTION 35.24 STATUTE OF LIMITATIONS.

No action to recover any amount of tax due under the provisions of this Chapter shall be commenced more than three (3) years after the due date of such amount.

TELECOMMUNICATIONS INFRASTRUCTURE MAINTENANCE FEE

SECTION 35.30 DEFINITIONS.

As used in this Chapter, the following terms shall have the following meanings:

Gross Charges. The amount paid to a telecommunications retailer for the act or privilege of originating or receiving telecommunications within the Village, and for all services rendered in connection therewith, valued in money whether paid in money or otherwise, including cash, credits, services, and property of every kind or nature, and shall be determined without any deduction on account of the cost of such telecommunications, the cost of the materials used, labor or service costs, or any other expense whatsoever. In case credit is extended, the amount thereof shall be included only as and when paid. **Gross Charges** for private line service shall include charges imposed at each channel point within the Village, charges for the channel mileage between each channel point within the Village, and charges for that portion of the interstate inter-office channel provided within the Village. However, **gross charges** shall not include:

- (A) Any amounts added to the purchaser's bill because of a charge made under: (1) the fee imposed by this Section, (2) additional charges added to the purchaser's bill under 220 ILCS 5/9-221 or 5/9-222 of the Public Utilities Act, (3) amounts collected under 65 ILCS 5/8-11-17 of the Illinois Municipal Code, (4) the tax imposed by the Telecommunications Excise Tax Act, (5) 911 surcharges, or (6) the tax imposed by Section 4251 of the Internal Revenue Code;
- (B) Charges for a sent collect telecommunication received outside the Village;

Ordinances of the Village of Stanford

(C) Charges for a leased time on equipment or charges for the storage of data or information or subsequent retrieval or the processing of data or information intended to change its form or content. Such equipment includes, but is not limited to, the use of calculators, computers, data processing equipment, tabulating equipment, or accounting equipment and also includes the usage of computers under a time-sharing agreement;

(D) Charges for customer equipment, including such equipment that is leased or rented by the customer from any source, wherein such charges are disaggregated and separately identified from other charges;

(E) Charges to business enterprises certified under Section 9-222.1 of the Public Utilities Act to the extent of such exemption and during the period of time specified by the Village;

(F) Charges for telecommunications and all services and equipment provided in connection therewith between a parent corporation and its wholly owned subsidiaries or between wholly owned subsidiaries, and only to the extent that the charges between the parent corporation and wholly owned subsidiaries or between wholly owned subsidiaries represent expense allocation between the corporations and not the generation of profit other than a regulatory required profit for the corporation rendering such services;

(G) Bad debts ("bad debt" means any portion of a debt that is related to a sale at retail for which gross charges are not otherwise deductible or excludable that has become worthless or uncollectible, as determined under applicable federal income tax standards; if the portion of the debt deemed to be bad is subsequently paid, the retailer shall report and pay the tax on that portion during the reporting period in which the payment is made);

(H) Charges paid by inserting coins in coin-operated telecommunications devices; or

(I) Charges for telecommunications and all services and equipment provided to the Village.

Public Right-of-Way. Any municipal street, alley, water, or public right-of-way dedicated or commonly used for utility purposes, including utility easements wherein the Village has acquired the right and authority to locate or permit the location of utilities consistent with telecommunications facilities. **Public Right-of-Way** shall not include any real or personal Village property that is not specifically described in the previous sentence and shall not include Village buildings and other structures or improvements, regardless of whether they are situated in the public right-of-way.

Retailer Maintaining a Place of Business in this State. This or any like term, means and includes any retailer having or maintaining within the State of Illinois, directly or by a subsidiary, an office, warehouse, or other place of business, or any agent or other representative operating within this State under the authority of the retailer or its subsidiary, irrespective of whether such place of business or agent or other representative is located here permanently or temporarily, or whether such retailer or subsidiary is licensed to do business in this State.

Sale of Telecommunications at Retail. The transmitting, supplying, or furnishing of telecommunications and all services rendered in connection therewith for a consideration, other than between a parent corporation and its wholly owned subsidiaries, when the gross charge made by one such corporation to another such corporation is not greater than the gross charge paid to the retailer for their use or consumption and not for sale.

Service Address. The location of telecommunications equipment from which telecommunications services are originated or at which telecommunications services are received. If this is not a defined location, as in the case of wireless telecommunications, paging systems, maritime systems, air-to-ground systems, and the like, **service address** shall mean the location of the customer's primary use of the telecommunications equipment as defined by the location in Illinois where bills are sent.

Telecommunications. This includes, but is not limited to, messages or information transmitted through the use of local, toll, and wide area telephone service, channel services, telegraph services, teletypewriter service, computer exchange services, private line services, specialized mobile radio services, or any other transmission of messages or information by electronic or similar means, between or among points by wire, cable, fiber optics, laser, microwave, radio, satellite, or similar facilities. Unless the context clearly requires otherwise, **telecommunications** shall also include wireless telecommunications as hereinafter defined. **Telecommunications** shall not include value-added services in which computer processing applications are used to act on the form, content, code, and protocol of the

Ordinances of the Village of Stanford

information for purposes other than transmission. **Telecommunications** shall not include purchase of telecommunications by a telecommunications service provider for use as a component part of the service provided by him or her to the ultimate retail consumer who originates or terminates the end-to-end communications. Retailer access charges, right of access charges, charges for use of intercompany facilities, and all telecommunications resold in the subsequent provision and used as a component of, or integrated into, end-to-end telecommunications service shall not be included in gross charges as sales for resale. **Telecommunications** shall not include the provision of cable services through a cable system as defined in the Cable Communications Act of 1984 (47 U.S.C. 521 and following) as now or hereafter amended or cable or other programming services subject to an open video system fee payable to the Village through an open video system as defined in the Rules of the Federal Communication Commission (47 C.D.F. 76.1550 and following) as now or hereafter amended.

Telecommunications Provider.

- (A) Any telecommunications retailer;
- (B) Any person that is not a telecommunications retailer that installs, owns, operates, or controls equipment in the public right-of-way that is used or designed to be used to transmit telecommunications in any form.

Telecommunications Retailer or Retailer or Carrier. Every person engaged in the business of making sales of telecommunications at retail as defined in this Section. The Village may, in its discretion, upon application, authorize the collection of the fee hereby imposed by any retailer not maintaining a place of business within this State, who, to the satisfaction of the Village, furnishes adequate security to ensure collection and payment of the fee. When so authorized, it shall be the duty of such retailer to pay the fee upon all of the gross charges for telecommunications in the same manner and subject to the same requirements as a retailer maintaining a place of business within the Village.

Wireless Telecommunications. Any cellular mobile telephone services, personal wireless services as defined in Section 704(C) of the Telecommunications Act of 1996 (Public Law No. 104-104), 42 U.S.C. 332(c)(7), as now or hereafter amended, including all commercial mobile radio services, and paging services.

SECTION 35.31 REGISTRATION OF TELECOMMUNICATIONS PROVIDERS.

- (A) Every telecommunications provider as defined by this Chapter shall register with the Village within 30 days after the effective date of this Chapter or becoming a telecommunications provider, whichever is later, on a form to be provided by the Village, provided, however, that any telecommunications retailer that has filed a return pursuant to Section 113.04 (C) of this Chapter shall be deemed to have registered in accordance with this Section.
- (B) Every telecommunications provider who has registered with the Village pursuant to Section 113.02 (A) has an affirmative duty to submit an amended registration form or current return as required by Section 113.04 (C), as the case may be, to the Village within 30 days from the date of the occurrence of any changes in the information provided by the telecommunications provider in the registration form or most recent return on file with the Village.

SECTION 35.32 MUNICIPAL TELECOMMUNICATIONS INFRASTRUCTURE MAINTENANCE FEE.

- (A) A Village telecommunications infrastructure maintenance fee is hereby imposed upon all telecommunications retailers in the amount of one percent (1%) of all gross charges charged by the telecommunications retailer to service addresses within the Village for telecommunications originating or received in the Village.
- (B) Upon the effective date of the infrastructure maintenance fee authorized in this Chapter, the Village infrastructure maintenance fee authorized hereunder shall be the only fee or compensation for the use of all public rights-of-way within the Village by telecommunications retailers. Imposition of the infrastructure maintenance fee

Ordinances of the Village of Stanford

provided under this Chapter does not, however, serve as a limitation on the levying of any taxes or imposition of any fees otherwise authorized by law.

(C) The Village telecommunications infrastructure maintenance fee authorized by this Chapter shall be collected, enforced, and administered as set forth in Section 113.04 of this Chapter.

SECTION 35.33 COLLECTION, ENFORCEMENT, AND ADMINISTRATION OF TELECOMMUNICATIONS INFRASTRUCTURE MAINTENANCE FEES.

(A) A telecommunications retailer shall charge to and collect from each customer an additional charge in an amount equal to the Village infrastructure maintenance fee attributable to that customer's service address.

(B) The infrastructure maintenance fee shall not be remitted by the telecommunications retailer to the Village not later than the last day of the month subsequent to the month in which a bill is issued to the customer; provided, however, that the telecommunications retailer may retain an amount not to exceed 2% of the Village infrastructure maintenance fee collected by it to reimburse itself for expenses incurred in accounting for and remitting the fee. However, in the event that the total amount to be remitted to the Village is less than \$10.00 per month the telecommunications retailer shall remit to the Village not later than the last day of each January the infrastructure maintenance fee for the preceding calendar year that was collected pursuant to this Chapter after reduction of the foregoing two percent (2%) fee that may be retained by the telecommunications retailer.

(C) Remittance of the municipal infrastructure fee to the Village shall be accompanied by a return, in a form to be prescribed by the Village, which shall contain such information as the Village may reasonably require.

(D) Any infrastructure maintenance fee required to be collected pursuant to this Chapter and any such infrastructure maintenance fee collected by such telecommunications retailer shall constitute a debt owed by the telecommunications retailer to the Village. The charge imposed under Section 113.04 (A) by the telecommunications retailer pursuant to this Chapter shall constitute a debt of the purchaser to the telecommunications retailer who provides such services until paid and, if unpaid, is recoverable at law in the same manner as the original charge for such services.

(E) If it shall appear that an amount of infrastructure maintenance fee has been paid that was not due under the provisions of this Chapter, whether as a result of a mistake of fact or an error of law, then such amount shall be credited against any infrastructure maintenance fee due, or to become due, under this Chapter, from the telecommunications retailer who made the erroneous payment; provided, however, the Village may request, and telecommunications retailer shall provide, written substantiation for such credit. However, no claim for such credit may be made more than three years after the date of the erroneous payment unless, (1) the credit is used only to offset a claim of underpayment made by the Village within the applicable statutory period of limitations, and (2) the credit derives from an overpayment made by the same telecommunications retailer during the applicable statutory period of limitations.

(F) Amounts paid under this Chapter by telecommunications retailers shall not be included in the tax base under any of the following acts as described immediately below:

(1) **Gross Charges** for purposes of the Telecommunications Excise Tax Act, 35 ILCS 630/1 et seq.;

(2) **Gross Receipts** for purposes of the municipal utility tax as prescribed in 65 ILCS 5/8-11-2 of the Illinois Municipal Code;

(3) **Gross Charges** for purposes of the municipal telecommunications tax as prescribed in 65 ILCS 5/8-11-17 of the Illinois Municipal Code;

(4) **Gross Revenue** for purposes of the tax on annual gross revenue of public utilities prescribed in 220 ILCS 5/2-202 of the Public Utilities Act.

Ordinances of the Village of Stanford

(G) The Village shall have the right, in its discretion, to audit the books and records of all telecommunications retailers subject to this Chapter to determine whether the telecommunications retailer has properly accounted to the Village for the Village infrastructure maintenance fee. Any underpayment of the amount of the Village infrastructure maintenance fee due to the Village by the telecommunications retailer shall be paid to the Village plus five percent (5%) of the total amount of the underpayment determined in an audit, plus any costs incurred by the Village in conducting the audit, in an amount not to exceed five percent (5%) of the total amount of the underpayment determined in an audit. Said sum shall be paid to the Village within twenty-one (21) days after the date of issuance of an invoice for the same.

(H) The Village may promulgate such further or additional regulations concerning the administration and enforcement of this Chapter, consistent with its provisions, as may be required from time to time and shall notify all telecommunications retailers that are registered pursuant to Section 113.02 of this Chapter of such regulations.

SECTION 35.34 COMPLIANCE WITH OTHER LAWS.

Nothing in this Chapter shall excuse any person or entity from obligations imposed under any law, including but not limited to:

(A) Generally applicable taxes; and

(B) Standards for construction on, over, under, or within, use of or repair of the public rights-of-way, including standards relating to free standing towers and other structures upon the public rights-of-way, as provided; and

(C) Any liability imposed for the failure to comply with such generally applicable taxes or standards governing construction on, over, under, or within, use of or repair of the public rights-of-way; and

(D) Compliance with any ordinance or provisions of this code concerning uses or structures not located on, over, or within the right-of-way.

SECTION 35.35 EXISTING FRANCHISES AND LICENSES.

Any franchise, license, or similar agreements between telecommunications retailers and the Village entered into before the effective date of this Chapter regarding the use of public rights-of-way shall remain valid according to and for their stated terms except for any fees, charges, or other compensation to the extent waived.

SECTION 35.36 ENFORCEMENT.

Nothing in this Chapter shall be construed as limiting any additional or further remedies that the Village may have for enforcement of this Chapter.

SECTION 35.37 SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or portion of this Chapter for any reason is held invalid or unconstitutional by any court with competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 35.38 CONFLICT.

This Chapter supercedes all Village of Stanford Ordinances adopted prior hereto which are in conflict herewith, to the extent of such conflict.

Ordinances of the Village of Stanford

INVESTMENT POLICY

SECTION 35.50 POLICY.

It is the policy of the Village to invest public funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the Village and conforming to all state and local statutes governing the investment of public funds.

SECTION 35.51 SCOPE.

This policy includes all funds governed by the Board of Trustees.

SECTION 35.52 PRUDENCE.

(A) Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital, as well as the probable income to be derived.

(B) The standard of prudence to be used by investment officials shall be the “prudent person” standard and shall be applied in the context of managing an overall portfolio.

SECTION 35.53 OBJECTIVE.

The primary objective, in order of priority, shall be:

- (A) Legality – conformance with the federal, State, and other legal requirements.
- (B) Safety – preservation of capital and protection of investment principal.
- (C) Liquidity – maintenance of sufficient liquidity to meet operating requirements.
- (D) Yield – attainment of market rates of return.

The portfolio shall be reviewed periodically as to its effectiveness in meeting the Village’s needs for safety, liquidity, rate of return, diversification, and its general performance.

SECTION 35.54 DELEGATION OF AUTHORITY.

Management and administrative responsibility for the investment program is hereby delegated to the Treasurer, who, under the delegation of the Board of Trustees, shall establish written procedures for the operation of the investment program.

SECTION 35.55 ETHICS AND CONFLICTS OF INTEREST.

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions.

Ordinances of the Village of Stanford

SECTION 35.56 AUTHORIZED FINANCIAL DEALERS AND INSTITUTIONS.

- (A) The Treasurer will maintain a list of financial institutions authorized to provide investment services.
- (B) In addition, a list will also be maintained of approved security brokers/dealers selected by credit worthiness.

SECTION 35.57 AUTHORIZED AND SUITABLE INVESTMENTS.

- (A) Investments may be made in any type of security allowed for in Illinois statutes regarding the investment of public funds.
- (B) Investments shall be made that reflect the cash flow needs of the fund type being invested.

SECTION 35.58 COLLATERALIZATION.

Funds on deposit (checking accounts, certificates of deposit, etc.) in excess of FDIC limits must be secured by some form of collateral or insurance and witnessed by a written agreement of proof of insurance.

SECTION 35.59 SAFEKEEPING AND CUSTODY.

All security transactions, including collateral for repurchase agreements, entered into by the Treasurer, shall be conducted on a delivery-versus-payment (DVP) basis. Securities will be held by an independent third party custodian designated by the Treasurer and evidenced by safekeeping receipts and a written custodial agreement.

SECTION 35.60 DIVERSIFICATION.

The Village shall diversify its investments to the best of its ability based on the type of funds invested and the cash flow needs of those funds. Diversification can be by type of investment, number of investments invested in, and length of maturity.

SECTION 35.61 MAXIMUM MATURITIES.

- (A) To the extent possible, the Treasurer shall attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the Treasurer will not directly invest in securities matching more than 4 years from the date of purchase.
- (B) Reserve funds may be invested in securities exceeding 4 years if the maturity of such investments are made to coincide as nearly as practicable with the expected use of the funds.

SECTION 35.62 INTERNAL CONTROL.

Ordinances of the Village of Stanford

The Treasurer is responsible for the establishing and maintaining an internal control structure designed to insure that the assets of the Village are protected from loss, theft, or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The internal controls shall address the following points:

- (A) Control of collusion
- (B) Separation of transaction authority from accounting
- (C) Custodial safekeeping
- (D) Written confirmation of telephone transactions for investments and wire transfers.

SECTION 35.63 PERFORMANCE STANDARDS.

This investment portfolio will be managed in accordance with the parameters specified within this policy. The portfolio should obtain a comparable rate of return during a market/economic environment of stable interest rates. Portfolio performances should be compared to benchmarks with similar maturity liquidity and credit quality as the portfolio (the Treasurer will have to insert their benchmark, i.e., 90 day T-bill, Illinois Funds, etc.).

SECTION 35.64 REPORTING.

The Treasurer shall prepare an investment report at least quarterly. The report should be provided to the Board of Trustees and available on request. The report should be in a format suitable for review by the general public. An annual report should also be provided to the Board.

SECTION 35.65 MARKING TO MARKET.

A statement of market value of the portfolio shall be issued to the Board of Trustees quarterly.

SECTION 35.66 INVESTMENT POLICY REVIEW.

This policy shall be reviewed on an annual basis by the Treasurer and any modifications made thereto must be approved by the Board of Trustees.

SECTION 35.99 PENALTY.

Any taxpayer who fails to make a return, or who makes a fraudulent return, or who willfully violates any other provision of this Chapter shall be subject to the general penalty provision, Section 10.99, of this Stanford Municipal Code. Each day a violation occurs shall constitute a separate offense.

Ordinances of the Village of Stanford

CHAPTER 36: PUBLIC RECORDS

Section

Village Records

- 36.01 Definitions
- 36.02 Policy
- 36.03 Individual privacy protected
- 36.04 Public records available
- 36.05 Requests to be in writing
- 36.06 Fees
- 36.07 Time limit for compliance with request
- 36.08 Extension of time limit; Notice
- 36.09 Unduly burdensome request
- 36.10 Certain information exempt from inspection and copying
- 36.11 Notice of denial of request
- 36.12 Granting of request; Procedure for inspection
- 36.13 Written request not required for certain documents
- 36.14 Dissemination of information about public bodies

Gift Ban

- 36.20 Definitions
- 36.21 Gift policy
- 36.22 Ethics Officer
- 36.23 Ethics Commission
- 36.24 Amendments
- 36.25 Total repeal
- 36.26 Partial repeal

Local Government Taxpayers' Bill of Rights

- 36.30 Title
- 36.31 Scope
- 36.32 Definitions
- 36.33 Notices
- 36.34 Late payment
- 36.35 Payment
- 36.36 Certain credits and refunds
- 36.37 Audit procedure
- 36.38 Appeal
- 36.39 Hearing
- 36.40 Interest and penalties
- 36.41 Abatement
- 36.42 Installment contracts
- 36.43 Statute of Limitations
- 36.44 Voluntary disclosure
- 36.45 Publication of tax ordinances
- 36.46 Internal review
- 36.47 Application

Ordinances of the Village of Stanford

VILLAGE RECORDS

SECTION 36.01 DEFINITIONS.

For the purpose of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

Copying. The reproduction of any public record by means of any photographic, electronic, mechanical, or other process, device, or means.

Person. Any individual, corporation, partnership, firm, organization, or association, acting individually or as a group.

Public Records. All records, reports, forms, writings, letters, memorandums, books, papers, maps, photographs, microfilms, cards, tapes, recordings, electronic data processing records, recorded information, and all other documentary materials, regardless of physical form or characteristics, having been or being prepared, used, received, possessed, or under the control of the Village.

SECTION 36.02 POLICY.

It is declared to be the public policy of the Village that all persons are entitled to full and complete information regarding the affairs of the Village. The official acts and policies of the public officials and public employees of the Village shall be consistent with the terms of this Chapter.

SECTION 36.03 INDIVIDUAL PRIVACY PROTECTED.

This Chapter is not intended to be used to violate individual privacy, nor for the purpose of furthering a commercial enterprise, or to disrupt the undertaken work of the Village independent of the fulfillment of any of the aforementioned rights of people to access information.

SECTION 36.04 PUBLIC RECORDS AVAILABLE.

The Village shall make available to any person for inspection or copying all public records, as provided in the Illinois Freedom of Information Act. (5 ILCS 140)

SECTION 36.05 REQUESTS TO BE IN WRITING.

All requests for inspection or copying of public records shall be in writing and shall be addressed to the President or the Village Clerk.

SECTION 36.06 FEES.

(A) The Village shall charge fees reasonably calculated to reimburse its actual cost for the reproducing and certifying of public records and for the use, by any person, of the equipment of the Village to copy records. Such

Ordinances of the Village of Stanford

fees shall exclude the costs of any search for and review of the record. Such fees will be imposed at the current rate set by the Village. (5 ILCS 140/6)

(B) Documents shall be furnished without charge or at a reduced charge where the Village determines that waiver or reduction of the fee is in the public interest because furnishing of the information can be considered as primarily benefiting the general public. (5 ILCS 140/6)

SECTION 36.07 TIME LIMIT FOR COMPLIANCE WITH REQUEST.

The Village shall either comply with or deny a request for the public records within seven working days after its receipt. Denials shall be in writing and in accordance with Section 36.11 following.

SECTION 36.08 EXTENSION OF TIME LIMIT; NOTICE.

(A) The time limit prescribed in Section 36.07 preceding may be extended in each case for not more than seven additional working days for any of the following reasons:

1. The records requested are stored in whole or in part at other location other than the office having charge of the requested records.
2. The request requires the collection of a substantial number of specified records.
3. The request is couched in categorical terms and requires an extensive search for the records responsive to it.
4. The requested records require examination and evaluation by personnel having the necessary competence and discretion to determine if they are exempt from disclosure under the terms of the Illinois Freedom of Information Act or should be revealed only with appropriate deletions.
5. The request for records cannot be complied with by the public body within the time limits prescribed by the foregoing paragraph without unduly burdening or interfering with the public body.
6. The requested records have not been located in the course of routine search and additional efforts are being made to locate them.
7. There is a need for consultation, which shall be conducted with all practicable speed, with another public body or among two or more components of a public body having a substantial interest in the determination or in the subject matter of the request.

(B) When additional time is required for any of the above reasons, the President shall notify the person making the request, by letter, within the time limits specified in this Chapter, of the reasons for the delay and the date by which the records will be made available or denial will be forthcoming. In no instance may the delay in processing last longer than seven working days. A failure to render a decision within seven working days shall be considered a denial of the request. (5 ILCS 140/10)

SECTION 36.09 UNDULY BURDENSOME REQUESTS.

(A) Requests calling for all records falling within a category shall be complied with unless compliance with the request would be unduly burdensome for the Village, there is no method of narrowing the request, and the burden of the Village strongly outweighs the public interest in the information. If the Village responds to a categorical request by stating that compliance would unduly burden its operation, it shall do in writing signed by the President, specifying the reasons why it would be unduly burdensome and the extent to which compliance will so burden the operation of the Village.

Ordinances of the Village of Stanford

(B) After receipt of this response in writing, the person making the request shall have an opportunity to reduce the request to manageable proportions. If the person making the request fails to reduce the request to manageable proportions, the response of the Village shall be treated as a denial of the request for information.

SECTION 36.10 CERTAIN INFORMATION EXEMPT FROM INSPECTION AND COPYING.

Information exempted by the Illinois Freedom of Information Act, 5 ILCS 140/7, shall be exempt from inspection and copying. The President and the Clerk shall keep available for use by the public and the Village personnel a current copy of 5 ILCS 140/7.

SECTION 36.11 NOTICE OF DENIAL OF REQUEST.

The President, when denying a request for public record, shall notify the person making the request, by letter, of the decision to deny the information, the reason for the denial, and the names and titles or positions of each person responsible for the denial. Each notice of denial by the President shall inform the person of his right to judicial review under 5 ILCS 140/11. When a request is denied on the grounds that the records are exempt under the provisions of this Chapter, the notice of denial shall specify the exemption claimed to authorize the denial and briefly explain how the exemption applies to the specified records withheld.

SECTION 36.12 GRANTING OF REQUEST; PROCEDURE FOR INSPECTION.

When a freedom of information request is granted, the documents will be made available for inspection at the Village Hall during regular business hours. Copies shall be made upon request as set forth in Section 36.06.

SECTION 36.13 WRITTEN REQUEST NOT REQUIRED FOR CERTAIN DOCUMENTS.

The following documents shall be made available for inspection and copying without a written request and, if copied, upon payment of the copying fee set forth in Section 36.06, as follows

- (A) Ordinances.
- (B) The journal of the Board of Trustees, not including executive session minutes.
- (C) Any personal code, building code, other technical code, or any other regulation of the Village adopted by the Village, whether by ordinance, resolution, or otherwise.

SECTION 36.14 DISSEMINATION OF INFORMATION ABOUT PUBLIC BODIES.

The Village shall make available for inspection and copying, and send through the mail if requested, a brief description of the methods whereby the public may request information and public records, a directory designating by titles and addresses those employees to whom requests for public records should be directed, and any fees allowable under Section 36.06. (5 ILCS 140)

Ordinances of the Village of Stanford

SECTION 36.20 DEFINITIONS.

The definitions set forth in 5 ILCS 425/5 are hereby adopted as the definitions that shall apply to these provisions of the Stanford Municipal Code. In addition, the words *Immediate Family Members* are hereby defined to be a spouse and a child.

SECTION 36.21 GIFT POLICY.

It is the policy of the Village that no member, official, or employee shall solicit or accept any gift from any prohibited source. However, all non-salaried appointed or elected officials and all non-salaried appointed individuals who voluntarily serve on any board, commission, group, or otherwise provide services to the Village of Stanford and are not receiving compensation are completely and totally exempted from the provisions of this Chapter of the Stanford Municipal Code and Sections 34.12 through and including 34.16 of the State Gift Ban Act. The exemptions that are set forth in 5 ILCS 425/15 are hereby adopted in their entirety and nothing contained within this Chapter shall prohibit the gifts that are pursuant to 5 ILCS 425/15.

SECTION 36.22 ETHICS OFFICER.

To the extent authorized by 5 ILCS 425/35 and to the extent required therein, the Village Collector is appointed to serve as an "Ethics Officer" of the Village. The Ethics Officer's duties shall be to provide the advice required under 5 ILCS 425/35 and to review statements of economic interest and disclosure forms before they are filed with the County Clerk. To the extent that forms are filed directly with the County Clerk the Ethics Officer shall obtain copies of said forms and review them. The review of these forms by the Ethics Officer shall be reported to the Board of Trustees within 60 days after the review has been completed. The Ethics Officer shall maintain records to document the review conducted by the Ethics Officer.

SECTION 36.23 ETHICS COMMISSION.

If and only if the State Gift Ban Act (5 ILCS 425/1 et seq.) requires the Village to have an Ethics Commission then and only then is the State legislative Ethics Commission created by 5 ILCS 425/45 (a) (6) designated as the Ethics Commission for the Village. If 5 ILCS 425/45 does not require the Village to establish or have an Ethics Commission then the State legislative Ethics Commission shall not be designated as an Ethics Commission and no commission shall be established since none is required under the foregoing statutory provisions. The Board of Trustees is hereby designated as the ultimate jurisdictional authority for the Village.

SECTION 36.24 AMENDMENTS.

Any amendment to the State Gift Ban Act (5 ILCS 425/1 et seq.) that becomes effective after the passage of this ordinance shall be incorporated into this ordinance by reference and shall be applicable to the solicitation and acceptance of gifts. However, any amendment that makes its provisions optional for adoption by municipalities shall not be incorporated into this ordinance by reference without formal action by the corporate authorities of the Village.

SECTION 36.25 TOTAL REPEAL.

If the Illinois Supreme Court declares the State Gift Ban Act (5 ILCS 425/1 et seq.) unconstitutional in its entirety, then this ordinance shall be repealed as of the date that the Supreme Court's decision becomes final and not subject to any further appeals or rehearing. This ordinance shall be deemed repealed without further action by the corporate authorities of the Village if the Act is found unconstitutional by the Illinois Supreme Court.

Ordinances of the Village of Stanford

SECTION 36.26 PARTIAL REPEAL.

If the Illinois Supreme Court declares part of the State Gift Ban Act (5 ILCS 425/1 et seq.) unconstitutional but upholds the constitutionality of the remainder of the Act or does not address the remainder of the Act, then the remainder of the Act as adopted by this ordinance shall remain in full force and effect; however, that part of this ordinance relating to the part of the Act found unconstitutional shall be deemed repealed without further action by the corporate authorities of the Village.

LOCAL GOVERNMENT TAXPAYERS' BILL OF RIGHTS

SECTION 36.30 TITLE.

This Section of the Stanford Municipal Code shall be known as, and may be cited as, the Locally Imposed and Administered Tax Rights and Responsibility Ordinance.

SECTION 36.31 SCOPE.

The provisions of this ordinance shall apply to the Village's procedures in connection with all of the Village's locally imposed and administered taxes.

SECTION 36.32 DEFINITIONS.

Certain words or terms herein shall have the meaning ascribed to them as follows:

Act. The "Local Government Taxpayers' Bill of Rights Act".

Corporate Authorities. The Village President and the Board of Trustees.

Locally Imposed and Administered Tax or Tax. Each tax imposed by the Village that is collected or administered by the Village not an agency or department of the State. It does not include any taxes imposed upon real property under the Property Tax Code or fees collected by the Village other than infrastructure maintenance fees.

Local Tax Administrator. The Village Collector. The Village Collector is charged with the administration and collection of the locally imposed and administered taxes, including staff, employees, or agents to the extent they are authorized by the local tax administrator to act in the local administrator's stead. The local tax administrator shall have the authority to implement the terms of this ordinance to give full effect to this ordinance. The exercise of such authority by the local tax administrator shall not be inconsistent with this ordinance and the Act.

Notice. Each audit notice, collection notice, or other similar notice or communication in connection with each of the Village's locally imposed and administered taxes.

Tax Ordinance. Each ordinance adopted by the Village that imposes any locally imposed and administered tax.

Taxpayer. Any person required to pay any locally imposed and administered tax and generally includes the person upon whom the legal incidence of such tax is placed and with respect to consumer taxes includes the business or entity required to collect and pay the locally imposed and administered tax to the Village.

Village. The Village of Stanford, Illinois.

Ordinances of the Village of Stanford

SECTION 36.33 NOTICES.

Unless otherwise provided, whenever notice is required to be given, the notice is to be in writing mailed not less than seven (7) calendar days prior to the day fixed for any applicable hearing, audit, or other scheduled act of the local tax administrator. The notice shall be sent by the local tax administrator as follows:

- (A) First class, Express Mail, or overnight delivery, addressed to the persons concerned at the persons' last known address, or
- (B) Personal service or delivery.

SECTION 36.34 LATE PAYMENT.

Any notice, payment, remittance, or other filing required to be made to the Village pursuant to any tax ordinance shall be considered late unless it is (a) physically received by the Village on or before the due date, or (b) received in an envelope or other container displaying a valid, readable U.S. Postmark dated on or before the due date, properly addressed to the Village, with adequate postage prepaid.

SECTION 36.35 PAYMENT.

Any payment or remittance received for a tax period shall be applied in the following order: (1) first to the tax due for the applicable period; (2) second to the interest due for the applicable period; and (3) third to the penalty for the applicable period.

SECTION 36.36 CERTAIN CREDITS AND REFUNDS.

(A) The Village shall not refund or credit any taxes voluntarily paid without written protest at the time of payment in the event that a locally imposed and administered tax is declared invalidly enacted or unconstitutional by a court of competent jurisdiction. However, a taxpayer shall not be deemed to have paid the tax voluntarily if the taxpayer lacked knowledge of the facts upon which to protest the taxes at the time of payment or if the taxpayer paid the taxes under duress.

(B) The statute of limitations on a claim for credit or refund shall be four (4) years after the end of the calendar year in which payment in error was made. The Village shall not grant a credit or refund of locally imposed and administered taxes, interest, or penalties to a person who has not paid the amounts directly to the Village.

(C) The procedure for claiming a credit or refund of locally imposed and administered taxes, interest, or penalties paid in error shall be as follows:

(1) The taxpayer shall submit to the local tax administrator in writing a claim for credit or refund together with a statement specifying:

- (a) The name of the locally imposed and administered tax subject to the claim;
- (b) The tax period for the locally imposed and administered tax subject to the claim;
- (c) The date of the tax payment subject to the claim and the cancelled check or receipt for the payment;
- (d) The taxpayer's recalculation, accompanied by an amended or revised tax return, in connection with the claim; and

(e) A request for either a refund or a credit in connection with the claim to be applied to the amount of tax, interest, and penalties overpaid, and, as applicable, related interest on the amount overpaid; provided, however, that there shall be no refund and only a credit given in the event the taxpayer owes any monies to the Village.

Ordinances of the Village of Stanford

(2) Within twenty-one (21) days of the receipt by the local tax administrator of any claim for a refund or credit, the local tax administrator shall either:

(a) Grant the claim; or

(b) Deny the claim, in whole or in part, together with a statement as to the reason for the denial or the partial grant and denial.

(3) In the event the local tax administrator grants, in whole or in part, a claim for refund or credit, the amount of the grant for refund or credit shall bear interest at the rate of five percent (5%) per annum, based on a year of 365 days and the number of days elapsed, from the date of the overpayment to the date of mailing of a refund check or the grant of a credit.

SECTION 36.37 AUDIT PROCEDURE.

Any request for proposed audit pursuant to any local administered tax shall comply with the notice requirements of this ordinance.

(A) Each notice of audit shall contain the following information:

(1) The tax;

(2) The time period of the audit; and

(3) A brief description of the books and records to be made available for the auditor.

(B) Any audit shall be conducted during normal business hours and if the date and time selected by the local tax administrator is not agreeable to the taxpayer, another date and time may be requested by the taxpayer within thirty (30) days after the originally designated audit and during normal business hours.

(C) The taxpayer may request an extension of time to have an audit conducted. The audit shall be conducted not less than seven (7) days and no more than thirty (30) days from the date the notice is given, unless the taxpayer and the local tax administrator agreed to some other convenient time. In the event the taxpayer is unable to comply with the audit on the date in question, the taxpayer may request another date within the thirty (30) days, approved in writing, that is convenient to the taxpayer and the local tax administrator.

(D) Every taxpayer shall keep accurate books and records of the taxpayer's business or activities, including original source documents and books of entry denoting the transactions which had given rise or may have given rise to any tax liability, exemption, or deduction. All books shall be kept in the English language and shall be subject to and available for inspection by the Village.

(E) It is the duty and responsibility of every taxpayer to make available its books and records for inspection by the Village. If the taxpayer fails to provide the documents necessary for audit within the time provided, the local tax administrator may issue a tax determination and assessment based on the tax administrator's determination of the best estimate of the taxpayer's tax liability.

(F) If an audit determines there has been an overpayment of a locally imposed and administered tax as a result of the audit, written notice of the amount of overpayment shall be given to the taxpayer within thirty (30) days of the Village's final determination of the amount of overpayment.

(G) In the event a tax payment was submitted to the incorrect local governmental entity, the local tax administrator shall notify the local government entity imposing such tax.

SECTION 36.38 APPEAL.

Ordinances of the Village of Stanford

(A) The local tax administrator shall send written notice to a taxpayer upon the local tax administrator's issuance of a protestable notice of tax due, a bill, a claim denial, or a notice of claim reduction regarding any tax. The notice shall include the following information:

- (1) The reason for the assessment;
- (2) The amount of the tax liability proposed;
- (3) The procedure for appealing the assessment; and
- (4) The obligations of the Village during the audit, appeal, refund, and collection process.

(B) A taxpayer who receives written notice from the local tax administrator of a determination of tax due or assessment may file with the local tax administrator a written protest and petition for hearing, setting forth the basis of the taxpayer's request for a hearing. The written protest and petition for hearing must be filed with the local tax administrator within forty-five (45) days of receipt of the written notice of the tax determination and assessment.

(C) If a timely written notice and petition for hearing is filed, the local tax administrator shall fix the time and place for hearing and shall give written notice to the taxpayer. The hearing shall be scheduled for a date within fourteen (14) days of receipt of the written protest and petition for hearing, unless the taxpayer requests a later date convenient to all parties.

(D) If a written protest and petition for hearing is not filed within the forty-five (45) day period, the tax determination, audit, or assessment shall become a final bill due and owing without further notice.

(E) Upon the showing of reasonable cause by the taxpayer and the full payment of the contested tax liability along with interest accrued as of the date of the tax, the local tax administrator may reopen or extend the time for filing a written protest and petition for hearing. In no event shall time for filing a written protest and petition for hearing be reopened or extended for more than ninety (90) days after the expiration of the forty-five day period.

SECTION 36.39 HEARING.

(A) Whenever a taxpayer or a tax collector has filed a timely written protest and petition for hearing under Section 36.38, above, the local tax administrator shall conduct a hearing regarding any appeal.

(B) No continuances shall be granted except in cases where a continuance is absolutely necessary to protect the rights of the taxpayer. Lack of preparation shall not be grounds for a continuance. Any continuance granted shall not exceed fourteen (14) days.

(C) At the hearing the local tax administrator shall preside and shall hear testimony and accept any evidence relevant to the tax determination, audit, or assessment. The strict rules of evidence applicable to judicial proceedings shall not apply.

(D) At the conclusion of the hearing, the local tax administrator shall make a written determination on the basis of the evidence presented at the hearing. The taxpayer or tax collector shall be provided with a copy of the written decision.

SECTION 36.40 INTEREST AND PENALTIES.

In the event a determination has been made that a tax is due and owing, through audit, assessment, or other bill sent, the tax must be paid within the time frame otherwise indicated.

Ordinances of the Village of Stanford

(A) Interest. The Village hereby provides for the amount of interest to be assessed on a late payment, underpayment, or nonpayment of the tax, to be eighteen percent (18%) per annum, based on a year of 365 days elapsed.

(B) Late filing and payment penalties. If a tax return is not filed within the time and manner provided by the controlling tax ordinance, a late filing penalty, of five percent (5%) of the amount of tax required to be shown as due on a return shall be imposed; and a late payment penalty of five percent (5%) of the tax due shall be imposed. If no return is filed within the time or manner provided by the controlling tax ordinance and prior to the Village issuing a notice of tax delinquency or notice of tax liability, then a failure to file penalty shall be assessed equal to twenty-five percent (25%) of the total tax due for the applicable reporting period for which the return was required to be filed. A late filing or payment penalty shall not apply if a failure to file penalty is imposed by the controlling ordinance.

SECTION 36.41 ABATEMENT.

The local tax administrator shall have the authority to waive or abate any late filing penalty, late payment penalty, or failure to file penalty if the local tax administrator shall determine reasonable cause exists for delay or failure to make a filing.

SECTION 36.42 INSTALLMENT CONTRACTS.

The Village may enter into an installment contract with the taxpayer for the payment of taxes under the controlling tax ordinance. The local tax administrator may not cancel any installment contract so entered unless the taxpayer fails to pay any amount due and owing. Upon written notice by the local tax administrator that the payment is thirty (30) days delinquent, the taxpayer shall have fourteen (14) working days to cure any delinquency. If the taxpayer fails to cure the delinquency within the fourteen (14) day period or fails to demonstrate good faith in restructuring the installment contract with the local administrator, the installment contract shall be canceled without further notice to the taxpayer.

SECTION 36.43 STATUTE OF LIMITATIONS.

The Village, through the local tax administrator, shall review all tax returns in a prompt and timely manner and inform taxpayers of any amounts due and owing. The taxpayer shall have forty-five (45) days after receiving notice of the reviewed tax returns to make any request for refund or provide any tax still due and owing.

(A) No determination of tax due and owing may be issued more than 4 years maximum after the end of the calendar year for which the return for the applicable period was filed or for the calendar year in which the return for the applicable period was due, whichever occurs later.

(B) If any tax return is not filed or if during any 4-year period for which a notice of tax determination or assessment may be issued by the Village, the tax paid was less than 75% of the tax due, the statute of limitations shall be six (6) years maximum after the end of the calendar year in which return for the applicable period was due or end of the calendar year in which the return for the applicable period was filed.

(C) No statute of limitations shall apply if a fraudulent tax return was filed by the taxpayer.

SECTION 36.44 VOLUNTARY DISCLOSURE.

For any locally imposed and administered tax for which a taxpayer has not received a written notice of an audit, investigation, or assessment from the local tax administrator, a taxpayer is entitled to file an application with the

Ordinances of the Village of Stanford

local tax administrator for a voluntary disclosure of the tax due. A taxpayer filing a voluntary disclosure application must agree to pay the amount of tax due, along with interest of one percent (1%) per month, for all periods prior to the filing of the application but not more than four (4) years before the date of filing the application. A taxpayer filing a valid voluntary disclosure application may not be liable for any additional tax, interest, or penalty for any period before the date the application was filed. However, if the taxpayer incorrectly determined and underpaid the amount of tax due, the taxpayer is liable for the underpaid tax along with applicable interest on the underpaid tax, unless the underpayment was the result of fraud on the part of the taxpayer, in which case the application shall be deemed invalid and void. The payment of tax and interest must be made no later than ninety (90) days after the filing of the voluntary disclosure application or the date agreed to by the local tax administrator. However, any additional amounts owed as a result of an underpayment of tax and interest previously paid under this Section must be paid within ninety (90) days after a final determination and the exhaustion of all appeals of the additional amount owed or the date agreed to by the local tax administrator, whichever is longer.

SECTION 36.45 PUBLICATION OF TAX ORDINANCES.

Any locally administered tax ordinance shall be published via normal or standard publishing requirements. The posting of a tax ordinance on the Internet shall satisfy the publication requirements. Copies of all tax ordinances shall be made available to the public upon request at the Village Clerk's office.

SECTION 36.46 INTERNAL REVIEW.

The local tax administrator shall establish an internal review procedure regarding any liens filed against any taxpayers for unpaid taxes. Upon a determination by the local tax administrator that the lien is valid, the lien shall remain in full force and effect. If the lien is determined to be improper, the local tax administrator shall:

- (A) Timely remove the lien at the Village's expense;
- (B) Correct the taxpayer's credit record; and
- (C) Correct any public disclosure of the improperly imposed lien.

SECTION 36.47 APPLICATION.

This Chapter shall be literally construed and administered to supplement all of the Village's tax ordinances. To the extent that any tax ordinance is in conflict with or inconsistent with this Chapter, this Chapter shall be controlling.

CHAPTER 37: CIVIL EMERGENCIES

Section

37.01 Definitions

37.02 Declaration of Civil Emergency

37.03 Curfew

37.99 Penalty

Ordinances of the Village of Stanford

SECTION 37.01 DEFINITIONS.

For the purposes of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Civil Emergency. Shall be interpreted to mean and include the following:

(A) A riot or any unlawful assembly or gathering of three or more persons, characterized by the use of force or violence upon persons or property, or threatened or obvious intended use of force or violence upon persons or property accompanied by immediate power to execute, acting together or in conjunction with each other, without authority of law, which has or could result in injury to persons or property, or jeopardize the public peace, safety, and welfare.

(B) Any natural disaster, or man-made calamity, including flood, conflagration, cyclone, tornado, earthquake, explosion, or bombing within the corporate limits of the Village or within the area adjacent to the Village, resulting in the death or injury of persons or in the damage or destruction of property to such an extent that extraordinary measures must be taken for the protection and preservation of the public peace, safety, and welfare within the Village.

Curfew. A prohibition against any person or persons standing, sitting, lying, loitering, walking, running, or being within or upon any vehicle, or in or upon any alley, street, highway, public property, or vacant premises in any geographical area within the corporate limits of the Village, except persons officially designated to duty with reference to a civil emergency.

SECTION 37.02 DECLARATION OF CIVIL EMERGENCY.

When, in the judgment of the Village President and the Chief of Police of the Village, a civil emergency as defined herein is deemed to exist in the Village, the President shall forthwith proclaim, in writing, the existence of a civil emergency in the Village. Public notice of such declaration shall be given immediately by all available means as directed by the President.

SECTION 37.03 CURFEW.

(A) After the proclamation by the President of the existence of a civil emergency in the Village, the President is hereby authorized to establish, by order, a curfew as herein defined, applicable to each geographical area of the Village, or to the Village as a whole, if the President deems it advisable, and which shall remain in force and effect during such hours of each day or night as the President deems necessary for the protection and preservation of the public peace, safety, and welfare.

(B) After proclamation by the President of the existence of a civil emergency, the President is hereby also authorized, for the purpose of the protection and preservation of the public peace, safety, and welfare, to make any one or all of the following orders effective within the Village during the period of the curfew:

(1) Closing of all retail liquor stores.

(2) Closing of all taverns.

(3) Prohibiting the sale, serving, or giving away of any intoxicating liquor in or by any store, restaurant, private club, or other establishment having an alcoholic liquor license issued by the Village; and/or

(4) Prohibiting or limiting in any manner the selling or giving away of firearms, ammunition, explosives, gasoline, and other flammable liquids or chemicals. Penalty, see Section 37.99.

Ordinances of the Village of Stanford

SECTION 37.99 PENALTY.

It shall be unlawful for any person to violate the provisions of any curfew or any other order issued by the President under the provisions of Section 37.03 preceding, or to fail to obey promptly any reasonable order, direction, or command issued by any police officer acting in the performance of his duty or power in the enforcement of the provisions of this Chapter for the preservation of the public peace, health, and safety. Any person guilty of such violation shall, upon conviction thereof, be subject to the general penalty provision, Section 10.99, of this Stanford Municipal Code. Each day a violation occurs shall constitute a separate offense.

CHAPTER 38: POLICE RULES AND REGULATIONS

Section

- 38.01 Police Rules and Regulations
- 38.02 Appointment of Chief; Officers
- 38.03 Disqualification Chemical Use
- 38.04 Police Training Institute – Condition of Employment
- 38.05 Board Not to Fill Vacancies, Etc., Except by Request
- 38.06 Police Department Employees Duties Generally
- 38.07 Duties of Chief
- 38.08 Stolen Property – Custody of
- 38.09 Service to Process
- 38.10 Fires Nuisances Obstruction
- 38.11 Monthly Reports
- 38.12 Conduct of Members
- 38.13 Witness Fees
- 38.14 Rules and Regulations
- 38.15 Aiding Police
- 38.16 Resisting Arrest; Hindering Police: Aiding Prisoners to Escape, Etc.
- 38.17 Falsely Impersonating an Officer – Penalty
- 38.18 Members of Police Department – Oath
- 38.19 Reports to Superior Officer
- 38.20 Power of Arrest
- 38.21 To Serve Warrants and Process – Have Powers of Constables
- 38.22 Give Fire Alarms and Attend Fires
- 38.23 Neglect of Duty, Etc. – Penalty
- 38.24 Alleviation of Emergency Situation – Financial Responsibility
- 38.25 Medical Expenses of Arrestees
- 38.26 Traffic Crash Reports
- 38.27 Maintenance of Emergency Contact Information; Notification to Police Department
- 38.28 Intentional Activation of an Alarm for a Non-criminal Occurrence
- 38.29 Audible Alarms not Deactivated or Disconnected a Nuisance
- 38.30 Liability for Functioning of Alarm Systems
- 38.31 Indemnification of Officers
- 38.32 Penalty

SECTION 38.01 COMPOSITION OF DEPARTMENT

Ordinances of the Village of Stanford

The established personnel of the Stanford Police Department of the Village of Stanford shall consist of the following persons: a part time Chief of Police and such part time police officers as may be provided for in the annual budget. All Police Department employees are at-will employees appointed by the Board to serve the Village annually. Police department employees may be terminated with cause by a majority vote of the Board.

SECTION 38.02 APPOINTMENT OF CHIEF; OFFICERS

The Chief of Police shall be appointed by the Village Board on an annual basis. The person appointed need not be a member of the department at the time of his or her appointment.

SECTION 38.03 DISQUALIFICATION CHEMICAL USES

(A) It is the policy of the Village of Stanford that persons who take or consume illegal drugs or consume alcohol excessively not be employed in the Stanford Police Department. Whenever the Chief finds an applicant for employment in the Stanford Police Department has taken or consumed any narcotic, dangerous drug or controlled substance (except pursuant to direction of a licensed physician) or has repeatedly consumed alcohol to the point of intoxication, the Chief shall recommend the Board refuse to certify such applicant for appointment of the applicant, unless such applicant shall establish to the Chief's satisfaction that such conduct has ceased and is unlikely to be resumed. An applicant's successful completion of a chemical dependency detoxification program may be considered as evidence of eligibility, but shall not be conclusive evidence thereof.

SECTION 38.04 POLICE TRAINING INSTITUTE – CONDITION OF EMPLOYMENT

It shall be a condition of employment for any person hired as a police officer, that he or she has satisfactorily completed all requirements mandated by the Illinois Law Enforcement Training and Standards Board. Failure to do so will result in termination.

SECTION 38.05 BOARDS NOT TO FILL VACANCIES, ETC., EXCEPT BY REQUEST

Except for the appointment of the Police Chief, the Board shall not fill any vacancies in the Department of Police, or make any promotions within the Department of Police until requested by the Chief of Police at an open Board meeting, to fill such vacancies or make such promotions. No vacancies in the Department of Police shall be filled until approved by the Board at an open Board meeting.

SECTION 38.06 POLICE DEPARTMENT EMPLOYEES DUTIES GENERALLY

The Police Department shall, under the supervision of the Chief of Police; have the following duties:

- (1) Protect persons and property from harm;
- (2) Preserve the peace and order of the Village;
- (3) Prevent crime and detect and arrest or cause to be arrested, with or without process, all persons who are suspected of or are found violating any municipal ordinance or any criminal law of the State;
- (4) Regulate traffic upon public thoroughfares;
- (5) Enforce all criminal laws and Village ordinances;

Ordinances of the Village of Stanford

- (6) Secure all necessary complaints, warrants and other documents for the enforcement of these duties;
- (7) Cause to be served and executed any criminal process issued by any courts of competent jurisdiction with The Village;
- (8) Have custody of lost and stolen property;
- (9) Maintain proper records of crimes and criminals and matters related thereto which shall be made available to legally authorized persons upon such terms and at such fees as the Chief of Police may prescribe from time to time; and
- (10) Every member of the Police Department is hereby declared to be a conservator of the peace.

SECTION 38.07 DUTIES OF CHIEF

The Chief of Police shall keep such records and make such reports concerning the activities of his department as may be responsible for the performance by the Police Department of all its functions and all persons who are members of the Department shall serve subject to the orders of the Chief of Police.

SECTION 38.08 STOLEN PROPERTY – CUSTODY OF

The Chief of Police shall be custodian of all lost, abandoned or stolen property in the Village.

SECTION 38.09 SERVICE OF PROCESS

The Chief of Police or any officer of the Department upon general or special order of the Chief is authorized to serve writes, summons and other process.

SECTION 38.10 FIRES NUISANCE OBSTRUCTION

Chief of Police shall be charged with the duty of protecting the rights of persons and property and providing proper police protection at every fire within the Village when requested by a Fire Department and officers are available to provide the service. He shall also take notice of all nuisances and take proper steps to abate the same. He shall cause to be removed all impediments and obstructions in the streets, avenues, alleys and public places of the Village or cause immediate notice thereof to be given to the proper officer whose duty it may be to attend to the same, according to the Code of the Village.

SECTION 38.11 MONTHLY REPORTS

Chief of Police shall make monthly reports in writing to the Village Board of the state of the Police Department with such statistics and suggestions, as he may deem advisable for the improvement of the police force, its discipline and governance.

SECTION 38.12 CONDUCTS OF MEMBERS

Ordinances of the Village of Stanford

It shall be the duty of every member of the Police Department to conduct him/herself in a proper and law-abiding manner and to avoid the use of unnecessary force.

SECTION 38.13 WITNESS FEES

Every member of the Police Department shall appear as a witness whenever this is necessary in a prosecution for a violation of a Village ordinance or of a State or Federal law. But no such member shall receive any witness fees for such services in any action or suit to which the Village is a party; all fees due for such services shall if paid be turned over to the Village Treasurer.

SECTION 38.14 RULES AND REGULATIONS

The Chief of Police may make or prescribe such rules and regulations for the guidance of the members of the Department, as he shall see fit; such rules shall be binding upon all members of the Police Department, once the Board has approved the Rules and Regulations during an open Board meeting. The Chief shall see that all Department members have copies of rules, regulations and orders available to them for study and reference, and it shall be his duty to see that the same are enforced.

SECTION 38.15 AIDING POLICE

Any police officer of this Village may, at any time, call upon the able-bodied person above the age of twenty-one (21) years, to aid him in arresting or taking into custody any person guilty of having committed any unlawful act, or charged therewith, or aid such officer in preventing the commission of any unlawful act. No such person shall refuse or neglect to give such aid or assistance, when so requested.

SECTION 38.16 RESISTING ARREST; HINDERING POLICE; AIDING PRISONERS TO ESCAPE, ETC.

It shall be unlawful for any person to resist any member of the police force in the discharge of his duty or to in any way interfere with or prevent him from discharging his duty or endeavor to do so; and in any manner to assist any person in the custody of any member of the police force to escape or attempt to escape from such custody.

SECTION 38.17 FALSELY IMPERSONATING AN OFFICER - PENALTY

Any person who shall falsely impersonate any of the members of the Police Department of this Village or shall maliciously, or with intent to deceive, use or imitate any of the signs, signals or devices used by any officer of said Department or who, not being a police officer, shall wear in public the police uniform or shall impersonate or represent falsely that he is a member or officer of said Department shall be subject to the general penalty provision, Section 10.99, of this Stanford Municipal Code.

SECTION 38.18 MEMBERS OF THE POLICE DEPARTMENT - OATH

Ordinances of the Village of Stanford

Before entering upon the duties of his office, each member of the Police Department shall take the oath prescribed for all Village officers. The Chief of Police and other members of the Police Department shall receive such salary or compensation as shall be provided by Ordinance or contract approved by the Board.

SECTION 38.19 REPORTS TO SUPERIOR OFFICER

Every Police officer shall report to his commanding officer all persons to be gamblers, or suspected of gambling, receivers of stolen property, thieves, burglars, or disorderly persons, and also all unlawful or disorderly houses or places in said Village which may, from time to time, come to his knowledge. He shall also report to the Chief of Police any defects or any obstructions in any public streets, alley, or sidewalk in said Village.

SECTION 38.20 POWER OF ARREST

The police officers, together with the Chief of Police and all other persons possessing the power and authority of police officer shall have power to arrest all persons in the Village found in the act of violating any law or this Code or aiding or abetting in any such violation and shall arrest all persons found under suspicious circumstances and shall take all persons so arrested to the County Jail until they can be brought before the proper magistrate or court for trial or examination.

SECTION 38.21 TO SERVE WARRANTS AND PROCESS – HAVE POWERS OF CONSTABLES

Stanford police officers shall also have power and authority and it shall be their duty in the Village and outside of the same, when necessary and lawful, to serve and execute warrants and other legal papers for the apprehension and commitment of persons charged with the violation of any provisions of this Code or any time or misdemeanor or offense against the laws of the Village of State, or held for examination or trial. They shall also have power and authority, and it shall be their duty, when ordered by the Chief of Police, to serve and execute any civil process issued by any court in which the Village is a party and while serving or they shall be vested with and have all powers and authority conferred on constables at common law and by the laws of this State.

SECTION 38.22 GIVE FIRE ALARMS AND ATTEND FIRES

The Police Department may aid the Fire Department by giving alarms in case of fire and in clearing the streets or grounds in the immediate vicinity of the fire, whenever the same shall be necessary to aid the firemen in the performance of their duties.

SECTION 38.23 NEGLECT OF DUTY, ETC. – PENALTY

Any member of the Police Department who shall neglect or refuse to perform any duty required of him by this Chapter of the Village or the Rules and Regulations of the Police Department or who shall in the discharge of his official duties be guilty of any fraud, favoritism, extortion, oppression, or willful wrong or injustice or who shall become intoxicated while in the discharge of his duties or who shall hold familiar conversation with prostitutes or associate with rowdies, gamblers, or persons of low repute or who shall use violent, coarse, insolent, or abusive language to a superior or fellow officer or to any citizen, resident, or stranger or who shall use the power vested in him for the satisfaction of personal ill-will or hatred against any person. Any person who shall violate any

Ordinances of the Village of Stanford

provisions of this Chapter shall, on conviction thereof, be subject to the general penalty provision, Section 10.99, of this Stanford Municipal Code, and shall also be subject to removal from office by the Board.

SECTION 38.24 ALLEVIATION OF EMERGENCY SITUATION - FINANCIAL RESPONSIBILITY

Whenever any member of the Stanford Police Department in response to a call encounters an emergency situation requiring the procuring of goods or services from sources other than the Village of Stanford to respond to such emergency, the Chief of Police is authorized, by means of procedures determined by the Village of Stanford Disaster Policy, to procure such goods or services. The Village of Stanford shall be entitled to recover from any person, firm, or entity causing or contributing to the causing of said emergency any portion of the cost of said goods and/or services paid by the Village.

SECTION 38.25 MEDICAL EXPENSES OF ARRESTEES

(a) In order to implement 730 ILCS 125/17 Relating to the Responsibility for Certain Incurred Expenses Relating to Arrestees; the Village of Stanford will, accept financial liability for qualified medical expenses as defined in 730 ILCS 125/17 incurred by arrestees of the Stanford Police Department. This financial responsibility shall take the form of a direct payment from the Village of Stanford to the provider of medical services to such arrestee. Before liability will be assumed, the following conditions must be met: (1) The recipient of the services must have been arrested by and be or have been in the custody of the Stanford Police Department; (2) The recipient must have been in need of immediate medical care; (3) The provider of the medical services must be unable to collect directly from the recipient or his insurance company. For purposes of this section, a provider of medical services shall be deemed unable to collect directly from the recipient when, applying its usual procedures, it has been unable to collect for services rendered and the next step in its collection procedure is to refer the account to an attorney or collection agency.

(b) Upon making payment as provided for herein, the Village of Stanford shall succeed to the rights of the provider of medical services to the arrestee and shall be empowered to bring any appropriate action at law or in equity to recover payment of the amounts expended on behalf of the arrestee.

(c) It is purpose of this section to outline and define the obligation of the Village of Stanford under 730 ILCS 125/17. It is not the intention of the Stanford Village Board to assume any liability hereby other than that which is required by 730 ILCS 125/17.

SECTION 38.26 TRAFFIC CRASH REPORTS

Except as otherwise provided in this Section, the Police Department shall charge \$10.00 for each copy of a Traffic crash report.

SECTION 38.27 MAINTENANCE OF EMERGENCY CONTACT INFORMATION; NOTIFICATION TO POLICE DEPARTMENT

(a) Entities which provide monitoring services of alarm systems and which notify the Police Department or McLean County Dispatch Center of alarms are required to maintain accurate emergency contact information which will include the identity and telephone number or numbers of persons (hereafter called key holders) who are to be

Ordinances of the Village of Stanford

contacted with the information of the alarm activation. The responsibility for contacting such key holders regarding the alarm activation shall be with the entity providing such monitoring services and not with the Village.

(b) It is the responsibility of an entity providing monitoring services described in subsection (a) to contact McLean County Dispatch Center within twenty (20) minutes after its initial call to the Police Department or McLean County Dispatch Center, informing the McLean County Dispatch Center of the identity of the emergency contact person and that person's estimated time of arrival. If the monitoring entity cannot contact the key holder, it shall report such fact to the McLean County Dispatch Center within that same twenty (20) minute period, explaining the reasons why contact could not be made.

(c) Any person who shall violate any provision of this Chapter shall, on conviction thereof, be subject to the general penalty provision, Section 10.99, of this Stanford Municipal Code.

SECTION 38.28 INTENTIONAL ACTIVATION OF AN ALARM FOR NONCRIMINAL OCCURRENCE

Any person who intentionally activates any alarm when no offense is being committed or to test an alarm without first advising the McLean County Dispatch Center shall be deemed to have violated this Chapter.

SECTION 38.29 AUDIBLE ALARMS NOT DEACTIVATED OR DISCONNECTED A NUISANCE

(a) Responsible parties, who have audible alarms on their premises, must have alarms reset or shut off within ten (10) minutes after notification that the alarm has been activated.

(b) It shall be a violation of this Ordinance if a responsible party:

1. Fails to deactivate the alarm within ten (10) minutes after notification from the Police or McLean County Dispatch Center to do so; OR
2. Fails to provide for it or its designee to be contacted by telephone within ten (10) minutes of activation of an audible alarm.
3. It shall be a violation of this Ordinance for a responsible party which has received notice of discontinued response service as set forth herein to continue the operation of the audible alarm which results in the Police Department receiving requests to respond to the premises.

SECTION 38.30 LIABILITIES FOR FUNCTIONING OF ALARM SYSTEMS

The Village of Stanford and the Stanford Police Department and/or their agents shall not be held responsible for the installation, maintenance or malfunctioning of any alarm system.

SECTION 38.31 IDEMNIFICATION OF OFFICERS

The Village of Stanford will indemnify Stanford Police officers for acts or omissions in the performance of their official duties as a Stanford Police officer. The Village of Stanford will not indemnify Stanford Police officers for acts or omissions which are beyond the scope of official duties, deliberate criminal acts or for employer/employee disputes.

Ordinances of the Village of Stanford

SECTION 38.32 PENALTY

Unless otherwise provided in this Chapter, any person who shall violate any provision of this Chapter shall, on conviction thereof, be subject to the general penalty provision, Section 10.99, of the Stanford Village Code.

CHAPTER 39: IDENTITY THEFT POLICY

Section

- 39.01 Background
- 39.02 Program Purpose and Definitions
- 39.03 Identification of Red Flags
- 39.04 Detecting Red Flags
- 39.05 Preventing and Mitigating Identity Theft
- 39.06 Program Updates
- 39.07 Program Administration
- 39.08 Specific Program Elements and Confidentiality

SECTION 39.01 BACKGROUND

The Fair and Accurate Credit Transactions Act of 2003 defines “creditor” to include municipalities that furnish water service. The Village furnishes water service. Further, the Fair and Accurate Credit Transactions Act of 2003 defines accounts that are used for personal, family or household purposes. The Village has considered the size and complexity of the Village operations of the Village, the nature and scope of the Village activities and the prior history of the lack of any attempt to obtain confidential records. Further, the Village has taken into consideration the fact that it is a small municipality with limited funds, limited staff, located in a rural area in central Illinois and in general has not been a target of identity theft. The program that is adopted through this policy is appropriate to the small size of the Village, the lack of complexity of the Village itself and takes into consideration the nature of the Village operations. The Federal Trade Commission has specifically authorized municipalities to adopt flexible rules. Village personnel are encouraged to use common sense when securing confidential information. The Village has preformed an initial risk assessment to determine whether there are any accounts that are subject to the Fair and Accurate Credit Transactions Act of 2003. The Village has determined that the only accounts that the Village maintains that are subject to this Act are water billing accounts. The Village has also considered the methods that it currently uses to open accounts, the methods that it uses to access accounts and its previous experience with identity theft. The Village has never even experienced an attempt of identity theft.

SECTION 39.02 PROGRAM PURPOSE AND DEFINITIONS:

A. Fulfilling requirements of the Red Flags Rule Relevant warning signs for possible Identity Theft shall be called “Red Flags” for purposes of this Policy and under Fair and Accurate Credit Transaction Act of 2003. Under the Red Flag Rule, every municipality that furnishes water services is required to establish an “Identity Theft Prevention Policy” tailored to its size, complexity and the nature of its operation. Each program must contain reasonable policies and procedures to:

1. Identify relevant Red Flags for new and existing covered accounts and incorporate those Red Flags into the Program;

Ordinances of the Village of Stanford

2. Detect Red Flags that have been incorporated into the Program;
3. Respond appropriately to any Red Flags that are detected to prevent and mitigate Identity Theft; and
4. Ensure the Program is updated periodically, to reflect changes in risks to customers or to the safety and soundness of the creditor from Identity Theft.

B. Red Flags Rule definitions used in this Policy: The Red Flags Rule defines “Identity Theft” as “fraud committed using the identifying information of another person” and a “Red Flag” as a pattern, practice, or specific activity that indicates the possible existence of Identity Theft. All of the Village water accounts shall be governed by this program. Although the Village has water accounts that are not used for personal, family or household purposes, the Village has determined that it is appropriate to subject all water accounts to the provisions of this program. Some of the Village water accounts are for commercial and/or education purposes. “Identifying information” is defined under the Rule and Policy as “any name or number that may be used, alone or in conjunction with any other information, to identify a specific person,” including: name, address, telephone number, Social Security number, date of birth, government issued driver’s license or identification number, alien registration number, government passport number, employer or taxpayer identification number, unique electronic identification number, computer’s Internet Protocol address, or routing code.

SECTION 39.03 IDENTIFICATION OF RED FLAGS:

In order to identify relevant Red Flags, the Village considers the types of accounts that it offers and maintains, the methods it provides to open its accounts, the methods it provides to access its accounts, and its previous experiences with Identity Theft. The Village identifies the following red flags, in each of the listed categories:

- A. Notifications and Warnings from Credit Reporting Agencies: None. The Village does not subscribe to a Credit Reporting Service.
- B. Suspicious Documents:
 1. Identification document or card that appears to be forged, altered or inauthentic;
 2. Identification document or card on which a person’s photograph or physical description is not consistent with the person presenting the document.
 3. Other document with information that is not consistent with existing customer information (such as if a person’s signature on a check appears forged); and
 4. Application for service that appears to have been altered or forged.
- C. Suspicious Personal Identifying Information:
 1. Identifying information presented that is inconsistent with other information the customer provides (example: inconsistent birth dates);
 2. Identifying information presented that is inconsistent with other sources of information (for instance, an address not matching an address on file with the Village);
 3. Identifying information presented that is the same as information shown on other applications that were found to be fraudulent;
 4. Identifying information presented that is consistent with fraudulent activity (such as an invalid phone number or fictitious billing address);
 5. Social Security number presented that is the same as one given by another customer; An address or phone number presented that is the same as that of another person;
 6. A person fails to provide complete personal identifying information on an application when reminded to do so (however, by law social security numbers must not be required); and
 7. A person’s identifying information is not consistent with the information that is on file for the customer.
- D. Suspicious Account Activity or Unusual Use of Account:
 1. Change of address for an account followed by a request to change the account holder’s name;
 2. Payments stop on an otherwise consistently up-to-date account;

Ordinances of the Village of Stanford

3. Account used in a way that is not consistent with prior use (example: very high activity);
4. Mail sent to the account holder is repeatedly returned as undeliverable;
5. Notice to the Village that a customer is not receiving mail sent by the Village;
6. Notice to the Village that an account has unauthorized activity;
7. Breach in the Village's computer system security; and
8. Unauthorized access to or use of customer account information.

E. Alerts from Others: Notice to the Village from a customer, identity theft victim, law enforcement or other person that it has opened or is maintaining a fraudulent account for a person engaged in Identity Theft.

SECTION 39.04 DETECTING RED FLAGS:

A. New Accounts: In order to detect any of the Red Flags identified above associated with the opening of a new account, Village personnel will take the following steps to obtain and verify identity of the person opening the account:

1. Require certain identifying information such as name, date of birth, residential or business address, principal place of business for an entity, driver's license or other identification;
2. Verify the customer's identity (for instance, review a driver's license or other identification card);
3. Review documentation showing the existence of a business entity; and
4. Independently contact the customer
5. Require a photocopy of a State issued Driver's License or State Identification card to be made for the applicant that desires to open an account. If a State issued Driver's License or Identification Card are not available, then other appropriate photo identifications shall be furnished to the Village and a copy of such identification shall be maintained for Village records.

B. Existing Accounts: In order to detect any of the Red Flags identified above for an existing account, Village personnel will take the following steps to monitor transactions with an account:

1. Verify the identification of customers if the request information (in person, via telephone, via facsimile, via email);
2. Verify the validity of requests to change billing addresses; and
3. Verify changes in banking information given for billing and payment purposes.

SECTION 39.05 PREVENTING AND MITIGATING IDENTITY THEFT:

In the event Village personnel detect any identified Red Flags, such personnel shall take one or more of the following steps, depending on the degree of risk posed by the Red Flag:

A. Prevent and Mitigate:

1. Continue to monitor an account for evidence of Identity Theft;
2. Contact the customer;
3. Change any passwords or other security devices that permit access to accounts;
4. Not open a new account;
5. Close an existing account;
6. Reopen an account with a new number;
7. Notify the Program Administrator for determination of the appropriate step(s) to take;
8. Notify law enforcement; or
9. Determine that no response is warranted under the particular circumstances.

B. Protect customer identifying information: In order to further prevent the likelihood of identity theft occurring with respect to Village accounts, the Village will take the following steps with respect to its internal operating procedures to protect customer identifying information:

Ordinances of the Village of Stanford

1. Ensure that its website is secure or provide clear notice that the website is not secure;
2. Ensure complete and secure destruction of paper documents and computer files containing customer information;
3. Ensure that office computers are password protected and that computer screens lock after a set period of time;
4. Keep offices clear of papers containing customer information;
5. Request only the last 4 digits of social security numbers (if any);
6. Ensure computer virus protection is up to date; and
7. Require and keep only the kinds of customer information that are necessary for Village purposes.

SECTION 39.06 PROGRAM UPDATES:

This program will be periodically reviewed and updated to reflect changes in risks to customers of the Village and the soundness of the Village from Identity Theft. At least one time per year the Program Administrator will consider the Village's experiences with Identity Theft situation, changes in Identity Theft methods, changes in Identity Theft detection and prevention methods, changes in types of accounts the Village maintains and changes in the Village's business arrangements with other entities. After considering these factors, the Program Administrator will determine whether changes to the Program, including the listing of Red Flags, are warranted. If the Program Administrator believes that it is advisable, the Program Administrator will recommend updates to the Program to the Village. A written report shall be submitted by the Program Administrator each year concerning the review by the Program Administrator of this Program. The report shall be furnished to the Village by, on or before the last day of December, 2009 and each year thereafter.

SECTION 39.07 PROGRAM ADMINISTRATION:

- A. Oversight: Responsibility for developing, implementing and updating this Program lies with an Identity Theft Administrator for the Village. The initial Identity Theft Administrator shall be the Village Treasurer. By adopting this policy, the Board of Trustees hereby appoints the Village Treasurer as the Identity Theft Administrator for a term commencing on the effective date of this Ordinance and ending at the first regular or special meeting in May, 2010. Thereafter, the Village board may appoint some other person to serve as the Identity Theft Administrator. The Program Administrator will be responsible for the Program administration, for ensuring appropriate training of Village staff on the Program, for reviewing any staff reports regarding the detection of Red Flags and the steps for preventing and mitigating Identity Theft, determining which steps of prevention and mitigation should be taken in particular circumstances and considering periodic changes to the Program. The employees of the Village that interact directly with the customers on a day-to-day basis shall have the initial responsibility for monitoring the information and documentation provided by the customer and any third-party service provider in connection with the opening of new accounts and the modification of or access to existing accounts and the detection of any Red Flags that might arise. The Program Administrator shall take all steps necessary so that employees who might be called on to assist new customers with the opening of a new account, modification of an existing account or otherwise accessing accounts, be properly trained such that they have a working familiarity with the relevant Red Flags identified within this program so as to be able to recognize any Red Flags that might surface in connection with the transaction. The Program Administrator shall be responsible for making any final decisions on any unresolved Red Flags. In the event that an employee has any question concerning Red Flags or this program, at any time, the employee should immediately contact the Program Administrator.
- B. Staff Training and Reports: Village staff responsible for implementing the Program shall be trained either by or under the direction of the Program Administrator in the detection of Red Flags, and the responsive steps to be taken when a Red Flag is detected.
- C. Service Provider Arrangements: In the event the Village engages a service provider to perform an activity in connection with one or more accounts, the Village will take the following steps to ensure the service provider performs its activity in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of Identity Theft.

Ordinances of the Village of Stanford

1. Require, by contract, that service providers have such policies and procedures in place; and
2. Require, by contract, that service providers review the Village's Program and report any Red Flags to the Program Administrator.

SECTION 39.08 SPECIFIC PROGRAM ELEMENTS AND CONFIDENTIALITY:

For the effectiveness of Identity Theft prevention Programs, the Red Flag Rule envisions a degree of confidentiality regarding the Village's specific practices relating to Identity Theft detection, prevention and mitigation. Therefore, under this Program, knowledge of such specific practices are to be limited to the Village President, those employees who need to know them for purposes of preventing Identity Theft and the Identity Theft Administrator. Because this Program is to be adopted by a public body and thus publicly available, it would be counterproductive to list these specific practices here. Therefore, only the Program's general red flag detection, implementation and prevention practices are listed in this document.

CHAPTER 40 TRAVEL EXPENSE CONTROL

Section

Travel Expense Control

40.01 Definitions

40.02 Approval of Trips

40.03 Travel and Expense Voucher Required

40.04 Approval Prior to Submission to Village Board

40.05 Reimbursement for Automobile Travel: Combining of Trips Required

40.06 Types of Permissible Travel

40.07 Maximum Allowable Reimbursement

40.08 Reimbursement for Entertainment Expenses Prohibited

40.09 Approval of Travel Expenses for Member of the Corporate Authorities

SECTION 40.01 DEFINITIONS.

As used in this Chapter, the following terms shall have the meanings hereinafter set forth unless the context clearly requires otherwise:

Entertainment. Includes but 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.

Travel. Means any expenditure directly incident to official travel by employees and officers of the village involving reimbursement to travelers or direct payment to private agencies providing transportation or related services.

SECTION 40.02 APPROVAL OF TRIPS.

Ordinances of the Village of Stanford

All elected and appointed officials and employees of the Village shall obtain approval of the Village Board prior to any trip or travel on Village business that would require reimbursement of personal expenses from Village funds. Emergency exceptions to this policy may be granted by the Village President for travel on the behalf of the Village for all personnel except for the Village President. If an emergency exception is granted, the person who receives emergency exception to the policy shall file a report with village board at the next scheduled Village Board meeting. This report shall furnish to the Village Board the nature of the travel, the expenses occurred and the reason for the emergency approval.

SECTION 40.03 TRAVEL AND EXPENSE VOUCHER REQUIRED.

All elected and appointed officials and employees of the Village of Stanford who seek reimbursement of personal expense for travel, lodging, food or incidentals in the conduct of Village business shall complete a standardized Village of Stanford form for submission of such expense supported by the minimum required documents being attached with receipts and shall explain fully and factually the purpose of travel, of travel, places visited, and the exact cost of the individual for travel, lodging, meals and incidentals and attach thereto receipts for the same. The completed standardized request form shall be forwarded to the Village Clerk within ten (10) days following the completion of the travel. The Village Clerk upon receipt of the standardized request for shall submit the form to the individual or individuals whose approval is required prior to submission to the Village Board for payment.

SECTION 40.04 APPROVAL PRIOR TO SUBMISSION TO VILLAGE BOARD.

Prior to submitting a nonemergency request to reimbursement to the Village Board as provided for in this chapter, approval shall first be obtained for payment of personal expense of claimed on the village standardized request for be as follows:

- (A) Expenses of Street and Water Department personnel other than the Superintendent of Streets must be approved by the Superintendent of Streets and (1) member of the Board Committee that has jurisdiction over the expenditure.
- (B) Expenditures of the Police Department personnel other than the Police Chief must be approved by the Chief of Police and the Chairman of the Police Committee.
- (C) Expenses of the Police Chief, Village Clerk, Superintendent of Streets in the Village Treasurer must be approved by the Village President.

SECTION 40.05 REIMBURSEMENT FOR AUTOMOTIVE TRAVEL: COMBINING TRIPS REQUIRED.

Reimbursement for use of private automobiles by the village officials or employees for travel beyond the village will be paid at the business standard mileage rate established from time to time by the Internal Revenue Service. Whenever possible trip shall be combined when two (2) or more persons are traveling to the same area, conference, meeting or town.

SECTION 40.06 TYPES OF PERMISSIBLE TRAVEL.

The types of official business for which travel, meal, and lodging expenses are allowed is generally limited to only travel necessary appropriate or advisable for employee or office in connection with and in

Ordinances of the Village of Stanford

fulfillment of their official duties and responsibilities to the Village. Examples of permissible travel shall include but not be limited to the following:

- (A) Meetings of professional associates or organizations.
- (B) Professional education programs.
- (C) Professional trainings or certification classes.
- (D) Professional conferences or meetings.
- (E) Meetings with individuals or entities which meetings cannot be conveniently conducted within the Village limits.
- (F) Such other events or occurrences as made be necessary to adequately and fully attend to the duties and responsibilities assigned to the officer or employee.

SECTION 40.07 MAXIMUM ALLOWABLE REIMBURSEMENT.

The maximum allowable reimbursement to be paid to any employee for travel expenses which can be reimburse to the employee without advanced board approval is \$1,000.00. In the event of an emergency or other extraordinary circumstance, travel expense may only be authorized and approved in an amount in excess of the maximum allowable limit otherwise provided herein by the president. In order to approve nonemergency travel expenses in excess of the limits provided herein, the corporate authorities of the village must approve the reimbursement.

SECTION 40.08 REIMBURSEMENT FOR ENTERTAINMENT EXPENSES PROHIBITED.

The Village shall not reimburse any Board Member, President, employee, elected official or officer for any entertainment expense.

SECTION 40.09 APPROVAL OF TRAVEL EXPENSE OF MEMBER OF THE CORPORATE AUTHORITIES.

Members of the Village Board and the President may only have expenses for travel, meals, and lodging approved by a roll call vote at the open meeting the Village Board of Trustees. All other employees may not be reimbursed by the Village unless the travel expenses that are authorized pursuant to this chapter are approved in compliance with the requirements set forth within this chapter.

TITLE V: PUBLIC WORKS

CHAPTER 50: UTILITY SERVICES REGULATIONS

Section

- 50.01 Definitions
- 50.02 Extensions and alterations
- 50.03 Maintenance and repair
- 50.04 Restrictions on and curtailments of water use
- 50.05 Application, payment, availability, and use of Village's waterworks system
- 50.06 Damage to Village waterworks system
- 50.07 Connection to Village Water System
- 50.99 Penalty

Ordinances of the Village of Stanford

SECTION 50.01 DEFINITIONS.

As used in this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

Chairman. Chairman of the Water Committee of the Village of Stanford.

Municipal Waterworks System. All wells, storage tanks, pumps, treatment facilities, mains, pipes, conduits, meters, valves, and hydrants connected directly or indirectly to the Village's water supply source.

Private Mains. (Also called Building Service Lines) – Those mains, pipes, and conduits within the municipal waterworks system serving property or buildings of a single owner. Generally, private mains are located on private property and consist of the pipe which runs from the curb stop to and through and including the water meter to the water pipes within a building or structure.

Public Mains. (Also called Supply Pipes) – Those mains, pipes, and conduits within the municipal waterworks system serving property or buildings of more than one owner. Generally, public mains are located within streets, alleys, public rights-of-way or public easements and consist of the municipality's principal water supply line, individual service taps and individual curb stops.

SECTION 50.02 EXTENSIONS AND ALTERATIONS.

(A) **Extensions, alterations of or taps into public mains** – No person shall make an extension to or alteration of a public main except in conformance with the following requirements:

- (1) With the consent of the Chairman.
- (2) Under the supervision and control of the Water Plant Operator, the Superintendent of Streets, or the Chairman.
- (3) So the extension is located entirely within the dedicated public right-of-way.
- (4) So fire hydrants are provided not less frequently than every 1,000 feet.
- (5) So it is designed and installed of a size sufficient to serve future anticipated development in the area.
- (6) So it is designed, constructed, and installed of materials and in a manner so as to meet or exceed all applicable federal, State, and local environmental and water quality standards and requirements.

The cost of all water main extensions, alterations, or taps except those undertaken by the Village for the public welfare shall be borne solely and exclusively by the person requesting the extension, alteration, or tap, provided however, the Village shall supply curb stops for installation at locations approved by the Village.

(B) **Installation or alteration of private mains** – No person shall install or alter a private main except in conformance with the following requirements:

- (1) With the consent of the Chairman.
- (2) Under the supervision and control of the Water Plant Operator, the Superintendent of Streets, or the Chairman.
- (3) So the line is protected from frosts.

Ordinances of the Village of Stanford

(4) So the line is designed, constructed, and installed of materials and in the manner so as to meet or exceed all applicable federal, State, and local environmental and water quality standards and requirements.

(5) So it includes a water meter of a kind designated as acceptable by the President and Board of Trustees of the Village, that or those being the following:

(a) Badger or an equivalent meter.

SECTION 50.03 MAINTENANCE AND REPAIR OF VILLAGE WATERWORKS SYSTEM.

(A) **Private Mains** – All private mains, water meters (except those over which the Village has assumed maintenance and replacement responsibility) and all water pipe systems within buildings or structures shall be maintained in good repair and sound and operable condition at the sole and exclusive expense of the owner of the property on which it is located.

(B) **Other Portions of the Village's Waterworks System** – All wells, pumps, treatment facilities, storage facilities, hydrants, valves, curb stops, public mains, and other portions of the Village's waterworks system shall be maintained in good repair and kept in sound and operable condition by the Village through fees, taxes, assessments, or other revenue sources available to it.

SECTION 50.04 RESTRICTIONS ON AND CURTAILMENTS OF WATER USE.

(A) No person, firm, or corporation shall use any Village water that is not measured by a water meter.

(B) The Chairman of the Water Committee or the Board of Trustees when in his or their judgment or when the public interest or welfare requires it, may prohibit the following activities:

(1) The use of water for lawn sprinkling purposes.

(2) The use of water for fixtures requiring water to run continuously or nearly continuously.

No person shall knowingly violate any such water use prohibition. Persons shall be presumed to have knowledge of such a prohibition after it has been in the existence for forty-eight (48) consecutive hours or if he has been told of its existence by the Village President, any member of the Board of Trustees, or the Water Plant Operator or the Superintendent of Streets.

(C) No person shall knowingly allow a hydrant, tap, hose, faucet, or other plumbing fixture to be kept open with water running when it is not in use.

SECTION 50.05 APPLICATION/PAYMENT/AVAILABILITY/USE OF THE VILLAGE WATERWORKS SYSTEM.

(A) Application for water service –

(1) Applications to have water turned on shall be made in writing to the Village Collector on a form for the purpose provided by the Village Collector. Upon approval thereof, the application shall constitute a contract between the applicant as a customer and the Village obligating the applicant as a customer to pay for the water service in accordance with applicable rate schedules, and to comply with all applicable provisions of the rules, regulations, and conditions of service outlined in this Chapter.

(2) Any application for water service by a former user of water service of the Village who has an unpaid charge for water service or by a person with whom such former user resides shall be rejected unless such unpaid charge and any penalties thereon are paid at the time of such application.

Ordinances of the Village of Stanford

(3) The Village may at any time refuse additional service to any applicant if in the judgment of the Board of Trustees, the capacity of the system will not permit such use.

(4) The Village may refuse service if any occupant of the premises to be serviced has a delinquent bill for sewer or water service with the Village.

(B) Liability for payment – The owner of property, the occupant thereof, and the user of the water service shall be jointly and severally liable to pay for the services to such property and the service is furnished only upon condition that the owner, occupant, and user assume such liability.

(C) Billing – Commencing in May 2005 and each month thereafter, the Village will issue a bill for water services rendered pursuant to the charges hereinafter provided. The bills shall be due on the third day of the month following the billing month. Therefore, the first due date shall be June 3, 2005. Bills shall be directed to the current water customer as disclosed by the records maintained by the Village of Stanford. The bills shall be based upon meter readings taken or estimates made during a two-week period of time immediately prior to the mailing of the bill and shall be based on the metered indication of water used or estimation of water used since the preceding reading or estimation plus delinquencies and penalties, if any. Billing and notices shall be mailed or delivered to the customer's last address as shown by the records of the Village when due. However, failure to receive the same will not relieve the customer from the customer's obligation to pay the bill. Until May 2005 bills shall be issued as previously specified in Section 50.05 (C) of the Municipal Code of the Village of Stanford.

(D) Late payment penalty – Any bill that is not paid in full by, on, or before the third day of the month in which a bill is due, shall be assessed a 10% late penalty fee. This fee shall be added to the bill.

(E) Termination of service – Water service to any property for which the bill for service remains unpaid after the tenth day of the month in which a bill is due, may be shut off. In order to again receive water service, the bill must be paid in full together with all outstanding fees and charges including the foregoing late payment fee of a 10% penalty. Finally, water service shall not be resumed until a fee in the amount of \$35.00 has been paid to restore service.

(F) Lien for failure to pay for water services – Any bill remaining unpaid on the 11th day of a month in which a bill is due, shall constitute a lien upon the real estate to which the service has been rendered. The Village Clerk, Collector, and Treasurer are each individually authorized to file a notice of such lien in the office of the Recorder of Deeds of McLean County, Illinois, and to pursue such legal action as is necessary to collect the delinquent charges. A written statement of the lien shall be filed in the office of the Recorder of Deeds of McLean County and shall consist of a sworn statement that sets out a description of the real estate sufficient for identification, the amount of money due for service, and the date when such amount became delinquent, together with such information as is deemed relevant by the Village of Stanford to provide adequate notice and subsequent enforcement of said lien. Further, the Village Clerk, Collector, Treasurer may take all such legal action to collect such delinquent charges as may be directed by the Board of Trustees of the Village of Stanford. Any legal fees or expenses incurred in pursuing such action as is deemed reasonable and necessary to or proper to collect the delinquent charges shall be added to the bill and become part thereof. All fees charged by the McLean County Recorder of Deeds for filing such notices of lien shall be added to the bill and become a part thereof. Failure of the Village or representative thereof to discontinue or terminate water service after the delinquency shall not relieve the user or owner from the obligation to pay for water service and penalties and charges with reference thereto up to the date of termination. The failure of the Village Clerk, Collector, or Treasurer to record a lien claim or to mail such notice or the failure of the owner to receive such notice shall not affect the rights to foreclose the lien for unpaid water bills except as provided in sub-section G. The Village water lien may be foreclosed under the statutes of the State of Illinois. The cost, reasonable attorney fees and expenses of such foreclosure, and any such sale shall be first paid out of the proceeds of any sale of the premises pursuant to such foreclosure. The Village Attorney is hereby authorized to institute such proceedings in the name of the Village in any court of competent jurisdiction having jurisdiction over such matters against property for which the water bill has remained unpaid after the delinquency date. Such action shall be initiated upon direction of the Board of Trustees of the Village.

(G) Bad check service charge – Any person who issues a check or other draft to the Village of Stanford that is not honored upon presentment because the drawer does not have an account with the drawee or because the drawer

Ordinances of the Village of Stanford

does not have sufficient funds in his account or because the drawer does not have sufficient credit with the drawee shall be liable in the amount of \$25.00 or for all costs and expenses including reasonable attorneys fees incurred by any person in connection with the collection of the amount for which the check or other draft was written, whichever is greater, and shall be liable for late fees and interest upon the amount of the check or other draft at the rate and amount provided in the Village Code. Costs and expenses shall include reasonable costs and expenses incurred in a non-litigated collection of the check or other draft. Any person who issues a check or other draft to the Village of Stanford that is not honored upon presentment shall in the future pay subsequent bills only by cash, certified check, cashiers check or money order.

(H) Notice to property owner – The Village shall send a copy of the notice of lien, as provided for in subsection E, to the owner or owners of record of the real estate that is the subject of said lien. This notice shall be mailed after the lien is recorded.

(I) Charges – The following charges shall be made for water, metered or estimated:

- (1) \$15.471 per 0 – 1,500 gallons which is the minimum charge per billing cycle shall be \$15.
- \$6.534 per 1,000 gallons or portions thereof for gallons between 1,501 and 20,000
- \$6.962 per 1,000 gallons or portions thereof for gallons between 20,001 and 50,000
- \$7.498 per 1,000 gallons or portions thereof for gallons between 50,001 and 100,000
- \$10.712 per 1, 000 gallons or portions thereof for gallons over 100,000

All forgoing charges shall apply to properties within the Village limits. The charge for properties outside the corporate limits shall be two times the foregoing charges.

(2) In addition to the foregoing charges that are based upon gallons used or estimated, each individual customer of the Village shall pay a facility charge of \$7.00 per billing or portion thereof.

(3) In addition to the charges on a per gallon basis, either used or metered as provided for in paragraph 1 and in addition to the facility charge provided for in paragraph 2, each customer of the Village water system shall pay a 5% utility tax to the Village of Stanford as authorized by 65 ILCS 5/8-11-24.

(4) Water deposits required for each metered user shall be \$50.00 for properties located within the corporate limits and \$75.00 for properties located outside the corporate limits. An additional \$100.00 deposit must be paid by any applicant for water service deemed to be a high risk user. The determination of whether an applicant is a high risk user shall be made by the Village Clerk based upon the applicant's history as a user of water service of this Village or any other municipality, considering the applicant's history of timely payment, any delinquencies or late fees previously assessed, any history of non-payment or abandonment of water service with an outstanding balance, involuntary discontinuance or termination of water service, or of any behavior or practices which caused a lien for failure to pay water services to be filed.

(5) The charges for water specified in (I)(1) shall increase fourteen percent for all water use furnished for the first billing cycle that ends in January of 2021 and shall increase fourteen percent the first billing cycle that ends in January of 2022. In 2023 and thereafter, the charges for water shall automatically be 104% of the preceding year's charges for water service. All calculations shall be rounded to the nearest \$0.05 increment and shall be rounded up. The facility charges and sewer charge is not affected by this increase.

(6) Meters purchased since January 1, 1977 from the Village or purchased elsewhere but approved by Village officials may be signed over to the Village for future repair and replacement.

(J) Inspection – The Chairman of the Water Committee, the President, the Water Plant Operator, the Superintendent of Streets, or his or their appointed agents, if any, shall have free access at all reasonable hours to all parts of any premises to which Village water is found out of repair, improperly installed or improperly used, or located where it cannot be easily read, the Chairman of the Water Committee, the President, the Water Plant Operator, and/or the Superintendent of Streets or his or their appointed agents, if any, may require the owner of the property to repair, replace, or relocate such defect and upon failure or refusal to permit such examinations or to make such repairs, replacements, or relocations, water may be terminated to the property in the same manner as with delinquent and unpaid bills, subject to the appeal procedures of this Chapter.

Ordinances of the Village of Stanford

(K) Adjustments, appeals, and notices – Persons contesting the accuracy of a bill or desiring to seek relief of a pending delinquency of water shut-off or contesting any repair, replacement, or relocation order shall, within ten days from the receipt of the notice or bill, or in case no bill is received before the 20th of the month in which the bill was mailed, whichever occurs first, shall in writing state the nature of the objection or appeal or adjust the bill on the following basis: by prorating an amount which is the average of the last four billing periods plus 50%, provided however, no such adjustment shall be made during any two consecutive billing periods.

Prior to termination of service, the Village shall give notice of the pending termination and the availability of this adjustment and appeal procedure.

(L) Water leak policy-If a customer of the Village water system experiences a leak on the customer side of the Village water meter, the Village will adjust one bill, in a twelve (12) month period of time, per water meter pursuant to this policy. The following procedures shall apply to a request for an adjustment of the water bill.

1. The cause of the unusual water consumption shall be promptly fixed after the customer realizes that an amount of water was billed to the customer. The customer must show receipts show parts and/or labor. The request must be within 90 days of the leak.
2. The customer shall make a written request at the Village office for an adjustment of the customer's bill. This request must be on the Village form "Request for Adjustment on Water Charges"
3. The Village Clerk/Collector shall determine the average water use for the preceding twelve (12) months.
4. The Village Clerk/Collector, if approved by the board, shall reduce the bill by the lesser of the following:
 - a. 50% of the difference between the bill with the leak and the calculated twelve (12) months average bill
 - OR
 - b. \$150.00
5. The Village Clerk/Collector's written calculation of the adjustment of the bill shall be furnished to the Village Water Department Chair.
6. The Water Department Chair shall receive the Request for "Adjustment on Water Charges" and if approved, the customer's bill shall be adjusted in accordance with the eligibility requirements. If not approved by the Water Department Chair, the customer can appeal to the Village Board. If the Water Department Chair is unavailable, the Village President has authority to act on the Water Department Chair's behalf. Village Board's decision will be final. The bill will be adjusted within fourteen (14) days of the approval.
7. Meters must be read in the last twelve (12) months in accordance with Village Ordinance to be eligible.
8. If homeowners insurance is available for this loss, whether collected or not, their bill will not be eligible for this adjustment.

(M) Exemption – Any other government entity, including but not limited to the Allin Township Fire Department, Allin Township, Allin Township Road District, Allin Township Library, Olympia School District, and the Allin Township Park District, that receive water service from the Village and own real estate in Allin Township shall not be required to pay for the minimum charge provided for in paragraph H (5), which includes the water and facility charges. However, any such government agency shall be obligated to pay for all charges for water service in excess of the minimum charge provided for in paragraph H(5).

(N) Meter Reading – It shall be the responsibility of all the customers of the Village of Stanford, except for those customers who have radio read meters or pit meters, to read their water meter and promptly turn in the results of the water meter reading to the Village of Stanford. In the event that a customer of the Village of Stanford, except for those customers who have radio read meters or pit meters, fails to read their meter and turn in the results of the water meter reading to the Village of Stanford for 2 consecutive billing periods the customer's water service may be shut off and be subject to payment of a re-connect fee as provided for within the Village Code of the Village of Stanford. The Village Collector shall notify in writing any customer, except for the customers who have radio meters or pit meters, who for 2 or more consecutive months has failed to read their water meter and turn in the results of the water meter reading to the Village of Stanford. Fifteen days after the date of the mailing the notice water service to the affected customer shall be shut off and not restored until the water meter has been read and turned in to the Village of Stanford and the required reconnection fee has been paid.

(O) Shut Off Notice Fee – If a shut off notice is issued for any property that receives water and/or sewer

Ordinances of the Village of Stanford

Service an additional fee of \$25.00 shall be added to the outstanding bill which must be paid to avoid a shut off and if a shut off occurs the shut off notice fee must be paid before service shall be restored.

(P) Civil Liability for Non-Payment of Water Charges: Any person, firm or corporation failing to make payment for any water bill, preliminary sewer charge or charges in connection with water service furnished such person, firm or corporation by the due date thereof shall be liable in a civil action to the Village of Stanford for such unpaid water bill, preliminary sewer charges and water charges and any penalties thereon provided by the Village Code and for interest thereon from the due date thereof at the rate of eight percent (8%) per annum until paid and for the reasonable attorney's fees to be fixed by the Court and for any court costs connected with such civil action.

(Q) Integrity of water system: no one shall tamper with, alter or injure any part of the village water system or any water meter. All water furnished to customers must be metered and the plumbing at the site furnished may not be installed to circumvent this requirement. No water from the village water system shall be turned on or off by any person other than village employee or a person authorized by the village to perform such service. All violations of these provisions shall be subject to the water customers general penalty provisions set forth in section 10.99 of the village code and the customer who is receiving water from the village at the site of such activity shall have its water service turned off until the required shut off the internally imposed by section 10.99 is paid.

(R) Meter installation repair and replacement: all customers of the village water system shall allow the village to install, maintain and replace water meters on their property. The village shall determine the location of the meter and the type of water meter to be used and may update, change or replace the type of meter that is being used. If a customer denies access to their property for the purpose of installation, repair or replacement of the water meter than the village clerk shall notify, in writing, the customers and request that within 10 days of the date of the letter that an appointment to be scheduled with the village for installation, repair or replacement of a water meter. Such appointment must occur within 20 days of the date of the letter. If an appointment is not scheduled than the village may shut off the water service to the customer. Water service shall not be resumed until the water meter has been installed, repaired or replaced. Further, if water services shut off to the customer shall be required to pay all required reconnection fees and shall be required to pay unpaid water bills through and including the date of resuming the water service.

SECTION 50.06 DAMAGE TO VILLAGE WATERWORKS SYSTEM

(A) No person shall deposit any earth, debris, or other material in any water main, fire plug, or fire hydrant; turn any curb stop; injure in any manner any building, machinery, pipes, apparatus or fixtures of the Village waterworks system or knowingly perform or commit any act or omission tending to obstruct the safe, uninterrupted use and operation of the system.

(B) No person, firm, or association shall construct a sewer, septic tank, cesspool, or drain tile or dump any garbage, refuse, or rubbish within 100 feet of a well furnishing water supply to and for the Village of Stanford unless such construction is in accordance with applicable local, State, and federal environmental and water quality standards.

(C) No person, firm, entity, or corporation shall drill, operate, or cause to be operated any gas or oil well, or any water well other than for owner-occupied residential or agricultural purposes, within the immediate water shed or those areas providing the public water supply for the Village of Stanford, Illinois, as legally described above on lands within the limits of said water source area not owned by the Village of Stanford, Illinois, except by the express written approval of the Board of Trustees of the Village of Stanford.

SECTION 50.07 CONNECTION TO VILLAGE WATER SYSTEM:

(A) All properties located within the Village limits of the Village of Stanford shall be connected to public water system of the Village of Stanford and shall only receive their water from the public water system of the Village of Stanford unless written permission has been obtained from the Village of Stanford to not be connected to the Village of Stanford public water system.

Ordinances of the Village of Stanford

- (B) No well shall be drilled within the Village of Stanford for water, gas or oil, without the express Written permission of the Board of Trustees of the Village of Stanford.
- (C) No well shall be drilled for water, gas or oil within the immediate water shed or those areas Providing public water supply for the Village of Stanford without the express written permission of the Board of Trustees of the Village of Stanford.

SECTION 50.99 PENALTY.

Any person, firm, corporation, association, agent, or legal representative violating the provisions of this Chapter or failing to do any of those things this Chapter requires to be done shall be subject to discontinuance and the general penalty provision, Section 10.99, of the Stanford Municipal Code. Each day in which such violation shall continue shall be deemed to be a separate violation.

CHAPTER 51: CROSS-CONNECTION CONTROL

Section

- 51.01 General policy
- 51.02 Definitions
- 51.03 Water system
- 51.04 Cross-connection prohibited
- 51.05 Survey and investigations
- 51.06 Where protection is required
- 51.07 Type of protection required
- 51.08 Backflow prevention devices
- 51.09 Inspection and maintenance
- 51.10 Booster pumps

- 51.98 Violations
- 51.99 Penalty

SECTION 51.01 GENERAL POLICY.

- (A) **Purpose** – The purpose of this policy is:
- (1) To protect the public water supply system from contamination or pollution by isolating within the customer's water system contaminants or pollutants which could backflow through the service connection into the public water supply system.
 - (2) To promote the elimination or control of existing cross-connections, actual or potential, between the public or consumer's potable water system and non-potable water systems, plumbing fixtures and sources or systems containing substances of unknown or questionable safety.
 - (3) To provide for the maintenance of a continuing program of cross-connection control which will prevent the contamination or pollution of the public and consumer's potable water systems.

Ordinances of the Village of Stanford

(B) **Application** – This policy shall apply to all premises served by the public potable water supply system of the Village of Stanford Water Department.

(C) **Policy** – All plumbing installed within the Village of Stanford shall be installed in accordance with Illinois Plumbing Code, 77 Ill. Adm. Code 890, which is hereby adopted by reference. The Village Clerk shall keep three copies of said Code on file and available for public use, inspection, and examination. The owner or official custodian shall be responsible for protection of the public water supply system from contamination due to backflow or back-siphonage of contaminants through the customer's water service connection. If, in accordance with the Illinois Plumbing Code or in the judgment of the Superintendent of Streets, the Water Plant Operator, or his or their representative, an approved backflow prevention device is necessary for the safety of the public water supply system, the Superintendent of Streets or the Water Plant Operator shall give notice to the consumer to immediately install such approved backflow prevention device at each service connection to the premises. The consumer shall immediately install such approved device or devices at his own expense and in a manner in accordance with the Illinois Plumbing Code and all local regulations; failure, refusal, or inability on the part of the consumer to install such device or devices immediately shall constitute grounds for discontinuing water service to the premises until such device or devices have been installed. The consumer shall retain records of installation, maintenance, testing, and repair as required in Section 51.05 and Section 51.09 below for a period of at least five years.

SECTION 51.02 DEFINITIONS.

(A) The following definitions shall apply in the interpretation and enforcement of this policy:

Agency. Illinois Environmental Protection Agency.

Approved. Backflow prevention devices or methods approved by the Research Foundation for Cross-Connection Control of the University of California, Association of State Sanitary Engineers hereinafter referred to as "ASSE", American Waterworks Association, American National Standards Institute or certified by the National Sanitation Foundation.

Auxiliary Water System. Any water source or system on or available to the premises other than the public water supply system and includes the water supplied by the system. These auxiliary waters may include water from another purveyor's public water supply system; or water from a source such as wells, lakes, or streams, or process fluids; or used water. These waters may be polluted or contaminated or objectionable or constitute a water source or system over which the water purveyor does not have control.

Backflow. The flow of water or other liquids, mixtures, or substances into the distribution pipes of a potable water system from any source other than the intended source of the potable water supply.

Backflow Prevention Device. Any device, method, or type of construction intended to prevent backflow into a potable water system. All devices used for backflow prevention in Illinois must meet the standards of the Illinois Plumbing Code and the Illinois Environmental Protection Agency.

Consumer or Customer. The owner, official custodian, or person in control of any premises supplied by or in any manner connected to a public water system.

Consumer's Water System. Any water system located on the customer's premises. A building plumbing system is considered to be a customer's water system.

Contamination. An impairment of the quality of the water by entrance of any substance to a degree, which could create a health hazard.

Cross-Connection. Any physical connection or arrangement between two otherwise separate piping systems, one of which contains potable water and the other a substance of unknown or questionable safety or quality, whereby there may be a flow from one system into the other.

Ordinances of the Village of Stanford

(A) **Direct Cross-Connection.** A cross-connection formed when a water system is physically joined to a source of unknown or unsafe substance.

(B) **Indirect Cross-Connection.** A cross-connection through which an unknown substance can be forced, drawn by vacuum, or otherwise introduced into a safe potable water system.

Cross-Connection Control Device Inspector. A person authorized by the Illinois Environmental Protection Agency as an inspector for cross-connection purposes.

Double Check Valve Assembly. An assembly composed of single, independently acting check valves approved under ASSE Standard 1015. A double check valve assembly must include tight shutoff valves located at each end of the assembly and suitable connections for testing the water-tightness of each check valve.

Fixed Proper Air Gap. The unobstructed vertical distance through the free atmosphere between the water discharge point and the flood level rim of the receptacle.

Health Hazard. Any condition, device, or practice in a water system or its operation resulting from a real or potential danger to the health and well-being of consumers. The word “severe” as used to qualify “health hazard” means a hazard to the health of the user that could be expected to result in death or significant reduction in the quality of life.

Illinois Plumbing Code. 77 Illinois Administrative Code 890.

Inspection. A plumbing inspection to examine carefully and critically all materials, fixtures, piping and appurtenances, appliances and installations of a plumbing system for compliance with requirements of the Illinois Plumbing Code, 77 Illinois Administrative Code 890.

Non-Potable Water. Water not safe for drinking, personal, or culinary use as determined by the requirements of 35 Illinois Administrative Code 604.

Plumbing. The actual installation, repair, maintenance, alteration, or extension of a plumbing system by any person. Plumbing includes all piping, fixtures, appurtenances, and appliances for a supply of water for all purposes, including without limitation lawn sprinkler systems, from the source of a private water supply on the premises or from the main in the street, alley, or at the curb to, within and about any building or buildings where a person or persons live, work, or assemble. Plumbing includes all piping, from discharge or pumping units to and including pressure tanks in water supply systems. Plumbing includes all piping, fixtures, appurtenances, and appliances for a building drain and a sanitary drainage and related ventilation system of any building or buildings where a person or persons live, work, or assemble from the point of connection of such building drain to the building sewer or private sewage disposal system five feet beyond the foundation walls.

Pollution. The presence of any foreign substance (organic, inorganic, radiological, or biological) in water that tends to degrade its quality so as to constitute a hazard or impair the usefulness of the water.

Potable Water. Water which meets the requirements of 35 Ill. Adm. Code 604 for drinking, culinary, and domestic purposes.

Potential Cross-Connection. A fixture or appurtenance with threaded hose connection, tapered spout, or other connection which would facilitate extension of the water supply line beyond its legal termination point.

Process Fluids. Any fluid or solution, which may be chemically, biologically, or otherwise contaminated or polluted in a form or concentration that would constitute a health, pollutional, or system hazard if introduced into the public or a consumer’s potable water system. This includes but is not limited to:

(A) Polluted or contaminated waters;

(B) Process water;

Ordinances of the Village of Stanford

- (C) Used waters originating from the public water supply system which may have deteriorated in sanitary quality;
- (D) Cooling waters;
- (E) Questionable or contaminated natural waters taken from wells, lakes, streams, or irrigation systems;
- (F) Chemicals in solution or suspension;
- (G) Oils, gases, acids, alkalis, and other liquid and gaseous fluids used in industrial or other processes, or for fire fighting purposes.

Public Water Supply. All mains, pipes, and structures through which water is obtained and distributed to the public, including wells and well structures, intakes and cribs, pumping stations, treating plants, reservoirs storage tanks and appurtenances, collectively or severally, actually used or intended for use for the purpose of furnishing water for drinking or general domestic use and which serve at least 15 service connections or which regularly serve at least 25 persons at least 60 days per year. A public water supply is either a “community water supply” or a “non-community water supply”.

Reduced Pressure Principle Backflow Prevention Device. A device containing a minimum of two independently acting check valves together with an automatically operated pressure differential relief valve located between the two check valves and approved under ASSE Standard 1013. During normal flow and at the cessation of normal flow, the pressure between these two checks shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the check valves at less than supply pressure. The unit must include tightly closing shutoff valves located at each end of the device, and each device shall be fitted with properly located test cocks.

Service Connection. The opening, including all fittings and appurtenances, at the water main through which water is supplied to the user.

Survey. The collection of information pertaining to a customer’s piping system regarding the location of all connections to the public water supply system and must include the location, type, and most recent inspection and testing date of all cross-connection control devices and methods located within that customer’s piping system. The survey must be in written form, and should not be an actual plumbing inspection.

System Hazard. A condition through which an aesthetically objectionable or degrading material not dangerous to health may enter the public water supply system or a consumer’s potable water system.

Used Water. Any water supplied by a public water supply system to a consumer’s water system after it has passed through the service connection and is no longer under the control of the water supply official custodian.

Water Purveyor. The owner (the Village of Stanford) or official custodian (Chairman of the Water Committee) of a public water system.

SECTION 51.03 WATER SYSTEM.

- (A) The water system shall be considered as made up of two parts: (1) the public water supply system and (2) and the consumer’s water system.
- (B) The public water supply system shall consist of the source facilities and the distribution system, and shall include all those facilities of the potable water system under the control of the Superintendent of Streets and the Water Plant Operator up to the point where the consumer’s water system begins.
- (C) The source shall include all components of the facilities utilized in the production, treatment, storage, and delivery of water to the public water supply distribution system.

Ordinances of the Village of Stanford

(D) The public water supply distribution system shall include the network of conduits used to deliver water from the source to the consumer's water system.

(E) The consumer's water system shall include all parts of the facilities beyond the service connection used to convey water from the public water supply distribution system to points of use.

SECTION 51.04 CROSS-CONNECTION PROHIBITED.

(A) Connections between potable water systems and other systems or equipment containing water or other substances of unknown or questionable quality are prohibited except when and where approved cross-connection control devices or methods are installed, tested, and maintained to insure proper operation on a continuing basis.

(B) No physical connection shall be permitted between the potable portion of a supply and any other water supply not of equal or better bacteriological and chemical quality as determined by inspection and analysis by the Agency.

(C) There shall be no arrangement or connection by which an unsafe substance may enter a supply.

(D) No person, firm, or corporation shall establish or permit to be established or maintain or permit to be maintained any connection whereby a private, auxiliary, or emergency water supply other than the regular public water supply of the Village of Stanford enters the supply or distribution system of said municipality, unless such private, auxiliary, or emergency water supply and the method of connection and use of such supply shall have been approved by the Superintendent of Streets, the Water Plant Operator, and the Illinois Environmental Protection Agency.

SECTION 51.05 SURVEY AND INVESTIGATIONS.

(A) The consumer's premises shall be open at all reasonable times to the approved cross-connection control device inspector for the inspection for the presence or absence of cross-connections within the consumer's premises, and testing, repair, and maintenance of cross-connection control devices within the consumer's premises.

(B) On request by the Superintendent of Streets, the Water Plant Operator, or his or their authorized representative, the consumer shall furnish information regarding the piping system or systems or water use within the consumer's premises. The consumer's premises shall be open at all reasonable times to the Superintendent of Streets and/or the Water Plant Operator for the verification of information submitted by the inspection to the water purveyor regarding cross-connection inspection results. On demand the owner, lessees, or occupants of any property so served shall furnish to the Superintendent of Streets and/or the Water Plant Operator any information which he may request regarding the piping system or systems or water use on such property. The refusal of such information, when demanded, shall, within the discretion of the Superintendent of Streets and the Water Plant Operator, be deemed evidence of the presence of improper connections as provided in this Chapter.

(C) It shall be the responsibility of the water consumer to arrange periodic surveys of water use practices on his premises to determine whether there are actual or potential cross-connections to his water system through which contaminants or pollutants could backflow into his or the public potable water system. All cross-connection control or other plumbing inspections must be conducted in accordance with 225 ILCS 320/3. Such surveys and investigations shall be made a matter of public record and shall be repeated at least every two years, or as often as the Superintendent of Streets or the Water Plant Operator shall deem necessary. Records of such surveys shall be maintained and available for review for a period of at least five years.

(D) It is the responsibility of the water consumer to prevent backflow into the public water system by ensuring that:

(1) All cross-connections are removed; or approved cross-connection control devices are installed for control of backflow and back-siphonage.

Ordinances of the Village of Stanford

- (2) Cross-connection control devices shall be installed in accordance with the manufacturer's instructions.
- (3) Cross-connection control devices shall be inspected at the time of installation and at least annually by a person approved by the Agency as a cross-connection control device inspector (CCCDI). The inspection of mechanical devices shall include physical testing in accordance with the manufacturer's instructions.
- (4) Testing and records.
 - (a) Each device shall be tested at the time of installation and at least annually or more frequently if recommended by the manufacturer.
 - (b) Records submitted to the community public water supply shall be available for inspection by Agency personnel in accordance with 415 ILCS 5/4.
 - (c) Each device shall have a tag attached listing the date of most recent test, name of CCCDI, and type and date of repairs.
 - (d) A maintenance log shall be maintained and include:
 - 1. Date of each test;
 - 2. Name and approval number of person performing the test;
 - 3. Test results;
 - 4. Repairs or servicing required;
 - 5. Repairs and date completed; and
 - 6. Service performed and date completed.

SECTION 51.06 WHERE PROTECTION IS REQUIRED.

- (A) An approved backflow device shall be installed on all connections to the public water supply as described in the Illinois Plumbing Code, 77 Ill. Adm. 890, and the Agency's regulations, 35 Ill. Adm. 680. In addition, an approved backflow prevention device shall be installed on each service line to a consumer's water system serving premises, where in the judgment of the Superintendent of Streets and/or the Water Plant Operator, actual or potential hazards to the public water supply system exist.
- (B) An approved backflow prevention device shall be installed on each service line to a consumer's water system serving premises where the following conditions exist:
 - (1) Premises having an auxiliary water supply, unless such auxiliary supply is accepted as an additional source by the Superintendent of Streets and/or the Water Plant Operator and the source is approved by the Illinois Environmental Protection Agency.
 - (2) Premises on which any substance is handled which can create an actual or potential hazard to the public water supply system. This shall include premises having sources or systems containing process fluids or waters originating from the public water supply system which are no longer under the sanitary control of the Superintendent of Streets and/or the Water Plant Operator.
 - (3) Premises having internal cross-connections that, in the judgment of the Superintendent of Streets and/or the Water Plant Operator and the Cross-Connection Control Device Inspector, are not correctable or intricate plumbing arrangements which make it impractical to determine whether or not cross-connections exist.

Ordinances of the Village of Stanford

(4) Premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete cross-connection survey.

(5) Premises having a repeated history of cross-connections being established or re-established.

(C) An approved backflow device shall be installed on all connections to the public water supply as described in the Illinois Plumbing Code, 77 Ill. Adm. Code 890, and the Agency's regulations, 35 Ill. Adm. Code 653. In addition, an approved backflow prevention device shall be installed on each service line to a consumer's water system serving, but not necessarily limited to, the following types of facilities unless the Superintendent of Streets and/or the Water Plant Operator determines that no actual or potential hazard to the public water supply system exist:

- (1) Hospitals, mortuaries, clinics, nursing homes;
- (2) Laboratories;
- (3) Piers, docks, waterfront facilities;
- (4) Sewage treatment plants, sewage pumping stations, or storm water pumping stations;
- (5) Food or beverage processing plants;
- (6) Chemical plants;
- (7) Metal plating industries;
- (8) Petroleum processing or storage plants;
- (9) Radioactive material processing plants or nuclear reactors;
- (10) Car washes;
- (11) Pesticide or herbicide or extermination plants and trucks;
- (12) Farm service and fertilizer plants and trucks.

SECTION 51.07 TYPE OF PROTECTION REQUIRED.

(A) The type of protection required under Section 51.06(1), (2), and (3) of this code shall depend on the degree of hazard which exists as follows:

(1) An approved fixed proper air gap separation shall be installed where the public water supply system may be contaminated with substances that could cause a severe health hazard.

(2) An approved fixed proper air gap separation or an approved reduced pressure principle backflow prevention device shall be installed where the public water supply system may be contaminated with a substance that could cause a system or health hazard.

(3) An approved fixed proper air gap separation or an approved reduced pressure principle backflow prevention device shall be installed where the public water supply system may be polluted with substances that could cause a pollution hazard not dangerous to health.

(B) The type of protection required under Section 51.06(4) of these regulations shall be an approved fixed proper air gap separation or an approved reduced pressure principle backflow prevention device.

Ordinances of the Village of Stanford

(C) Where a public water supply or an auxiliary water supply is used for a fire protection system, reduced pressure principle backflow preventers shall be installed on fire safety systems connected to the public water supply when:

- (1) The fire safety system contains antifreeze, fire retardant, or other chemicals;
- (2) Water is pumped into the system from another source;
- (3) Water flows by gravity from a non-potable source; or water can be pumped into the fire safety system from any other source;
- (4) There is a connection whereby another source can be connected to the fire safety system.

SECTION 51.08 BACKFLOW PREVENTION DEVICE.

(A) All backflow prevention devices or methods required by this policy shall be approved by the Research Foundation for Cross-Connection Control of the University of Southern California, American Water Works Association, American Society of Sanitary Engineering, or American National Standards Institute or certified by the National Sanitation Foundation to be in compliance with applicable industry specification.

(B) Installation of approved devices shall be made in accordance with 35 Ill. Adm. Code 653.802, and only as specified by the Research Foundation for Cross-Connection Control of the University of Southern California or applicable industry specifications. Maintenance as recommended by the manufacturer of the device shall be performed. Manufacturer's maintenance manual shall be available on-site.

SECTION 51.09 INSPECTION AND MAINTENANCE.

(A) It shall be the duty of the consumer at any premises on which backflow prevention devices required by these regulations are installed to have inspection, tests, maintenance, and repair made in accordance with the following schedule or more often where inspections indicate a need or are specified in manufacturer's instructions.

(1) Fixed proper air gap separations shall be inspected to document that a proper vertical distance is maintained between the discharge point of the service line and the flood level rim of the receptacle at the time of installation and at least annually thereafter.

(2) Double check valve assemblies shall be inspected and tested at time of installation and at least annually thereafter, and required service performed within fifteen (15) days.

(3) Reduced pressure principle backflow prevention devices shall be tested at the time of installation and at least annually or more frequently if recommended by the manufacturer, and required service performed within five (5) days.

(B) Testing shall be performed by a person who has been approved by the Agency as competent to service the device. Proof of approval shall be in writing.

(C) Each device shall have a tag attached listing the date of most recent test or visual inspection, name of tester, and type and date of repairs.

(D) A maintenance log shall be maintained and include:

- (1) Date of each test or visual inspection;
- (2) Name and approval number of person performing the test or visual inspection;
- (3) Test results;

Ordinances of the Village of Stanford

- (4) Repairs and servicing required;
- (5) Repairs and date completed; and
- (6) Servicing performed and date completed.

(E) Whenever backflow prevention devices required by these regulations are found to be defective, they shall be repaired or replaced at the expense of the consumer without delay.

(F) Backflow prevention devices shall not be bypassed, made inoperative, removed or other wise made ineffective without specific authorization by the Superintendent of Streets and/or the Water Plant Operator.

SECTION 51.10 BOOSTER PUMPS.

(A) Where a booster pump has been installed on the service line to or within any premises, such pump shall be equipped with a low pressure cut-off device designed to shut-off the booster pump when the pressure in the service line on the suction side of the pump drops to 20 psi or less.

(B) It shall be the duty of the water consumer to maintain the low-pressure cut-off device in proper working order and to certify to the Superintendent of Streets and/or the Water Plant Operator, at least once a year, that the device is operable.

SECTION 51.98 VIOLATIONS.

(A) The Superintendent of Streets and/or the Water Plant Operator shall deny or discontinue, after reasonable notice to the occupants thereof, the water service to any premises wherein any backflow prevention device required by these regulations is not installed, tested, maintained, and repaired in a manner acceptable to the Superintendent of Streets and/or the Water Plant Operator, or if it is found that the backflow prevention device has been removed or bypassed, or if an unprotected cross-connection exists on the premises, or if a low-pressure cut-off required by these regulations is not installed and maintained in working order.

(B) Water service to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects in conformance with these regulations and to the satisfaction of the Superintendent of Streets and/or the Water Plant Operator, and a reconnection fee of two-hundred and fifty dollars (\$250.00) is paid.

(C) Immediate disconnection with verbal notice can be effected when the Superintendent of Streets or the Water Plant Operator is assured that imminent danger of harmful contamination of the public water supply exists. Such action shall be followed by written notification of the cause of disconnection. Immediate disconnection without notice to any party can be affected to prevent actual or anticipated contamination or pollution of the public water supply, provided that, in the reasonable opinion of the Superintendent of Streets or the Water Plant Operator or the Illinois Environmental Protection Agency, such action is required to prevent actual or potential contamination or pollution of the public water. Neither the public water supply, the Superintendent of Streets, or the Water Plant Operator, or his or their agents or assigns shall be liable to any consumer for any injury, damages, or lost revenues which may result from termination of said consumer's water supply in accordance with the terms of this Chapter, whether or not said termination was with or without notice.

(D) The consumer responsible for back-siphoned material or contamination through backflow, if contamination of the potable water supply system occurs through an illegal cross-connection or an improperly installed, maintained, or repaired device, or a device which has been bypassed, must bear the cost of clean-up of the potable water supply system.

SECTION 51.99 PENALTY.

Ordinances of the Village of Stanford

Whoever violates any provision of this Chapter shall be subject to the general penalty provision, Section 10.99, of this Stanford Municipal Code. Each day a violation occurs shall constitute a separate offense.

CHAPTER 52: SANITARY SEWER SYSTEM

Section

52.01 Preliminary Sewer Charge

SECTION 52.01 PRELIMINARY SEWER CHARGE

In order to generate funds to be used to pay for a portion of the costs associated with the design and construction of a sanitary sewer system to serve the Village a surcharge is hereby applied to all water that is furnished by the Village to all customers of the Village water system. The surcharge shall be \$5.00 per month for each customer of the Village water system that is located within the corporate limits of the Village. For purposes of this Section of the Village Code customer is hereby defined as any residence or commercial structure that is connected to the Village water system even if the residence or commercial structure is not receiving water for any reason.

TITLE VII: TRAFFIC CODE

CHAPTER 70: GENERAL PROVISIONS

Section

70.01 Illinois Vehicle Code adopted by reference

70.02 General

70.03 Definitions

SECTION 70.01 ILLINOIS VEHICLE CODE ADOPTED BY REFERENCE.

The Village of Stanford hereby adopts the current Illinois Vehicle Code, 625 ILCS 5, in effect at the time of the adoption of this Stanford Municipal Code, or as hereafter revised, as the traffic code to be obeyed within the corporate limits of the Village of Stanford. The Village Clerk shall keep three copies of said Illinois Vehicle Code on file and available for public use, inspection, and examination.

SECTION 70.02 GENERAL.

(A) It shall be unlawful for any person to operate a bicycle or motor vehicle or as a pedestrian, act in any way contrary to the provisions of the Illinois Vehicle Code in effect at the time of the act.

(B) Any person violating any provision of the Illinois Vehicle Code shall, upon conviction, be subject to the penalties therein prescribed.

Ordinances of the Village of Stanford

SECTION 70.03 DEFINITIONS.

For the purpose of this Chapter, the following words and phrases shall have the following meanings ascribed to them respectively:

Alley. A public way within a block, generally giving access to the rear of lots or buildings, and not used for general traffic circulation. (625 ILCS 5/1-102)

Authorized Emergency Vehicle. Emergency vehicles of village departments or public service corporations as are designated or authorized by proper local authorities; police vehicles; vehicles of the Fire Department and ambulances. (625 ILCS 5/1-105)

Bicycle. Every device propelled by human power upon which any person may ride, having two tandem wheels either of which is more than 16 inches in diameter. (625 ILCS 5/1-106)

Driver. Every person who drives or is in actual physical control of a vehicle. (625 ILCS 5/1-116)

Gross Weight. The weight of a vehicle, whether operated singly or in combination, without load, plus the weight of the load thereon. (625 ILCS 5/1-125)

Highway. The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel. (625 ILCS 5/1-126)

Implement of Husbandry. Every vehicle designed and adapted exclusively for agricultural, horticultural, or livestock raising operation, including farm wagons, wagon trailer, or like vehicles used in connection therewith, or for lifting or carrying an implement of husbandry, provided that no farm wagon, wagon trailer, or like vehicle having a gross weight of more than 36,000 pounds, shall be included hereunder. (625 ILCS 5/1-130)

Improved Highway. Any roadway of concrete, brick, asphalt, macadam and crushed stone, or gravel. (625 ILCS 5/1-131)

Local Authorities. Every county, village, and other local board or body having authority to enact laws relating to traffic under the Constitution and laws of this State. (625 ILCS 5/1-140)

Motor Vehicle. Every vehicle, which is self-propelled, except for vehicles moved solely by human power, and motorized wheelchairs. For this Section, motor vehicles are divided into two divisions:

First Division – Those motor vehicles which are designed for carrying not more than ten persons.

Second Division – Those motor vehicles which are designed for carrying more than ten persons, those designed or used for living quarters, and those motor vehicles which are designed for pulling or carrying freight or cargo, and those motor vehicles of the first division remodeled for use and used as motor vehicles of the second division. (625 ILCS 5/1-146)

Park or Parking. The standing of a vehicle, whether occupied or not, otherwise than when temporarily and actually engaged in loading or unloading merchandise or passengers. (625 ILCS 5/1-156)

Passenger Car. A motor vehicle of the first division, including a multipurpose passenger vehicle, that is designed for carrying not more than ten persons. (625 ILCS 5/1-157)

Pedestrian. Any person afoot. (625 ILCS 5/1-158)

Police Officer. Every officer authorized to direct or regulate traffic, or to make arrests for violations of traffic regulations. (625 ILCS 5/1-162)

Ordinances of the Village of Stanford

Rescue Squad. A voluntary association of individuals, or a fire department, dedicated to saving lives through the rescue of persons entrapped in wrecked vehicles or other hazardous circumstances, and associated with some unit of government. (625 ILCS 5/1-171.6)

Rescue Vehicle. A vehicle specifically designed, configured, and equipped for the performance of access and extrication from hazardous or life-endangering situations, as well as for the emergency transportation of persons who are sick, injured, wounded, or otherwise incapacitated or helpless. (625 ILCS 5/1-171.8)

Roadway. That portion of the highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or more separate roadways, the term “roadway” as used herein shall refer to any such roadway separately, but not all such roadways collectively. (625 ILCS 5/1-179)

Semitrailer. Every vehicle without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle, and so constructed its weight and that of its load rests upon or is carried by another vehicle. (625 ILCS 5/1-187)

Shoulder. That portion of the highway adjacent to the roadway accommodating stopped vehicles or for emergency use. (625 ILCS 5/1-187.1)

Sidewalk. That portion of a street between the curb lines, or the lateral lines of roadway and the adjacent property lines, intended for the use of pedestrians. (625 ILCS 5/1-188)

Snowmobile. A self-propelled device designed for travel on snow or ice or natural terrain steered by skis or runners, and supported in part by skis, belts, or cleats. (625 ILCS 40/1-2.15)

Stand or Standing. The halting of a vehicle, whether occupied or not, otherwise than when temporarily and actually engaged in receiving or discharging passengers. (625 ILCS 5/1-194)

Stop. The complete cessation from movement. (625 ILCS 5/1-199)

Stop or Stopping. Any halting, even momentarily, of a vehicle, whether occupied or not, except when necessarily to avoid conflict with other traffic, or in compliance with the directions of a police officer or traffic-control sign or signal. (625 ILCS 5/1-200)

Street. The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel. (625 ILCS 5/1-201)

Tow Truck. Every truck designed or altered and equipped for and used to push, tow, or draw vehicles by means of a crane, hoist, towbar, towline, or auxiliary axle, or to render assistance to disabled vehicles. (625 ILCS 5/1-205.1)

Traffic. Pedestrians, ridden or herded animals, vehicles, streetcars, and other conveyances either singly or together while using any highway for purposes of travel. (625 ILCS 5/1-207)

Traffic Regulations. Any provision of this code or other regulatory ordinance for the purpose of which is to directly control or improve traffic and safety of both vehicles and pedestrians.

Trailer. Every vehicle without motive power in operation, other than a pole trailer, designed for carrying persons or property, and for being drawn by a motor vehicle, and so constructed that no part of its weight rests upon the towing vehicle. (625 ILCS 5/1-209)

Truck. Every motor vehicle designed, used, or maintained primarily for the transportation of property. (625 ILCS 5/1-211)

U-turn. To turn a vehicle so as to proceed in the opposite direction. (625 ILCS 5/11-802)

Vehicle.

Ordinances of the Village of Stanford

(A) Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power, devices used exclusively upon stationary rails or tracks, and snowmobiles as defined in the Snowmobile Registration and Safety Act.

(B) For the purposes of this Chapter, unless otherwise prescribed, a device shall be considered to be a vehicle until such time it comes within the definition of a “junk vehicle”, as defined under the Illinois Vehicle Code, 625 ILCS 5/1-134.1, or a junking certificate is issued for it.

(C) For this Section, vehicles are divided into two divisions:

First Division – Those motor vehicles which are designed for the carrying of not more than ten person.

Second Division – Those motor vehicles which are designed for carrying more than ten persons; those designed or used for living quarters; those which are designed for pulling or carrying property, freight, or cargo; those vehicles of the first division remodeled for use and used as vehicles of the second division; and those vehicles of the first division used and registered as school buses. (625 ILCS 5/1-217)

CHAPTER 71: TRAFFIC AND TRUCK TRAFFIC REGULATIONS

Section

Traffic Regulations

71.01 U-turn on Main Street

Truck Traffic Regulations

71.10 Truck Route

Prohibitions

71.15 Use of roller blades, skateboards, or similar devices

71.16 Use of snowmobiles

Golf Cart, Neighborhood Vehicle and All-Terrain Vehicle Regulations

71.20 Definitions

71.21 Restrictions on vehicles

71.22 Operator Requirements

71.23 Equipment Requirements

71.24 Operation Restrictions

71.25 Registration

71.26, Public safety exemption

71.30 Stop Intersections.

71.99 Penalty

Ordinances of the Village of Stanford

TRAFFIC REGULATIONS

SECTION 71.01 U-TURN ON MAIN STREET.

No vehicle operating on Main Street between Division Street and Grant Street shall be permitted to make a U-turn. Signs shall be erected to prohibit a U-turn on Main Street between Division Street and Grant Street. Any person who violates this Section of the Stanford Municipal Code shall be fined as provided for in the general penalty provision of Chapter 10, Section 10.99 of the Stanford Municipal Code.

TRUCK TRAFFIC REGULATIONS

SECTION 71.10 TRUCK ROUTE.

The following provisions shall apply to the operation of trucks, motor vehicles, buses, and all motorized vehicles within the Village limits of the Village of Stanford:

(A) It shall be unlawful to drive any truck or bus on any streets not specified in subsection (C) or in any alley. A **Truck** is hereby defined as a motorized vehicle that has a weight of 8,000 pounds per single axle and 32,000 pounds per tandem axle unladen or laden. Trucks and buses may, however, use said streets for the sole purpose of crossing said streets at intersections and making deliveries and pick-ups on said streets. Trucks may also use said alleys for the sole purpose of making deliveries and pick-ups in said alleys, provided that the loading facility is not accessible via street. Operators of emergency trucks, trucks of contractors who have contracted with the Village to repair streets, alleys, water mains, or sewer mains, and government-owned trucks are exempt from the provision of this Section.

(B) Any vehicle that is exempted, pursuant to the proceeding subsection of this Section shall only be driven the minimum distance necessary for the purpose of making deliveries, picking up loads, or providing repairs or emergency services.

(C) Trucks of up to 20,000 pounds per single axle and 34,000 per tandem axle may be driven on the following streets of the Village which are hereby designated as a truck route:

(1) The entire length of Main Street; and

(2) Kathleen Street from April 15th until January 15th. All other times Kathleen Street shall not be utilized as a truck route.

PROHIBITIONS

SECTION 71.15 USE OF ROLLER BLADES, SKATEBOARDS, OR SIMILAR DEVICES.

(A) No person upon roller skates or roller blades or riding in or by means of any coaster, toy vehicle, skateboard, or similar device shall be allowed upon the following streets of the Village:

- (1) Main Street – from Division Street to Kathleen Street;
- (2) Kathleen Street; and
- (3) Division Street.

Ordinances of the Village of Stanford

(B) At all other locations, each person upon roller skates or roller blades or riding in or by means of any coaster, toy vehicle, skateboard, or similar device upon any street shall observe the standard rules of the road and shall only use such devices during daylight hours. No person shall use or ride upon any of the aforementioned devices after dark. Each person upon such devices shall be allowed upon all sidewalks of the Village.

SECTION 71.16 USE OF SNOWMOBILES.

Each person operating a snowmobile shall observe the standard rules of the road and shall be operated in conformance with the Snowmobile Registration and Safety Act, 625 ILCS 40/1-1 et seq. Snowmobiles shall be operated only on the streets of the Village. Snowmobiles shall not be operated on private property unless specific permission from the owner of the premises has been granted.

GOLF CART, NEIGHBORHOOD VEHICLE, AND ALL TERRAIN VEHICLE REGULATIONS

SECTION 71.20 DEFINITIONS:

The following words shall have the following definitions for the Village Code of the Village of Stanford:

- (A) **“Golf Cart”** is a vehicle specifically designed and intended for purposes of transporting one or more persons and their golf clubs or maintenance equipment while engaging in the playing of golf, supervising the play of golf, or maintaining the conditions of the grounds on a public or private golf course. (625 ILCS 5/1-123(9))
- (B) **“Neighborhood Vehicle”** is a self-propelled, electronic-powered, four-wheeled motor vehicle (or a self-propelled, gasoline-powered, four-wheeled motor vehicle with an engine displacement under 1,200 cubic centimeters) that is capable of attaining in one mile a speed of more than 20 miles per hour, but not more than 25 miles per hour, and which conforms to federal regulations under Title 49 C.F.R. Part 571.500. (625 ILCS 5/1-148(3)(m))
- (C) **“All-terrain Vehicle”** is a motorized off highway utility vehicle specifically intended for utility use and which is intended to transport persons and cargo, has a non-straddle seat, and is designed to travel on four or more wheels, using a steering will and foot pedal control, has top speed of 25 mph, and is over 80 inches or less overall width, except equipment such as lawnmowers.
- (D) **“Off highway Motorcycle”** is a motorized device designed to travel primarily off-highway on 2 wheels, having a seat or saddle for the use of the operator, upon or by which any person, persons or property may be transported or drawn.(625 ILCS 5/1-153.1)

SECTION 71.21 RESTRICTIONS ON VEHICLES:

No golf carts, neighborhood vehicles, or all-terrain vehicles may be operated on the Village streets of the Village of Stanford except as provided for herein and except in accordance of with Illinois law. Under no circumstances may an off-highway motorcycle be operated on the Village streets of the Village of Stanford. No golf carts, neighborhood vehicles, or all-terrain vehicles may be operated on any County highway but may cross a County Highway. The owner and operator jointly and severally, of any golf carts, neighborhood vehicles, all-terrain vehicles or off-highway motorcycles that are operated on the streets of the Village in violation of this Article of the Village Code of the Village of Stanford may be fined as provided for in Sec. 10.99. In addition, operation of any of the foregoing vehicles on Village streets in violation of this Ordinance is a violation of Illinois law and subject to prosecution by the States Attorney.

SECTION 71.22 OPERATOR REQUIREMENTS:

Ordinances of the Village of Stanford

Golf carts, neighborhood vehicles, or all-terrain vehicles may only be operated on the streets of the Village by a driver who possesses a valid drivers license and any such vehicle operated on the Village streets must be covered by the minimum liability insurance that the State of Illinois requires of all passenger vehicles. Proof of insurance must be furnished to the Village Police Department upon request.

SECTION 71.23 EQUIPMENT REQUIREMENTS:

All golf carts, neighborhood vehicles, or all –terrain vehicles that are operated on the Village streets must, at a minimum, have the following; brakes, a steering apparatus, tires, a rearview mirror, red reflectorized warning devices in the front and rear, a slow moving emblem on the rear of the golf cart, a headlight that emits a white light visible from a distance of 500 feet to the front, a tail lamp that emits a red light visible from at least 100 feet from the rear, brake lights, and turn signals.

SECTION 71.24 OPERATION REQUIREMENTS:

Any golf cart, neighborhood vehicles, or all-terrain vehicles operated on the Village streets may not travel a speed in excess of 25 miles per hour. Any golf cart, neighborhood electric vehicles, or all-terrain vehicles operated on the Village streets shall obey all traffic laws of the State of Illinois. Operation of golf carts, neighborhood electric vehicles, or all-terrain vehicles on the Village streets by a person who is under the influence of alcohol may be prosecuted for driving while under the influence of alcohol as provided by Illinois law.

SECTION 71.25 REGISTRATION:

Any person that operates golf carts, neighborhood vehicles, or all-terrain vehicles on the Village streets shall first register the vehicle prior to operation of the vehicle on Village streets and shall pay a registration fee which shall be set by the Village Board. No golf cart, neighborhood vehicle, or all-terrain vehicle may be operated in the Village of Stanford unless it is registered with the Village. Proof of liability insurance shall be presented upon registration and the golf cart, neighborhood vehicle, or all-terrain vehicle shall be subject to an equipment inspection. No registration shall be issued unless the golf cart, neighborhood vehicle, or all-terrain vehicle is in compliance with all requirements of this Section, including but not limited to the Equipment Requirements contained in Section 71.23.

SECTION 71.26, PUBLIC SAFETY EXEMPTION:

Despite the foregoing provisions, or any other provisions set forth in the Village Code, a golf cart, All-terrain Vehicle, or neighborhood vehicle may be operated on village streets for purposes of public safety if authorized by a police officer of the Village. Exceptions shall only be authorized for the purpose of providing public safety under the direction of a village police officer.

SECTION 71.30 STOP INTERSECTIONS

Pursuant to 625 ILCS 5/11-304
traffic shall stop at the following locations in the Village:

Intersection	Location of Sign
Kathleen and Rt 122	NE side of Kathleen
Kathleen and North St.	N side of North St.
Kathleen and Pleasant St.	N side of Pleasant St.
Kathleen and Carter St.	N side of Carter St.
Kathleen and Main St.	N side of Main St.
North St. and Chestnut St.	NW side & SE side of Chestnut St.

Ordinances of the Village of Stanford

Pleasant St. and Chestnut St.	NW side & SE side of Chestnut St.
Carter St. and Chestnut St.	NW side of Chestnut St.
Pleasant St. and Blackstone Ave.	S side of Pleasant St.
Carter St. and Blackstone Ave.	S side of Carter St.
Blackstone Ave. and Main St.	NW side & SE side of Blackstone Ave.
W. Boundary Ave. and Blackstone Ave.	SW side of Blackstone Ave.
W. Main St. and S. Grant Ave.	NE side of Grant Ave.
W. Boundary Ave. and S. Grant Ave.	NW-SW-SE-NE 4-Way
W. Main St. and S. Armstrong St.	NE side of Armstrong St.
W. Boundary Ave. and S. Armstrong St.	NW-SW-SE-NE 4-Way
School St. and S. Armstrong St.	SW side of Armstrong St.
W. Main St. and Division St.	SW-NE Main St.
White Rd. and Division St.	N side of White Rd.
Division St. and Rt 122	NE of Division & SW
Boundary Ave. and S. Division St.	NE-SW of Boundary Ave.
School St. and S. Division St.	S side of School St.
Circle Ln. and S. Division St.	N side of Circle Ln.
Stringtown Rd. and S. Division St.	SW-NE of Stringtown Rd.
E. Main St. and S. Lewis Ave.	NE Lewis Ave.
E. Boundary Ave. and S. Lewis Ave.	SW Lewis Ave.
W. Stringtown Rd. and S. Kathleen St.	SW of Kathleen St.

SECTION 71.99 PENALTY.

Violation of this Chapter shall be subject to the general penalty provision, Section 10.99, of this Stanford Municipal Code. Each day a violation occurs shall constitute a separate offense.

CHAPTER 72: PARKING REGULATIONS

Section

- 72.01 Stopping, standing, or parking prohibited
- 72.02 Limited parking
- 72.03 Authority to tow and store vehicles
- 72.04 Towing and storage of vehicles having more than ten unpaid parking tickets
- 72.05 Responsibility of owner
- 72.06 Citation on illegally parked vehicle
- 72.07 Failure of violator to appear
- 72.08 Presumption
- 72.09 Severability

72.99 Penalty

Ordinances of the Village of Stanford

SECTION 72.01 STOPPING, STANDING, OR PARKING PROHIBITED.

(A) It shall be unlawful for any person to park a truck, truck tractor, or road tractor, whether with or without a trailer, or any other vehicle having more than two axles or a gross weight of more than 10,000 pounds, except such vehicles licensed as recreational vehicles, on any street, public property, or private property in an area zoned in the Village of Stanford, except for such temporary parking as is required to load or unload cargo, make minor repairs, or perform routine cleaning and maintenance. This provision shall not apply to vehicles owned or leased by a church or school district when parked on church or school property.

(B) It shall be unlawful for any person to stop, stand, or park a vehicle except where necessary to avoid conflict with other traffic or in compliance with the law of the directions of a police officer or traffic control device in any of the following places within the Village:

- (1) On a sidewalk;
 - (2) Blocking any public or private driveway;
 - (3) Blocking any alley or crosswalk;
 - (4) Within fifteen (15) feet of a fire hydrant;
 - (5) Within fifteen (15) feet of an intersection;
 - (6) On the roadway or street side of any vehicle stopped or parked at the edge or curb of a roadway or street (double parked);
 - (7) On a roadway or street other than parallel with the edge of the roadway or street, headed in the direction of lawful traffic movement, except as otherwise designated, and with the right-hand or left-hand wheels of the vehicle within twelve inches of the curb or edge of the roadway or street, except as otherwise provided by this code;
 - (8) On the street in the following locations; on the east side of Chestnut Street north of North Street, on the east side of Kathleen Street north of North Street, on the south side of boundary Street west of Grant Avenue and East of Blackstone and on the south side of E. Boundary St. between Blackstone and Grant Avenue.
 - (9) Upon a roadway or street or alley in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway, street, or alley for free movement of vehicular traffic.
- (C) When signs are erected at the entrances of state or county highways or roads into the Village giving notice thereof, no person shall park a vehicle on such highway or road between the hours of 2:00 a.m. and 6:00 a.m. on any day for longer than thirty (30) minutes except emergency vehicles and physicians on call.
- (D) It shall be unlawful to park any vehicle upon any street for the purpose of displaying it for sale.
- (E) It shall be unlawful to park any vehicle upon any street from which vehicle merchandise is peddled.
- (F) It shall be unlawful to park any vehicle upon any street without State license plates upon it issued for such vehicle to the owner of the vehicle in accordance with the Illinois Compiled Statutes.
- (G) It shall be unlawful to park any vehicle upon the following streets after a snowfall of two or more inches as determined by the National Weather Service: Harrison St., South Lewis Street and chestnut Street north of North Street..

SECTION 72.02 LIMITED PARKING.

Ordinances of the Village of Stanford

The President and the Board of Trustees may from time to time designate certain blocks and areas in blocks as limited parking areas. When signs are erected giving notice thereof, no person shall park a vehicle for longer than the time designated within the block or area in a block so specified.

SECTION 72.03 AUTHORITY TO TOW AND STORE VEHICLES.

(A) Any police officer or member of the Police Committee of the Village of Stanford is hereby authorized to remove and tow away, or have removed and towed away by commercial towing service or by other person or persons, any motor vehicle parked or permitted to remain in any place in violation of the provisions of the Stanford Municipal Code. Motor vehicles so towed away shall be stored on any municipal property or in a public garage or parking lot or at a service station and shall be restored to the owner or authorized operator thereof after payment of the expense incurred by removing and storing such motor vehicle. Any motor vehicle not claimed within the time provided by the Illinois Vehicle Code shall be disposed of in the manner provided by the Illinois Vehicle Code.

(B) To obtain a vehicle, which has been towed and stored pursuant to the provisions hereof, the owner or the person having the right to possession of the vehicle must first obtain a release from the Village Clerk. A release may be obtained by showing proof of ownership or proof of right to possession and paying the expense incurred by removing and storing such motor vehicle. After a person has obtained a release, the release may be taken to the storage facility after all costs of towing and storage have been paid by the owner of the vehicle or the person having the right to possession of the vehicle. If the towing and storage costs are not so paid within a reasonable period of time, the same may be paid by the sale of the vehicle in accordance with existing law.

(C) Whenever a member of the Police Committee or a police officer has authorized the removal of a vehicle from public or private property and such person knows or is able to ascertain from the registration records of the vehicle the name and address of the owner thereof, such member of the Police Committee or police officer shall, as soon as practical, give or cause to be given notice in writing by first-class mail to the owner or other legally entitled person, if known, of the fact of such removal, the reasons therefor, and the place to which the vehicle has been removed.

SECTION 72.04 TOWING AND STORAGE OF VEHICLES HAVING MORE THAN TEN UNPAID PARKING TICKETS.

(A) Notice of Violations – Whenever it is determined that any motor vehicle has been involved in the issuance of ten (10) or more unpaid parking tickets as a result of parking violations identified on the tickets and such condition has existed for a period of forty (40) days after the issuance of the tenth unpaid ticket, any such vehicle shall be deemed to be a public nuisance. The Village Clerk, the Village President, or the Chief of Police shall cause to be personally served upon the owner of record of said motor vehicle a notice describing the violations stating that said vehicle will be subject to being picked up, towed, stored, and possibly sold at a later date by an authorized agent of the Village of Stanford, all at the expense of the owner, whenever it is found on any public street, public parking lot, or other public right-of-way, if said unpaid tickets are not paid or otherwise disposed of with the Village by the owner or the owner's agent within ten (10) days after the date of the service of said notice. The notice may be served by any member of the Stanford Police Department or in any manner provided by law for the personal service of summons in civil cases.

(B) Meeting with Owner – The vehicle owner may request a review of the unpaid tickets by the Police Committee by submitting in writing a request for review stating the reason and circumstances for said review, which meeting shall be scheduled at the Village Hall as soon as possible, at a time mutually convenient for the parties, but not more than thirty (30) days from the date of service of the above described notice. The Police Committee shall have the authority to make binding agreements relating to the amounts due, if any, and may agree to any payment terms which are determined to be in the best interests of the Village.

(C) Impoundment – If the vehicle owner:

Ordinances of the Village of Stanford

- (1) Fails to give written notice requesting a meeting with the Police Committee; or
 - (2) Does not appear at such meeting and does not ask, in writing, for a short delay of the meeting date because of unanticipated personal problems; or
 - (3) Cannot agree with the Police Committee on the amount due or arrange an acceptable method of payment; or
 - (4) Having so agreed on a method of payment, fails to make any payment when due; or
 - (5) Has not instituted legal action to have his responsibilities and rights with respect to said tickets judicially determined, then the Police Committee shall make a written finding of such facts. Thereafter, whenever such vehicle is found parked or unattended on a public right-of-way in the Village of Stanford, it shall be subject to being immediately towed and stored. Stanford Police officers shall have the power and are hereby authorized to remove or have the vehicle removed by either private or government equipment to a Village or private storage facility as may be deemed advisable. The towing and storage of the vehicle shall not be delayed or prohibited by the fact that a friend, relative, lessee, agent, or employee of the owner may have been operating the vehicle just prior to the impoundment.
- (D) Notice to Owner – Whenever a vehicle has been towed or stored, a notice of such removal and the location of storage shall be served on the registered owner of the vehicle if his name and address are known or can be ascertained with reasonable diligence. The notice shall state that if a release of the vehicle is not promptly obtained, it shall be treated as an abandoned vehicle and sold as such under 625 ILCS. The notice may be served by any member of the Stanford Police Department or by certified mail.
- (E) Release of Vehicle – Impounded vehicles will be released to their lawful owners or their agents upon a showing of adequate evidence of a right to possession and the payment by certified check to the Village of Stanford of all accrued fines, penalties, incurred costs, towing, storage, and related charges. The person to whom the vehicle is released must sign a receipt for the vehicle and thereon state the capacity under which he is obtaining possession of the vehicle.
- (F) Funds from Sale – The funds from the sale of any vehicle hereunder shall first be applied to the payment of all accrued fines, incurred costs, towing, storage, and related charges, and the remainder shall be disposed of as provided by law.
- (G) Rules and Regulations – The Village of Stanford Board of Trustees is hereby authorized to adopt by resolution, such rules and regulations as are necessary to carry out the provisions of this Chapter.

SECTION 72.05 RESPONSIBILITY OF OWNER.

The fact that a vehicle is registered in a person's name shall be prima facie proof that such person was responsible for any violation of any parking regulation of this Chapter involving such vehicle.

SECTION 72.06 CITATION ON ILLEGALLY PARKED VEHICLE.

Whenever a motor vehicle without a driver is found parked or stopped in violation of any of the restrictions imposed by this Chapter or by State law, the officer finding such vehicle shall take its registration number and take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a traffic citation on a form provided by the Village, for the driver to answer to the charge against him within fifteen (15) days during the hours and at a place specified in the citation.

SECTION 72.07 FAILURE OF VIOLATOR TO APPEAR.

Ordinances of the Village of Stanford

If a violator of the restrictions on stopping, standing, or parking under the traffic law or ordinances does not appear in response to a traffic citation affixed to such motor vehicle within the period of fifteen (15) days, the Village Clerk or other designated official shall send to the owner of the motor vehicle to which the traffic citation was affixed, a letter informing such owner of the violation and warning such owner that in the event such letter is disregarded for a period of an additional ten (10) days, an ordinance violation proceeding will be initiated against him.

SECTION 72.08 PRESUMPTION.

In any ordinance violation proceeding brought pursuant to this Chapter, proof that the particular vehicle described in such proceedings was parked in violation of any of the provisions of this Chapter, together with the proof that the defendant named in the complaint was at the time of such parking the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where and for the time during which such violation occurred.

SECTION 72.09 SEVERABILITY.

If any Section or provision of this Chapter shall be adjudicated to be invalid or unconstitutional, such adjudication shall not affect the validity of this Chapter as a whole, nor any Section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 72.99 PENALTY.

(A) Any person violating any of the provisions of Section 72.01(B) through (F) shall be punished by a fine in accordance with the following:

- (1) Five (\$5.00) dollars if paid within fifteen (15) days after the citation is issued;
- (2) Ten (\$10.00) dollars if paid after the expiration of fifteen (15) days from the date of issuance of the citation.

(B) Any person violating any of the provisions of Section 72.01(A) shall be punished by a fine in accordance with the following:

- (1) First offense.....\$50.00
- (2) Second offense.....\$100.00
- (3) Third offense.....\$200.00

(C) Whenever the terms “first”, “second”, “third”, and “subsequent offenses” are used in this Chapter, reference is made to the number of violations of the same type by any person during any twelve (12) month period.

(D) All fines and towing expense are payable during the posted business hours to the Village Clerk at the Village Hall.

TITLE IX: GENERAL REGULATIONS

Ordinances of the Village of Stanford

CHAPTER 90: ABANDONED VEHICLES

Section

- 90.01 Abandonment of vehicles prohibited
- 90.02 Authority to declare inoperable vehicle a nuisance
- 90.03 Authority to impound; Procedure
- 90.04 Notice to be given to registered owner, State Police
- 90.05 Reclaiming of vehicle by owner
- 90.06 Disposal of unclaimed vehicle
- 90.07 Police department to keep records of reclamation/disposal of vehicle
- 90.08 Disposition of proceeds of sale
- 90.09 Liability

- 90.99 Penalty

SECTION 90.01 ABANDONMENT OF VEHICLES PROHIBITED.

- (A) The abandonment of a vehicle as described in division (B) of this Section or in Section 90.03, or in any part thereof, on any street or highway in this Village is unlawful.
- (B) The abandonment of a vehicle or any part thereof on private or public property, other than a highway, in view of the general public, anywhere in this Village is unlawful except on property of the owner or bailee of the abandoned vehicle. A vehicle or any part thereof so abandoned on private property shall be authorized for removal by the Stanford Police Department after a waiting period of seven days or more. (625 ILCS 5/4-201)
- (C) No person shall store, park, or keep, or permit the storage, parking, or keeping of any motor vehicle upon any property within this municipality owned, leased, or controlled, in whole or in part, by such person, unless such motor vehicle is currently registered and licensed by the proper State and unless such motor vehicle has thereon license plates from the proper State, except where such motor vehicle has been recently purchased and proof of application for proper license plates is posted thereon; provided, nevertheless, that this Section shall not apply as to a motor vehicle parked, stored, or kept within a garage duly constructed and permitted under the Zoning Ordinance of the Village of Stanford.

SECTION 90.02 AUTHORITY TO DECLARE INOPERABLE VEHICLE A NUISANCE.

- (A) Definition – For the purposes of this Section, the following definition shall apply unless the context clearly indicates or requires a different meaning:

Inoperable Motor Vehicle.

- (1) Any motor vehicle from which, for a period of at least three months, the engine, wheels, or other parts have been removed or on which the engine, wheels, or other parts have been altered, damaged, or otherwise so treated that the vehicle is incapable of being driven under its own motor.
- (2) This definition shall not include any motor vehicle which has been rendered temporarily incapable of being driven under its own power in order to perform ordinary service or repair operations nor to any motor vehicle that is kept within a building when not in use or to a motor vehicle on the premises of a place of business engaged in wrecking or junking of motor vehicles.
- (B) Leaving of wrecked, inoperable vehicles on street – No person shall leave any partially dismantled, inoperable, wrecked, or junked vehicle on any street or highway in the Village.

Ordinances of the Village of Stanford

(C) Inoperable vehicles declared to be a nuisance – Inoperable motor vehicles, as defined herein, whether on public or private property, are hereby declared to be a nuisance and shall be subject to the provisions of Chapter 96.

(D) Written notice – All persons are required to dispose of any inoperable motor vehicles under their control upon written notice received from the Board of Trustees or from the Chief of Police or any member of the Stanford Police Department designated by him commanding such disposition of said inoperable motor vehicle.

(E) Impoundment – The Chief of Police or any member of the Stanford Police Department designated by him is hereby authorized to remove or have removed an inoperable vehicle as defined herein. Such vehicle shall be impounded until lawfully claimed or disposed of in accordance with Section 90.03 through 90.09. The Chief of Police or any member of the Stanford Police Department designated by him may enter upon private property at all reasonable hours for the purpose of inspecting such vehicle, posting notice thereon, and removing and impounding such vehicle, and it shall be unlawful for any person to prevent the Chief of Police or his designee from entering on private property for purposes of carrying out his duties hereunder or to interfere with him in the lawful performance of his duties under the provisions of this Section. Statutory reference: Authority to declare inoperable motor vehicles as nuisance, 65 ILCS 5/11-40-3.

SECTION 90.03 AUTHORITY TO IMPOUND; PROCEDURE.

(A) Except as provided in 625 ILCS 5/18a-100 et. seq., the owner or lessor of privately owned real property within this Village, or any person authorized by such owner or lessor, or the Stanford Police Department in the case of publicly-owned real property may cause any motor vehicle abandoned or left unattended upon such property without permission to be removed by a towing service without liability for the costs of removal, transportation, or storage or damage caused by such removal, transportation, or storage. The towing or removal of any vehicle from private property without the consent of the registered owner or other legally authorized person in control of the vehicle is subject to the compliance with the following conditions and restrictions:

(1) Any towed or removed vehicle must be stored at the site of the towing service's place of business. The site must be open during business hours, and for the purpose of redemption of vehicles, during the time that the person or firm towing such vehicle is open for towing purposes.

(2) The towing service shall within 30 minutes of completion of such towing or removal, notify the Stanford Police Department of such towing or removal, and the make, model, color, and license plate number of the vehicle, and shall obtain and record the name of the person at the Police Department.

(3) If the registered owner or legally authorized person entitled to possession of the vehicle shall arrive at the scene prior to actual removal or towing of the vehicle, the vehicle shall be disconnected from the tow truck and that person shall be allowed to remove the vehicle without interference, upon the payment of a reasonable service fee of not more than one-half the posted rate of the towing service as provided in Section 90.03(A)(6) below, for which a receipt shall be given.

(4) The rebate of payment of money or any other valuable consideration from the towing service or its owners, managers, or employees to the owners or operators of the premises from which the vehicles are towed or removed, for the privilege of removing or towing those vehicles, is prohibited.

(5) Except for property appurtenant to and obviously a part of a single-family residence, and except for instances where notice is personally given to the owner or other legally authorized person in control of the vehicle that the area in which that vehicle is parked is reserved or otherwise unavailable to unauthorized vehicles and they are subject to being removed at the owner's or operator's expense, any property owner or lessor, prior to towing or removing any vehicle from private property without the consent of the owner or other legally authorized person in control of that vehicle, must post a notice meeting the following requirements:

(a) The notice must be prominently placed at each driveway access or curb cut allowing vehicular access to the property within five feet from the public right-of-way line. If there are no curbs or access barriers, the sign must be posted not less than one sign each 100 feet of lot frontage.

Ordinances of the Village of Stanford

- (b) The notice must indicate clearly, in not less than two-inch high light reflective letters on a contrasting background, that unauthorized vehicles will be towed away at the owner's expense.
- (c) The notice must also provide the name and current telephone number of the towing service towing or removing the vehicle.
- (d) The sign structure containing the required notices must be permanently installed with the bottom of the sign not less than four feet above ground level, and must be continuously maintained on the property for not less than 24 hours prior to the towing or removing of any vehicle.
- (6) Any towing service that tows or removes vehicles and proposes to require the owner, operator, or person in control of the vehicle to pay the costs of towing and storage prior to redemption of the vehicle must file and keep on record with the Police Department a complete copy of the current rates to be charged for such services, and post at the storage site an identical rate schedule and any written contracts with property owners, lessors, or persons in control of property which authorize them to remove vehicles as provided in this Section
- (7) No person shall engage in the removal of vehicles from private property as described in this Section, without filing a notice of intent in the Village, and such notice shall be filed at least seven days before commencing such towing.
- (8) No removal of a vehicle from private property shall be done except upon express written instructions of the owners or persons in charge of the private property upon which the vehicle is said to be trespassing.
- (9) Vehicle entry for the purpose of removal shall be allowed with reasonable care on the part of the person or firm towing the vehicle. Such person or firm shall be liable for any damages occasioned to the vehicle if such entry is not in accordance with the standards of reasonable care.
- (10) When a vehicle has been towed or removed pursuant to this Section, it must be released to its owner or custodian within one-half hour after requested, if such request is made during business hours. Any vehicle owner or custodian or agent shall have the right to inspect the vehicle before accepting its return, and no release or waiver of any kind which would release the towing service from liability for damages incurred during the towing and storage may be required from any vehicle owner or other legally authorized person as a condition of release of the vehicle. A detailed, signed receipt showing the legal name of the towing service must be given to the person paying towing or storage charges at the time of payment, whether requested or not.
- (a) This Section shall not apply to law enforcement, fire fighting, rescue, ambulance, or other emergency vehicles, which are marked as such, or to property owned by a governmental entity.
- (b) When an authorized person improperly causes a motor vehicle to be removed, such person shall be liable to the owner or lessee of the vehicle for the cost of removal, transportation, and storage, any damage resulting from the removal, transportation, and storage, attorney's fees and court costs.
- (c) Any towing or storage charges accrued shall be payable by the use of any major credit card, in addition to being payable in cash.
- (11) Towing companies shall also provide insurance coverage for areas where vehicles towed under the provisions of this Chapter will be impounded or otherwise stored, and shall adequately cover loss by fire, theft, or other risks. (65 ILCS 5/4-203)
- (B) When an abandoned, lost, stolen, or unclaimed vehicle comes into the temporary possession or custody of a person in this Village not the owner of the vehicle, that person shall immediately notify the Police Department. Upon receipt of such notification, the police will authorize a towing service to remove and take possession of the abandoned, lost, stolen, or unclaimed vehicle. The towing service will safely keep the towed vehicle and its contents, and maintain a record of the two as set forth in Section 90.03(C) following until the vehicle is claimed by the owner or other person legally entitled to possession thereof or until it is disposed of as provided by this Chapter. (625 ILCS 5/4-202)

Ordinances of the Village of Stanford

(C) When a vehicle is authorized to be towed away, the Police Department shall keep and maintain a record of the vehicle towed, listing the color, year of manufacture, manufacturer's trade name, manufacturer's series name, body style, vehicle identification number, license plate year and number, and registration sticker year and number displayed on the vehicle. The record shall also include the date and hour of tow, location towed from, location towed to, reason for towing, and the name of the officer authorizing the tow. (625 ILCS 5/4-204)

SECTION 90.04 NOTICE TO BE GIVEN TO REGISTERED OWNER, STATE POLICE.

(A) When the Police Department authorizing the impounding of a vehicle does not know the identity of the registered owner, lienholder, or other legally-entitled person, it will cause the vehicle registration records of the State to be searched by the Secretary of State for the purpose of obtaining the required ownership information.

(1) The Police Department will cause the stolen motor vehicle files of the State Police to be searched for stolen or wanted information on the vehicle. When the State Police files are searched with negative results, the information contained in the National Crime Information Center (NCIC) files will be searched by the State Police. The information determined from these record searches will be returned to the Police Department for use in sending notice by certified mail to the registered owner, lienholder, or other legally-entitled person advising where the vehicle is held, requesting a disposition be made, and setting forth public sale information.

(2) Notification shall be sent no later than ten (10) days after the date the Police Department impounds or authorizes the impounding of a vehicle, provided that if the Police Department is unable to determine the identity of the registered owner, lienholder, or other person legally-entitled to ownership of the impounded vehicle within a ten-day period after impoundment, then notification shall be sent no later than two days after the date the identity of the registered owner, lienholder, or other person legally-entitled to ownership of the impounded vehicle is determined. Exceptions to a notification by certified mail to the registered owner, lienholder, or other legally-entitled persons are set forth in Section 90.06(B). (625 ILCS 5/4-205)

(B) When the registered owner, lienholder, or other person legally-entitled to the possession of a vehicle cannot be identified from the registration files of this State or other State, if applicable, the Police Department shall notify the State Police for the purpose of identifying the vehicle owner or other person legally entitled to the possession of the vehicle. The information obtained by the State Police will be immediately forwarded to the Police Department for notification purposes as set forth in this Section. (625 ILCS 5/4-206)

SECTION 90.05 RECLAIMING OF VEHICLE BY OWNER.

Any time before a vehicle is sold at public sale or disposed of as provided in Section 90.06(A) following, the owner, lienholder, or other person legally entitled to its possession may reclaim the vehicle by presenting the Police Department proof of ownership or proof of the right to possession of the vehicle. No vehicle shall be released to the owner, lienholder, or other person under this Section until all towing and storage charges have been paid. (625 ILCS 5/4-207)

SECTION 90.06 DISPOSAL OF UNCLAIMED VEHICLE.

(A) Disposal of unclaimed vehicles with notice.

(1) When an abandoned, lost, stolen, or unclaimed vehicle seven years of age or newer remains unclaimed by the registered owner, lienholder, or other person legally entitled to its possession for a period of 30 days after notice has been given as required by Section 90.04 preceding, the Police Department or towing service having possession of the vehicle shall cause it to be sold at public auction to a person licensed as an automotive parts recycler, rebuilder, or scrap processor under State law. Notice of the time and place of the sale shall be posted in a conspicuous place for at least ten days prior to the sale on the premises where the vehicle has been impounded. At least ten days prior to the sale, the Police Department where the vehicle is impounded, shall cause a notice of the time and place of the sale to be sent by certified mail to the registered owner, lienholder, and other persons known

Ordinances of the Village of Stanford

by the Police Department or towing service to be legally entitled to the possession of the vehicle to be sold and what steps must be taken by any legally-entitled person to reclaim the vehicle.

(2) In those instances where the certified notification specified in Section 90.04 has been returned by the postal authorities to the Police Department or towing service due to the addressee having moved, or being unknown at the address obtained from the registration records of this State, the sending of a second certified notice will not be required. (625 ILCS 5/4-208)

(B) Disposal of unclaimed vehicles without notice.

(1) When the identity of the registered owner, lienholder, or other person legally entitled to the possession of an abandoned, lost, or unclaimed vehicle of seven years of age or newer cannot be determined by any means provided for in this Chapter, the vehicle may be sold as provided in Section 90.06(A) without notice to any person whose identity cannot be determined.

(2) When an abandoned vehicle of more than seven years of age is impounded as specified by this Chapter, it will be kept in custody for a minimum of ten days for the purpose of determining the identity of the registered owner and lienholder; contacting the registered owner and lienholder by U.S. Mail, public service, or in person for a determination of disposition; and for an examination of the State Police stolen vehicle files for theft and wanted information. At the expiration of the ten-day period, without the benefit of disposition information being received from the registered owner or lienholder, the Police Department will authorize the disposal of the vehicle as junk.

(3) An exception to the above is provided for if in the opinion of the police officer processing the vehicle, it has a value of \$200.00 or more and can be restored to safe operating condition. In this event, the Police Department may authorize its purchase as salvage and the Secretary of State may issue a salvage certificate.

(4) A vehicle classified as an antique vehicle may, however, be sold to a person desiring to restore it. (625 ILCS 5/4-209)

(C) Titling vehicles after public sale; removal of liens. When an applicant for a certificate of title under this Chapter presents to the Secretary of State proof that he has purchased or acquired a vehicle at a public sale as authorized by this Chapter and such fact is certified to by the Police Department of this Village, the Secretary of State shall issue a certificate of title for the vehicle upon receipt of the statutory fee and a properly executed application for a certificate of title. The title issued by the Secretary of State under this Section shall be free of any lien that existed against the vehicle prior to the time the vehicle was acquired by the applicant under this Chapter. (625 ILCS 5/4-212)

SECTION 90.07 POLICE DEPARTMENT TO KEEP RECORDS.

When a vehicle in the custody of the Stanford Police Department is reclaimed by the registered owner, lienholder, or other legally-entitled person, or when the vehicle is sold at public sale or otherwise disposed of as provided in this Chapter, a report of the transaction will be maintained by the Police Department for a period of one year from the date of the sale or disposal. (625 ILCS 5/4-210)

SECTION 90.08 DISPOSITION OF PROCEEDS OF SALE.

When a vehicle located within the Village is authorized to be towed away by the Police Department and disposed of as set forth in this Chapter, the proceeds of the public sale or disposition after the deduction of towing, storage, and processing charges shall be deposited in the treasury of the Village.

SECTION 90.09 LIABILITY.

A police officer or the Police Department, or the towing service owner, operator, or employee shall not be held to answer or be liable for damages in any action brought by the registered owner, or his legal representative;

Ordinances of the Village of Stanford

lienholder; or any other person legally entitled to the possession of a vehicle when the vehicle was processed and sold or disposed of as provided by this Chapter. (625 ILCS 5/4-213)

SECTION 90.99 PENALTY.

Any person who violates or aids and abets in a violation of this Chapter shall be subject to the general penalty provision, Section 10.99, of this Stanford Municipal Code and shall be required to pay all towing, storage, and processing charges of such abandoned, unclaimed, or inoperable vehicle. Each day a violation occurs shall constitute a separate offense.

CHAPTER 91: ANIMALS

Section

General Provisions

- 91.01 Definitions
- 91.02 Authority of animal control officer
- 91.03 Restraint of dogs and other animals
- 91.04 Animals as nuisances
- 91.05 Keeping animals
- 91.06 Biting animals
- 91.07 Confinement of dangerous animals; Warning
- 91.08 Killing or attacking animals prohibited; Exceptions
- 91.09 Cruelty to animals prohibited
- 91.10 Disposal of dead animals
- 91.11 Injured animals; Animals found dead on public ways
- 91.12 Keeping of livestock within corporate limits
- 91.13 Limitations on keeping animals within Corporate limits
- 91.14 Animal waste removal

Dogs

- 91.20 Definitions
- 91.21 Running at large
- 91.22 Noise disturbance
- 91.23 Leash or confinement requirements for dangerous dogs
- 91.24 Inoculation against rabies; Exhibition of certificate
- 91.25 Impoundment; Notice; Redemption

Administration; Enforcement

- 91.30 Interference with enforcement prohibited
- 91.31 Authority to impound animals
- 91.99 Penalty

Ordinances of the Village of Stanford

GENERAL PROVISIONS

SECTION 91.01 DEFINITIONS.

For the purpose of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

Animal. Every living creature, domestic or wild, but does not include man. (510 ILCS 70/2.01)

Animal Control Officer. Any employee of the Stanford Police Department, the Dog Warden, or other authorized Village employee whose duty it is to enforce the provisions of this Chapter.

Dangerous Animal or Vicious Animal. Any animal which shall at any time have bitten any human being; or whom the owner or keeper should reasonably know to have dangerous propensities and to pose a threat to the public; or which has been or is trained to attack persons or animals on command; or which at any time has killed or seriously injured another domestic animal.

Department of Agriculture. The State Department of Agriculture.

Inoculation against Rabies. The injection, subcutaneously or otherwise, as approved by the Department of Agriculture, of the canine anti-rabies vaccine approved by the Department.

Livestock. Horses, asses, mules, cattle, swine, sheep, goats, or geese.

Owner. Any person who has a right of property in an animal, keeps or harbors an animal, has an animal in his care, or acts as custodian of an animal.

Poultry. Includes, but shall not be limited to chickens, turkeys, or pigeons.

Pound. The County pound or other facility approved by the Village for the impoundment of animals.

Restraint. An animal is under restraint if it is:

- (1) Attached to a leash held by a responsible person;
- (2) Under the effective voice control of a responsible person;
- (3) Attached to a structure or fixture in such a manner that is unable to reach beyond the limits of the owner's or keeper's property and is unable to reach or molest service persons or casual visitors to the owner's or keeper's property using the public entrance or persons placing mail in the mailbox or delivering newspapers at the request of the owners; or
- (4) Enclosed in a fenced yard from which it is unable to escape without assistance from a person.

Running at Large or Run at Large. Animal that strays from confinement or restraint and from the limits of the owner.

SECTION 91.02 AUTHORITY OF ANIMAL CONTROL OFFICER.

Without limiting those powers and duties prescribed by law and ordinance, the Animal Control Officer shall:

- (A) Exercise the power and perform the duties contained in this Chapter.

Ordinances of the Village of Stanford

(B) Impound animals pursuant to provisions of this Chapter at the County animal pound or other facility established by the Board of Trustees of the Village of Stanford.

SECTION 91.03 RESTRAINT OF DOGS AND OTHER ANIMALS.

(A) The owner or keeper of a dog shall keep the dog under restraint at all times and shall not permit such animal to be at large.

(B) It shall be unlawful for any person to permit any dog, cattle, horse, swine, sheep, goats, or poultry to be “at large” on any street, park, or public way of the Village or in any church, school, public hall, or building, office, store, when such place is open for business or in any market, restaurant, or other public place where food is served during the time such place is open for business. The provisions of this Section do not apply to dogs leading blind persons.

SECTION 91.04 ANIMALS AS NUISANCES.

(A) The owner or keeper shall not suffer or permit any animal to bark, howl, cry, or make other distressing or loud or unusual noise or to disturb the peace or quiet of any place, neighborhood, family, or person in the Village. The disturbing of any neighborhood or persons by any such animal is declared to be a nuisance, and no person shall suffer or permit any such nuisance to exist.

(B) In addition to the general restrictions of Section 91.04(A) preceding, for the purpose of this Section if he permits a dog to bark in a substantially continuous manner between the hours of 10:00 p.m. and 7:00 a.m. for a period of more than fifteen (15) minutes, or who allows such animal to bark for numerous periods of time, regardless of duration, so as to disturb the quiet of the neighborhood or of particular neighbors.

SECTION 91.05 KEEPING ANIMALS.

Any pen, stable, or place in which animals are housed or kept which is unreasonably offensive to persons residing in, or passing along any street or alley near the vicinity of the same, due to associated debris or odors, or which constitutes a hazard to the health of persons residing nearby, is declared to be a nuisance.

SECTION 91.06 BITING ANIMALS.

No owner or keeper of an animal shall suffer, permit, or fail to prevent an animal from biting or attacking a person or another animal resulting in injury to the person or animal attacked, except provided that such an attack on a person who is or reasonably appears to be in the commission of an act made punishable under the State Criminal Code is not prohibited if the animal is acting in the defense of the owner or keeper or his family or premises, and the animal remains on its premises. For purposes of this Section, it is not necessary that the person bitten or attacked be arrested or convicted of a criminal offense.

SECTION 91.07 CONFINEMENT OF DANGEROUS ANIMALS; WARNING.

(A) No person shall own, keep, or harbor within the Village any animal known to be dangerous or vicious, unless such person shall keep such animal safely and securely confined in a pen or other confinement structure so as to protect from injury any child or other person who may come on the premises in the vicinity where such animal may be located.

(B) Adequate warning by sign, or otherwise, shall be given to all persons coming on the premises in the vicinity of any such vicious or dangerous animal.

Ordinances of the Village of Stanford

SECTION 91.08 KILLING OR ATTACKING ANIMALS PROHIBITED; EXCEPTIONS.

(A) No person shall kill or wound or attempt to kill or wound by the use of firearms, sling shot, bow and arrow, B-B gun, air rifle, or any other dangerous weapon, any animal within the Village limits, provided that this Section shall not prohibit a person from defending himself or another from attack by an animal.

(B) This Section does not prohibit the use of weapon by a police officer to destroy animals, which are seriously injured to avoid unnecessary suffering, or in self-defense or defense of others.

SECTION 91.09 CRUELTY TO ANIMALS PROHIBITED.

(A) No person or owner may beat, cruelly treat, torment, starve, overwork, cruelly or maliciously shoot, poison, kill, ill-treat or inhumanely beat, or otherwise abuse any animal within the Village of Stanford.

(B) It shall be unlawful for any person to fail to provide any animal in one's charge or custody, as owner or keeper, with proper food, drink, shelter, air, sanitation, or medical care.

(C) No owner may abandon any animal where it may become a public charge or may suffer injury, hunger, or exposure. (510 ILCS 70/3.01)

SECTION 91.10 DISPOSAL OF DEAD ANIMALS.

(A) No person caring for, acting as an agent for the owner of, or owning any animal, poultry, or fish which has died shall allow the body to lie about the premises. Such body shall be disposed of within 24 hours after death as prescribed by regulations of the State Department of Agriculture.

(B) The Village may dispose of any animal remains without notice to the owner or keeper when:

(1) Such remains are located on a public roadway;

(2) The remains bear no identification tags;

(3) The remains are located on the property of a person other than the owner or keeper. (225 ILCS 610/17)

SECTION 91.11 INJURED ANIMALS; ANIMALS FOUND DEAD ON PUBLIC WAYS.

(A) Any animal discovered injured or dead on a public way of this Village may be impounded or picked up by an animal control officer.

(B) Seriously injured animals that are wearing Village identification tags may be taken to a doctor of veterinary medicine, who shall contact the owner for treatment instructions and who shall maintain the animal, painlessly, if possible, until instructions are received. The owner or keeper shall be responsible for the costs of impoundment and treatment.

(C) Seriously injured animals which do not bear identification tags may be impounded and authorized forthwith by a doctor of veterinary medicine to avoid unnecessary suffering to the animal.

(D) No animal will be released by a veterinarian from impoundment to the owner or keeper following treatment of an injury until a release is received from the Village showing payment of impoundment fees.

SECTION 91.12 KEEPING OF LIVESTOCK WITHIN THE CORPORATE LIMITS.

It shall be unlawful to keep any cattle, horses, swine, sheep, goats or poultry within the Village limits except as herein provided. If a tract of property is located within the Village limits and contains 2.75 acres or more of

Ordinances of the Village of Stanford

property, all in one platted lot, which has a plat recorded in the Recorder of Deed's Office of McLean County, then no more than three head of cattle or horses, no more than seven head of sheep or goats may be kept on said single tract of property within the Village limits. If a tract of property is located within the Village limits and contains 1.5 acres or more and less than 2.75 acres of property, all on one platted lot, then not more than two head of horses may be kept on said property within the Village limits. However, on any tract of property within the Village limits no exotic animals or commercial kennel or livestock operations will be allowed at any time.

SECTION 91.13 LIMITATIONS ON KEEPING ANIMALS WITHIN THE CORPORATE LIMITS.

(A) The maximum allowable number of dogs that may be kept on any property within the Village limits is four dogs except for grandfathered dogs, that are hereinafter defined in sub-section (C), and except for a litter from dogs allowed on the property. If any of the four dogs allowed on a property has a litter any such animals that result from the litter shall be permitted to be on the property for no more than six months following the date of the birth of the litter. Despite any of the foregoing provisions, in the event that the total number of grandfathered dogs is more than four then no new dogs may be allowed except for grandfathered dogs on the property at any time. The words "new dogs" are hereby defined as any dog added to the property after December 31, 2008.

(B) No kennels, as defined by 225 ILCS 605/2, shall be located within the Village.

(C) A "grandfathered dog" is a dog that complies with all the terms and conditions of this sub-section. A Grandfathered dog is a dog that was registered with the McLean County Health Department as of December 31, 2008 to a person who resided in the Village of Stanford on December 31, 2008 and remains registered with the McLean County Health Department at all times thereafter. Any dog that is not so properly registered shall immediately lose its' status as a grandfathered dog. If a grandfathered dog dies or leaves and as a result of such death or departure the total number of grandfathered dogs is less than four then new dogs may reside on the property provided that the total number of grandfathered dogs and new dogs does not exceed four per household.

SECTION 91.14 ANIMAL WASTE REMOVAL.

(A) It shall be unlawful for the owner or person in control of any animal to permit such animal to deposit waste on any private property, public street, alley, parkway or other public place, or any premises other than those of the owner or person in control of such animal, unless the owner or person in control of such animal immediately collects and properly disposes of the waste deposited by the animal.

(B) It shall be unlawful for the owner or person in control of any animal to deposit waste collected from such animal on any premises other than those of the owner or person in control of such animal.

(C) Any and all animal waste must be removed within 24 hours from any property within the Village limits, including deposits of animal waste presently existing at the time of the enactment of this Section. It shall be unlawful for any property owner to permit animal waste to remain on his property without prompt removal and disposal.

(D) Properly disposing of animal waste means to collect the animal waste in a sealed container, such as a plastic bag or baggie, and to dispose of that sealed container by including it with the regular weekly refuse collection.

DOGS

SECTION 91.20 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

Ordinances of the Village of Stanford

Dog. All members of the family Canidae. (510 ILCS 5/2.11)

Leash. A cord, rope, strap, or chain which shall be securely fastened to the collar or harness of a dog or other animal and shall be of sufficient strength to keep such dog or other animal under control. (510 ILCS 5/2.14)

Owner. Any person having a right of property in a dog or other animal, or who keeps or harbors a dog or other animal, or who has it in his care, or acts as its custodian, or who knowingly permits a dog or other domestic animal to remain on or about any premise occupied by him. (510 ILCS 5/2.16)

SECTION 91.21 RUNNING AT LARGE.

It shall be unlawful for any owner of any dog to permit the same to run at large within the Village of Stanford.

SECTION 91.22 NOISE DISTURBANCE.

No person shall keep or harbor any dog within the Village of Stanford which, by frequent and habitual barking, howling, or yelping, creates unreasonably loud and disturbing noises of such a character, intensity, and duration as to disturb the peace, quiet, and good order of one or more inhabitants of two or more separate residences. Any person who shall allow any dog habitually to remain, be lodged, or fed within any dwelling, yard, or enclosure which he occupies or owns shall be considered as harboring the dog.

SECTION 91.23 LEASH OR CONFINEMENT REQUIREMENTS FOR DANGEROUS OR VICIOUS DOG.

(A) It shall be unlawful for any person to permit any vicious or dangerous animal to run at large or lead any such animal with a chain, rope, or other device whether such animal is muzzled or unmuzzled on any street, avenue, lane, highway, or public place. No person shall possess any vicious or dangerous animal unless such vicious or dangerous animal is confined in a confinement structure.

(B) Guide dogs for the blind or hearing-impaired, support dogs for the physically handicapped, and sentry, guard, or police-owned dogs are exempt from this Section; provided an attack or injury to a person occurs while the dog is performing duties as expected. To qualify for exemption under this Section, each such dog shall be currently inoculated against rabies in accordance with Section 91.24 following. It shall be the duty of the owner of such exempted dog to notify the County Administrator of changes of address. In the case of sentry or guard dog, the owner shall keep the County Administrator advised of the location where such dog will be stationed.

(C) No person shall own, keep, or harbor within the Village a dog known to be dangerous or vicious, unless such person shall keep such dog safely and securely confined so as to protect from injury any child or other person who may come on the premises in the vicinity where such dog may be located; adequate warning by signs, or otherwise, shall be given to all persons coming on the premises in the vicinity of any such vicious or dangerous dog.

SECTION 91.24 INOCULATION AGAINST RABIES; EXHIBITION OF CERTIFICATE.

(A) Every owner of a dog four months or more of age not confined at all times to an enclosed area, shall cause the dog to be inoculated against rabies by a licensed veterinarian at such intervals as may be established by State law and the regulations of the State Department of Agriculture. Evidence of such rabies inoculation shall be entered on a certificate the form of which shall be approved by the County and which shall be signed by the licensed veterinarian administering the vaccine. The County shall cause a serially numbered rabies inoculation tag to be issued for each dog inoculated against rabies. Such owner or keeper of such dog shall cause said serially numbered tag evidencing such inoculation to be attached to a collar or harness worn by the dog at all times. (510 ILCS 5/8)

Ordinances of the Village of Stanford

(B) At any reasonable time upon the request of any police officer, an animal control officer, or other authorized employee of the Village, the owner of any dog shall produce the rabies certificate required by division (A) preceding.

SECTION 91.25 IMPOUNDMENT; NOTICE; REDEMPTION.

(A) Any dog running at large contrary to the provisions of Section 91.21 may be apprehended and impounded by an animal control officer. (510 ILCS 5/9)

(B) When dogs are apprehended and impounded by an animal control officer, he shall give notice of not less than seven (7) days to the owner, if known. Such notice shall be mailed to the last known address of the owner. An affidavit or testimony of the animal control officer, or his authorized agent, who mails such notice shall be prima facie evidence of the receipt of such notice by the owner of such dog. In the case the owner of any impounded dog desires to make redemption thereof, he may do so on the following conditions:

- (1) Present proof of current rabies inoculation, and registration, if applicable; or
- (2) Pay for the rabies inoculation of the dog, and registration, if applicable; and
- (3) Pay the Village an impounding fee of \$50.00; and
- (4) Pay to the Village for each additional offense, a penalty of \$100.00.

ADMINISTRATION; ENFORCEMENT

SECTION 91.30 INTERFERENCE WITH ENFORCEMENT.

It shall be unlawful for any person to knowingly provide false or misleading information to the dog warden or hinder, obstruct, or molest any police officer or dog warden while engaged in the performance of his duties.

SECTION 91.31 AUTHORITY TO IMPOUND ANIMALS.

It shall be the duty of the employees and officers of the Police Department or the Dog Warden or an animal control officer to take up and impound in the County animal pound, or other place as designated by the Board of Trustees, any animal found at large or any dog found in the Village without identification, inoculation, or licensing tags contrary to any of the provisions of this Chapter, or statutes of this State.

SECTION 91.99 PENALTY.

Any person convicted by the Circuit Court of violating any provision of this Chapter shall, in addition to any boarding costs required herein, shall be subject to the general penalty provision, Section 10.99, of this Stanford Municipal Code. Each day a violation occurs shall constitute a separate offense.

CHAPTER 92: EMERGENCY MANAGEMENT AGENCY

Section

Ordinances of the Village of Stanford

General Provisions

- 92.01 Purpose of Emergency Management Agency (EMA)
- 92.02 Mobile Support Team
- 92.03 Disaster Emergency
- 92.04 Agreements with other political subdivisions
- 92.05 Purchases and expenditures; Reimbursement by State
- 92.06 Communications
- 92.07 Declaration of emergency
- 92.08 Appropriations

Village of Stanford Emergency Management Agency

- 92.10 Basic assumptions
- 92.11 Purpose
- 92.12 Situations/assumptions
- 92.13 Concept of operations
- 92.14 Accreditation
- 92.15 Organization
- 92.16 Definition of a disaster
- 92.17 Mission
- 92.18 Legal basis for action in a disaster

Appendix A Ordinance Creating the McLean County EMA

Appendix B Results of Hazard Analysis Opinions

GENERAL PROVISIONS

SECTION 92.01 PURPOSE OF EMERGENCY MANAGEMENT AGENCY.

(A) The Village of Stanford shall have an established, in place Emergency Management Agency (EMA) to prevent, minimize, repair, and alleviate any injury or damage resulting from disaster caused by an enemy attack, sabotage, or other hostile action or from any natural or man-made disaster in accordance with The Illinois Emergency Management Agency Act, 20 ILCS 3305/1 et seq, as amended.

(B) The Director of the Village EMA shall live in Allin Township. In addition, the Director of the Village EMA shall be EMA compliant within one year of the date that the Director was appointed. In the event that the Director of the Village EMA does not comply with these requirements then the term of appointment of the Village EMA Director shall automatically terminate and the Village EMA Director shall no longer be the Village EMA Director.

(C) The EMA shall consist of the Director and such additional Directors as may appointed by the Board of Trustees. The Director of EMA shall recommend additional members and the Board of Trustees shall review and act upon such recommendation as soon as reasonably possible after receipt of a recommendation for appointment. All members shall be appointed for a one (1) year term.

(D) The Director of the Village EMA shall be appointed by the Village President with the consent of the Board of Trustees. He shall serve at the pleasure of said Board and may be removed from the office only by a majority of the Board members present at said meeting.

(1) The Director shall have direct responsibility for the organization, administration, training, and operation of the Village EMA, subject to the direction and control of the Village President as provided by statute.

Ordinances of the Village of Stanford

(2) In the event of the absence, resignation, death, or inability of the Director to serve in this function, the Village President or any person designated by him shall be and act as Director until a new appointment is made and approved by the Village Board of Trustees. The emergency services and disaster plan for the Village of Stanford is set forth in this Chapter.

(E) Every person appointed to service in any capacity in the Village EMA shall, before entering upon his duties, subscribe the following oath which shall be filed with the Director:

“I, _____, do solemnly swear (or affirm) that I will support and defend and bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of Illinois and the territory, institutions, and facilities thereof, both public and private, against all enemies, foreign and domestic; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter. And I do further swear (or affirm) that I do not advocate, nor am I nor have I been a member of a political party or organization that advocates the overthrow of the government of the United States or of this State by force or violence; that during such time as I am affiliated with the Village of Stanford EMA organization, I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this State by force or violence.”

(F) This Village EMA shall perform such functions within the Village as shall be prescribed by the State EMA plan and program prepared by the Governor of the State of Illinois, and such orders, rules, and regulations as may be promulgated by the Governor, and in addition shall perform such duties outside the corporate limits as may be required pursuant to any Mutual Aid agreement with any other political subdivision, municipality, or quasi-municipality entered into as provided by the Illinois Emergency Management Agency Act.

(G) Members of EMA who are paid employees of officers of the Village, if called for training by the State Director of EMA, shall receive for the time spent in such training the same rate of pay as is attached to the position held; members who are not Village employees or officers shall receive for such training time such compensation as may be established by the Village Board of Trustees.

(H) The Village President is authorized to designate space in a Village building, or elsewhere, as may be provided for by the Village President for the Village EMA as its office.

(I) The Direction of EMA shall develop written policies and procedures for EMA. The policies and procedures shall be approved by the Board of Trustees.

SECTION 92.02 MOBILE SUPPORT TEAM.

(A) All or any members of the Village EMA organization may be designated as members of a Mobile Support Team created by the Director of the State EMA as provided by law.

(B) The leader of such Mobile Support Team shall be designated by the Director of the Village EMA organization.

(C) Any member of a Mobile Support Team who is a Village employee or officer while serving on call to duty by the Governor, or the State Director, shall receive the compensation and have the powers, duties, rights, and immunities incident to such employment or office. Any such member who is not a paid officer or employee of the Village, while so serving, shall receive from the State reasonable compensation as provided by law.

SECTION 92.03 DISASTER EMERGENCY.

If the Governor proclaims that a disaster or emergency exists or in the event of actual enemy attack upon the United States, it shall be the duty of the Village EMA to cooperate fully with the State EMA and with the Governor in the exercise of emergency powers as provided by law.

Ordinances of the Village of Stanford

SECTION 92.04 AGREEMENTS WITH OTHER POLITICAL SUBDIVISIONS.

The Director of EMA may negotiate Mutual Aid agreements with other villages or political subdivisions of the State, but no such agreement shall be effective until it has been approved by the Village President, the County Coordinator, and by the State Director of EMA.

SECTION 92.05 PURCHASES AND EXPENDITURES; REIMBURSEMENT BY STATE.

(A) The State Treasurer may receive and allocate to the appropriate fund any reimbursement by the State to the Village for expenses incident to training members of the EMA as prescribed by the State Director of EMA, compensation for services and expenses of members of the mobile support team while serving outside the Village in response to a call by the Governor or State Director, as provided by law, and any other reimbursement made by the State incident to EMA activities as provided by law.

(B) The Village Director of EMA is authorized to make purchases or enter into contracts necessary to place the Village in a position to combat effectively any disaster resulting from natural or man-made cause and to protect the public health and safety, and to provide emergency assistance. Said purchases or entry into contracts can only be done upon the approval of a majority of the Village Board of Trustees.

SECTION 92.06 COMMUNICATIONS.

The Village EMA shall ascertain what means exist for rapid and efficient communications and shall coordinate all available communications resources in times of disaster emergencies. The Agency shall consider the desirability of supplementing those communication resources with available State resources or of integrating them into a comprehensive County Communications System or Network.

SECTION 92.07 DECLARATION OF EMERGENCY.

A local disaster emergency may be declared by the Village President, or in his absence, by a majority vote of the Village Board of Trustees. The effect of a declaration of a local disaster or emergency is to activate the response and recovery aspects of any and all applicable local or interjurisdictional disaster emergency plans, and authorize the furnishing of aid and assistance thereunder.

SECTION 92.08 APPROPRIATIONS.

The Village Board of Trustees may make an appropriation for EMA purposes in the manner provided by law, and may levy in addition for EMA purposes only, a tax not to exceed five (0.05) cents per one hundred (\$100.00) dollars of assessed value of all taxable property in addition to all other taxes, as provided by the Illinois Emergency Management Agency Act; however, that amount collectible under such levy shall in no event exceed twenty-five (0.25) cents per capita.

THE VILLAGE OF STANFORD EMERGENCY SERVICES AND DISASTER PLAN

SECTION 92.10 BASIC ASSUMPTIONS.

Ordinances of the Village of Stanford

- (A) The Chief Elected Official in each political subdivision of McLean County is responsible for EMA activities within the boundary of his political subdivision. This authority may be delegated to an EMA Director, subject to the control and direction of the Chief Elected Official.
- (B) Each political subdivision will prepare local plans for natural disaster operations, which will be coordinated with the McLean County Natural Disaster Plan. These plans will include provisions for receiving Severe Weather Warnings from McLean County EMA and implementing local protective measures and warning.
- (C) All regular governmental agencies of a political subdivision will be utilized to their fullest extent before volunteer auxiliaries are called into service. Volunteer auxiliaries will be under the direct supervision of nominal head of the particular governmental service, which they are assisting.
- (D) All agencies and resources of a political subdivision will be utilized to their fullest extent before Mutual Aid from other areas is called upon. All requests for support from other EMA organizations and/or County and State agencies will be made through McLean County Aid System of Fire Departments, as this is a function and responsibility of the local Fire Chief.
- (E) The McLean County Sheriff's Department will be notified immediately of any disaster, which is, or threatens to be, of a severe or extended nature. He will in turn notify the McLean County EMA Director and other interested parties.
- (F) Several State, federal, and county agencies may have responsibilities in a particular disaster which are assigned to them by law. Liaison and coordination with these agencies will be established by the Sheriff and the County EMA Director. The American Red Cross, Salvation Army, and the Civil Air Patrol are cooperating agencies, and will carry on their activities in a disaster under their own administrative and financial control, subject to the direction and coordination of the overall operation by the constituted government.

SECTION 92.11 PURPOSE.

The purpose of this plan is to provide for the populace within the Village of Stanford and define responsibilities and roles of certain individuals, agencies, and departments in preparation for and to respond to any type of crises (natural, man-made, or nuclear risks); to outline the actions to be taken by local units of government in the pre-emergency, emergency phase, and post emergency phase; and to provide for risk population which may be evacuated.

SECTION 92.12 SITUATIONS/ASSUMPTIONS.

- (A) Current national defense policy recognizes that potential enemies of the United States have the capability of launching an attack with sufficient nuclear, biological, and chemical weapons to strike a high proportion of our military, industrial, and population targets at any time.
- (B) It is also recognized that we are not immune from natural or man-made catastrophes occurring and should always be prepared. It is also recognized that local emergency services may be needed in the event of a riot or civil disturbance, and thus should be properly trained.
- (C) It is the responsibility of the Local EMA Director to insure that all necessary steps are taken to safeguard the populace, protect property, and to insure continuity of local government in the event of a natural, man-made, or nuclear risk.

SECTION 92.13 CONCEPT OF OPERATIONS.

A local EMA is the constituted government aided by auxiliaries functioning in emergencies caused by enemy actions or natural and man-made disasters. EMA is not a separate authority with its own command and control

Ordinances of the Village of Stanford

structure superceding the civil authority during an emergency. Rather, it is a special streamlining of both State and local governments, under the Governor and State EMA Director, who legally assumes emergency powers in major disasters.

SECTION 92.14 ACCREDITATION.

It is the policy of the State EMA to accredit all counties and cities with populations in excess of 10,000. Those cities, towns, and villages under 10,000 in population become the responsibility of the County EMA organization. Reference: Appendix A – Ordinance Creating the McLean County Emergency Management Agency.

SECTION 92.15 ORGANIZATION.

The Village of Stanford EMA is accredited through McLean County EMA and is part of Region 7 Mutual Aid Area, which encompasses 13 counties in east central Illinois.

SECTION 92.16 DEFINITION OF A DISASTER.

A natural disaster is defined as an occurrence, which results in injury or damage as a result of, but not limited to, fire, flood, earthquake, explosion, accident, or other natural or man-made cause. A nuclear disaster is hostile action by an enemy of the United States.

SECTION 92.17 MISSION.

The Village of Stanford EMA, under its Director, is responsible to the Village President for the coordination of disaster activities within the geographical limits of a political subdivision.

SECTION 92.18 LEGAL BASIS FOR ACTION IN A DISASTER.

Civil Defense Act of 1951, as amended; the Illinois Emergency Management Agency Act, 20 ILCS 3305/1 et. seq; and the McLean County EMA Ordinance form which is attached hereto as Appendix A, 1960, as amended in 1987 and 1989.

CHAPTER 93: FIREWORKS; FIRE PREVENTION

Section

Fireworks

93.01 Definition

93.02 Sale, use, or explosion prohibited; Exception for public display

93.03 Violations; Searches and seizures

93.04 Exemption

Fire Prevention

93.10 Fire Prevention Code adopted

Ordinances of the Village of Stanford

93.11 Storage and use of volatile combustibles

Open Burning

93.20 Definitions

93.21 Open burning

93.22 Location and containment of open fires

93.23 Constant attention to open fires required

93.24 Exemptions

93.25 Authority to prohibit open fires

93.99 Penalty

FIREWORKS

SECTION 93.01 DEFINITION.

For the purpose of this subchapter, the following definition shall apply unless the context clearly indicates or requires a different meaning:

Fireworks. Any explosive composition, or any substance or combination of substances, or article prepared for the purpose of producing a visible or audible effect of a temporary exhibitional nature by explosion, combustion, deflagration, or detonation, and shall include bland cartridges, toy cannons, in which explosives are used, the type of balloons which require fire underneath to propel the same, firecrackers, torpedoes, skyrockets, roman candles, bombs, or other fireworks of like construction and any fireworks containing any explosive compound, or any tablets or other device containing any explosive substance, or containing combustible substances producing visual effects; provided, however, that the term ***Fireworks*** shall not include snake or glow worm pellets; smoke devices, trick noisemakers known as “party poppers”, “booby traps”, “snappers”, “trick matches”, “cigarette loads”, and “auto burglar alarms”; sparklers; toy pistols, toy canes, toy guns, or other devices in which paper or plastic caps containing .25 grains or less of explosive compound are used, providing they are so constructed that the hand cannot come into contact with the cap when in place for the explosion; and toy pistol paper or plastic caps which contain less than .20 grains of explosive mixture; the sale and use of which shall be permitted at all times. (425 ILCS 35/1)

SECTION 93.02 SALE, USE, AND EXPLOSION PROHIBITED; EXCEPTION FOR PUBLIC DISPLAY.

(A) Except as hereinafter provided, it shall be unlawful for any person, firm, corporation, or co-partnership to knowingly possess, offer for sale, expose for sale, sell at retail, or use or explode any fireworks; provided that the President and Board of Trustees shall have the power to adopt reasonable rules and regulations for the granting of permits for supervised public displays of fireworks. Every such display shall be handled by a competent individual designated by the President and the Board of Trustees and shall be of such a character and so located, discharged, or fired, as not to be hazardous to property or endanger any person or persons. Applications for permits shall be made in writing at least 15 days in advance of the date of the display and action shall be taken on such application within 48 hours after such application is made. After such privilege shall have been granted, sales, possession, use, and distribution of fireworks for such display shall be lawful for that purpose only. No permit granted hereunder shall be transferable.

(B) Permits may be granted hereunder to any groups of three or more adult individuals applying therefor. No permit shall be required, under the provisions of this Section, for supervised public displays by State, County, or Municipal associations.

Ordinances of the Village of Stanford

(C) The Board of Trustees shall require a bond from a licensee in the sum of \$10,000 conditioned on compliance with the provisions of this Section and the regulations of the State Fire Marshal; however, the Village shall not be required to file such bond.

(D) Such permit shall be issued only after inspection of the display site by the Village President or other authorized Village official, to determine that such display shall not be hazardous to property or endanger any person or persons. Forms for such application and permit may be obtained from the Office of the State Fire Marshal. One copy of such permit shall be on file with the Village President, and one copy forwarded to the Office of the State Fire Marshal. The President shall consult with local fire protection authorities before issuing such permit.

(E) Possession by any party holding a certificate of registration under 425 ILCS 30/1 or by any employee or agent of such party or by any person transporting fireworks for such party, shall not be in violation, provided such possession is within the scope of business of the fireworks plant registered under those statutes. (425 ILCS 35/2) Statutory Reference: Power of the Village to Regulate Fireworks, 65 ILCS 5/11-8-4.

SECTION 93.03 VIOLATIONS; SEARCHES AND SEIZURES.

Whenever the President or any member of the Board of Trustees has reason to believe that any violation of this subchapter has occurred within the Village and that the person so violating this subchapter has in his possession fireworks or combustibles, the President or the Trustee may file a complaint in writing, verified by affidavit, with any circuit court within whose jurisdiction the premises to be searched are situated, stating the facts upon which such belief is founded, the premises to be searched, and the property to be seized, and procure a search warrant and execute the same. Upon the execution of such search warrant, the person executing the same shall make due return thereof to the court issuing the same, together with an inventory of the property taken thereunder. The court shall thereupon issue process against the owner of such property if he be known, otherwise against the party in whose possession the property so taken was found, if known. In case of inability to serve such process upon the owner or the person in possession of the property at the time of its seizure, as hereinbefore provided, notice of the proceedings before the court shall be given as required by the statutes of the State governing cases of attachment. Upon the return of the process duly served or upon the posting or publishing of notice made, as hereinabove provided, the court or jury, if a jury shall be demanded, shall proceed to determine whether or not such property so seized was held or possessed in violation of this Subchapter. In case of a finding that the fireworks or combustibles seized were possessed in violation of this Subchapter, judgment shall be entered confiscating and forfeiting the property and ordering its destruction. (425 ILCS 35/4)

SECTION 93.04 EXEMPTION.

Nothing in this subchapter shall be construed as applying to the transportation of any article or thing shipped in conformity with the regulations prescribed by the Illinois Commerce Commission nor as applying to the military or naval forces of the United States, nor to the duly authorized militia of the State, nor to the use of signals necessary for the safe operation of railroads, steamboats, trucks, or aircraft. (425 ILCS 30/23)

FIRE PREVENTION

SECTION 93.10 FIRE PREVENTION CODE ADOPTED.

All construction, operation, and maintenance of buildings and structures in the Village shall conform with the applicable provisions of the fire code or fire prevention code adopted from time to time by the Village and set forth in Title XV of this Code. Statutory Reference: Adoption of codes by reference, 65 ILCS 5/1-3-1, 65 ILCS 5/1-3-2, and 50 ILCS 220/2.

Ordinances of the Village of Stanford

SECTION 93.11 STORAGE AND USE OF VOLATILE COMBUSTIBLES.

It shall be unlawful for any person, firm, association, or corporation to keep, store, transport, sell, or use any crude petroleum, benzene, benzol, gasoline, naphtha, ether, or other like volatile combustibles, or other compounds, in such manner or under such circumstances as will jeopardize life or property. (430 ILCS 15/1) Statutory Reference: Power of Village to regulate storage of combustible or explosive material, 65 ILCS 5/11-8-4.

OPEN BURNING

SECTION 93.20 DEFINITIONS.

For the purpose of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning:

Agricultural Wastes. Any refuse, except garbage and dead animals, generated on a farm or ranch by crop and livestock production practices, including such items as bags, cartons, dry bedding, structural materials, and landscape wastes.

Garbage. Refuse resulting from the handling, processing, preparation, cooking, and consumption of food or food products.

Landscape Waste. Any vegetable or plant refuse, except garbage. The term includes trees, tree trimmings, branches, stumps, brush, weeds, leaves, grass, shrubbery, yard trimmings, and crop residues.

Open Burning. The combustion of any matter in such a way that the products of the combustion are emitted to the open air without originating in or passing through equipment for which a permit could be issued under Section 9(b) of the Illinois Environmental Protection Act.

Restricted Areas. The area within the boundaries of the Village, unless said area is 1,000 feet from residential or other populated areas.

SECTION 93.21 OPEN BURNING.

No person shall engage in any open burning except of open burning of landscape waste. Landscape waste may only be burnt from sunrise to sunset. If landscape waste is burned, a person must stand by and monitor the burning of such landscape waste at all times and reasonable precautions shall be taken to prevent the spread of the fire, such as having a garden hose nearby to fight the fire if necessary. No open burning, even of landscape waste, shall be allowed if a person occupying or residing upon said adjoining or nearby property has heart disease, emphysema, or other physical illness or ailment or ailments that could be aggravated by such burning and if such physical condition is known or should reasonably have been known by the person conducting the burning. Landscape waste may only be burned if:

- (A) It is burned on the premises on which such waste is generated;
- (B) When atmospheric conditions readily dissipate contaminants; and
- (C) If such burning does not create a visibility hazard on roadways, railroad tracks, or airfields.

Ordinances of the Village of Stanford

SECTION 93.22 LOCATION AND CONTAINMENT OF OPEN FIRES.

No person, firm, corporation, or agent thereof may kindle or maintain any open fire or authorize any such fire to be kindled on any Village paved right-of-way. No person, firm, corporation, or agent may kindle or maintain any open fire on all other locations unless the location is not less than 50 feet from any structure and adequate provision is made to prevent fire from spreading closer than 50 feet to any structure; or the fire is contained in an adequate and approved waste burner located safely not less than 25 feet from any structure.

SECTION 93.23 CONSTANT ATTENTION TO OPEN FIRES REQUIRED.

Open fires shall be constantly attended by a competent person not less than 18 years of age.

SECTION 93.24 EXEMPTIONS.

The following activities are not in violation of the restrictions contained in Section 93.21 preceding, with respect to open burning unless they cause air pollution as defined in State statutes or regulations of the State Environmental Protection Agency.

- (A) The setting of fires to combat or limit existing fires, when reasonably necessary in the judgment of the responsible government official;
- (B) The burning of fuels for legitimate campfire, recreational and cooking purposes, or in domestic fireplaces, in areas where such burning is consistent with other laws, provided that no garbage shall be burned;
- (C) The burning of waste gases, provided that in the case of refineries all such flares shall be equipped with smokeless tips or comparable devices to reduce pollution;
- (D) The use of small open flames for heating tar, for welding, and the operation of acetylene torches, highway safety flares, and the like.
- (E) The burning of leaves, dry sticks and branches, but only on the conditions hereinafter enumerated:
 - (1) Outdoor leaf, dry sticks and branches burning shall be allowed only at locations not less than 25 feet from any building or structure on private property only, except that the Village may conduct such outdoor leaf burning on publicly owned property, which burning shall be supervised by an officer or employee of the Village and in compliance with the requirements set forth herein.
 - (2) Outdoor leaf, dry sticks and branches burning shall include only leaves, dry sticks and branches fallen from trees, plants, and shrubs and shall not include burning of any trash, garbage, or other disposables or any other materials of any nature whatsoever.
 - (3) Outdoor leaf, dry sticks and branches burning which is permitted under this Section may be prohibited any time when, in the opinion of the appropriate and proper official of the Village or of the State Environmental Protection Agency, atmospheric conditions are such that open leaf, dry sticks and branches burning would prove harmful to the health of the citizens of the Village.

SECTION 93.25 AUTHORITY TO PROHIBIT OPEN FIRES.

An authorized Village official may prohibit any or all open fires when natural conditions, the materials being burned, or local circumstances make these fires potentially hazardous or harmful.

Ordinances of the Village of Stanford

SECTION 93.99 PENALTY.

Whoever violates any provision of this Chapter shall be subject to the general penalty provision, Section 10.99, of this Stanford Municipal Code. Each day a violation occurs shall constitute a separate offense.

CHAPTER 94: HEALTH AND SANITATION

Section

General Provisions

- 94.01 Duty to keep premises clean
- 94.02 Placing offensive matter on property
- 94.03 Discharge of offensive matter; Offensive cesspools
- 94.04 Privies
- 94.05 Obstructing water or drainage
- 94.06 Storing new and used lumber
- 94.07 Poisonous plants

Enforcement

94.20 Public health violation ticket

94.99 Penalty

Statutory Reference: Authority of Village to Promote Health and Suppress Disease, 65 ILCS 5/11-124-1.

GENERAL PROVISIONS

SECTION 94.01 DUTY TO KEEP PREMISES CLEAN.

The owner or occupant of every lot or building, or any appurtenances thereof, shall keep every part thereof free from filth or anything offensive which is likely to contribute to disease or infection. Upon the owner's or occupant's failure to do so, it is made the duty of the Chief of Police, upon complaint, immediately to give notice to the owner or occupant thereof, and require him to act as necessary for the health of the Village.

SECTION 94.02 PLACING OFFENSIVE MATTER ON PROPERTY.

No person shall deposit or place upon any lot, street, avenue, or alley within the Village, and no person owning a lot in the Village shall permit to be deposited or placed on the lot any offensive substances, old fruit, vegetables, or meat cans, boxes, old barrels, decayed fruit, manure, kitchen waste, or anything that gives forth any disagreeable or noisome odor or which is otherwise prejudicial to the public health.

Ordinances of the Village of Stanford

SECTION 94.03 DISCHARGE OF OFFENSIVE MATTER; OFFENSIVE CESSPOOLS.

No person within the Village shall place, throw, or permit to be discharged or to flow from or out of any house or premises any filthy, foul, or offensive matter or liquid of any kind into any street, alley, or public place or upon any lot or ground, or allow or permit this to be done by any person connected with the premises under his control, or shall allow or permit the contents of any vault, privy, or cesspool to rise within less than two feet of the top thereof.

SECTION 94.04 PRIVIES.

No person shall build, maintain, or use any privy or privy vault within the Village.

SECTION 94.05 OBSTRUCTING WATER OR DRAINAGE.

It shall be unlawful for any person to stop or obstruct the passage of water in any street, gutter, or public sewer, culvert, water pipe, hydrant, or watercourse within the Village.

SECTION 94.06 STORING NEW AND USED LUMBER.

(A) All lumber, used or new, shall be stacked in piles at least one foot above the ground and each stack thereof shall not be more than six feet in width; nor shall the top thereof be more than six feet above the ground. In no case shall the stacks of lumber be closer than 30 inches.

(B) All new and used lumber shall be stacked or stored in a manner to be free of rats, mice, termites, and rodents. No lumber shall be stacked or stored in a manner as to be dangerous to anyone in the immediate vicinity thereof.

(C) This shall apply only to that new or used lumber stacked or stored outside a building or warehouse. No lumber to which any metal object is attached shall be stacked or stored outside a building.

SECTION 94.07 POISONOUS PLANTS.

It shall be unlawful for any person to plant any poison ivy or other poisonous vine or plant within this Village so near any public sidewalk, street, or alley as to injuriously affect a passerby, or to permit any poisonous vine or plant to so grow in or upon any premises owned or controlled by him.

ENFORCEMENT

SECTION 94.20 PUBLIC HEALTH VIOLATION TICKET.

(A) An authorized Village officer shall have the authority to issue a public health violation ticket to any person who shall violate the provisions of this Chapter.

(B) The public health violation ticket is a notice to the recipient of the ticket to correct the named violation.

Ordinances of the Village of Stanford

(C) The violation shall be corrected within ten days or such lesser time as stated in the Section cited by the owner or the occupant of the premises on which the violation has occurred. Where a violation constitutes an emergency health hazard, the violation shall be corrected within 24 hours by the owner or occupant of the premises on which the violation occurred. However, in the case of an emergency health hazard, an authorized Village official may correct or have the violation corrected on its behalf without waiting 24 hours after the issuance of a public health violation ticket. In all cases, it shall be the ultimate responsibility of the owner of the premises on which the violation exists to correct the violation.

(D) The public health violation ticket shall contain the name and address of the violator, the location of the violation, a statement of the violation, including the specific Section of the Stanford Municipal Code being violated, a statement that the violation shall be corrected within the time specified in the public health violation ticket, a statement that failure to correct the violation complained of within the time stated on the ticket may result in the Village itself correcting the violation or the filing of an ordinance violation that may result, upon conviction, in a fine in accordance with the general penalty provision, Section 10.99, of this Stanford Municipal Code.

(E) Service of the public health violation ticket shall be made in the following manner:

(1) The original shall be served on the violator either by personal delivery or by the regular mail. The authorized Village official shall certify that he delivered the ticket personally to the violator or mailed the ticket by regular mail to the violator.

(2) One copy shall be retained by the authorized Village official.

(F) Any person who is issued a public health violation ticket and does not correct the violation within the time limit specified therein shall be subject to the penalties provided in Section 94.99 following.

(G) In no situation shall the ticket enforcement procedure preclude the Village from enforcing public health violations through any other available remedies provided by this code, State or federal statute, or common law.

SECTION 94.99 PENALTY.

(A) Any person who shall violate any provisions of this Chapter or fail to comply with any notice given by the authorized Village official as provided in Section 94.20 shall, on conviction thereof, be subject to the general penalty provision, Section 10.99, of this Stanford Municipal Code. Each day during which a violation continues beyond the specified time for correction shall constitute a separate punishable offense.

(B) If the Village corrects the violation itself or causes the violation to be corrected on its behalf, a lien for the amount of time and expense involved in correcting the violation shall be filed against the land where the violation occurred unless the owner or occupant of that land shall reimburse the Village its expenses upon request. A minimum charge of \$100.00 for each hour, or part of an hour, shall be levied for work performed by or on behalf of the Village in correcting a violation. The lien shall be recorded with the County Recorder of Deeds within 60 days after the work is performed by the Village or on behalf of the Village, and foreclosure suit to collect the cost of the lien shall be filed within two years after the recordation of the lien as in the case of foreclosure.

(C) If the Village corrects the violation itself or causes the violation to be corrected on its behalf, the violator shall nevertheless be subject to the specified fine above, in addition to a lien being placed on the violator's property.

CHAPTER 95: NOISE CONTROL

Section

Ordinances of the Village of Stanford

95.01 Loud and unnecessary noises prohibited; Enumeration

95.02 Blowing horns

95.03 Drums and loudspeakers

95.04 Radios and phonographs

95.05 Vehicle noise

95.06 Devices using compressed air

95.07 Exhaust discharge

95.08 Building operations

95.99 Penalty

SECTION 95.01 LOUD AND UNNECESSARY NOISES PROHIBITED; ENUMERATION.

The creation of an unreasonably loud, disturbing, and unnecessary noise in the Village is prohibited. Noise of such character, intensity, and duration as to be detrimental to the life or health of any individual is prohibited. The acts provided in this Chapter, among others, are declared to be loud, disturbing, and unnecessary noises in violation of this Chapter, but this enumeration shall not be deemed to be exclusive.

SECTION 95.02 BLOWING HORNS.

The sounding or blowing of any horn or any signal device on any automobile, motorcycle, bus, or other vehicle while not in motion, except as a signal if another vehicle is approaching apparently out of control, if in motion only as a danger signal; the creation by means of any signal of any reasonably loud or harsh sound; and the sounding of the device for any unnecessary or unreasonable period of time shall be prohibited.

SECTION 95.03 DRUMS AND LOUDSPEAKERS.

The use of any drum, loudspeaker, or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show, sale, display, or advertisement of merchandise shall be prohibited.

SECTION 95.04 RADIOS AND PHONOGRAPHS.

(A) The outdoor use of radios, phonographs, and the like shall be prohibited in the following incidents:

(1) The operation of a juke box, radio, phonograph, television, or other instrument of like nature, with or without a transmitter or amplifier, so that the music or information produced by the instrument shall be discharged into the open or outside of any building;

(2) The use of any out-of-door amplifier;

(3) The playing of any radio, phonograph, television, or any musical instrument in such a manner as to annoy or disturb the quiet, comfort, or repose of any persons in any dwelling, hotel, or other type of residence.

(B) However, the broadcasting of events occurring in any athletic contest of the Village, the broadcasting of a band concert produced by live participants in the Village, or the broadcasting of any music, chimes, or bells by any church shall not be included in the foregoing designations.

SECTION 95.05 VEHICLE NOISE.

Ordinances of the Village of Stanford

The use of any automobile, motorcycle, or vehicle so out of repair, so loaded, or in any condition that creates loud or unnecessary grating, grinding, rattling, screeching of tires, or other noise shall be prohibited.

SECTION 95.06 DEVICES USING COMPRESSED AIR.

The use of any mechanical device operated by compressed air shall be prohibited, unless the noise created thereby is effectively muffled or reduced.

SECTION 95.07 EXHAUST DISCHARGE.

The discharge in the open air of the exhaust of a steam engine, stationary internal combustion engine, or motor vehicle shall be prohibited, except through a muffler or other device, which will effectively prevent noises therefrom.

SECTION 95.08 BUILDING OPERATIONS.

The erection (including excavations), demolition, alteration, or repair of any building in a residential or business district other than between the hours of 7:00 a.m. and 10:00 p.m. on weekdays shall be prohibited, except in case of urgent necessity in the interest of public safety.

SECTION 95.99 PENALTY.

Whoever violates any provision of this Chapter shall be subject to the general penalty provision, Section 10.99, of this Stanford Municipal Code. Each day a violation occurs shall constitute a separate offense.

CHAPTER 96: NUISANCES

Section

General Provisions

- 96.01 Enumeration of particular nuisances
- 96.02 Enumeration not exclusive
- 96.03 Nuisances to be removed

Plants and Weeds

- 96.20 Weeds declared to be nuisances
- 96.21 Plant height restrictions; Parkway maintenance standards
- 96.22 Removal notice
- 96.23 Abatement of nuisance
- 96.24 Lien procedure

- 96.99 Penalty; Lien

Ordinances of the Village of Stanford

SECTION 96.01 ENUMERATION OF PARTICULAR NUISANCES.

It is unlawful for any person, firm, or corporation to create, cause, or permit a nuisance to exist or be maintained within the Village of Stanford. The presence of the following within the Village is declared to be detrimental to the public health, safety, and welfare and what constitutes a nuisance:

- (A) Sound, animals, or things which interfere with the peace or comfort or disturb the quiet enjoyment of any person in the Village;
- (B) Anything which is made, permitted, used, kept, maintained, operated, or any building or any animal that is kept in a manner which is foul, offensive, nauseous, dangerous to life, limb, or property, or detrimental to the health of the persons residing in that area;
- (C) Any slop, foul or dirty water, filth, refuse, offal, or offensive matter or liquid of any kind discharged into any street, avenue, sidewalk, alley, park, public square or public place or private enclosure, or on any adjacent lot or ground, or allowed to accumulate there, or in a pond or pool;
- (D) Any lot, ground, or premises, within the Village, on which stagnant water may be standing so as to become or likely to become foul, putrid, offensive, or detrimental to the health and comfort of persons residing in the vicinity thereof;
- (E) The emission of dense smoke from the chimney or smokestack of any building or premises or from any garbage or rubbish container;
- (F) Any spoiled, tainted, or diseased perishable agricultural commodity;
- (G) The presence of brush, weeds, dead or dying trees, stumps, roots, any abandoned or inoperable vehicle or waste material, on land within the Village;
- (H) All substances which emit or cause foul, obnoxious, unhealthful, putrid, noisome, or disagreeable odor or effluvia and which are objectionable or offensive to any person or person residing near the same or to any person passing along any street, sidewalk, or alley near the same;
- (I) All carcasses of animals remaining exposed for twelve hours after death;
- (J) All articles or things whatsoever, caused, kept, maintained, or permitted by any person to the injury, inconvenience, danger, detriment, or annoyance of the public health, safety, or welfare;
- (K) Any offal or other offensive matter or the carcass of any thrown or deposited in any watercourse, lake, pond, sewer, lagoon, spring, well, or street, alley, public highway, or park;
- (L) Any tree or shrub which overhangs any sidewalk, street, or other public place in the Village in such a way as to impede or interfere with traffic or travel;
- (M) Any abandoned or partially dismantled, non-operating, wrecked, or junked vehicle or a vehicle in a state of substantial disrepair on any street, highway, or public place in the Village; and any such vehicle stored in the open on any private property for more than six months;
- (N) Accumulated junk, debris, garbage, rubber, or refuse;
- (O) In addition to what is herein declared to be a nuisance, those offenses known to the common law or of the State or federal statutes as nuisances may, in case the same exist within the Village, be treated as such and proceeded against as provided in this Chapter.

Ordinances of the Village of Stanford

(P) The outdoor storage of motor vehicle parts, go carts, golf carts, June buggies, farm tractors, lawnmowers, garden tractors, farm equipment, tin cans, broken glass, glass, broken crockery and similar materials, refrigerators, stoves, and operable machinery of any kind, Mr. Neary parts of any kind, iron, brass, copper, broken concrete, broken concrete blocks, broken concrete, tin, aluminum, garbage refuse, plastic, appliances, led and other metals;

(Q) It is hereby declared a nuisance to throw, deposit, keep or scatter litter on public property or private property that is not enclosed in a building. The word “Litter” means any discarded, used, or unconsumed substances or waste. “Litter” includes, but is not limited to, any garbage, trash, refuse, debris, pieces of corrugated metal not attached to a building, discarded scrap metal, motor vehicle bodies, tires, parts, equipment, or motors, ashes, tin cans, metalware, crockery, stoneware, manure, metal, storage tanks, unused or discarded hot water heaters, parts of appliances, pieces of pipe, parts of furnaces, window frames not permanently attached to a building, discarded telephone poles, portions of buildings or sides of buildings not permanently attached to a building, pieces of wood or lumber haphazardly strewn about, grass clippings or other lawn or garden waste, newspaper, magazines, glass, metal, plastic or paper containers or other packaging construction material, furniture, oil, discarded or unused objects or equipment such as scrap wiring, non-motorized RV campers, fiberglass, lawn equipment, including but not limited to lawn mowers or tractors and trailers that could be pulled behind such motorized vehicles, trees that have fallen, toys, burn barrels, any nauseous or offensive matter of any kind, or anything else of an unsightly or unsanitary nature, which has been discarded, abandoned or otherwise disposed of improperly. However, no person shall be held liable for littering if the litter is placed in a receptacle or other container intended by the owner or tenant in lawful possession for the disposal of litter, the person is acting under the direction of public officials of the village during any special cleanup days, or the person is lawfully acting in or reacting to an emergency situation where health and safety is threatened and thereafter properly disposes of such litter when the emergency situation no longer exists.

The word “inoperable” is hereby defined as an incapable of being operated in the manner that it was intended to operate under its own motor power. Covering, targeting or otherwise attempting to cover or conceal any nuisance in an unenclosed building or structure does not cause the object to lose its character as a nuisance and is not an abatement of a nuisance.

SECTION 96.02 ENUMERATION NOT EXCLUSIVE.

The various nuisances described and enumerated in this Chapter shall not be deemed to be exclusive but shall be in addition to all other nuisances described and prohibited by this code. Statutory Reference: Power of Village to define, prevent, and abate nuisances, 65 ILCS 5/11-60-2.

SECTION 96.03 NUISANCES TO BE REMOVED.

Any person causing a nuisance, as defined in Section 96.01 and 96.02 preceding, and the owner occupant, or lessee of land on which any nuisance exists, are required to remove or abate the condition immediately upon knowledge of its condition. The correction shall be made within the time of 24 hours enumerated in the notice of violation from the Village as set forth in Section 94.20. In all cases, it shall be the ultimate responsibility of the owner of the premises on which a nuisance exists to correct the nuisance. If after knowledge of a Section 96.01 or Section 96.02 nuisance and after the expiration of the notification provided therein, the condition remains, the Village may remove or cause the removal of the condition, keeping a record of the costs incurred. Cross Reference: Public Health Violation Ticket, Chapter 94.20. (65 ILCS 5/11-60-2)

PLANTS AND WEEDS

Ordinances of the Village of Stanford

SECTION 96.20 WEEDS DECLARED TO BE NUISANCE.

(A) Any weeds such as jimson, burdock, ragweed, thistle, cocklebur, wild lettuce, or other weeds of a like kind found growing in any lot or tract of land in the Village are hereby declared to be a nuisance, and it shall be unlawful to permit any such weeds to grow or remain in any such place.

(B) The keeping or allowing to remain on any premises any trees, shrubs, or other vegetation infected with fungus or other diseases that will or might spread to other non-infected trees, shrubs, or other vegetation is hereby declared to be a nuisance, and it shall be unlawful to permit any such trees, shrubs, or other vegetation to grow or remain in any such place.

(C) Any tree or limb of a tree which has become likely to fall on or across any public way is hereby declared to be a nuisance, and it shall be unlawful to permit any such tree or limb of a tree to grow or remain in any such place.

(D) Any European Barberry, also known as Berberis Vulgaris or its horticultural varieties are hereby declared to be a nuisance, and it shall be unlawful to permit any such plants to grow or remain in any such place.

SECTION 96.21 PLANT HEIGHT RESTRICTIONS; PARKWAY MAINTENANCE STANDARDS.

(A) It shall be unlawful for anyone to permit any weeds, grass, or plants, other than trees, bushes, flowers, or other ornamental plants to grow to a height exceeding twelve inches anywhere in the Village. Any such plants or weeds exceeding such height are hereby declared a nuisance.

(B) The owners of property abutting any public street, road, or ways shall maintain the areas between the edge of the pavement or curb and their property line, commonly known as the Parkway, and a neat, clean, and orderly condition. No tree shall be planted on the Parkway. No vegetation, other than grass, shall be planted on any Parkway unless a permit has been obtained in advance from the village of Stanford Public Works Superintendent and village clerk. There shall be no fee for this permit. The owners of the property that it joined the Parkway shall not allow grass, weeds, or vegetation authorized by this section to grow to a height exceeding 12 inches. In the event that any portion of the Parkway is disturbed by the village for any reason the village shall not be responsible to repair or replace any vegetation except for seeding grass after an excavation or disturbance. Any existing landscape, vegetation, including existing shrubs and trees, that were in existence as of September 21, 2006 are not affected by this section. Any such "grandfathered" vegetation may, at the sole discretion of the village, be removed or otherwise trim for public purposes. Nothing shall be applied to the vegetation and the Parkway in such manner that the applied product or products killed the vegetation to such an extent that this will run off occurs. All products that are applied in the Parkway that killed vegetation shall only be applied by a person or entity licensed to apply the product that is used to kill vegetation. These provisions shall not apply to fertilizer that contains weedkiller that is applied in a manner and method as recommended by the manufacturer.

SECTION 96.22 REMOVAL NOTICE.

Any owner or occupant of land on which a nuisance or condition described in Section 96.20 or 96.21 preceding exists is hereby required to remove or cause the removal of the condition within seven (7) days after the mailing of a written notice notifying the owner of the condition, indicating that such a condition constitutes a nuisance and ordering the removal of the condition within the 7-day period provided or such shorter time as the public health, safety, and welfare requires. Said notice shall be served in accordance with Section 10.21 of the Stanford Municipal Code to the last known address of the owner or occupant of any premises on which weeds or plants are permitted to grow in violation of the provisions of this subchapter. In lieu of mailing, notice of requirement of removal may be hand delivered and the requirements shall be the same as if mailed.

SECTION 96.23 ABATEMENT OF NUISANCE.

Ordinances of the Village of Stanford

If the person served by the notice required by Section 96.22 preceding does not abate the nuisance within seven days, the Village may proceed to abate such nuisance, keeping an account of the expense of the abatement, and such expense shall be charged and paid by such owner or occupant.

SECTION 96.24 LIEN PROCEDURES.

The Village may charge the owner with the costs so incurred and such costs shall be a lien on the premises. If the costs or expenses remain unpaid 30 days after a bill has been rendered, the Village may file a Notice of Lien in the office of the Recorder of Deeds of McLean County. Such notice shall consist of a sworn statement setting out a description of the real estate, sufficient for identification; the amount of money representing the cost and expense incurred or payable for the service; and the date or dates when such cost or expense was incurred by the municipality. This lien shall be superior to all other liens except taxes, provided however, it shall not be valid as to any purchaser whose right to such real estate has arisen subsequent to the date on which such costs were incurred and prior to the filing of such notice and a lien of the Village shall not be valid as to any mortgages, judgment, creditor, or other lien or whose rights in and to such real estate arise prior to the filing of such notice. Upon payment of the costs and expenses by the owner or any other person interested in such property and after Notice of Lien has been filed, the lien shall be released by the Village and the release may be filed of record as in the case of filing the Notice of Lien. The lien may be enforced by proceeding to foreclosure as provided by law. The failure of the Village to record such lien claim or to mail such notice, or the failure of the owner to receive such notice, shall not affect the right to foreclose the lien, for unpaid bills for weed cutting, as provided for in the provisions hereinafter set forth.

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

(B) The Village Attorney shall institute such proceedings authorized in this Section, in the name of the Village, in any court having jurisdiction over such matter when so directed by resolution of the Village Board.

SECTION 96.99 PENALTY; LIEN.

(A) Any person who shall violate any provision of this Chapter shall, on conviction thereof, be subject to the general penalty provision, Section 10.99, of this Stanford Municipal Code. Each day during which a violation continues beyond the specified time for correction shall constitute a separate punishable offense.

(B) If the Village corrects the violation or causes the violation to be corrected on its behalf, the violator shall be liable to the Village for its actual costs (material plus labor or if correction is contracted out, the contract price) of abating the nuisance.

(C) Where the Village itself corrects the violation or causes the violation to be corrected on its behalf, the violator shall be subject to both Division (A) and Division (B) of this Section and to any legal fees incurred.

CHAPTER 97: STREETS, ALLEYS, AND PUBLIC WAYS

Section

General Provisions

97.01 Supervision

Ordinances of the Village of Stanford

- 97.02 Regulations
- 97.03 Street construction standards
- 97.04 Sidewalk construction and location standards
- 97.05 Sidewalk replacements
- 97.06 Alley maintenance program
- 97.07 Posting of address numbers

Paving and Sealing Driveways and Culverts

- 97.20 Permit for paving driveways
- 97.21 Culverts placed on Village property
- 97.22 Definition of asphalt sealing
- 97.23 Permit for asphalt sealing

GENERAL PROVISIONS

SECTION 97.01 SUPERVISION.

Supervision of street extensions, installation, and maintenance shall be vested in the President and the Board of Trustees of the Village of Stanford, acting by and through its Streets and Alleys Committee, and Superintendent of Streets.

SECTION 97.02 REGULATIONS.

(A) It shall be unlawful for any person, firm, or corporation to do or perform any of the following acts without prior approval of the Streets and Alleys Committee:

- (1) Cut the surface of any street insofar as is necessary to make a water main extension approved by the Water Committee;
- (2) Break or cut any curb;
- (3) Close or barricade any public street;
- (4) Display, offer for sale, or sell any goods or services on any public street;
- (5) Hang or display any banner or sign over the portion of any street or roadway traveled by vehicular traffic;
- (6) Hang or display any banner or sign which is or hangs to a point less than fifteen (15) feet above that portion of the street, roadway, or sidewalk traveled by pedestrian traffic;
- (7) Pile, store, or keep any wares, goods, or materials, including dirt or other material from any excavation on any street, roadway, or sidewalk traveled by pedestrian traffic.

(B) In determining whether or not to authorize and approve such acts, the Streets and Alleys Committee shall consider:

- (1) The extent to which public vehicular or pedestrian traffic is impeded or impaired;

Ordinances of the Village of Stanford

- (2) The benefit, if any, to the public generally resulting from the proposed act;
- (3) The proposed duration of the act, cut, or encroachment.

SECTION 97.03 STREET CONSTRUCTION STANDARDS.

(A) General – Any person, firm, or corporation laying out, establishing, or improving any public street or opening any street or way to the public shall first dedicate such right-of-way and install a pavement surface and related storm water drainage appurtenances to meet or exceed the construction standards specified in Chapter 150 of the Stanford Municipal Code, being the Village's subdivision, street dedication, and construction standards.

(B) Procedure for Inspection and Acceptance – Any such street shall not become a public street nor be a public maintenance responsibility unless and until:

- (1) It is dedicated to the Village;
- (2) It is accepted and approved by the Village Engineer or his authorized representative; and
- (3) It is accepted for maintenance by official action of the President and the Board of Trustees.

To facilitate such inspection and approval, any person, firm, or corporation installing any street shall schedule and arrange such installation with the Chairman of the Streets and Alleys Committee at a time when on-site inspection by the Village Engineer or his representative can be provided.

SECTION 97.04 SIDEWALK CONSTRUCTION AND LOCATION STANDARDS.

(A) General – Any person, firm, or corporation laying out, establishing, or improving any public street shall construct a sidewalk or sidewalks roughly parallel to the roadway surface within the dedicated public right-of-way. Such sidewalk shall meet or exceed the sidewalk construction standards specified in Section 150.16(B) and Section 97.04 herein of the Stanford Municipal Code, those being the subdivision sidewalk improvement standards of the Village.

(B) Procedures – Prior to installation, developers shall submit the proposed sidewalk location to the Streets and Alleys Committee for review and approval. In locating sidewalks and in approving or denying proposed locations for sidewalks, developers and the Streets and Alleys Committee shall be guided by the following principles:

- (1) Sidewalks should be provided to continue existing sidewalks;
- (2) Sidewalks should be provided along arterial streets; and
- (3) Sidewalks should be provided to accommodate heavy pedestrian traffic generators, such as public schools, shopping areas, and public parks.

SECTION 97.05 SIDEWALK REPLACEMENTS.

The owner of property, which abuts with any public sidewalk within the Village, may replace cracked, broken, or defective sections thereof in a way, which will meet or exceed the sidewalk construction standards for new sidewalks with respect to the sections replaced. It is the policy of the Village to participate with owners making such replacements in the following manner and to the following extent:

(A) Reimbursement – The Village will reimburse 50% (fifty percent) of the cost of replacement sidewalks provided the bid is approved by the Village Board prior to the work being done. The sidewalk must be replaced as required by Section 150.16(B) and Section 97.04 of the Stanford Municipal Code.

Ordinances of the Village of Stanford

(B) Procedure – Any person, firm, or corporation desiring reimbursement under this Section shall comply with the following:

- (1) He shall submit to the Chairman of the Streets and Alleys Committee a Sidewalk Replacement Proposal indicating the number and location of sidewalk sections proposed for replacement;
- (2) The Chairman of the Streets and Alleys Committee shall review such proposal. The Village Board shall approve, reject, or approve the proposal in part, specifying the sections eligible for replacement reimbursement. In making its determination, the Village Board shall consider the following:
 - (a) The extent to which the sidewalk section has deteriorated;
 - (b) The volume of pedestrian traffic utilizing or reasonably expected to utilize the sidewalk;
 - (c) The financial resources allocated by the President and the Board of Trustees of the Village for the sidewalk replacement program; and
 - (d) Competing requests for financial assistance under this program.
- (3) After approval of the sidewalk replacement proposal, the developer shall schedule the installation with the Chairman of the Streets and Alleys Committee at a time when he or his designee can be available for on-site inspection.
- (4) After installation in the manner meeting or exceeding the construction standards of Section 150.16(B) and Section 97.04 and after inspection and approval of the installation, the developer shall submit to the Chairman of the Streets and Alleys Committee an indication of the number of square feet replaced and an itemized bill documenting material and labor costs incurred.
- (5) The Chairman of that committee shall review the material submitted and determine the appropriate reimbursement to be made and shall present same for payment to the President and the Board of Trustees.

SECTION 97.06 ALLEY MAINTENANCE PROGRAM.

The Village of Stanford will only maintain alleys which are in regular use and only to the extent that such alleys are passable to emergency, utility, and residential vehicles. All other alleys shall not be maintained by the Village of Stanford.

Section 97.07 POSTING OF ADDRESS NUMBERS.

- (A) All owners of improved residential, commercial and industrial properties shall post the respective address numbers as assigned by the village at or near the main entrance of all principal structures or mailbox if the mailbox is on the same side of the street as the house.
- (B) All address numbers shall be permanently affixed and shall be clearly visible from the street, free of current and future temporary and permanent visual obstructions. They shall not be posted on doors, windows or other movable components.
- (C) Address numbers shall be posted upon planes that are parallel to the street direction upon which the properties face.
- (D) All numbers constituting an address numbers shall be uniform in height in style.
- (E) All address numbers shall be whole Arabic numerals only. No fractions or decimal shall be allowed. They shall be devoid of serifs and other ornamentation as would cause illegibility, Roman numerals and other forms of numbers shall not be acceptable, unless used in addition to Arabic numbers.
- (F) Address numbers shall severely contrast in color to the background upon which they are affixed.
- (G) with subdivisions of an addressed property (apartments, offices, suites and the like) each subdivision shall have its own identifier clearly and permanently affixed at or near its main entrance. In the instant of an apartment, office or other complex, where an address has been more than one principal structure, each structure shall have its

Ordinances of the Village of Stanford

own identifier. English alphabet only, with each subdivision within each structure having its own identifier Arabic numerals only.

PAVING AND SEALING OF DRIVEWAYS AND CULVERTS

SECTION 97.20 PERMIT FOR PAVING DRIVEWAYS.

Any person, firm, or entity that desires to pave that portion or any driveway that crosses over property owned by the Village must first obtain a permit. No permit shall be required for any paved driveway that does not cross over property owned by the Village. The permit shall be filed with the Village Clerk by submitting a written application that shall contain a drawing of the proposed area to be paved. The Village Clerk shall submit the application to the Village Chairman of Streets and Alleys Committee and the Village Superintendent of Public Works. Any such driveway shall comply with the following minimum standards, which are:

- (A) The area between the private property owner line and the Village street, commonly known as the “approach”, shall be graded and shaped in such a way so as to cause the surface of the new pavement to be flush with and attached to the edge of the street and be flush with and attached to any existing Village sidewalk.
- (B) If concrete is used to pave the approach, it must be a minimum of four (4) inches thick although six (6) inches is recommended. If asphalt is used to pave the approach, it must be a minimum (not average) of three (3) inches compacted thickness.
- (C) Asphalt may not be placed over any existing sidewalk without the express written permission of the Village Chairman of Streets and Alleys Committee and the Village Superintendent of Public Works.
- (D) A driveway which crosses over any ditch that is located on Village property between the private property owner line and the Village street may not be installed unless a culvert has first been installed. Any such culvert must have a minimum diameter of 15 inches unless the Village Superintendent of Streets or the Village Chairman of the Streets and Alleys Commission approves in writing a smaller diameter due to the fact that the depth of the existing ditch is not sufficient to allow the use of a 15 inch culvert. Any culvert for a paved driveway must extend two (2) feet beyond the proposed width of the approach of the driveway.
- (E) No paving or culvert installation shall be commenced unless the grade and location of the approach and/or culvert has been inspected and approved by the Village Superintendent of Streets or the Village Chairman of the Streets and Alleys Committee. Only galvanized or precoated CMP may be used unless other is approved by the Board of Trustees.
- (F) It shall be the ultimate responsibility of the property owner to obtain the necessary permit, either personally or to insure that the contractor has obtained such a permit.
- (G) Any debris that is generated as a result of any paving or driveway construction such as gravel or hot mix, must be promptly removed from the Village streets and property.

SECTION 97.21 CULVERTS PLACED ON VILLAGE PROPERTY.

No culvert shall be placed on any Village property unless the culvert complies with the requirements contained in the foregoing Section 97.20(D). Further, the culvert must extend two (2) feet beyond the proposed width of the approach without regard as to whether or not the approach is to be paved. However, if the property owner wishes to install headwalls, such additional extension may be waived by the Village. No culvert shall be installed on Village property unless the location, size, and design of the culvert has been inspected and approved by the Village Superintendent of Public Works or the Village Chairman of the Streets and Alleys Committee.

Ordinances of the Village of Stanford

SECTION 97.22 DEFINITION OF ASPHALT SEALING.

Asphalt Sealing. The application of a liquid coating that is applied on the surface of existing hot mix asphalt.

SECTION 97.23 PERMIT FOR ASPHALT SEALING.

No person, firm, or entity shall engage in any asphalt sealing within the Village without first obtaining a permit from the Village Clerk. A written application shall be submitted to the Village Clerk. The written application shall include the following minimum information and shall include any additional information required by the Village Clerk and/or the Board of Trustees: name, address, and telephone number of company; names, addresses, and telephone numbers of at least two persons, firms, or entities that have previously received asphalt sealing services from the applicant; number of years in business; federal tax identification number; type of sealing material to be used; and brand name, certificate of liability insurance providing minimum liability insurance in the amount of \$1,000,000.00; proof of the type of material that will be used to seal coat; and upon request, a sample of material to be used for the purpose of sealing. The permit fee shall be \$20.00. A permit shall expire on April 30th following issuance of the permit. The Village Clerk may consult the Illinois Attorney General's Office, the Illinois State Police, the Village of Stanford Police and any other appropriate law enforcement or other investigative agency to determine the legitimacy or representations made on the application. In the event that the Village Clerk determines that representations made on the application, in the Clerk's opinion, are false or misleading, the Clerk shall notify the applicant that no decision will be made on the permit until such time as a hearing has been held before the Board of Trustees of the Village of Stanford. The hearing shall be held within fourteen (14) days after the Clerk notifies the applicant in writing of the Clerk's decision to require a hearing. At the hearing, the applicant, the public, the Village Clerk, law enforcement officials, and any other person, firm, or entity that has any interest or relevant information concerning the proposed application for permit may present evidence. In the event that the Village Clerk determines, after a permit has been issued, that the information contained within the permit is false or misleading, the permit may be temporarily revoked until such a time as a hearing is held as provided aforesaid. In the event of any such temporary revocation, the applicant shall be notified in writing at the applicant's address of record, as set forth on the application. Written notice to such address and/or personally to the applicant shall be sufficient notice. None of the foregoing provisions shall apply to any person, firm, or entity that desires to engage in asphalt sealing on their own property.

CHAPTER 98: UNSAFE AND DANGEROUS BUILDINGS

Section

- 98.01 Definitions
- 98.02 Nuisances
- 98.03 Renting unfit building
- 98.04 Unlawful to have certain buildings
- 98.05 Duty to repair or demolish
- 98.06 Notice where court order for repair or demolition sought
- 98.07 Court proceedings and rights under statute
- 98.08 Persons authorized or directed to give notices
- 98.09 Separate offense for each day of continuance
- 98.10 Validity

Ordinances of the Village of Stanford

98.99 Penalty

SECTION 98.01 DEFINITIONS.

The following terms whenever used or referred to in this Chapter shall have the following respective meanings unless a different meaning clearly appears from the context:

Building. A structure or part thereof. It shall also encompass an excavation on real property.

Dangerous and Unsafe Building. A building that, because of its condition, constitutes a hazard to the health or safety of persons or to the safety of other property, whether real or personal property. Any building which has one or more of the following defects shall be deemed to be a ***Dangerous and Unsafe Building***:

(A) Any building whose walls or vertical members list, lean, or buckle to such an extent that a plumb line suspended from the top edge of such member shall fall outside of a distance from the edge equal to one-third of the thickness of such members.

(B) Any building which has a support member or support members which have deteriorated to such an extent as to be unable to safely support the applied loads or which have forty percent damage or deterioration of the non-supporting, enclosed, or outside walls or coverings.

(C) Any building which has improperly distributed loads upon the floors or roofs or in which the same are overloaded or which have insufficient strength to be reasonably safe for the purpose used.

(D) Any building which has been damaged by fire, wind, or other causes so as to have become dangerous to life, safety, or the health and welfare of persons or to the safety of other property, whether real or personal.

(E) Any building which has parts thereof which are so attached that they may fall and injure persons or property.

(F) Any building which has wiring that is dangerous due to lack of insulation, improper fuses, inadequate grounding, lack of capacity of wires, or other dangerous conditions.

(G) Any building which by reason of faulty construction, age, lack of proper repair, or any other cause has become especially liable to fire or has become liable to cause injury or damage by collapsing or otherwise.

The enumeration of certain defects herein shall not mean that a building with other defects, which constitute a hazard to the health or safety of persons or to the safety of other property, whether real or personal, shall not be deemed a ***dangerous and unsafe building***.

Demolish. To destroy a building, to remove all debris and waste materials from the lot on which the building stood, and to properly fill in any excavation on such lot.

Owner. The holder of fee simple titles.

Parties in Interest. All individuals, associates, partnerships, corporations, or other legal entities that have a mortgage or other lien on a building or who are in possession thereof.

Uncompleted and Abandoned Building. A building on which the construction thereof has been started and has not been completed and on which there has not been substantial construction work done toward the completion of such building for a period of ninety (90) days. However, periods during which construction is impractical due to severe weather conditions or labor strikes shall be excluded in the computation of such 90-day period.

Unfit Building. A building not suited for occupancy, or for the purposes for which it was intended, or any building which because of its lack of proper repair or maintenance depreciates the appearance or value of the neighborhood

Ordinances of the Village of Stanford

in which it is located, or any building which because of lack or proper repair or maintenance could cause injury or damage to person or property, or any building which was not constructed in whole or in part in accordance with any building, electrical, fire, or sewer ordinances of this Village or statutes of the State of Illinois. While the enumeration of the following defects shall not mean that other defects do not make a building an *unfit building* as above defined, any building, which has one or more of the following defects, shall be deemed an *unfit building*:

- (A) Any building, which has one or more of the defects enumerated in the definition of *Dangerous and Unsafe Building* preceding.
- (B) Any building which does not have an unobstructed means of egress leading to an open space at ground level.
- (C) Any building which has a broken window pane or panes or in which a window pane or panes have been broken out or removed, providing such condition has continued for more than thirty (30) days.
- (D) Any building in which a window or windows have been boarded up. However, the use of properly appearing window shutter or shutters over a window or windows shall not be considered boarding up as long as they do not detract from the general appearance of the area.
- (E) Any building which while used as a dwelling for human habitation does not have an installed kitchen sink in each dwelling unit properly connected to the hot and cold water supply pipes, or does not have an installed tub or shower and lavatory properly connected to hot and cold water supply pipes, or does not have a flush type water closet located in a room affording privacy and properly connected to the water supply pipes, or does not have installed electric lighting facilities for every habitable room, or does not have installed a heating system adequate to provide necessary heat to occupants.
- (F) Any building which, while used for human occupancy, does not have ventilation provided by openable doors, or windows, equal to 4.5% to total foot area of each room, except where there is supplied forced air ventilation in compliance with all applicable laws and ordinances.
- (G) Any building in which the heating equipment installed is not vented and maintained in good order and repair.
- (H) Any building in which there are leaking water lines or leaking gas lines.
- (I) Any building in which bricks, blocks, boards, siding, or covering forming part of the walls or other structure of such building are loose or not firmly attached or are rotted, decayed, or crumbling.
- (J) Any building with a chimney in which bricks or blocks forming a part thereof are loose or not firmly attached or are decayed or crumbling.
- (K) Any building which has kept or maintained thereon, therein, or about the same, combustible or explosive material or inflammable conditions, which endanger the safety of persons or other property.
- (L) Any building which does not comply with the rules of the Office of the State Fire Marshal adopted and promulgated under 425 ILCS 25/9 of the Illinois Compiled Statutes.
- (M) Any building which has a roof thereon that leaks so as to permit water to enter into any room or rooms of such building and which has not been repaired to prevent such leaks within thirty (30) days after such leaks first commenced.
- (N) Any building in which or about which junk, trash, paper, garbage, or materials is or are stored or kept in such a manner as could increase the possibility of rat infestation, or the spread of disease, or the hazards of, or injury to, persons or property.

SECTION 98.02 NUISANCES.

Ordinances of the Village of Stanford

Pursuant to authority contained in the Illinois Municipal Code, 65 ILCS 5/11-31-1 et seq., each of the following is hereby defined and declared to be a public nuisance: any dangerous and unsafe building, any uncompleted and abandoned building, and any unfit building, each of which is defined in this Chapter.

SECTION 98.03 RENTING UNFIT BUILDING.

It shall be unlawful for any owner or party in interest of a building to rent or offer for rent any unfit building within any territory under the jurisdiction of this Village.

SECTION 98.04 UNLAWFUL TO HAVE CERTAIN BUILDING.

It shall be unlawful for any owner to have within any territory under the jurisdiction of the Village any dangerous and unsafe building, any uncompleted and abandoned building, or any unfit building, as such buildings are defined in this Chapter, after fifteen (15) days following the giving of notice as provided in Section 98.05 following.

SECTION 98.05 DUTY TO REPAIR OR DEMOLISH.

Within fifteen (15) days after being given notice that any building is deemed to be a dangerous and unsafe building, an uncompleted and abandoned building, or an unfit building, the owner thereof shall immediately proceed to do either of the following: (a) to repair and, where appropriate, to rebuild and construct such building so that such building is not a dangerous and unsafe building, an uncompleted and abandoned building, or unfit building; or (b) to demolish such building. Such repair, rebuilding, and construction or such demolition shall be completed within ninety (90) days after the date of giving the aforesaid notice. However, upon written application made prior to the expiration of such 90-day period to the Board of trustees of this Village, such 90-day period may be extended by such Board of Trustees upon satisfactory proof that the owner has proceeded with and is proceeding with due diligence toward such completion. The date of giving such notice shall be the date of mailing, if mailed, or the date of delivery, if not mailed. If, upon diligent search, the identity or whereabouts of the owner or owners of any such building is not ascertainable, notice mailed to either an occupant of such premises or to the person or persons in whose name such real estate was last assessed is sufficient notice under this Section.

SECTION 98.06 NOTICE WHERE COURT ORDER FOR REPAIR OR DEMOLITION SOUGHT.

In the event that a court order for repair or demolition is to be sought under 65 ILCS 5/11-31-1 of the Illinois Municipal Code if such building is not put in a safe condition or demolished after the notice provided in this Section is given, under the provisions of 65 ILCS 5/11-31-1 of the Illinois Municipal Code, written notice to repair or demolish shall be given by mail more than fifteen (15) days prior to the commencement of such court action to the owner or owners thereof, including the lien holders of record. Where, upon diligent search, the identity or whereabouts of the owner or owners of any such building, including lien holders of record is not ascertainable, notice mailed to the person or persons in whose name such real estate was last assessed is sufficient notice under this Section.

SECTION 98.07 COURT PROCEEDINGS AND RIGHTS UNDER STATUTE.

Where the notice has been given as provided in Section 98.06 of this Chapter, the Village shall have all rights to proceed for court order for the demolition or repair of any dangerous and unsafe building or uncompleted and abandoned building within the territory of this municipality and shall have all the rights provided in 65 ILCS 5/11-31-1 of the Illinois Municipal Code, including rights for lien and foreclosure, upon compliance with said Section of said statute by the Village.

SECTION 98.08 PERSONS AUTHORIZED OR DIRECTED TO GIVE NOTICE.

Ordinances of the Village of Stanford

Any of the following officers or agents of this Village, upon having reasonable grounds for believing that any building is a dangerous and unsafe building, an uncompleted and abandoned building, or an unfit building, for and on behalf of the Village, without further authority from the President and the Board of Trustees, is authorized to give any notice provided for in Section 98.05 of this Chapter and is further authorized, if such person has reasonable grounds to believe that there has been violations of Section 98.03, 98.04, or 98.05 of this Chapter, to sign and file complaints for fines or penalties for violations of Sections 98.03, 98.04, or 98.05 of this Chapter to: (a) the President of the Board of Trustees, (b) the Village Attorney, (c) the Zoning Officer, (d) the Chief of Police, (e) any police officer, (f) the Village Clerk, (g) the Superintendent of Public Works, or (h) the Director of Emergency Services and Disaster Operations. Any of the foregoing shall further give any notice provided by Section 98.06 of this Chapter upon direction by the President and the Board of Trustees of this Village.

SECTION 98.09 SEPARATE OFFENSE FOR EACH DAY OF CONTINUANCE.

Each day that a violation of Section 98.04 or 98.05 of this Chapter continues shall be deemed a separate offense, and a fine or penalty as hereinafter provided may be recovered for each day that such offense continues.

SECTION 98.10 VALIDITY.

The invalidity of any provision of this Chapter shall not affect the validity of the remainder of this Chapter.

SECTION 98.99 PENALTY.

(A) Any person, partnership, corporation, or other legal entity violating any of the provisions of Sections 98.03, 98.04, or 98.05 of this Chapter shall be subject to the general penalty provision, Section 10.99, of this Stanford Municipal Code. Each day a violation occurs shall constitute a separate offense. However, there shall be no fine imposed under Section 98.04 of this Chapter as long as the owner is proceeding to repair or demolish fully in accordance with Section 98.05 of this Chapter. A complaint that is filed against any person seeking a fine or penalty, or any fine or penalty that is imposed, shall not in any way prevent this Village from proceeding, or waive any right of this Village to proceed, under 65 ILCS 5/11-31-1 of the Illinois Municipal Code.

(B) If the municipality or a person or persons other than the owner or owners of record pay the cost of demolition, removal of garbage, debris, and other noxious or unhealthy substances and materials, repair, or enclosure pursuant to a court order, the cost, including court costs, attorneys fees, and other costs related to the enforcement of this Chapter, is recoverable from the owner or owners of the real estate and is a lien on the real estate. (65 ILCS 5/11-31-1)

SECTION 99: IMPROVEMENTS TO PUBLIC RIGHT OF WAY

Section

General Provisions

99.0 Improvements on Public Right of Way

Ordinances of the Village of Stanford

SECTION 99.0 IMPROVEMENTS ON PUBLIC RIGHT OF WAY

The Village of Stanford hereby finds it is necessary to regulate vegetation that is grown on the public right of way of the Village of Stanford to allow for the subsequent development of Village sewer system and so as not to interfere with public utilities that are now or hereinafter located on the public right of way of the Village of Stanford. Therefore, no vegetation other than grass shall be planted on the public right of way of the Village of Stanford.

Flowers, shrubs and other decorative landscaping vegetation, other than trees, may be planted on the Village right of way if a permit has been obtained from the Zoning Board of the Village of Stanford. The fee for a permit shall be \$ 10.00. All existing landscape vegetation, including existing shrubs and trees, that are in existence as of the effective date of this Ordinance shall not be affected by this Ordinance. However, vegetation, shrubs and trees that are on Village owned property may, at the direction of the Village of Stanford, be hereinafter removed or otherwise trimmed for public and public utilities purposes.

TITLE XI: BUSINESS REGULATIONS

CHAPTER 110: LIQUOR CONTROL

Section

General Provisions

110.01 Definitions

Local Liquor Control Commission

- 110.10 Local Liquor Control Commissioner
- 110.11 Powers, function, and duties
- 110.12 Examination of applicant for local license
- 110.13 Criminal history records check fingerprints – fee
- 110.14 Compensation for Local Liquor Control Commissioner

Licenses

- 110.20 License required
- 110.21 License privileges
- 110.22 Peddling prohibited
- 110.23 Location change
- 110.24 Location restrictions
- 110.25 Nature of license as property
- 110.26 License expiration
- 110.27 Persons ineligible to be licensed
- 110.28 Retail liquor license classifications
- 110.29 License fees
- 110.30 Filing of application

Ordinances of the Village of Stanford

- 110.31 Application of local liquor license – requisites
- 110.32 Application contents – insurance – Class D
- 110.33 Application – insurance
- 110.34 Examination of applicant
- 110.35 Displaying of License
- 110.36 Issuance of License

Operation of Licensed Establishments

- 110.50 Consumption
- 110.51 Hours
- 110.52 New Year's
- 110.53 Sanitary conditions
- 110.54 Employees
- 110.55 Restrictions on sales

Severability and Repeal

- 110.60 Severability - Repeal

Violations, Enforcement, and Penalties

- 110.95 Owner of premises and license permitting violation
- 110.96 Acts of agent or employee
- 110.97 Entry upon premises
- 110.98 Complaint of violation – hearing
- 110.99 Revocation or suspension of local license – fines – notice of hearing – appeal

GENERAL PROVISIONS

SECTION 110.01 DEFINITIONS.

The following definitions shall apply to the words when used in this Chapter unless from the context a different meaning is intended or unless a different meaning is specifically defined and more particularly directed to the use of such words and phrases:

Alcohol. The product of distillation of any fermented liquid, whether rectified or diluted, whatever may be the origin thereof, and includes synthetic ethyl alcohol. It does not include denatured alcohol or wood alcohol.

Alcoholic Liquor/Alcoholic Beverage. Alcoholic liquor or alcoholic beverage includes alcohol, spirits, wine, and beer, and every liquid or solid, patented or not, containing alcohol, spirits, wine, or beer and capable of being consumed as a beverage by a human being.

Beer. A beverage obtained by the alcoholic fermentation of an infusion or concoction of barley, or other grain, malt, or hops, in water, and includes, among other things, beer, ale, stout, lager beer, porter, and the like.

Ordinances of the Village of Stanford

Hours. Either Central Standard Time or Central Daylight Time, whichever is in effect in the Village of Stanford, McLean County, Illinois.

Original Package. Any bottle, flask, jug, can, cask, barrel, keg, hogshead, or other receptacles or container, whatsoever, used, corked, or capped, sealed, and labeled by the manufacturer of alcoholic liquor, to contain and convey any alcoholic liquor.

Premises. The interior of the building that is operated by the licensee pursuant to the license granted by the Village. In addition, during any period of time in which the operation of a liquor license granted by the State of Illinois is temporarily restricted by an Executive Order of the Governor or by any other action by the State of Illinois that applies to a Class A liquor license, the word “premises” should include any portion of the property on which the premises are located. During any such temporary restriction the licensee shall erect fencing in a manner and method as required by the Liquor Commissioner and shall comply with all other temporary restrictions that are imposed by the State of Illinois and/or the liquor commissioner.

Property. The real estate owned by and/or leased by the licensee which contains the licensed premises.

Retailer. A person who sells, or offers for sale, alcoholic liquor for use or consumption and not for resale in any form.

Sale. Any transfer, exchange, or barter in any manner, or by any means whatsoever, including the transfer or negotiation of warehouse receipts or certificates, and includes and means all sales made by any person, whether principal, proprietor, agent, servant, or employee. The term **sale** includes any transfer of alcoholic liquor from a foreign importer’s license to an importing distributor’s license even if both licenses are held by the same person.

Sell at Retail. Sales for use or consumption and not for resale in any form.

Spirits. Any beverage, which contains alcohol obtained by distillation, mixed with water or other substance in solution, and includes brandy, rum, whiskey, gin, or other spirituous liquors, and such liquors when rectified, blended or otherwise mixed with alcohol or other substances.

To Sell. To keep or expose for sale and to keep with intent to sell.

Wine. Any alcoholic beverage obtained by the fermentation of the natural contents of fruits or vegetables, containing sugar, including such beverages when fortified by the addition of alcohol or spirits, as above defined.

LOCAL LIQUOR CONTROL COMMISSION

SECTION 110.10 LOCAL LIQUOR CONTROL COMMISSIONER.

The Village President shall be the Local Liquor Control Commissioner for the Village of Stanford.

SECTION 110.11 POWERS, FUNCTIONS, AND DUTIES.

The Local Liquor Control Commissioner shall be charged with the administration within the Village of Stanford of the appropriate provisions of the Liquor Control Act of 1934, 235 ILCS 5 of the Illinois Compiled Statutes, and of such ordinances and resolutions relating to alcoholic liquor as may be enacted by the Board of Trustees of the Village of Stanford. The Local Liquor Control Commissioner shall also have the following powers, functions, and duties with respect to liquor licenses, other than licenses to manufacturers, importing distributors, distributors, foreign importers, non-resident dealers, non-beverage users, brokers, railroads, airplanes and boats:

(A) To suspend for not more than thirty days or revoke for cause all local licenses issued to persons for premises within the Village of Stanford.

Ordinances of the Village of Stanford

(B) To enter or to authorize any law enforcing officer to enter at any time upon any premises licensed hereunder to determine whether any of the provisions of the Liquor Control Act of 1934, 235 ILCS 5 of the Illinois Compiled Statutes, or any rules or regulations adopted by him or by the State Commission have been violated, and at such time to examine said premises of said licensee in connection therewith.

(C) To notify the Secretary of State where a club incorporated under the General Not for Profit Corporation Act or a foreign corporation functioning as a club in this State under a certificate of authority issued under that Act has violated the Liquor Control Act of 1934, 235 ILCS 5 of the Illinois Compiled Statutes, by selling or offering for sale at retail alcoholic liquors without a license.

(D) To receive complaints from any citizen within his jurisdiction that any of the provisions of the Liquor Control Act of 1934, 235 ILCS 5 of the Illinois Compiled Statutes, or any rules or regulations adopted pursuant hereto, have been or are being violated and to act upon such complaints in the manner hereinafter provided.

(E) To receive local license fees and pay the same forthwith to the Village Treasurer.

(F) To levy fines in accordance with Section 7-5 of the Liquor Control Act of 1934, 235 ILCS 5 of the Illinois Compiled Statutes. (235 ILCS 5/7-5)

SECTION 110.12 EXAMINATION OF APPLICANT FOR LOCAL LICENSE.

The Local Liquor Control Commissioner shall have the right to examine, or cause to be examined, under oath, any applicant for a local licensee or for a renewal thereof, or any license upon whom notice of the revocation or suspension has been served in the manner hereinafter provided, and to examine or cause to be examined, the books and records of any such applicant or licensee; to hear testimony and take proof for his information in the performance of his duties, and for such purpose to issue subpoenas which shall be effective in any part of this State. For the purpose of obtaining any of the information desired by the Local Liquor Control Commissioner under this Section, he may authorize his agent to act on his behalf.

SECTION 110.13 CRIMINAL HISTORY RECORDS CHECK; FINGERPRINTS

Upon the initial application for license or any renewal thereof, each applicant shall submit to a criminal history records check and shall submit his or her fingerprints to the Illinois Department of State Police in the form and manner prescribed by the State of Illinois Police. These fingerprints shall be checked against the fingerprints records now and hereafter filed in the Illinois State Police and Federal Bureau of Investigations Criminal History Records Database. After receiving the criminal history for applicant from the Illinois State Police and Federal Bureau of Investigations, the Local Liquor Commissioner may use such information to determine whether the applicant qualifies for the issuance or renewal of a license. The fee for the criminal history records check and fingerprint check shall be paid from the application fee submitted with the application for license as required under this chapter. If the applicant's business is to be conducted by a manager, the manager shall be subject to the same screening set forth in this Section. Similarly, any partner, member, shareholder, officer, or director subject to any eligibility provision of Section 110.27 of this Code shall be subject to screening set forth in this section.

SECTION 110.14 COMPENSATION OF LOCAL LIQUOR CONTROL COMMISSIONER.

At all times that there is a liquor license issued, the Local Liquor Control Commissioner shall receive a salary of \$25.00 per month.

Ordinances of the Village of Stanford

SECTION 110.20 LICENSE REQUIRED.

It shall be unlawful for any person to sell or offer for sale at retail in the Village of Stanford any alcoholic liquor without having a retail liquor dealer's license issued from the Village of Stanford and a retailer's license issued by the Illinois Liquor Control Commission, or in violation of any terms of such licenses.

SECTION 110.21 LICENSE PRIVILEGES.

A retailer's license shall allow the licensee to sell or offer for sale alcoholic liquor, at retail only and not for resale in any form, on the premises specified in said license, in accordance with the classification of said license as hereinafter provided.

SECTION 110.22 PEDDLING PROHIBITED.

It shall be unlawful for any person, partnership, or corporation to peddle alcoholic liquor within the corporate limits of the Village of Stanford.

SECTION 110.23 LOCATION CHANGE.

A location may be changed only upon written permit to make such change issued by the Local Liquor Control Commissioner.

SECTION 110.24 LOCATION RESTRICTIONS.

No license shall be issued for sale at retail of any alcoholic liquor at a location prohibited by 235 ILCS 5/6-11 of the Liquor Control Act of 1934, 235 ILCS 5/6-11.

SECTION 110.25 NATURE OF LICENSE AS PROPERTY.

Any license granted shall not be subject to attachment, garnishment, or execution, nor shall it be alienable or transferable, voluntarily or involuntarily, or subject to being encumbered or the subject matter of any lien. Such license shall not descend by the laws of testate or intestate devolution, but it shall cease upon the death of the licensee, provided that the executors or administrators of the estate of any deceased licensee, and the trustee of any insolvent or bankrupt licensee, when such estate consists in part of alcoholic liquor may continue the business of the sale of alcoholic liquor under the order of the appropriate court and may exercise the privileges of the deceased or insolvent or bankrupt licensee after the death of such decedent, or such insolvency or bankruptcy until the expiration of such license but no longer than six months after the death, insolvency, or bankruptcy of such licensee. A refund shall be made of that portion of the license fees paid for any period in which the licensee shall be prevented from operation under such license in accordance with the provisions of this Section. If the estate of a deceased licensee consists in part of alcoholic liquor, the independent executor or administrator of the estate may continue the business without the order of an appropriate court and may exercise the privileges of the deceased until the expiration of such license but not longer than six (6) months after the death of such licensee.

SECTION 110.26 LICENSE EXPIRATION.

Ordinances of the Village of Stanford

Class A, B, and C licenses shall expire at midnight on the last day of the month in which the license was issued and the term shall be specified on the face of the license. Class D licenses shall be issued for one-day only, such day to be specified on the face of the license.

SECTION 110.27 PERSONS INELIGIBLE TO BE LICENSED.

No license of any kind issued by the Local Liquor Control Commissioner shall be issued to:

- (A) A person who is not a resident of the Village of Stanford;
- (B) A person who is not of good character and reputation in the community in which they reside;
- (C) A person who is not a citizen of the United States;
- (D) “A person who has been convicted of a felony under any federal or State law. However , a criminal conviction of a corporation is not grounds for denial ,suspension, or revocation of a license applied for or held by the corporation if the criminal conviction was not the result of a violation of any federal or State law concerning the manufacture , possession or sale of alcoholic liquor, the offense that led to the conviction did not result in any financial gain to the corporation and the corporation has terminated its relationship with each director, officer, employees, or controlling shareholder whose actions directly contributed to the conviction of the corporation. The Local Liquor Control Commissioner shall determine if all provisions of this Section have been met before any action on the corporation’s license is initiated.”
- (E) A person who has been convicted of keeping a place of prostitution or keeping a place of juvenile prostitution, promoting prostitution that involves keeping a place of prostitution, or promoting juvenile prostitution that involves keeping a place of juvenile prostitution.
- (F) A person who has been convicted of pandering or other crime or misdemeanor opposed to decency and morality;
- (G) A person whose license to sell alcoholic liquor in the Village of Stanford has been revoked for cause;
- (H) A person who at the time of application for renewal of any license issued hereunder would not be eligible for such license upon a first application;
- (I) A co-partnership, if any general partnership thereof, owing more than 5% of the aggregate limited partner interest in such co-partnership would not be eligible to receive a license hereunder for any reason other than residence within the Village of Stanford;
- (J) A corporation or limited liability company, if any member, officer, manager, or director thereof, or any stockholder or stockholders owning in the aggregate more than 5% of the stock of such corporation, would not be eligible to receive a license hereunder for any reason other than citizenship and residence within the Village of Stanford.
- (K) A corporation or limited liability company unless it is incorporated or organized in Illinois, or unless it is a foreign corporation or foreign limited liability company which is qualified under the Business Corporation Act of 1983, or the Limited Liability Company Act to transact business in Illinois;
- (L) A person whose place of business is conducted by a manager or agent unless the manager or agent possesses the same qualifications required by the licensee;
- (M) A person who has been convicted of a violation of any federal or State law concerning the manufacture, possession, or sale of alcoholic liquor, or has forfeited his bond to appear in court to answer charges for any such violations;

Ordinances of the Village of Stanford

(N) A person who does not beneficially own the premises for which license is sought, or does not have a lease thereon for the full period for which the license is to be issued;

(O) Any person, partnership, or corporation if the applicant, or any partner, director, or officer is a law enforcing public official of the Village of Stanford;

(P) A person who is not a beneficial owner of the business to be operated by the licensee;

(Q) A person who has been convicted of a gambling offense as prescribed by 720 ILCS 5/28-1 (a)(3)- (a)(10) or 720 ILCS 5/28-3 of the Criminal Code of 1961 of the Illinois Compiled Statutes, 720 ILCS 5, as heretofore or hereafter amended, or as prescribed by a statute replaced by any of the aforesaid statutory provisions;

(R) A person to whom a federal wagering stamp has been issued by the federal government, unless the person or entity is eligible to be issues a license under the Raffles and Poker Runs Act, or the Illinois Pull Tabs and Jar Games Act;

(S) A person who intends to sell alcoholic liquors for the use of consumption on his or her licensed retail premises who does not have liquor liability insurance coverage for that premises in an amount that is at least equal to the maximum liability amount set out in subsection (A) of Section 6-21 of the Illinois Liquor Control Act of 1934;

(T) A person who is licensed by any licensing authority as a manufacturer of beer or any partnership, corporation, limited liability company, or trust or any licensed as a manufacturer of beer, having any legal, equitable, or beneficial interest, directly or indirectly, in a person licensed in the State as a distributor or importing distribution. For purposes of this paragraph, a person who is licensed by any licensing authority as a “manufacturer of beer” shall also mean a brewer and a non-resident dealer who is also a manufacturer of beer, including a partnership, corporation, limited liability company, or trust or any subsidiary, affiliate, or agent thereof, or any other form of business enterprise licensed as a manufacture of beer;

(U) A person who is licensed in the State as a distributor or importing distributor, or any partnership, corporation, limited liability company, or trust or any subsidiary, affiliate, or agent thereof, or any other from of business enterprise licensed in this State as a distributor or importing distributor having any legal, equitable, or beneficial interest, directly or indirectly, in person licensed as a manufacturer of beer by any licensing authority, or any partnership, or corporation, limited liability company, or trust or any subsidiary, affiliate, or agent thereof, or any other form of business enterprise, except for a person who owns no more than 5% of the outstanding shares of a manufacturer of beer whose shares are publicly traded on an exchange within the meaning of the Securities Exchange Act of 1934. For purposes of this paragraph, a person who is licensed by any licensing authority as a “manufacturer of beer” shall also mean a brewer and non-resident dealer who is also a manufacturer of beer, including a partnership, corporation, limited liability company, or trust or any subsidiary, affiliate, or agent thereof, or any other form of business enterprise licensed as a manufacturer of beer:

(V) A person who is delinquent in their payment of any indebtedness to the Village of Stanford including but not limited to the payment of water bills and sewer availability charges by on or before the due date and the payment of fines or any other indebtedness to the Village.

SECTION 110.28 RETAIL LIQUOR LICENSE CLASSIFICATIONS.

Retail licenses shall be divided onto four classes as follows:

(A) Class A License: Class A licenses shall authorize the retail sale of all alcoholic liquor for consumption on the premises described in the license and alcoholic liquor in original packages for consumption off the premises described in the license.

Ordinances of the Village of Stanford

(B) Class B License: Class B licenses shall authorize the retail sale of beer or wine for consumption on the premises described in the license and beer or wine in the original packages for consumption off the premises described in the licenses.

(C) Class C License: Class C licenses shall authorize the sale of alcoholic liquor in the original packages for consumption off the premises described in the license. The sale at retail of alcoholic liquor for consumption off the premises described in the license is strictly prohibited.

(D) Class D License: Class D liquor licenses shall authorize the sale of alcoholic liquor for consumption on the premises as part of a public activity or special event approved by the Board of Trustees. The period of said license shall not exceed two days. The sale at retail of alcoholic liquor in original packages for consumption of the premises described in the license is strictly prohibited. There shall be no more than four class D licenses issued in any twelve-month period.

(E) Class E License: A Class E license shall authorize the sale of alcoholic liquor for consumption on the premises of a restaurant, which premises shall be described in the license.

SECTION 110.29 LICENSE FEES.

The annual fees for licenses and the maximum number of licenses shall be as follows:

<u>Type of License</u>	<u>Fee</u>	<u>Maximum Number of Licenses</u>
Class A License	\$650.00	2
Class B License	\$700.00	2
Class C License	\$500.00	2
Class D License	\$50.00	
Class E License	\$600.00	

Any person, firm, or entity that holds a Class D license shall comply with all retail tax requirements of the State of Illinois and shall have a retail tax number by, on, or before the date that any such person, firm, or entity obtains a Class D license.

SECTION 110.30 FILING OF APPLICATION.

New applications or renewal applications for such license shall be made in writing by the applicant to the Village Clerk of the Village of Stanford, Illinois, accompanied by the required license fee in cash, check, or money order; the Village Clerk shall then refer applications for Class A, B, and C licenses to the Local Liquor Control Commissioner and applications for Class D licenses to the Local Liquor Control Commissioner and shall transfer the license fee in the same manner as all license fees received in the Clerk's office. Renewal applications shall be submitted to the Village Clerk no later than 30 days prior to the expiration of the license to be renewed.

SECTION 110.31 APPLICATION FOR LOCAL LIQUOR LICENSE – REQUISITES.

An application for a Class A, B, or C license from the Village Board shall be submitted to the Village Clerk an application in writing under oath stating:

- (A) The applicant's name and mailing address;
- (B) The name and address of the applicant's business;

Ordinances of the Village of Stanford

- (C) If applicable, the date of the filing of the “assumed name” of the business with the County Clerk;
- (D) In case of a co-partnership, the date of the formation of the partnership; in the case of an Illinois Corporation, the date of its incorporation, or in the case of a foreign corporation, the State where it was incorporated and the date of its becoming qualified under the Business Corporation Act of 1983, 805 ILCS 5 of the Illinois Compiled Statutes, to transact business in the State of Illinois;
- (E) The number, the date of issuance, and the date of expiration of the applicant’s current local retail liquor license;
- (F) The name and address of the landlord if the premises are leased;
- (G) The date of the applicant’s first request for a State liquor license and whether it was granted, denied, or withdrawn;
- (H) The address of the applicant when the first application for a State liquor license was made;
- (I) The applicant’s current State Liquor License Number;
- (J) The date the applicant began liquor sales at his place of business;
- (K) The applicant’s Retailer’s Occupation Tax (ROT) Registration Number;
- (L) Whether the applicant is delinquent in the payment of the Retailer’s Occupational Tax (Sales Tax) and if so, the reason therefore;
- (M) Whether the applicant has made an application for a liquor license which has been denied, and if so, the reason therefore;
- (N) Whether the applicant has ever had any previous liquor license suspended or revoked, and if so, the reasons therefore;
- (O) Whether the applicant has ever been convicted of a gambling offense or felony, and if so, the particulars thereof;
- (P) Whether the applicant possesses a current Federal Wagering Stamp, and if so, the reasons therefore;
- (Q) Whether the applicant, or any other person, directly in his place of business is a public official, and if so, the particulars thereof;
- (R) The applicant’s name, sex, date of birth, Social Security Number, position and percentage of ownership in the business; and the name, sex, date of birth, Social Security Number, position and percentage of ownership in the business of every sole owner, partner, corporate officer, director, manager, and any person who owns 5% or more of the shares of the applicant business entity or parent corporations of the applicant business entity.

In addition to the foregoing information, such application shall contain such other and further information as the Village Board may prescribe by rule or regulation not inconsistent with the law.

If the applicant reports a felony conviction, such conviction may be considered by the Village Board in determining qualifications for licensing, but shall not operate as a bar to licensing.

If said application is made in behalf of a partnership, firm, association, club, or corporation then the same shall be signed by at least two members of such partnership or the president and secretary of such corporation or two authorized agents of said partnership or corporation.

Ordinances of the Village of Stanford

SECTION 110.32 CONDITIONS OF ISSUANCE OF CLASS D LICENSE.

A class D license it issued by the local liquor Commissioner under this ordinance may be conditioned upon certain conditions imposed on the issuance of such class D license including, but not limited to, those imposed for the protection of persons under the age of 21 years or those imposed to avoid creating a public nuisance. The conditions on the issuance of a class D license shall be established by the Board of Trustees. These conditions may include, but not be limited to, the provision of extra dedicated police patrol for the event with the costs thereof the end allocated to the applicant. The applicant must sign a receipt agreeing to be bound by the conditions if a special event class D license is to issue. In addition to all other lawful grounds to revoke or suspend any liquor license which shall likewise be applicable to any class D license to enforce all such impose conditions south constitute grounds to revoke or suspend any such class D license or refused to issue any other class D license.

SECTION 110.33 APPLICATION – INSURANCE.

All applications shall have attached thereto a certification of insurance issued by an insurance carrier authorized to do business within the State of Illinois insuring the business under the Liquor Control Act of 1934, 235 ILCS 5 of the Illinois Compiled Statutes. Such insurance coverage shall be for the full term of the license for which application is made.

SECTION 110.34 EXAMINATION OF APPLICANT.

At any time during the pendency of an application, the Local Liquor Control Commissioner shall have the right to compel the applicant to submit to any examination and to produce any books and records which, in the judgment of the Local Liquor Control Commissioner is material to the determination of whether the applicant is qualified to receive a license under the provisions of this Chapter, whether the premises sought to be licensed are suitable for such purposes. The Local Liquor Control Commissioner shall also have the right to require the applicant to answer any charges made in any objection to the issuance of the license or made by the Chief of Police. The failure of any applicant to appear at the time and place fixed by the Local Liquor Control Commissioner for his examination or to produce books and records requested, unless for good cause shown, shall be deemed to be an admission that the applicant is not qualified to receive a license.

SECTION 110.35 DISPLAYING LICENSE.

Every licensee shall cause his license or licenses to be framed and hung in plain view in a conspicuous place on the licensed premises.

SECTION 110.36 ISSUANCE OF LICENSE.

The village President, as the Local Liquor Commissioner, shall determine whether to grant or read new a license pursuant to the provisions of this Ordinance. In exercising those powers reserved to the Local Liquor Control Commissioner, he shall obtain the advice and consent of the Village Board of Trustees and the advice of the Village Chief of Police.

OPERATION OF LICENSED ESTABLISHMENTS

SECTION 110.50 CONSUMPTION.

It shall be unlawful for any licensee to permit any person to consume any alcoholic beverage on Class C licensed premises at any time or on Class A, B, or D licensed premises except during hours when the license permits the sale of alcoholic beverages on such premises.

Ordinances of the Village of Stanford

SECTION 110.51 HOURS.

It shall be unlawful on any licensed premises to sell or offer for sale at retail or allow the consumption of any alcoholic beverages except during the following hours:

Monday through Thursday inclusive: Nine O'clock (9:00) a.m. to One O'clock (1:00) a.m. the following day.

Friday and Saturday inclusive: Nine O'clock (9:00) a.m. to One O'clock (1:00) a.m. the following day.

Sunday: Twelve Noon (12:00) to Eleven O'clock (11:00) p.m.

The holder of a claim class A license may obtain additional hours to sell or offer for sale at retail or allow the consumption of alcoholic beverages for special events that are approved, in advance by the Board of Trustees of the Village of Stanford provided that the hours of operation must, at all times, comply with the restrictions and hours of operation imposed by the State of Illinois. In connection with authorizing the sale at retail or allowing the consumption of alcoholic beverages at a Class A licensee premises, the village board may impose rules and restrictions that it deems appropriate concerning this special event which the additional hours of operation is requested. The restrictions shall be reasonably calculated to protect public order and safety in light of the particular circumstances of the special event. The license holder shall be required to attest in writing that the license holder received the terms and conditions on the restrictions, and agrees to bound thereby.

SECTION 110.52 NEW YEAR'S.

In addition, on December 31st hours for all classes of licenses shall be from six o'clock (6:00) a.m. to two o'clock (2:00) a.m. New Year's Day except when December 31st falls on Sunday, such hours shall be from twelve noon (12:00) to two o'clock (2:00) a.m. New Year's Day.

SECTION 110.53 SANITARY CONDITIONS.

All premises used for the retail sale of alcoholic beverages shall be kept in a clean and sanitary condition and shall be kept in full compliance with the laws of the State of Illinois and the applicable ordinances of McLean County regulating the condition of premises used for the storage or sale of food for human consumption, as provided in the McLean County Food Service Establishment Ordinance.

SECTION 110.54 EMPLOYEES.

All employees shall meet any applicable requirements of the food ordinances referred to in Section 110.53 herein.

SECTION 110.55 RESTRICTIONS ON SALES.

No licensee shall sell, give, or deliver any alcoholic beverage to any person under the age provided by the State of Illinois for purchasing or possessing alcoholic beverages, or to any intoxicated or disorderly person, or to any person known to him to be a habitual drunkard. A licensee shall only permit any person under the age of 21 to enter, remain, or frequent the premises between the hours of 10:30 a.m. to 9:00 p.m. however, if the person under the age of 21 has been seated for food consumption and has not finished eating prior to 9 PM the person under the age of 21 may remain in the facility until their consumption of food and consumption on of food of others with them, if any, has been completed. Any person under the age of 21 years shall not be permitted to enter the premises of a licensee at any other time unless the person is performing services or delivering products in connection with their bona fide employment. No licensee nor agent or employee of such licensee shall allow any minor to be employed in any manner related to the tending of bar or the drawing, pouring, mixing, serving, or selling of alcoholic beverages in any licensed premises.

Ordinances of the Village of Stanford

SECTION 110.56 MINORS IN A CLASS B LICENSE PREMIES.

It shall be unlawful and a violation of this section for any licensee holding a class B license to permit or allow after 9 PM any persons under the age of 21 years to enter or remain in the portion of the licensed premises where the sale, delivery, or services of alcoholic liquor for consumption occurs, provided, however, that the provisions of this section shall not apply to that portion of any bowling alley or restaurant where the sale, delivery, and/or service of alcohol alcoholic liquor is not the principal business of such licensee in any such portion of the license premises.

SECTION 110.57 LIGHTING.

It shall be unlawful and a violation of this section for any licensee or permit a two failed to keep the area of any license or permitted permit premises where alcohol liquor is then being sold, offered for sale, delivered, or served for consumption on the licensed premises to continuously illuminated so that all such portions of the licensed premises shall be clearly visible at all times.

SECTION 110.58 OPERATION OF BEER GARDEN.

(A) “Beer Garden” means an additional designated area adjoining the license premises having access from the main premises only and enclosed by a permanent barrier with a minimum height of 4 feet with a emergency means of egress. The enclosed to be located where and which such restrictions and design as the local liquor Commissioner shall direct.

(B) Applicants applying for or holding a class a or class B license may file a request with the local liquor Commissioner for the issuance of a permit to operate of beer garden as herein defined to be constructed and operated upon such terms and conditions as may be approved or impose by the local liquor Commissioner.

(C) ©It shall be unlawful and a violation of the ordinance for any person to possess any open container of or to consume any alcoholic liquor on any public property or on the parking lot of any business establishment or within 10 feet of any public Street open to vehicular traffic or in a vehicle traveling upon or parked on any public property or on the parking lot of any business establishment except where such possession or consumption has been authorized pursuant to the terms of the liquor license or permit duty issued under this ordinance. A local liquor license shall not permit the consumption of alcohol outside of the structure on the licensed premises.

SECTION 110.59 HAPPY HOURS.

Happy hour show only be allowed as authorized by by the laws of the state of Illinois. The village does not have any additional restrictions beyond those set forth in Illinois law.

SEVERABILITY AND REPEAL

SECTION 110.60 SEVERABILITY – REPEAL.

The clauses, sentences, paragraphs, sections, articles, or parts of this Chapter are severable. If any clause, sentence, paragraph, section, article, or part of this Chapter shall for any reason be adjudged invalid by any court of competent jurisdiction, such judgment shall not affect, impair, or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 110.61 LICENSE DISPLAY AND OPERATION.

Ordinances of the Village of Stanford

A licensee or the proprietor or proprietors of the establishment license shall prominently display at the license premises the hours of operation of the license premises. The licensed premises shall have a goal to be open at least 20 hours each week.

SECTION 110.62 RESTAURANTS.

Class D licenses shall only be issued to restaurants. A restaurant is defined for purpose of this chapter as an establishment which derives not less than 75% of gross total revenue from the sale of prepared food for consumption on the licensed premises. As a condition of the issuance of a class E license, the license holder shall submit to the village of Stanford on request books and records evidencing total sales revenues and revenues by source. Each restaurant must have written menus available at the licensed premises.

SECTION 110.63 SPECIAL EVENTS.

Any license holder who hosts an event anticipated to generate greater than the ordinary attendance at the license premises (i.e. band, fundraiser) shall notify the Chief of Police or his designee as soon as possible of the event, and in no event less than 48 hours prior to the start of the event.

SECTION 110.64 OCCUPANCY LIMITS.

No license premises shall have at any time more individuals in the license premises than the maximum occupancy limit calculated under the Life Safety Code. The licensee shall obtain from Allin Township fire protection district the maximum occupancy limit under the Life Safety Code which shall be posted at the licensed premises.

SECTION 110.65 LICENSE REQUIRED.

It shall be unlawful for any business, club,, grocery store, restaurant, or other commercial operations to operate as a bring your own bottle establishment or to permit or allow any invitee present on the premises to concern alcoholic liquor on the premises of such commercial establishment without having a license issued by the Illinois liquor control commission.

VIOLATIONS, ENFORCEMENT, AND PENALTIES

SECTION 110.94 SEVERABILITY-REPEAL.

The clauses, sentences, paragraphs, sections, articles, or parts of this chapter are severable. If any clause, sentence, paragraph, section article, or part of this chapter shall for any reason be adjudged invalid by any court of competent jurisdiction, such judgment shall not affect, impair, or invalidate the remainder there of but shall be confined in its operation to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 110.95 OWNER OF PREMISES AND LICENSE PERMITTING VIOLATION.

If the owner of the licensed premises or any person from whom the licensee derives the right to possession of such premises, or agent of such owner or persons, shall knowingly permit the licensee to use said licensed premises in violation of the terms of this Chapter, said owner, agent, or other person shall be deemed guilty of any violation of this Chapter to the same extent as said licensee and be subject to the same punishment.

SECTION 110.96 ACTS OF AGENT OR EMPLOYEE.

Every act or omission constituting a violation of any of the provisions of this Chapter made with the authorization, knowledge, or approval of the licensee, expressed or implied, shall be deemed the act of the licensee, and said

Ordinances of the Village of Stanford

licensee shall be punishable in the same manner as if said act or omission has been done or omitted by him personally.

SECTION 110.97 ENTRY UPON PREMISES.

The Local Liquor Control Commissioner shall have the authority to enter or to authorize any law enforcing officer to enter at any time upon the premises licensed hereunder to determine whether any of the provisions of this Chapter or State Liquor Regulations have been or are being violated, and at such time to examine said premises of said licensee in connection therewith.

SECTION 110.98 COMPLAINT OF VIOLATION – HEARING.

Any five residents of the Village of Stanford shall have the right to file a complaint with the Local Liquor Control Commissioner stating that any retailer licensee, subject to the jurisdiction of the Local Liquor Control Commissioner, has been or is violating the provisions of this Chapter or the rules and regulations issued pursuant hereto. Such complaint shall be in writing in the form prescribed by the Local Liquor Control Commissioner and shall be signed and sworn to by the parties complaining. The complaint shall state the particular provision, rule, or regulation believed to have been violated and the facts in detail upon which belief is based. If the Local Liquor Control Commissioner is satisfied that the complaint substantially charges a violation and that from the facts alleged there is reasonable cause for such belief, he shall set the matter for hearing and shall serve notice upon the licensee of the time and place of such hearing and of the particular charge in the complaint.

SECTION 110.99 REVOCATION OR SUSPENSION OF LOCAL LICENSE – FINES – NOTICE OF HEARING – APPEAL.

(A) The Local Liquor Control Commissioner may revoke or suspend any license issued by him if he determines that the licensee has violated any of the provisions of this Chapter or any valid ordinance or resolution enacted by the Board of Trustees or any applicable rule or regulation established by the Local Liquor Control Commissioner or the State Commission which is not inconsistent with the law. In lieu of suspension or revocation, the Local Liquor Control Commissioner may instead levy a fine on the licensee for such violations. The fine shall be in accordance with the general penalty provision, Section 10.99, of this Stanford Municipal Code, and each day on which a violation continues shall constitute a separate violation. Not more than \$10,000.00 in such fines may be imposed against any licensee during the period of his license. Proceeds from such fines shall be paid into the general corporate fund of the Village of Stanford.

(B) However, no such licensee shall be so revoked or suspended and no licensee shall be fined except after a public hearing by the Local Liquor Control Commissioner with a three day written notice to the licensee affording the licensee an opportunity to appear and defend. All such hearings shall be open to the public and the Local Liquor Control Commissioner shall reduce all evidence to writing and shall maintain an official record of the proceedings. If the Local Liquor Control Commissioner has reason to believe that any continued operation of a particular licensed premises will immediately threaten the welfare of the community he may, upon the issuance of a written order stating the reason for such conclusion and without notice or hearing, order the licensed premises closed for not more than seven (7) days, giving the licensee an opportunity to be heard during that period, except that if such licensee shall also be engaged in the conduct of another business or businesses on the licensed premises such order shall not be applicable to such other business or businesses.

(C) The Local Liquor Control Commissioner shall within five (5) days after such hearing, if he determines after such hearing that the license should be revoked or suspended or that the licensee should be fined, state the reason or reasons for such determination in a written order, and either the amount of the fine, the period of suspension, or that the license has been revoked, and shall serve a copy of such order within five (5) days upon the licensee.

Ordinances of the Village of Stanford

CHAPTER 111: ADULT BUSINESSES

Section

- 111.01 Definitions
- 111.02 Adult uses enumerated
- 111.03 Limitations on adult uses
- 111.04 Measurement of distances
- 111.05 License required – filing of application – filing fee
- 111.06 Contents of application for license
- 111.07 Issuance of adult use license
- 111.08 Suspension or revocation of license for adult use
- 111.09 Automatic suspension
- 111.10 Exterior display
- 111.11 Display of license and permit
- 111.12 Employment of persons under age of eighteen prohibited
- 111.13 Illegal activities on premises
- 111.14 Severability clause

- 111.99 Violation and penalty

SECTION 111.01 DEFINITIONS.

For the purpose of this Chapter, the following words and phrases shall have the meaning respectively prescribed to them by this Section:

Adult Book Stores. An establishment having a substantial portion of its stock in trade, books, magazines, films, for sale or viewing on the premises by use of motion picture devices or any other coin-operated means, and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to ***specified sexual activities*** or ***sexual anatomical areas*** or an establishment with a segment or section devoted to the sale or display of such material.

Adult Motion Picture Theater. An enclosed building with a capacity of fifty (50) or more persons used regularly and routinely for presenting motion pictures and having as a dominant theme material distinguished or characterized by an emphasis on matter depicting, describing, or relating to ***specified sexual activities*** or ***specified anatomical areas*** for observation by patrons therein.

Adult Mini Motion Picture Theater. An enclosed building with a capacity for less than fifty (50) persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to ***specified sexual activities*** or ***specified anatomical areas*** for observation by patrons therein.

Adult Entertainment Cabaret. A public or private establishment which is licensed to serve food and/or alcoholic beverages, which features topless dancers and/or waitresses, strippers, male or female impersonators, or similar entertainers.

Body Shop or Model Studio. Any public or private establishment which describes itself as a body shop or model studio, or where for any form of consideration or gratuity, figure models who display ***specified anatomical areas*** are provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by persons paying such consideration or gratuity, nude and semi-nude dancing, readings, counseling sessions, body painting, and other activities that present materials distinguished or characterized by an emphasis on matter depicting, describing, or relating to ***specified sexual activities*** or ***specified anatomical areas*** are provided for observation by or communication to persons paying such consideration or gratuity.

Ordinances of the Village of Stanford

Building Structure. Any structure or group of structures housing two or more businesses which share a common entry, exit, wall, frontage wall, including but not limited to, shopping centers, shopping malls, shopping plazas, or shopping squares.

Massage. Any method of pressure on or friction against or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating of the external soft parts of the body with the hands or other parts of the human body or with the aid of any mechanical or electrical apparatus or appliance with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments or other similar preparations commonly used in this practice.

Massage Establishment. Any establishment having a fixed place of business where any person, firm, association, or corporation engages in, or carries on, or permits to be engaged in or carried on any of the activities mentioned in the definition of *massage* defined in this Section.

Specified Anatomical Areas. Includes any of the following conditions: (1) Less than completely and opaquely covered human genitals, pubic region or pubic hairs, buttocks, and female breasts below a point immediately above the top of the areola; and (2) Human male genitals in a discernibly turgid state, even if completely covered.

Specified Sexual Activities. Includes any of the following conditions: (1) Human genitals in a state of sexual stimulation or arousal; (2) Acts or representations of acts of human masturbation, sexual intercourse, or sodomy, bestiality, oral copulation, or flagellation; (3) Fondling or erotic touching of human genitals, pubic region, buttocks, or female breast; (4) Excretory functions as part of or in connection with any activities set forth in (1) through (3) above.

SECTION 111.02 ADULT USES ENUMERATED.

The following shall be considered adult uses for the purpose of this Chapter:

- (A) Adult book store;
- (B) Adult motion picture theater;
- (C) Adult mini motion picture theater;
- (D) Adult entertainment cabaret;
- (E) Massage establishment;
- (F) Body shop or model studio.

SECTION 111.03 LIMITATIONS ON ADULT USES.

Adult uses shall be permitted subject to the following restrictions:

- (A) An adult use shall not be allowed within six hundred (600) feet of another existing adult use.
- (B) An adult use shall not be located within six hundred (600) feet of any zoning district, which is zoned for any residential use described in this code.
- (C) An adult use shall not be located within six hundred (600) feet of a pre-existing school, place of worship, or municipal park.
- (D) An adult use shall not be located in a building structure, which contains another business that sells or dispenses in some manner alcoholic beverages.

Ordinances of the Village of Stanford

(E) Any adult use doing business at the time this Chapter takes effect shall have one (1) year from the effective date of this Chapter to comply with the provisions of paragraphs (A) through (D) inclusive, of this Section.

(F) Any adult use doing business at the time this Chapter takes effect shall have thirty (30) days from the effective date of this Chapter to apply for the issuance of an adult use license.

(G) Any adult use shall not have more than one outdoor sign advertising its existence or location. The one outdoor sign that is allowed shall not exceed ten (10) feet in height or three (3) feet in width and the sign shall not contain any emphasis, either by wording or picture, or otherwise, of matters relating to sexual activities.

(H) All adult uses shall post a notice at its door that entry of persons under the age of eighteen (18) years is forbidden.

SECTION 111.04 MEASUREMENT OF DISTANCES.

For the purposes of this Chapter, measurements shall be made in a straight line, without regard to intervening structures or objects, from the property line of the adult use to the nearest property line of another adult use, school, place of worship, municipal park, or district zoned for residential use.

SECTION 111.05 LICENSE REQUIRED – FILING OF APPLICATION – FILING FEE.

(A) It shall be unlawful for any person to engage in, conduct, or carry on, or permit to be engaged in, conducted, or carried on, in or upon any premises in the Village of Stanford, the operation of an adult use as herein defined, without first having obtained a separate license for such adult use from the President of the Village of Stanford.

(B) Every applicant for a license to maintain, operate, or conduct an adult use shall file an application in duplicate under oath with the President upon a form provided by the Village Clerk and pay a non-refundable filing fee of five hundred dollars (\$500.00) to be delivered to this Village through the Village Clerk, who shall issue a receipt which shall be attached to the application filed with the President.

(C) Within ten (10) days after receiving the application, the president shall notify the applicant that his application is granted, denied, or held for further investigation. Such additional investigation shall not exceed an additional thirty (30) days unless otherwise agreed to by the applicant. Upon conclusion of such additional investigation, the President shall advise the applicant in writing whether the application is granted or denied.

(D) Whenever an application is denied or held for further investigation, the President shall advise the applicant in writing of the reasons for such action.

(E) Failure or refusal of the applicant to give any information relevant to the investigation of the application or his or her refusal or failure to appear at any reasonable time and place for examination under oath or affirmation regarding said application or his or her refusal to submit to or cooperate with any inspection or investigation required by this Chapter shall constitute an admission by the applicant that he or she is ineligible for such permit and shall be grounds for denial thereof by the President.

SECTION 111.06 CONTENTS OF APPLICATION FOR LICENSE.

An applicant for a license shall furnish the following information under oath or affirmation about the applicant and any partner or limited partner of a partnership application and any officer or director of a corporate applicant and any stockholder owning more than five (5%) percent of the stock of a corporate applicant:

(A) Name and address;

(B) Written proof that the individual is at least eighteen (18) years of age;

Ordinances of the Village of Stanford

- (C) The exact nature of the adult use to be conducted and the proposed place of business and facilities thereto;
- (D) The legal description of the property upon which such proposed adult use businesses will be conducted and a statement of whether or not such usage is prohibited by the terms of any lease of said premises or by any covenant running with the land;
- (E) A statement by the applicant that he is familiar with this Chapter and will comply with the terms thereof;
- (F) All residential addresses maintained by the applicant for the past five (5) years;
- (G) The applicant's height, weight, color of eyes, hair, date of birth and driver's license number;
- (H) The business, occupation, employment of the applicant for the five (5) years immediately preceding the date of the application;
- (I) A statement of similar businesses ever owned or participated in by the applicant including a statement as to whether the applicant has ever held a similar license by any other county or municipality and details of any revocation of any such license;
- (J) All criminal, or civil ordinance violations, forfeiture of bond, and pleadings of nolo contendere on all charges except minor traffic violations; and
- (K) The fingerprints and photograph of the applicant.

SECTION 111.07 ISSUANCE OF ADULT USE LICENSE.

The President shall issue at a cost of \$1500.00 per year a license to maintain, operate, or conduct an adult use unless he finds:

- (A) That the applicant is under the age of eighteen (18) years of age or under any legal disability;
- (B) That such use is not permitted under the applicant's lease of the premises proposed to be used for such purpose or under a covenant running with the land;
- (C) That the applicant, at the time of application for renewal of any license issued under this Chapter, would not be eligible for such license upon a first application;
- (D) That the applicant, or any person listed in Section 111.06 preceding, has been convicted of a felony or crime of moral turpitude unless the applicant, or any person listed in Section 111.06 preceding, has been fully rehabilitated.

Every adult use license issued pursuant to this Chapter will terminate at the expiration of one year from the date of its issuance, unless sooner revoked.

SECTION 111.08 SUSPENSION OR REVOCATION OF LICENSE FOR ADULT USE.

Any license issued for an adult use may be revoked or suspended by the President if the President shall find:

- (A) That the licensee has violated any of the provisions of this Chapter regulating adult uses;
- (B) The licensee has knowingly furnished false or misleading information or withheld relevant information on any application for any license or permit required by this Chapter or, knowingly caused or suffered another to furnish or withhold such information on his or her behalf.

Ordinances of the Village of Stanford

The President before revoking or suspending any license shall give the licensee at least ten (10) days written notice of the charges against him or her and the opportunity for a public hearing before the President, at which time the licensee may present evidence bearing upon the question. In such cases, the charges shall be specific and in writing.

SECTION 111.09 AUTOMATIC SUSPENSION.

(A) In the event a person under the age of eighteen (18) years is on the premises of an establishment operating as an adult use under this Chapter and views any *specified sexual activities* or *specified anatomical areas* as defined in Section 111.01 of this Chapter, then the license issued pursuant to this Chapter shall be suspended for a period of three (3) months.

(B) In the event a licensee is convicted of violating any of the provisions of 720 ILCS 5/11-20 of the Illinois Compiled Statutes as now in force or as may be amended from time to time or any ordinance of this Village with reference to obscenity, then the license issued pursuant to this Chapter shall be suspended for a period of three (3) months.

(C) The President, before suspending any license, shall give at least ten (10) days written notice of the charge. The licensee may within five (5) days of receipt of said notice request a public hearing before the President at which time the licensee may present evidence bearing upon the question. The notice required hereunder may be delivered personally to the licensee or be posted on the premises of the establishment being used as an adult use.

SECTION 111.10 EXTERIOR DISPLAY.

No adult use shall be conducted in any manner that permits the observation of any material depicting, describing, or relating to *specified sexual activities* or *specified anatomical areas* by display, decoration, sign, show window, or other opening from any public way or from any property not licensed as an adult use.

SECTION 111.11 DISPLAY OF LICENSE AND PERMIT.

Every licensee shall display a valid license in a conspicuous place within the adult use business so that the same may be readily seen by persons entering the premises.

SECTION 111.12 EMPLOYMENT OF PERSONS UNDER AGE OF EIGHTEEN PROHIBITED.

It shall be unlawful for any adult use licensee or his manager or employee to employ in any capacity within the adult business any person who is not at least eighteen (18) years of age.

SECTION 111.13 ILLEGAL ACTIVITIES ON PREMISES.

No licensee or any officer, associate, member, representative, agent, or employee of such licensee shall engage in any activity or conduct or permit any other person to engage in any activity or conduct in or about the licensed premises which is prohibited by any ordinance of the Village of Stanford or law of the State of Illinois or of the United States.

SECTION 111.14 SEVERABILITY CLAUSE.

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Chapter, or any part thereof, or application thereof to any person, firm, corporation, public agency, or circumstance, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Chapter or any part thereof. It is hereby declared to be the

Ordinances of the Village of Stanford

legislative intent of the Board of Trustees that this Chapter would have been adopted had such unconstitutional or invalid provision, clause, sentence, paragraph, section, or part thereof not then been included.

SECTION 111.99 VIOLATION AND PENALTY.

Any person who shall violate any of the provisions of this Chapter shall be subject to the general penalty provision, Section 10.99, of this Stanford Municipal Code. Each day a violation occurs shall constitute a separate offense.

CHAPTER 112: PEDDLERS, ITINERANT MERCHANTS, AND SOLICITORS

Section

- 112.01 Definitions
- 112.02 License requirement
- 112.03 Application procedure
- 112.04 Standards for issuance
- 112.05 Revocation procedure
- 112.06 Standards for revocation
- 112.07 Appeal procedure
- 112.08 Exhibition of identification
- 112.09 Village policy on soliciting
- 112.10 Notice regulating soliciting
- 112.11 Duty of solicitors
- 112.12 Uninvited soliciting prohibited
- 112.13 Time limit on soliciting

112.99 Penalty

Statutory Reference: Authority of Village to license, tax, regulate, or prohibit peddlers, itinerant merchants, or transient vendors. (65 ILCS 5/11-42-5)

SECTION 112.01 DEFINITIONS.

For the purposes of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Business. The business carried on by any person who is an itinerant merchant, peddler, or solicitor as defined in this Section.

Crime of Moral Turpitude. (1) Anything done contrary to justice, honesty, principle, or good morals; or (2) an act of baseness, vileness, or depravity in the private and social duties which a person owes to his or her fellow citizens or to society in general, whether or not it is punishable as a crime.

Goods. Merchandise of any description whatsoever, and includes, but is not limited to, wares and foodstuffs.

Ordinances of the Village of Stanford

Itinerant Merchant. Any person, whether as owner, agent, or consignee, who engages in a temporary business of selling goods within the Village and who, in the furtherance of such business, uses any building, structure, vehicle, or any place within the Village.

Peddler. (1) Any person who travels from place to place by any means carrying goods for sale, or making sales, or making deliveries; or (2) any person who, without traveling from place to place, sells or offers goods for sale from any public place within the Village. A person who is a peddler is not an itinerant merchant.

Solicitor. Any person who travels by any means from place to place, taking or attempting to take orders for sale of goods to be delivered in the future or for services to be performed in the future. A person who is a solicitor is not a peddler.

SECTION 112.02 LICENSE REQUIREMENT.

(A) Any person, EXCEPT for a person who is employed by or acting on behalf of another government entity, a not for profit organization including but not limited to a Church, 501(c)(3) organization and a business that has a regular route that services the Village on at least a monthly basis and is part of a company that provides services for home delivery to homes across the United States, who is an itinerant merchant, peddler, or solicitor shall obtain a license before engaging in such activity within the Village.

(B) The fee for the license required by this Chapter will be set by the Board of Trustees.

(C) No license issued under this Chapter shall be transferable.

(D) All licenses issued under this Chapter shall expire 90 days after the date of issuance thereof.

SECTION 112.03 APPLICATION PROCEDURE.

(A) All applicants for licenses required by this Chapter shall file an application with the Village Clerk. This application shall be signed by the applicant if an individual, or by all partners if a partnership, or by the president if a corporation. The applicant may be requested to provide more information concerning the following items:

(1) The name and address of the applicant;

(2) (a) The name of the individual having management authority or supervision of the applicant's business during the time that it is proposed to be carried on in the Village;

(b) The local address of such individual;

(c) The permanent address of such individual;

(d) The capacity in which such individual will act.

(3) The name and address of the person, if any, for whose purpose the business will be carried on, and, if a corporation, the state of incorporation;

(4) The time period or periods during which it is proposed to carry on applicant's business;

(5) (a) The nature, character, and quality of the goods or services to be offered for sale and delivered;

(b) If goods, their invoice value and whether they are to be sold by sample as well as from stock;

Ordinances of the Village of Stanford

(c) If goods, where and by whom such goods are manufactured or grown, and where such goods are at the time of application.

(6) The nature of the advertising proposed to be done for business;

(7) Whether or nor the applicant, or the individual identified in division (A)(2)(a) above, or the person identified in division (A)(3) has been convicted of any crime or misdemeanor and, if so, the nature of each offense and the penalty assessed for each offense.

(B) Applicants for peddler or solicitor licenses may be required to provide further information concerning the following items, in addition to that requested under divisions (A) preceding:

(1) A description of the applicant;

(2) A description of any vehicle proposed to be used in the business including its registration number, if any.

(C) All applicants for licenses required by this Chapter shall attach to their application, if required by the Village, credentials from the person, if any, for which the applicant proposes to do business, authorizing the applicant to act as such representative.

(D) Applicants who propose to handle foodstuffs shall also attach to their application, in addition to any attachments required under division (C), a statement from a licensed physician, dated not more than ten days prior to the date of application, certifying the applicant to be free of contagious or communicable disease.

SECTION 112.04 STANDARDS FOR ISSUANCE.

(A) Upon receipt of an application, an investigation of the applicant's business reputation and moral character shall be made. The Police Chief of the Village may, in his discretion, subject the applicant to a criminal background check investigation and if the Police Chief determines that such an investigation is required the applicant shall sign all documents that are necessary to authorize such an investigation.

(B) The application shall be approved unless such investigation discloses tangible evidence that the conduct of the applicant's business would pose a substantial threat to the public health, safety, morals, or general welfare. In particular, tangible evidence that the applicant:

(1) Has been convicted of a crime of moral turpitude;

(2) Has made willful misstatements in the application;

(3) Has committed prior violations of ordinances pertaining to itinerant merchants, peddlers, solicitors, and the like;

(4) Has committed prior fraudulent acts; or

(5) Has a record of continual breaches of solicited contracts.

These factors will constitute valid reasons for disapproval of an application.

SECTION 112.05 REVOCATION PROCEDURE.

Any license or permit granted under this Chapter may be revoked by the Village Clerk after notice and hearing, pursuant to the standards in Section 112.06 following. Notice of hearing for revocation shall be given in writing, setting forth specifically the grounds of the complaint and the time and place of the hearing. Such notice shall be mailed to the licensee at his last known address, at least ten days prior to the date set for the hearing.

Ordinances of the Village of Stanford

SECTION 112.06 STANDARDS FOR REVOCATION.

A license granted under this Chapter may be revoked for any of the following reasons:

- (A) Any fraud or misrepresentation contained in the license application;
- (B) Any fraud, misrepresentation, or false statement made in connection with the business being conducted under the license;
- (C) Any violation of this Chapter;
- (D) Conviction of the licensee of any felony, or conviction of the licensee of any misdemeanor involving moral turpitude; or
- (E) Conducting the business licensed in an unlawful manner or in such a way as to constitute a menace to the health, safety, morals, or general welfare of the public.

SECTION 112.07 APPEAL PROCEDURE.

- (A) Any person aggrieved by a decision under Section 112.04 or 112.06 shall have the right to appeal to the Board of Trustees. The appeal shall be taken by filing with the Board of Trustees, within 14 days after notice of the decision has been mailed to such person's last known address, a written statement setting forth the grounds for appeal. The Board of Trustees shall set the time and place for a hearing, and notice for such hearing shall be given to such person in the same manner as provided in Section 112.05 preceding.
- (B) The order of the Board of Trustees after the hearing shall be final.

SECTION 112.08 EXHIBITION OF IDENTIFICATION.

- (A) Any license issued to an itinerant merchant under this Chapter shall be posted conspicuously in or at the place named therein. In the event more than one place within the Village shall be used to conduct the business licensed, separate licenses shall be issued for each place.
- (B) The Clerk shall issue a license to each peddler or solicitor licensed under this Chapter. The license shall contain the words *Licensed Peddler* or *Licensed Solicitor*, the expiration date of the license, and the number of the license. The license shall be kept with the licensee during such time as he is engaged in the business licensed.

SECTION 112.09 VILLAGE POLICY ON SOLICITING.

It is hereby declared to be the policy of the Village of Stanford that the occupants of the residences of the Village shall make the determination of whether solicitors shall be, or shall not be, invited to their respective residences.

SECTION 112.10 NOTICE REGULATING SOLICITING.

Notice of the refusal of invitation to solicitors, to any residence, shall be given in the manner following:

- (A) A weatherproof card, approximately three (3) inches by four (4) inches in size, shall be exhibited upon or near the main entrance door to the residence, indicating the determination by the occupant, containing the applicable words, as follows:

NO SOLICITORS INVITED

Ordinances of the Village of Stanford

(B) The letters shall be at least 1/3-inch in height. For the purpose of uniformity, the cards shall be provided by the Chief of Police to the person requesting, at the cost thereof.

(C) Such card so exhibited shall constitute sufficient notice to any solicitor of the determination by the occupant of the residence of the information contained thereon.

SECTION 112.11 DUTY OF SOLICITORS.

(A) It shall be the duty of every solicitor upon going onto any premises in the Village upon which a residence is located to first examine the notice provided for in Section 112.10 preceding, if any is attached, and be governed by the statement contained on the notice. If the notice states **NO SOLICITORS INVITED**, then the solicitor, whether registered or not, shall immediately and peacefully depart from the premises.

(B) Any solicitor who has gained entrance to any residence, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant.

SECTION 112.12 UNINVITED SOLICITING PROHIBITED.

It is hereby declared to be unlawful and shall constitute a nuisance for any person to go upon any premises and ring the doorbell upon or near any door, or create any sound in any manner calculated to attract the attention of the occupant of such residence, for the purpose of securing an audience with the occupant thereof and engage in soliciting in defiance of the notice exhibited at the residence in accordance with the provisions of 112.10 preceding.

SECTION 112.13 TIME LIMIT ON SOLICITING.

It is hereby declared to be unlawful and shall constitute a nuisance for any person to go upon any premises and ring the doorbell upon or near any door of a residence located thereon, or rap or knock upon any door, or create any sound in any other manner calculated to attract the attention of the occupant of such residence, for the purpose of securing an audience with the occupant thereof and engage in soliciting, prior to 9:00 a.m. or after 9:00 p.m. of any weekday or Saturday, or at any time on a Sunday or on a State or national holiday.

SECTION 112.99 PENALTY.

Whoever violates any provision of this Chapter shall be subject to the general penalty provision, Section 10.99, of this Stanford Municipal Code. Each day a violation occurs shall constitute a separate offense.

CHAPTER 113: COIN OPERATED MACHINES

Section 113.01 DEFINITIONS.

The following words, terms and phrases, when used in this Chapter, shall have the meaning described to them unless context clearly indicates or requires a different meaning.

Ordinances of the Village of Stanford

Arcade. Any place of business or establishment containing two or more coin-operated machines; also referred to as pinball arcades, penny arcades, game rooms or amusement arcades.

Coin-operated machine. Any machine, devise or contrivance which is permitted to function by the insertion of a coin and is operated for amusement including but not limited to, pinball machines, jukeboxes, crane machines or video poker machines. This definition shall not include telephone devises, vending machines or machines that sell merchandise.

Crime of moral turpitude. Anything done contrary to justice, honesty, principal or good morals; or an act of baseness, vileness or depravity in private or social duties which a person owes to his or her fellow citizens or to society in general, whether or not it is punishable as a crime.

Operator. Any person who sets up for operation by another any machine or devise as provided in this Section, whether such setting up for operation, leasing, renting or distributing is for a fixed charge or rental or on the basis of a division of the income derived from such machine or device or otherwise.

Premise. A building, or part of a building where coin-operated machines are located, under the ownership or control of the operator.

Video Gaming Terminal. A electronic game machine licensed by the State of Illinois

Section 113.02 LICENSE REQUIREMENTS:

A gaming terminal shall not be subject to licensing requirements or any of the provisions that are set forth within this chapter. Further, video gaming terminals are allowed in the village of Stanford pursuant to licensing I the state of Illinois. No provisions contained within this section of the village code nor any other section of the village code shall prohibit a video gaming terminal but from BM located in the village of Stanford. Operators of an arcade, or other video gaming terminals, shall be subject to the following license provisions. All other operators of arcade shall be subject to the following licensing requirements:

- (A) Any person or entity that is an operator of an arcade shall obtain a license before engaging in such activity within the Village.
- (B) The fee for the license required for this Chapter will be set by the Board of Trustees.
- (C) No license issued under this Chapter shall be transferable.
- (D) All license under this Chapter shall expire one (1) year after the date of issuance thereof.

Section 113.03 APPLICATION PROCEDURES:

(A) All applicants for licenses required by this chapter shall file an application with the Village Clerk. This application shall be signed by the applicant, if an individual; by all partners, if a partnership; or by the President, if a corporation. The applicant may be requested to provide more information concerning the following items:

- (1) Name and address of the applicant.
- (2) Name and address of the individual having management or supervision authority over the applicant's arcade during the time it is proposed to be carried on in the Village.
- (3) Name and address of the person, if any, for whose purpose of business will be carried on and if a corporation, the state of incorporation.
- (4) The hours during which it is proposed for the arcade to carry on its' business.

Ordinances of the Village of Stanford

(5) The address of the premises where the arcade will be located and the name of the business.

(B) Every such application shall be accompanied by the fee for the license required by this Chapter that has been set by the Board of Trustees.

Section 113.04 STANDARDS FOR ISSUANCE.

(A) No arcade operators license shall be issued unless the establishment and license is in compliance with all applicable codes and regulations of the Village and State of Illinois.

(B) Upon receipt of an application, an investigation of the business reputation and moral character shall be made. The Police Chief of the Village may, in his discretion, subject the applicant to a criminal background check, investigations, and if the Police Chief determines that such an investigation is required, the applicant shall sign all documents that are necessary to authorize such an investigation.

(C) The application shall be approved, unless such an investigation discloses tangible evidence that the conduct of the applicant's business poses a substantial threat to the public's health, safety, morals or general welfare. In particular tangible evidence that the applicant has:

- (1) Been convicted of a crime of moral turpitude;
- (2) Has made willful misstatements in the application;
- (3) Has committed prior violations of ordinances pertaining to coin-operated machines, and the like; or
- (4) Has committed prior fraudulent acts.
- (5) Owes any tax due to the State of Illinois or owes any money to the Village.

These factors will constitute valid reasons for disapproval of an application.

Section 113.05 REVOCATION PROCEDURE.

(A) Any license or permit granted under this Chapter may be revoked by the Village Clerk after notice and hearing pursuant to the standards in Section 113.06 following.

(B) Notice of hearing for revocation shall be given in writing setting forth specifically the grounds of the complaint and the time and place of the hearing. Such notice shall be mailed to the license at his or her last known address, at least ten (10) days prior to the date set for the hearing.

Section 113.06 STANDARDS FOR REVOCATION.

A license granted under this Chapter may be revoked for any of the following reasons:

- (A) Any fraud or misrepresentation contained in the license application;
- (B) Any fraud, misrepresentation or false statement made in connection with the

Ordinances of the Village of Stanford

business being conducted under the license;

(C) Any violation of this Chapter;

(D) Conviction of the licensee of any felony or conviction of the licensee of any crime of moral turpitude; or

(E) Conducting the licensed business in an unlawful matter or in such a way as to constitute a menace to the health, safety, morals or general welfare of the public.

Section 113.07 APPEAL PROCEDURE.

(A) Any person agreed by the decision under Section 113.04 or 113.06 shall have the right to appeal to the Board of Trustees. The appeal shall be taken by filing with the Board of Trustees, within fourteen (14) days after notice of the decision has been mailed to such persons last known address, a written statement setting forth the grounds for appeal. The Board of Trustees shall set the time and place for a hearing and notice of such hearing shall be given to such person in the same manner as provided for in Section 113.05 preceding.

(B) The order of the Board of Trustees after the hearing shall be final.

Section 113.08 MINORS PLAYING DURING SCHOOL HOURS.

No holder of an arcade operators license shall allow any person under sixteen (16) years of age to be present in the arcade during the hours of 7:30a.m. through 2:30p.m. on any days that any public or parochial school which residents of the Village of Stanford attend is open for regular school attendance, unless such person under 16 years of age is accompanied by his or her parent or parents or legal guardian.

Section 113.09 HOURS OF OPERATIONS OF ARCADES.

No holder of an arcade operators license shall allow any person under eighteen (18) years to be present in the arcade after the applicable curfew set by this Code or by the State of Illinois.

Section 113.10 ATTENDANT ON DUTY.

Each holder of an arcade operators license shall have present on the arcade premises or on such portion of the premises where the arcade is located as the case may be, at least one adult operator, at least eighteen (18) years of age or older, at all times that the premises are open to the public, who has not been convicted of a crime of moral turpitude.

Section 113.11 RIGHT TO INSPECT.

Each operator or license shall at all times, open each and every portion of the licensed premises for inspection by the Police Department and other Village Departments for the purpose of enforcing any provisions of this Chapter.

Ordinances of the Village of Stanford

Section 113.12 DISPLAY OF LICENSE.

Each operator or licensee shall at all times display the license granted hereunder in a conspicuous place near the entrance to the licensed establishment or the arcade area.

Section 113.13 FINE FOR UNLICENSED ARCADES.

The owner of a coin-operated machine shall be presumed to be the operator whose name appears on a coin-operated machine. If the actual operator or owner of the coin-operated machine cannot be determined, then the lessee of the premises, or the owner, if the premises are not leased upon which the unlicensed machine is found, shall be presumed to be the operator of an unlicensed arcade. It shall be unlawful for any person to operate an arcade without a license or with an expired license. The operator of an unlicensed arcade shall be subject to a fine, as set forth in Section 10.99 of the Village Code.

Section 113.14 RENEWAL REQUIREMENTS.

Any license issued in accordance with this Chapter may be renewed for any additional year upon the same terms, subject to the same requirements provided in this Chapter for an original license. Whenever the holder of such license desires to effect a change of place of doing business, he or she shall notify the Village Board, make application for such new place as in same manner as in the first instance and pay a fee which shall be in the same amount as the original license fee.

TITLE XIII: GENERAL OFFENSES

CHAPTER 130: GENERAL OFFENSE PROVISIONS

Section

- 130.01 Definitions
- 130.02 Intent
- 130.03 Knowledge
- 130.04 Recklessness
- 130.05 Negligence
- 130.06 Attempt

SECTION 130.01 DEFINITIONS.

For the purposes of this Chapter, the following words and phrases shall have the following meanings ascribed to them respectively:

Act. Includes a failure or omission to take action. (720 ILCS 5/2-2)

Ordinances of the Village of Stanford

Another. A person or persons other than the offender. (720 ILCS 5/2-3)

Conduct. An act or a series of acts, and the accompanying mental state. (720 ILCS 5/2-4)

Offense. A violation of any penal statute of the Village or the State. (720 ILCS 5/2-12)

SECTION 130.02 INTENT.

A person intends, or acts intentionally or with intent, to accomplish a result or engage in conduct described by the Section defining the offense, when his conscious objective or purpose is to accomplish that result or engage in that conduct.

SECTION 130.03 KNOWLEDGE.

(A) A person knows, or acts knowingly or with knowledge of :

(1) The nature or attendant circumstances of his conduct, described by the Section defining the offense, when he is consciously aware that his conduct is of such nature or that such circumstances exist. Knowledge of a material fact includes awareness of the substantial probability that such fact exists.

(2) The result of his conduct, described by the Section defining the offense, when he is consciously aware that such result is practically certain to be caused by his conduct.

(B) Conduct performed knowingly or with knowledge is performed willfully, within the meaning of a statute using the latter term, unless the Section clearly requires another meaning.

SECTION 130.04 RECKLESSNESS.

A person is reckless or acts recklessly, when he consciously disregards a substantial and unjustifiable risk that circumstances exist or that a result will follow, described by the Section defining the offense; and such disregard constitutes a gross deviation from the standard of care which a reasonable person would exercise in the situation. An act performed recklessly is performed wantonly, within the meaning of a Section using the latter term, unless the statute clearly requires another meaning. (720 ILCS 5/4-6)

SECTION 130.05 NEGLIGENCE.

A person is negligent, or acts negligently, when he fails to be aware of a substantial and unjustifiable risk that circumstances exist or a result will follow, described by the statute defining the offense; and such failure constitutes a substantial deviation from the standard of care which a reasonable person would exercise in the situation. (720 ILCS 5/4-7)

SECTION 130.06 ATTEMPT.

(A) Elements of the offense. A person commits an attempt when, with intent to commit a specific offense, he does any act, which constitutes a substantial step toward the commission of that offense.

(B) Impossibility. It shall not be a defense to a charge of attempt that because of a misapprehension of the circumstances, it would have been impossible for the accused to commit the offense attempted.

(C) A person convicted of an attempt may be fined not to exceed the maximum provided for the offense attempted. (720 ILCS 5/8-4)

Ordinances of the Village of Stanford

CHAPTER 131: WEAPONS

Section

Deadly Weapons

- 131.01 Unlawful use of weapons
- 131.02 Exemptions
- 131.03 Unlawful possession of firearms and firearm ammunition

Air Rifles

- 131.10 Definitions
- 131.11 Selling, renting, or transferring to children; Prohibition
- 131.12 Carrying or discharging on public streets
- 131.13 Permissive possession
- 131.14 Permissive sales
- 131.15 Seizure and removal

- 131.99 Penalty

Statutory Reference: Firearms and ammunition registration, 430 ILCS 65/1 through 430 ILCS 65/16-3.

DEADLY WEAPONS

SECTION 131.01 UNLAWFUL USE OF WEAPONS.

(A) No person shall knowingly:

- (1) Sell, manufacture, purchase, possess, or carry any bludgeon, black-jack, sling-shot, sand-club, sand-bag, metal knuckles, throwing star, or any knife, commonly referred to as a switchblade knife, which has a blade that opens automatically by hand pressure applied to a button, spring, or other device in the handle of the knife;
- (2) Carry or possess with intent to use the same unlawfully against another, a dagger, dirk, billy, dangerous knife, razor, stiletto, broken bottle, or other piece of glass, stun gun or taser, or any other dangerous or deadly weapon or instrument of like character;
- (3) Carry on or about his person or in vehicle, a tear gas gun projector or bomb or any object containing noxious liquid gas or substance, other than an object containing a non-lethal noxious liquid gas or substance designed solely for personal defense carried by a person 18 years of age or older;
- (4) Carry or possess in any vehicle or concealed on or about his person, except when on his land or in his own abode or fixed place of business, any pistol, revolver, stun gun, taser, or other firearm.
- (5) Discharge any weapon in the Village of Stanford or into the Village of Stanford from outside the Village of Stanford;

Ordinances of the Village of Stanford

- (6) Set a spring gun;
- (7) Carry or possess any firearm, stun gun, or taser or other deadly weapon in any place which is licensed to sell intoxicating beverages, or at any public gathering held pursuant to a license issued by any governmental body or any public gathering at which an admission is charged, excluding a place where a showing, demonstration, or lecture involving the exhibition of unloaded firearms is conducted;
- (8) Carry or possess on or about his person on any public street, alley, or other public lands within the Village, except when an invitee thereon or therein for the purpose of display of the weapon or the lawful commerce in weapons, or except when on his land or in his own abode or fixed place of business, any pistol, revolver, stun gun or taser, or other firearm;
- (9) Sell, manufacture, or purchase any explosive bullet. **Explosive Bullet** shall mean the projectile portion of an ammunition cartridge, which contains or carries an explosive charge, which will explode upon contact with the flesh of a human or an animal. **Cartridge** means a tubular metal case having a projectile affixed at the front thereof and a cap or primer at the rear end thereof, with the propellant contained in the tube between the projectile and the cap.
- (B) A **Stun Gun** or **Taser**, as used in division (A) preceding, means:
- (1) Any device which is powered by electrical charging units, such as batteries, and which fires one or several barbs attached to a length of wire and which, upon hitting a human, can send out a current capable of disrupting the person's nervous system in such a manner as to render him incapable of normal functioning; or
- (2) Any device which is powered by electrical charging units, such as batteries, and which, upon contact with a human or clothing worn by a human, can send out a current capable of disrupting the person's nervous system in such a manner as to render him incapable of normal functioning. (720 ILCS 5/24-1)

SECTION 131.02 EXEMPTIONS.

- (A) Section 131.01(A)(3), (4), (5), and (8) do not apply to or affect any of the following:
- (1) Police officers or any person summoned by those officers to assist in making arrests or preserving the peace while he is actually engaged in assisting the officer.
- (2) Wardens, superintendents, and keepers of prisons, penitentiaries, jails, and other institutions for the detention of persons accused or convicted of an offense, while in the performance of their official duty, or while commuting between their homes and place of employment.
- (3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard or the Reserve Officers Training Corps, while in the performance of their official duty.
- (4) Special agents employed by a railroad or a public utility to perform police functions or guards of armored car companies while actually engaged in the performance of the duties of their employment or commuting between their homes and places of employment; watchmen while actually engaged in the performance of the duties of their employment.
- (5) Persons licensed as private security contractors, private detectives, private alarm contractors or employed by an agency certified by the Department of Registration and Education, if their duties include the carrying of a weapon under the provisions of 225 ILCS 445/1 while actually engaged in the performance of the duties of their employment or commuting between their homes and places of employment, provided that the commuting is accomplished within one hour from departure from home or place of employment, as the case may be. Persons exempted under this division shall be required to have completed a course of study in firearms handling and training approved and supervised by the Department of Registration and Education as prescribed by 225 ILCS 445/28 prior to becoming eligible for this exemption. The State Department of Registration and Education shall provide suitable

Ordinances of the Village of Stanford

documentation demonstrating the successful completion of the prescribed firearms training. Such documentation shall be carried at all times when such persons are in possession of a concealable weapon.

(6) Agents and investigators of the Illinois Legislative Investigating Commission authorized by the Commission to carry weapons specified in Section 131.01(A)(3) and (4) while on duty in the course of any investigation for the Commission.

(7) Persons employed by a financial institution for the protection of other employees and property related to that financial institution, while actually engaged in the performance of their duties, commuting between their homes and places of employment, or traveling between sites or properties owned or operated by the financial institution, provided that any person so employed has successfully completed a course of study, approved by and supervised by the State Department of Registration and Education, consisting of not less than 40 hours of training which includes theory of law enforcement, liability for acts, and the handling of weapons. A person shall be considered to be in compliance with this Section who has completed the required 20 hours of training for a security officer and the 20 hours of required firearm training and who has been issued a firearm authorization card by the State Department of Registration and Education. Conditions for renewal of firearm authorization cards issued under the provisions of this Section shall be the same as for those issued under the provisions of 225 ILCS 445/1. Such firearm authorization card shall be carried by the person so trained at all times when such person is in possession of a concealable weapon. For the purpose of this division, **Financial Institution** means a bank, savings and loan association, credit union, or company providing armored car services.

(8) Any person employed by an armored car company to drive an armored car while actually engaged in the performance of his duties.

(9) Persons who have been classified as police officers pursuant to 20 ILCS 2910/1.

(10) Investigators of the Office of the State's Attorneys Appellate Prosecutor authorized by the Board of Governors of the Office of the State's Attorneys Appellate Prosecutor to carry weapons pursuant to 725 ILCS 210/7.06.

(B) Section 131.01(A)(4) and (8) do not apply to or affect any of the following:

(1) Members of any club or organization organized for the purpose of practicing shooting at targets upon established targets upon established target ranges, whether public or private, or patrons of the ranges while members or patrons are using their firearms on those target ranges;

(2) Licensed hunters, trappers, or fishermen while engaged in hunting, trapping, or fishing;

(3) Duly authorized military or civil organizations while parading with the special permission of the Governor;

(4) Transportation of weapons broken down in a non-functioning state or not immediately accessible.

(C) Section 131.01(A)(1) does not apply to the purchase, possession, or carrying of a black-jack or sling-shot by a police officer.

(D) Section 131.01(A)(7) does not apply to any owner, manager, or authorized employee of any place specified in that division or to any law enforcement officer.

(E) Section 131.01(A)(4) and (8) does not apply to members of any club or organization organized for the purpose of practicing shooting at targets upon established target ranges, whether public or private, while using their firearms on those target ranges.

(F) Section 131.01(A)(8) and 131.02(A)(8) do not apply to:

(1) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duty;

Ordinances of the Village of Stanford

- (2) Bona fide collectors of antique or surplus military ordnance.
- (G) An information or indictment based upon a violation of any provisions of this subchapter need not negate any exemptions contained in this subchapter. The defendant shall have the burden of proving such an exemption.
- (H) Nothing in this subchapter shall prohibit, apply to, or affect the transportation, carrying, or possession of any pistol or revolver, stun gun, taser, or other firearm consigned to a common carrier operating under license with the State and federal government where such transportation, carrying, or possession is incident to the lawful transportation in which the common carrier is engaged. Nothing in this subchapter shall prohibit, apply to, or affect the transportation, carrying, or possession of any pistol, revolver, stun gun, taser, or other firearm not the subject of and regulated by 720 ILCS 5/24-1 or 720 ILCS 5/24-2 which is unloaded and enclosed in a case, firearm carrying box, shipping box or other container by the possessor of a valid firearm owner's identification card. (720 ILCS 5/24-2)

SECTION 131.03 UNLAWFUL POSSESSION OF FIREARMS AND FIREARM AMMUNITION.

A person commits the offense of unlawful possession of firearms or firearm ammunition when:

- (A) He is under 18 years of age and has in his possession any firearm of a size which may be concealed upon the person;
- (B) He is under 21 years of age, has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent, and has any firearms or firearm ammunition in his possession;
- (C) He has been convicted of a felony under the laws of this or any other jurisdiction and has any firearms or firearm ammunition in his possession;
- (D) He is a narcotic addict and has any firearms or firearm ammunition in his possession;
- (E) He has been a patient in a mental hospital within the past five years and has any firearms or firearm ammunition in his possession; or
- (F) He is mentally retarded and has any firearms or firearm ammunition in his possession.
- (G) He has in his possession any explosive bullet. For the purposes of this Section ***Explosive Bullet*** means the projectile portion of an ammunition cartridge which contains or carries an explosive charge which will explode upon contact with the flesh of a human or an animal. ***Cartridge*** means a tubular metal case having a projectile fixed at the front thereof and a cap or primer at the rear end thereof with the propellant contained in the tube between the projectile and the cap. (720 ILCS 535)

AIR RIFLES

SECTION 131.10 DEFINITIONS.

For the purposes of Sections 131.10 through 131.15, the following words and phrases shall have the following meanings ascribed to them respectively:

Air Rifle. Any air gun, air pistol, spring gun, spring pistol, B.B. gun, paintball gun, pellet gun, or any implement that is not a firearm, which impels a breakable paintball containing washable marking colors or, a pellet constructed of hard plastic, steel, lead, or other hard material with a force that reasonably is expected to cause bodily harm.

Ordinances of the Village of Stanford

Dealer. Any person, co-partnership, association, or corporation engaged in the business of selling at retail or renting any of the articles included on the definition of *Air Rifle*. (720 ILCS 535/1)

SECTION 131.11 SELLING, RENTING, OR TRANSFERRING TO CHILDREN; PROHIBITION.

(A) It is unlawful for any dealer to sell, lend, rent, give, or otherwise transfer an air rifle to any person under the age of 13 years where the dealer knows or has cause to believe the person to be under 13 years of age or where the dealer has failed to make reasonable inquiry relative to the age of the person and the person is under 13 years of age.

(B) It is unlawful for any person to sell, give, lend, or otherwise transfer any air rifle to any person under 13 years of age except where the relationship of parent and child, guardian and ward, or adult instructor and pupil exists between the person and person under 13 years of age, or where the person stands in loco parentis to the person under 13 years of age. (720 ILCS 535/2)

SECTION 131.12 CARRYING OR DISCHARGING ON PUBLIC STREETS.

(A) It is unlawful for any person under 13 years of age to carry any air rifle on the public streets, roads, highways, or public lands within the Village, unless the person under 13 years of age carries the rifle unloaded.

(B) It is unlawful for any person to discharge any air rifle from or across any street, sidewalk, road, highway, or public land or any public place, except on a safely constructed target range. (720 ILCS 535/2)

(C) Any person convicted of violating this Section shall pay a fine not to exceed \$50.00. (720 ILCS 535/7)

SECTION 131.13 PERMISSIVE POSSESSION.

Notwithstanding any provision of this Chapter, it is lawful for any person under 13 years of age to have in his possession any air rifle if it is:

(A) Kept within his house of residence or other private enclosure;

(B) Used by the person under 13 years of age and he is a duly enrolled member of any club, team, or society organized for educational purposes and maintaining as part of its facilities or having written permission to use an indoor or outdoor rifle range under the supervision, guidance, and instruction of a responsible adult, and then only if the air rifle is actually being used in connection with the activities of the club, team, or society under the supervision of a responsible adult; or

(C) Used in or on any private grounds or residence under circumstances when the air rifle is fired, discharged, or operated in a manner as not to endanger persons or property and then only if it is used in a manner as to prevent the projectile from passing over any grounds or space outside the limits of such grounds or residence. (720 ILCS 535/4)

SECTION 131.14 PERMISSIVE SALES.

The provisions of Section 131.10 through 131.15 do not prohibit sales of air rifles:

(A) By wholesale dealers or jobbers;

(B) To be shipped out of the State;

(C) To be used at a target range operated in accordance with 720 ILCS 535/4 or by members of the Armed Services of the United States or veteran's organizations.

Ordinances of the Village of Stanford

SECTION 131.15 SEIZURE AND REMOVAL.

Any police officer shall seize, take, remove, or cause to be removed at the expense of the owner, any air rifle sold or used in any manner in violation of this Chapter. (720 ILCS 535/6)

SECTION 131.99 PENALTY.

Any person who violates any provision in this Section shall be subject to the general penalty provision, Section 10.99, of this Stanford Municipal Code. Each day a violation occurs shall constitute a separate offense.

CHAPTER 132: CURFEW

Section

132.01 Definitions
132.02 Offenses
132.03 Defenses
132.04 Enforcement
132.99 Penalties

SECTION 132.01 DEFINITIONS.

For the purposes of this Chapter, the following words and phrases shall have the following meanings ascribed to them respectively:

Curfew Hours. (1) Between 12:01 a.m. and 6:00 a.m. on Saturday

(2) Between 12:01 a.m. and 6:00 a.m. on Sunday

(3) Between 11:00 p.m. on Sunday to Thursday inclusive and 6:00 a.m. on the following day.

Emergency. An unforeseen combination of circumstances or the resulting state that calls for immediate action. The terms includes but is not limited to a fire, a natural disaster, an automobile accident or any situation requiring immediate action to prevent serious bodily injury or loss of life.

Establishment. Any place of business to which the public is invited, including but not limited to any place of amusement or entertainment.

Guardian. (1) A person who, under court order, is the guardian of the person of a minor; or

(2) A public or private agency with whom a minor has been placed by a court.

Minor. Any person under 17 years of age.

Parent. A person who is: (1) A natural parent, adoptive parent, or step-parent of another person; or

(2) At least 18 years of age and authorized by a parent or guardian to have the care and custody of a minor.

Ordinances of the Village of Stanford

Public Place. Any place to which the public or a substantial group of the public has access and includes but is not limited to streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.

Remain. To: (1) Linger or stay; or

(2) Fail to leave premises when requested to do so by a police officer or the owner, operator, or other person in control of the premises.

Serious Bodily Injury. Bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

SECTION 132.02 OFFENSES.

(A) A minor commits an offense if he or she remains in any public place or on the premises of any establishment during curfew hours.

(B) A parent or guardian of a minor or other person in custody or control of a minor commits an offense if he or she knowingly permits the minor to remain in any public place or on the premises of any establishment during curfew hours.

SECTION 132.03 DEFENSES.

(A) Accompanied by the minor's parent or guardian or other person in custody or control of the minor;

(B) On an errand at the direction of the minor's parent or guardian, without any detour or stop;

(C) In a motor vehicle involved in interstate travel;

(D) Engaged in an employment activity or going to or returning home from an employment activity, without any detour or stop;

(E) Involved in an emergency;

(F) On the sidewalk abutting the minor's residence of a next-door neighbor if the neighbor did not complain to the police department about the minor's presence;

(G) Attending an official school, religious, or other recreational activity supervised by adults and sponsored by a government or governmental agency, a civic organization, or another similar entity that takes responsibility for the minor, or going to or returning home from, without any detour stop, an official school, religious, or other recreational activity supervised by adults and sponsored by a government or governmental agency, a civic organization, or another similar entity that takes responsibility for the minor;

(H) Exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly; or

(I) Married or had been married or is an emancipated minor under the Emancipation of Minors Act.

SECTION 132.04 ENFORCEMENT.

Before taking any enforcement action under this Section, a law enforcement officer shall ask the apparent offender's age and reason for being in the public place. The officer shall not issue a citation or make an arrest under this Section unless the officer reasonably believes that an offense has occurred and that, based on any response and other circumstances, no defense in Section 132.03 is present.

Ordinances of the Village of Stanford

SECTION 132.99 PENALTIES.

Whoever violates any provision of this chapter shall be subject to the general penalty provisions, Section 10.99 of the Stanford Municipal Code.

CHAPTER 133 DISORDERLY CONDUCT

Section

- 133.01 Disorderly Conduct
- 133.02 Over the counter settlement
- 133.03 Fines

133.01 DISORDERLY CONDUCT

(A) It shall be unlawful for any person, firm or corporation to commit the offense of disorderly conduct within the limits of the Village or upon any property owned by the Village.

(B) A person commits disorderly conduct when he or she knowingly:

- (1) Does any act in such unreasonable manner as to alarm or disturb another and to provoke a breach of the peace;
- (2) Transmits or causes to be transmitted in any manner to the fire department of any city, town, village or fire protection district a false alarm of fire, knowing at the time of the transmission that there is no reasonable ground for believing that the fire exists;
- (3) Transmits or causes to be transmitted in any manner to another a false alarm to the effect that a bomb or other explosive of any nature or a container holding poison gas, a deadly biological or chemical contaminant, or radioactive substance is concealed in a place where its explosion or release would endanger human life, knowing at the time of the transmission that there is no reasonable ground for believing that the bomb, explosive or a container holding poison gas, a deadly biological or chemical contaminant, or radioactive substance is concealed in the place;
- (4) Transmits or causes to be transmitted a threat of destruction of a school building or school property, or a threat of violence, death or bodily harm directed at persons at a school, school function or school event, whether or not school is in session;
- (5) Transmits or causes to be transmitted in any manner to any peace officer, public officer or public employee a report to the effect that an offense will be committed, is being committed, or has been committed, knowing at the time of the transmission that there is not reasonable ground for believing that the offense will be committed, is being committed or has been committed.
- (6) Transmits or causes to be transmitted a false report to any public safety agency without the reasonable grounds necessary to believe that transmitting the report is necessary for the safety and welfare of the public;
- (7) Calls the number "911" for the purpose of making or transmitting a false alarm or complaint and reporting information when, at the time the call or transmission is made, the person knows there is no reasonable ground for making the call or transmission and further knows that the call or transmission could result in the emergency response of any public safety agency;
- (8) Transmits or causes to be transmitted a false report to the Department of Children and Family Services under Section 4 of the Abused and Neglected Child Reporting Act;
- (9) Transmits or causes to be transmitted a false report to the Department of Public Health under

Ordinances of the Village of Stanford

the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act or the ID/DD Community Care Act;

(10) Transmits or causes to be transmitted in any manner to the police department or fire department of any municipality or fire protection district, or any privately owned and operated ambulance service, a false request for an ambulance, emergency medical technician ambulance, or emergency medical technician paramedic knowing at the time there is no reasonable ground for believing that the assistance is required;

(11) Transmits or causes to be transmitted a false report under Article II of “An Act in relation to victims of violence and abuse”, approved September 16, 1984, as amended;

(12) Enters upon the property of another and for a lewd or unlawful purpose deliberately looks into a dwelling on the property through any window or other opening in it; or

(13) While acting as a collection agency as defined in the Collection Agency Act or as an employee of the collection agency, and while attempting to collect an alleged debt, makes a telephone call to the alleged debtor which is designed to harass, annoy or intimate the alleged debtor.

133.02 OVER THE COUNTER SETTLEMENT: Persons who have received a citation for violation of this code section heretofore listed may settle an initial ordinance violation charge by paying the amount set forth in this section. Persons may not settle an ordinance violation charge pursuant to this section if they have previously settled or been convicted of a violation of this Section of the Village Code. The method of settlement shall be as provided for in Section 10.99 (C). Citations issued for first time violation of the following sections of the Village Code , as amended, may be settled, compromised, and paid in the respective amounts set forth in the following schedule:

Section	Violation	Penalty
133.01 (A) (1)	Disorderly Conduct (Breach of Peace)	\$100
133.01 (A) (2)	Disorderly Conduct (False Bomb Alarm)	\$150
133.01 (A) (3)	Disorderly Conduct (False Police Report)	\$150
133.01 (A) (4)	Disorderly Conduct (Window Peeping)	\$150
133.01 (A) (5)	Disorderly Conduct (False Medical Assistance Request)	\$150
133.01 (A) (6)	Disorderly Conduct (False Fire Alarm)	\$150
133.01 (A) (7)	Disorderly Conduct (Public Urination)	\$100
133.01 (A) (8)	Fighting - 18 years of age or over under 18 years of age	\$150 \$50

133.03 FINES: If a citation is not settled then the minimum fine for the first violation shall be two times the amount set forth in subsection B and the minimum fine for any second or subsequent violation shall be three times the amount as set forth in subsection B. The maximum fine shall be \$750.00

SECTION 133.99 PENALTY

Whoever violates any provision of this Chapter shall be subject to the general penalty provision, Section 10.99 of the Stanford Municipal Code.

Ordinances of the Village of Stanford

CHAPTER 134: SMOKING PROVISIONS

Section.

134.01 Definitions

134.02 Smoking in Public Places, Places of Employment and in Village Vehicle

134.03 Smoking Near Entrances, Exits, Windows and Ventilation Intakes

134.04 Posting of Sign and No Ash Tray

134.05 Designation of Non-Smoking Areas

134.06 Exemptions

134.07 Violations

Section 134.01 Definitions

For the purposes of this Chapter, the following words and phrases shall have the following meanings ascribed to them respectively:

Bar. An establishment that is devoted to the serving of alcoholic beverages for consumption by guests on the premises and that derives no more than 10% of its gross revenue from the sale of food consumed on the premises. “Bar” includes, but is not limited to, taverns, nightclubs, cocktail lounges, adult entertainment facilities, and cabarets.

Employee. A person who is employed by an employer in consideration for direct or indirect monetary wages or profits or a person who volunteers his or her services for a non-profit entity.

Employer. A person, business, partnership, association, or corporation, including a municipal corporation, trust, or non-profit entity, that employs the services of one or more individual persons.

Enclosed area. All space between a floor and a ceiling that is enclosed or partially enclosed with (i) solid walls or windows, exclusive of doorways, or (ii) solid walls with partitions and no windows, exclusive of doorways, that extend from the floor to the ceiling, including, without limitation, lobbies and corridors.

Enclosed or partially enclosed sports arena. Any sports pavilion, stadium, gymnasium, health spa, boxing arena, swimming pool, roller rink, ice rink, bowling alley, or other similar place where members of the general public assemble to engage in physical exercise or participate in athletic competitions or recreational activities or to witness sports, cultural, recreational, or other events.

Gaming equipment or supplies. Gaming equipment/supplies as defined in the Illinois Gaming Board Rules of the Illinois Administrative Code.

Gaming facility. An establishment utilized primarily for the purposes of gaming and where gaming equipment or supplies are operated for the purposes of accruing business revenue.

Ordinances of the Village of Stanford

Healthcare facility. An office or institution providing care or treatment of diseases, whether physical, mental, or emotional, or other medical, physiological, or psychological conditions, including, but not limited to, hospitals, rehabilitation hospitals, weight control clinics, nursing homes, homes for the aging or chronically ill, laboratories, and offices of surgeons, chiropractors, physical therapists, physicians, dentists, and all specialists within these professions. “Healthcare facility” includes all waiting rooms, hallways, private rooms, semiprivate rooms, and wards within healthcare facilities.

Place of employment. Any area under the control of a public or private employer that employees are required to enter, leave, or pass through during the course of employment, including, but not limited to entrances and exits to places of employment, including a minimum distance, as set forth in Section 134.02, of 15 feet from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited; offices and work areas; restrooms; conference and classrooms; break rooms and cafeterias; and other common areas. A private residence or home-based business, unless used to provide licensed child care, foster care, adult care, or other similar social service care on the premises, is not a “place of employment”, nor are enclosed laboratories, not open to the public, in an accredited university or government facility where the activity of smoking is exclusively conducted for the purpose of medical or scientific health-related research. Rulemaking authority to implement this Chapter, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

Private club. A not-for-profit association that (1) has been in active and continuous existence for at least 3 years prior to the effective date of this Chapter, whether incorporated or not, (2) is the owner, lessee, or occupant of a building or portion thereof used exclusively for club purposes at all times, (3) is operated solely for a recreational, fraternal, social, patriotic, political, benevolent, or athletic purpose, but not for pecuniary gain, and (4) only sells alcoholic beverages incidental to its operation. For purposes of this definition, “private club” means an organization that is managed by a board of directors, executive committee, or similar body chosen by the members at an annual meeting, has established bylaws, a constitution, or both to govern its activities, and has been granted an exemption from the payment of federal income tax as a club under [26 U.S.C. 501](#).

Private residence. The part of a structure used as a dwelling, including, without limitation: a private home, townhouse, condominium, apartment, mobile home, vacation home, cabin, or cottage. For the purposes of this definition, a hotel, motel, inn, resort, lodge, bed and breakfast or other similar public accommodation, hospital, nursing home, or assisted living facility shall not be considered a private residence.

Public place. That portion of any building or vehicle used by and open to the public, regardless of whether the building or vehicle is owned in whole or in part by private persons or entities, the State of Illinois, or any other public entity and regardless of whether a fee is charged for admission, including a minimum distance, as set

Ordinances of the Village of Stanford

forth in Section 134.02 of this Chapter, of 15 feet from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited. A “public place” does not include a private residence unless the private residence is used to provide licensed child care, foster care, or other similar social service care on the premises. A “public place” includes, but is not limited to, hospitals, restaurants, retail stores, offices, commercial establishments, elevators, indoor theaters, libraries, museums, concert halls, public conveyances, educational facilities, nursing homes, auditoriums, enclosed or partially enclosed sports arenas, meeting rooms, schools, exhibition halls, convention facilities, polling places, private clubs, gaming facilities, all government owned vehicles and facilities, including buildings and vehicles owned, leased, or operated by the State or State subcontract, healthcare facilities or clinics, enclosed shopping centers, retail service establishments, financial institutions, educational facilities, ticket areas, public hearing facilities, public restrooms, waiting areas, lobbies, bars, taverns, bowling alleys, skating rinks, reception areas, and no less than 75% of the sleeping quarters within a hotel, motel, resort, inn, lodge, bed and breakfast, or other similar public accommodation that are rented to guests, but excludes private residences.

Restaurant. (i) an eating establishment, including, but not limited to, coffee shops, cafeterias, sandwich stands, and private and public school cafeterias, that gives or offers for sale food to the public, guests, or employees, and (ii) a kitchen or catering facility in which food is prepared on the premises for serving elsewhere. “Restaurant” includes a bar area within the restaurant.

Retail tobacco store. A retail establishment that derives more than 80% of its gross revenue from the sale of loose tobacco, plants, or herbs and cigars, cigarettes, pipes, and other smoking devices for burning tobacco and related smoking accessories and in which the sale of other products is merely incidental. “Retail tobacco store” includes an enclosed workplace that manufactures, imports, or distributes tobacco or tobacco products, when, as a necessary and integral part of the process of making, manufacturing, importing, or distributing a tobacco product for the eventual retail sale of that tobacco or tobacco product, tobacco is heated, burned, or smoked, or a lighted tobacco product is tested, provided that the involved business entity: (1) maintains a specially designated area or areas within the workplace for the purpose of the heating, burning, smoking, or lighting activities, and does not create a facility that permits smoking throughout; (2) satisfies the 80% requirement related to gross sales; and (3) delivers tobacco products to consumers, retail establishments, or other wholesale establishments as part of its business. “Retail tobacco store” does not include a tobacco department or section of a larger commercial establishment or any establishment with any type of liquor, food, or restaurant license. Rulemaking authority to implement this Chapter, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

Smoke or smoking. The carrying, smoking, burning, inhaling, or exhaling of any kind of lighted pipe, cigar, cigarette, hookah, weed, herbs, or any other lighted smoking equipment. “Smoke” or “smoking” does not include smoking that is associated with a native recognized religious ceremony, ritual, or activity by American Indians that is in accordance with the federal American

Ordinances of the Village of Stanford

Indian Religious Freedom Act, [42 U.S.C. 1996](#) and [1996a](#).

Section 134.02 Smoking in Public Places of Employment and in Village Vehicle.

No person shall smoke in a public place or in any place of employment or within 15 feet of an entrance to a public place or place of employment. An owner shall reasonably ensure that smoking in public is prohibited in indoor public places and workplaces unless specifically exempted by Section 134.06 of this Chapter.

Section 134.03 Smoking Near Entrances, Exits, Windows and Ventilation Intakes.

Entrances, exits, windows, and ventilation intakes. Smoking is prohibited within a minimum distance of 15 feet from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited under this Chapter so as to ensure that tobacco smoke does not enter the area through entrances, exits, open windows, or other means.

Section 134.04 Posting of Sign and No Ash Tray.

- (a) “No Smoking” signs or the international “No Smoking” symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be clearly and conspicuously posted in each public place and place of employment where smoking is prohibited by this Chapter by the owner, operator, manager, or other person in control of that place.
- (b) Each public place and place of employment where smoking is prohibited by this Chapter shall have posted at every entrance a conspicuous sign clearly stating that smoking is prohibited.
- (c) All ashtrays shall be removed from any area where smoking is prohibited by this Chapter by the owner, operator, manager, or other person having control of the area.

Section 134.05 Designation of a Non-Smoking Area.

Designation of other nonsmoking areas. Notwithstanding any other provision of this Chapter, any employer, owner, occupant, lessee, operator, manager, or other person in control of any public place or place of employment may designate a non-enclosed area of a public place or place of employment, including outdoor areas, as an area where smoking is also prohibited provided that such employer, owner, lessee or occupant shall conspicuously post signs prohibiting smoking in the manner described in subsections (a) and (b) of Section 134.03 of this Chapter.

Section 134.06 Exemptions.

Notwithstanding any other provision of this Chapter, smoking is allowed in the following areas:

- (A) Private residences or dwelling places, except when used as a child care, adult day care, or healthcare facility or any other homebased business open to the public.
- (B) Retail tobacco stores as defined in Section 134.01 of this Chapter if located in a freestanding structure occupied solely by the business and smoke from the business does not migrate into an enclosed area where smoking is prohibited.

Section 134.07 Violations.

- (A) A person, corporation, partnership, association or other entity who violates Section 15 of this Chapter shall be fined pursuant to

Ordinances of the Village of Stanford

this Section. Each day that a violation occurs is a separate violation.

(B) A person who smokes in an area where smoking is prohibited under this Chapter shall be fined in an amount that is \$150.00 for a first offense and \$300.00 for each subsequent offense. A person, corporation, partnership, association or other entity who owns, operates, or otherwise controls a public place or place of employment, including but not limited to a liquor establishment that is licensed by the Village, that violates any provisions of this Chapter shall be fined (i) \$250.00 for the first violation, (ii) \$500.00 for the second violation within one year after the first violation, and (iii) \$750.00 for each additional violation within one year after the first violation.

(C) A person, corporation, partnership, association or other entity who receives a citation for a violation of any provisions of this Chapter may settle an initial ordinance violation by paying one

half of the fine set forth in the preceding paragraph for the violation. No ordinance violation may be settled pursuant to this subsection if the recipient of the ordinance violation has been convicted of a violation of this chapter of the Village Code. The method of settlement shall be as provided for in Section 10. 99 (C).

CHAPTER 135: OTHER OFFENSES AGAINST PUBLIC ORDER

SECTION 135.01 YELLING, SINGING, SHOUTING ON STREETS

It shall be unlawful for any person to yell, shout, hoot, whistle or sing on the public streets, sidewalks or right of ways between the hours of 11:00 PM and 7:00 AM or at any time or place as to annoy or disturb the quiet, comfort or repose of persons in any office, dwelling or other type of residence or of any persons in the vicinity.

SECTION 135.02 PUBLIC INTOXICATION; OPEN CONTAINERS; CONSUMPTION

(A) It shall be unlawful for any person to consume any alcoholic liquor on any property owned by or under the control of the Village or any park district that is located within the Village.

(B) It shall be unlawful for any person to transport, carry, possess or have any alcoholic liquor in or upon or about any motor vehicle in the Village except in the original packaging with the original seal unbroken.

(C) It shall be unlawful for any person to transport, carry, possess or have any alcoholic liquor in or upon or about any park or on any grounds owned by or under the control of a park district within the Village.

(D) It shall be unlawful for any person to be on or in any street, alley or public place in the Village while in such an intoxicated condition to endanger the health, safety, or property of himself or another.

SECTION 135.03 PUBLIC URINATION

It shall be unlawful for any person to urinate or defecate in public other than when using a toilet, urinal or commode located in a restroom, bathroom or other structure enclosed from public view. The provisions of

Ordinances of the Village of Stanford

this section shall not apply to the following individuals who may not be able to adequately control the bodily functions that control urination or defecation:

- (A) Children of eight years of age or younger.
- (B) Persons of any age that violate this subsection due to a verified medical condition.

SECTION 135.99 PENALTY

Whoever violates any provision of this Chapter shall be subject to the general penalty provision, Section 10.99 of the Stanford Municipal Code.

CHAPTER 136: POSSESSION, SALE, AND DELIVERY OF DRUGS

Section

- 136.01 Definitions
- 136.02 Possession and use of cannabis
- 136.03 Public display of cannabis and public intoxication
- 136.04 Cultivation of cannabis
- 136.05 Fines

Section 136.01 DEFINITIONS:

For the purposes of this chapter, the following words and phrases shall have the following meanings ascribed to them respectively.

AUTHORIZED AGENT: A person authorized by a Registered Qualifying Patient to attend his or her cannabis plants, which valid authorization shall be and our only by a power of attorney or similar written instrument which names the agent, is signed by the Registered Qualifying Patient, and has a duration of no more than two weeks with in any six months.

CANNABIS: Marijuana, hashish, and other substances that are identified as including any part of the plant cannabis salvia and including derivatives or subspecies, such as Indica, of all strains of cannabis, whether growing or not; the seeds there of, the resin extracted from any part of the plant; it seeds, or resin, including tetrahydrocannabinol (THC) and all other natural produced cannabinoil derivatives, whether produced directly or indirectly by extraction; however, “cannabis” does not include the mature stocks of the plant, fiber produced from the stocks, oil or cake made from the seat seeds of the plant, or any other compound manufactured, sold, derivative, mixed mixture, or preparation of the mature stocks(except the resin extracted from it), fiber, oil or cake, or the sterilization seed of the plant that is incapable of germination. “Cannabis” does not include industrial hemp as defined and authorized under that industrial hemp act. “Cannabis” also means concentrate and cannabis infused products.

CANNABIS ACCESSORIES: Any equipment, products, or materials of any kind that are use, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, composting, manufacturing, compounded, converting, producing, processing, preparing, testing, analyzing, packaging, and repackaging, storing, vaporizing, or containing cannabis, or for ingesting, inhaling, or otherwise introducing cannabis into the human body as permitted by the Cannabis Regulation and Tax Act.

CANNABIS CONCENTRATE: A product derived from cannabis that is produced by extracting cannabinoids from the plant through the use of propylene glycol, glycerin, butter, olive oil or other types of cooking fats; water, ice, or dry ice; or butane, propane, CO2, ethanol, or isopropanol. The use of any other solvent is expressly prohibited unless and until it’s approved by the Department of Agriculture.

Ordinances of the Village of Stanford

CANNABIS FLOWER: marijuana, hashish, and other substances that are identified as including any part of the cannabis plant and including derivatives or sub species such as Indica, and all strains of cannabis; including raw leaves, stems, and buds, but not resin that has been extracted from any part of the plant nor any compounded, manufactured, salt, derivative, mixture, or preparation of such plant, its seeds, or resin.

CANNABIS-INFUSED PRODUCTS: a beverage, food, oil, ointment, tincture, topical formulation, or other product containing cannabis that is not intended to be smoked.

CONTROLLED SUBSTANCE: the meanings ascribed to it and section 102 of the Illinois controlled substance act as if that definition were incorporated herein.

DELIVER OR DELIVERY: the actual, constructive, or attempted transfer of possession, with or without consideration, whether or not there is an agency relationship.

DRUG PARAPHERNALIA: all equipment, products and material of any kind, other than methamphetamine manufacturing materials as defined in section 10 of the methamphetamine control and community protection act, which are intended to be used unlawfully in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introduce into the human body cannabis or controlled substance in violation of the cannabis control act, the only controlled substance act, or the Methamphetamine control and community protection act or a synthetic drug product or misbranded drug in violation of the Illinois food and drug and cosmetic act. "Drug Paraphernalia" does not include cannabis accessories if possessed or used by any person 21 years of age or older who is otherwise lawfully permitted to possess or use cannabis under the cannabis regulation and tax act. "Drug Paraphernalia" includes but is not limited to:

1. Kits and tended to be used unlawfully in the manufacturing, compounding, converting, producing, processing, or preparing cannabis or controlled substance;
2. Isomerization devices intended to be used unlawfully in the increasing of potency of any species of plants which cannabis or a controlled substance;
3. testing equipment intended to be used unlawfully in a private home for identifying or an innovation of the strength effect numerous or purity of cannabis or controlled substance;
4. Diluents and adulterants intended to be used unlawfully for cutting cannabis or a controlled substance by private persons;
5. objects in tended to be used unlawfully for ingesting, inhaling, or otherwise introducing cannabis, cocaine, hashish, hashish oil, or a synthetic drug product or misbranded truck in violation of the Illinois food, drug and cosmetic act into the human body including, where Apples, the following items:

- (A) Water pipes;
- (B) carburetion tubes or devices;
- (C) smoking and carburetion masks;
- (D) miniature cocaine spoons and cocaine vials;
- (E) carburetor pipes;
- (F) electric pipes;
- (G) air-driven pipes;
- (H) chillums;
- (I) bongs;
- (J) ice pipes or chillers;

6. Any item whose purpose, as announced or described by the seller, is for use in violation of the cannabis control act, the Illinois controlled substance act, and the cannabis regulation and tax act, or any provision of this chapter.

Ordinances of the Village of Stanford

FACILITATE THE USE OF CANNABIS: to deliver, transfer, gift, sell, or to otherwise provide cannabis were cannabis accessories to a person. It shall also include purchasing cannabis for a person and careless or negligent storage of cannabis so it may be easily accessible to a person.

MOTOR VEHICLE: a vehicle driven or drawn by mechanical power and manufactured primarily for the use on public highways but does not include a vehicle operated exclusively on a rail or rails.

PUBLIC PLACE: any place where a person could reasonably be expected to be observed by others.” Public place” includes all parts of buildings owned in whole or in part, or least, by the state or eat a unit of local government. “Public place” does not include a private residence unless the private residence is used to provide licensed childcare, foster care, or other similar social service care on the premises.

PUBLICWAY: the surface of, and the space above and below, any public street, highway, freeway, bridge, land path, alley, court, Boulevard, sidewalk, way, Lane, drive, circle, or other public right away, including, but not limited to, utility easements, dedicated utility strips, or right away.

REASONABLY INACCESSIBLE: out of reach of the driver and any passenger of a motor vehicle, which includes being in the trunk of the vehicle or the area behind the last upright seat of a motor vehicle that is not equipped with a trunk. Areas that are not reasonably inaccessible include, but are not limited to, the glove compartment, any middle console compartment between the drivers seat in the front passenger seat, and either under or directly behind the driver seat or the front passenger seat.

REASONABLY SECURED: in a sealed, odor proof, and child resistant container.

REGISTERED QUALIFYING PATIENT: the meaning ascribed to in section 10 of the compassion use of medical cannabis program act as if that the definition were incorporated herein.

WHILE ON DUTY: the time period when a person is working during his normal scheduled hours, during overtime hours when a person is working, and during any period of time in which a person is “on call” where he or she may be called upon to perform work duties at any time during that ”on call” period of time.

SECTION 136.02 POSSESSION AND USE OF CANNABIS.

It shall be unlawful for any person under 21 years of age to use or possess cannabis at any time except as otherwise permitted under the compassionate use of new medical cannabis program act, 410 ILCS 1301,et seq.

it shall be unlawful for any person knowingly to possess more than 30 g of cannabis flower, more than 500 mg of THC contained in cannabis used product, or more than 5 grams of cannabis concentrate.

It shall be unlawful for any person to possess cannabis:

- (1) and a school bus, unless permitted for a qualifying patient or caregiver pursuant to the compassionate use of medical cannabis program act;
- (2) on the grounds of any preschool or primary or secondary school unless permitted for qualifying patient or caregiver pursuant to the compassionate use of medical cannabis program act;
- (3) and a vehicle not opened to the public unless the cannabis is in a reasonably secured, sealed container and reasonably and inaccessible while the vehicle is moving;
- (4) in a private residence that is used at any time to provide licensed child care or similar social service care on the premises;
- (5) in an amount greater than 30 g for the Illinois resident and more than 15 g for out-of-state residents;
- (6) in any part of a building owned in whole or part or least or by the village of Stanford; or
- (7) in any other manner prohibited by the state statues, as they may have been amended from time to time.

It shall be unlawful for any person to use cannabis:

- (1) In a school bus, unless permitted for a qualifying patient or caregiver pursuant to the compassionate use of medical cannabis program act;

Ordinances of the Village of Stanford

- (2) on the grounds of any preschool or primary or secondary school, unless permitted for the qualifying patient or caregiver pursuant to the compassionate use of medical cannabis program act;
- (3) in a motor vehicle;
- (4) in a private residence that is used at any time to provide licensed childcare or other similar social service cares on the premises;
- (5) in any public place; or
- (6) knowingly in close physical proximity to anyone under 21 years of age who is not registered medical cannabis patients under the compassionate use of medical cannabis act;
- (7) while on duty by a person who has a school bus permit or a commercial drivers license.

It shall be unlawful for any person to smoke cannabis in the place where smoking is prohibited under the smoke-free Illinois act.

It shall be unlawful for any person to operate, navigate, or be in actual physical control of any motor vehicle, aircraft, or motor boat while using or under the influence of cannabis in violation of section 11 – 501 or 11 – 502.1 of the Illinois vehicle code.

It shall be a unlawful for any person to facilitate the use of cannabis by any person who is not allowed to use cannabis under the cannabis regulation and tax act, for 410 ILCS 7051, et seq., or the compassionate use of medical cannabis program act.

It shall be unlawful for any person to transfer cannabis to any person contrary to the cannabis regulation and tax control or the compassionate use of medical cannabis program act.

It shall be unlawful for any person to transport, Kerry, possess or have upon any public place or public way in the village any cannabis on or about his person except in the original package and with the seal unbroken.

SECTION 136.03 PUBLIC DISPLAY OF CANNABIS AND PUBLIC INTOXICATION.

It shall be unlawful for any person in the village to display, make a gift, make available, sell, or offer for sale any cannabis within public place or public way in the village.

It shall be unlawful for any person under the influence of cannabis or control substance to enter or remain within public place or public way within the village.

SECTION 136.04 CULTIVATION OF CANNABIS.

It shall be unlawful for any person to cultivate cannabis plants within the village of Stanford, except for registered qualifying patients under the Canada compassionate use of medical cannabis program at it shall be unlawful for any person who is registered as a qualifying patient under the compassionate use of medical cannabis program act to cultivate cannabis plants:

- (1) Unless the person has been a resident of the state of Illinois for more than 30 days before the cultivation;
- (2) in excess of five plants that are more than 5 inches tall per household;
- (3) outside of an enclosed, locked space;
- (4) using cannabis seeds purchased from anywhere other than the dispensary for the purpose of home cultivation, and seeds may not be given or sold to any other person;
- (5) and a location where they are subject to ordinary public view (within the site line with normal vision range of a person, unassisted by visual aids, from a public street or sidewalk adjacent to real property, or from an adjacent property);
- (6) without reasonable precautions to ensure the cannabis plants are secure from an authorized access, including unauthorized access by a person under 21 years of age;
- (7) on nonresidential property and property that is not lawfully in the possession of the cultivator or without the consent of the person in lawful possession of the property;

Ordinances of the Village of Stanford

- (8) in a dwelling, residence, apartment, condominium unit, enclosed, locked, or a piece of property which has not been divided into multiple dwelling units and contains an access of five plants at any one time; or
- (9) unless residing it at the residence where the cannabis plants are located, except that a registered qualifying patient authorized agent may tend to the cannabis plants if a tending to the residence for brief periods, such as when qualifying patients is temporarily away from the residence.

SECTION 136.05 POSSESSION OF DRUG PARAPHERNALIA.

Any person who knowingly possesses an item of drug paraphernalia with the intent to use it in unlawfully ingesting, inhaling, or otherwise introducing cannabis or a controlled substance into the human body, or in unlawfully preparing cannabis or a controlled substance for that use, commits an offense.

In determining intent under division (A) above, the trier of the fact may take into consideration the proximity of the cannabis or controlled substance to the drug paraphernalia or the presence of cannabis or controlled substance on the drug paraphernalia.

SECTION 136.06 FINES.

Any person who violates any provision of this chapter, inclusive of all subsections thereof, shall, upon conviction, be assessed a fine of not less than \$250 and not more than \$750.

To settle a violation without the citation being filed with the circuit clerk the person in charge, must within 14 days of the date of the citation pay \$250 and returned the signed citation with payment to the village clerk. The payment shall be made by money order, cashier's check, or cash to get together with the violator's copy of the ticket at the village of Stanford village hall during regular business hours. Money orders or cashier's checks shall be made payable to the village of Stanford. The provisions of section 1099 B shall not apply to this chapter.

TITLE XV: LAND USAGE

CHAPTER 150: SUBDIVISION REGULATIONS

Section

- 150.01 Purpose and jurisdiction
- 150.02 Definitions
- 150.03 Procedure
- 150.04 Preliminary plan – general
- 150.05 Preliminary plan – identification and description
- 150.06 Preliminary plan – existing conditions
- 150.07 Preliminary plan – subdivision design features
- 150.08 Plans and specifications for land improvements
- 150.09 Final plat – general
- 150.10 Final plat – additional delineation
- 150.11 Certificates
- 150.12 Agreements
- 150.13 Economic development waivers
- 150.14 Subdivision design standards – street plan
- 150.15 Subdivision design standards – streets
- 150.16 Subdivision design standards – alleys and pedestrian

Ordinances of the Village of Stanford

- 150.17 Subdivision design standards – easements
- 150.18 Subdivision design standards – sediment and erosion control standards
- 150.19 Subdivision design standards – storm sewer, drainage way, and storm water detention facility standards
- 150.20 Subdivision design standards – block standards
- 150.21 Subdivision design standards – lot standards
- 150.22 Public use areas
- 150.23 Acceptance of streets
- 150.24 Required land improvements
- 150.25 Fee for filing preliminary plan
- 150.26 Fee for review of construction plans and specifications
- 150.27 Zoning and other applicable ordinances
- 150.28 Occupancy permit
- 150.29 Variations
- 150.30 Enforcement
- 150.31 Record of plats
- 150.32 Validity

- 150.99 Penalty

SECTION 150.01 PURPOSE AND JURISDICTION.

Because each new subdivision accepted by the Village becomes a permanent part of the community, all subdivisions hereafter planned and constructed within the Village limits of Stanford shall, in all respects, be in full compliance with the regulations hereinafter contained. These regulations are designed to provide for the orderly and harmonious development of the Village, to coordinate streets within new subdivisions with other existing or planned streets, to secure a uniform system of utilities and services, and otherwise to promote the health, safety, and general welfare of the public.

SECTION 150.02 DEFINITIONS.

The following words and terms, wherever they occur in this Chapter, shall be construed as defined herein:

Alley. A right-of-way which affords secondary means of access to properties abutting upon a street.

Block. A tract of land bounded by streets or by a combination of one or more streets and parks, cemeteries, shorelines of streams or other waterways, corporate limit lines, railroad rights-of-way, or other lines of demarcation.

Board of Health. The Board of Health of the McLean County Health Department.

Building. Any structure designed or intended for the support, enclosure, shelter or protection of persons, Animals and property.

Building Inspector. The President of the Board of Trustees or his designee.

Building Setback Line. A line within a lot or other parcel of land so designated on the preliminary plan or final plat, which denotes the area between such line and the adjacent street right-of-way line where an enclosed building and other obstructions are prohibited.

Collector or Land Access Street. A street within a subdivision which has a wider roadway width than a minor street, and which is the prime entrance or circulation street. Its primary function is to distribute and collect traffic to and from the minor streets.

Ordinances of the Village of Stanford

Commission Staff. The professional planning staff of the McLean County Regional Planning Commission.

County. McLean County, Illinois.

County Board. The County Board of McLean County, Illinois.

County Clerk. The County Clerk of McLean County, Illinois.

Cul-de-sac. A minor street with only one outlet.

Double Frontage Lot. A lot which has a pair of opposite lot line along two substantially parallel streets.

Dwelling. A building designed for residential living purposes and containing one or more dwelling units and/or lodging units.

Easement. A quantity of land set aside over or under which a liberty, privilege, or advantage in land without profit, is dedicated and is distinct from ownership of the land, is granted either to the public, a particular person, or a combination of both.

Engineer. The Village Engineer or the County Engineer.

Erosion Control Plan. A method to reduce the amount of sediment and other pollutants leaving development sites of more than one acre, during and after construction and to reduce the impact of sedimentation from these sites on the receiving water courses.

Final Plat. A map or plan of a subdivision and any accompanying material as described in 150.10 following.

Frontage Road. A minor street which is substantially parallel to and either contiguous or immediately adjacent to the right-of-way line of a thoroughfare.

Half Street. A street of less than the total required width along one or more property lines of a subdivision.

Highway Superintendent. The McLean County Highway Superintendent.

Land Improvement. Any private sewerage system, storm sewer system, water supply and distribution systems, roadway, parkway, sidewalk, pedestrian way, no-access strip, off-street parking area, or other improvement which the Village may require under this Chapter.

Lot. A portion of a subdivision or other parcel of land intended for transfer of ownership or for building development.

Lot, Butt. A lot at the end of a block and located between two corner lots.

Major Street. A street or highway with a high degree of continuity and serving as an arterial traffic way between the various parts of the Village conforming to the standards of the Illinois Department of Transportation.

Minor Street. A street of limited continuity. Its primary purpose is to serve abutting properties. A minor street shall conform to the standards of the Illinois Department of Transportation.

No-Access Strip. A land area at least one (1) foot wide along the rear lot line of a lot and abutting thoroughfare within which no vehicular driveways shall be permitted.

Owner or Subdivider. Includes any firm, association, partnership, private corporation, public or quasi-public corporation, or a combination of any of them, or other legal entity having sufficient propriety interest in the land sought to be subdivided or divided to commerce and maintain proceedings under the provisions of this Chapter.

Pedestrian Way. A right-of-way across or within a block designated for pedestrian use.

Ordinances of the Village of Stanford

Portable. Any building that does not touch the ground with it's own floor or footing, has no permanent Electrical service and has no septic or sewer service.

Preliminary Plan. A tentative map or plan of a proposed subdivision as described in Section 150.03 following.

Roadway. A portion of the street designated for vehicular use.

Side-Strip. The unpaved strip of land within a street right-of-way that is parallel to the roadway, which is not improved with curb or gutter.

Sidewalk. That portion of the street or pedestrian way designated for pedestrian use only.

Storage Shed. A portable accessory building with no foundation placed on soil or a concrete pad matching the existing grade of the property. A storage shed shall not exceed 10' x 12'. The side walls of the storage shed shall not exceed 8' in height.

Street. A right-of-way which affords primary means of access by pedestrians and vehicles to abutting properties, whether designated as a thoroughfare, street, avenue, highway, road, boulevard, lane, or however otherwise designated.

Street Width. The shortest distance between the right-of-way lines of a given street.

Structure. Anything constructed or erected whether permanent or temporary that has a projection of six inches or more above grade and a base greater than 12 square feet. However, this shall not include underground or surface structures such as tunnels, future foundations or swimming pools in whole or in part below grade.

Subdivider. Any owner commencing proceedings under this Chapter.

Subdivision of Land. (1) The division of land into two or more lots, parcels, or tracts, any of which is five acres or less in area; (2) The dedication of streets, ways, or other areas for the use of the public.

Any sale of a division of land, as defined in the preceding paragraph, shall constitute a subdivision of land and require, prior to any sale and before the delivery of a deed, the submission of a plat as required by law, provided however, that the sale or exchange of parcels of land to or between adjoining property owners, where such sale or exchange does not create additional lots, shall not be considered as a subdivision of land, and provided further, that a contract of sale requiring conformity with this Chapter may be entered into.

Subdivision Design Standards. The basic land planning principles established as guides for the preparation of preliminary plans.

Thoroughfare. A highway with a degree of continuity and serving as an arterial traffic way between the Village and surrounding areas.

Waste. This includes but is not limited to tin cans, combustible rubbish of any type (paper, boxes, barrels, wood, lumber, scraps, and furniture), non-combustible rubbish (metals, glass, mineral waste), solid waste resulting from building construction or demolition, waste food, offal, swill, and carrion, residual or waste animal or vegetable materials resulting from handling, storage, or cooking.

Zoning Ordinance. The Zoning Ordinance of the Village of Stanford.

SECTION 150.03 PROCEDURE.

Before subdividing any tract of land in the Village, a subdivider shall prepare and submit a preliminary plan and a final plat to be acted upon by the Village authorities in accordance with the laws of the State of Illinois and the provisions of this Chapter. (Prior to preparation of preliminary plan drawings, it is recommended that the subdivider

Ordinances of the Village of Stanford

consult the Building Inspector, Commission Staff, and other Village officials to determine conformity to planning policies, Zoning Ordinances, and compliance with this and other applicable laws, ordinances, and regulations.)

(A) Preliminary Plan

(1) The owner or subdivider shall file an application for approval of the preliminary plan with the Village Clerk. Fifteen (15) copies of the preliminary plan and the required filing fee (see Section 150.22) shall accompany the application.

(2) The Village Clerk shall refer seven copies of the preliminary plan to each member of the Board of Trustees and on behalf of the Board, shall have a notice of public hearing on such preliminary plan application published, at least fifteen (15) days prior to the date of public hearing thereon, in a newspaper circulating within the Village.

(3) The Village Clerk shall distribute a copy of the public hearing notice and one print of the plan to:

- (a) The Board of Health;
- (b) The Highway Superintendent;
- (c) The Commission staff; and
- (d) Shall retain one print for filing purposes.

(4) The Board shall approve or disapprove the application for preliminary plan approval within ninety (90) days from the date of filing the application or the filing by the applicant of the last item of required supporting data, whichever date is later, unless such time is extended by mutual consent.

(5) Upon approval of the preliminary plan by the Board of Trustees, the following **NOTICE OF APPROVAL** shall be stamped upon eight prints thereof, and required signatures affixed:

NOTICE OF APPROVAL OF PRELIMINARY PLAN

Notice is hereby given that the preliminary plan of the subdivision shown hereon has received approval by the Village of Stanford, and upon compliance by the subdivider with requirements of qualifications governing the approval of preliminary plans and with other revisions and stipulations that may be required, the Village will receive the final plan for consideration when submitted by the subdivider in such form and within such time as required.

VILLAGE OF STANFORD,
MCLEAN COUNTY, ILLINOIS

By: _____

Date: _____, 20__.

ATTEST:

Village Clerk

Date: _____, 20__.

(6) Upon approval by the Board of Trustees, the Village Clerk shall secure one transparency print and seven contact prints of the approved final plat, and three copies of the approved supporting documents. The cost of such prints, copies, and recording of documents shall be paid by the subdivider.

- (a) One contact print and supporting documents shall be retained by the Village Clerk;
- (b) One contact print and supporting documents shall be delivered to the Highway Superintendent;

Ordinances of the Village of Stanford

- (c) One contact print shall be sent to the Commission Staff;
- (d) One contact print shall be sent to the Board of Health.
- (7) The final plat in exact form as approved by the Board of Trustees shall be filed for record by the County Clerk on the Office of the Recorder of Deeds of McLean County within ten (10) days of acceptance thereof by the Board of Trustees. The Village Clerk shall secure three print copies of the recorded plat. The subdivider shall pay recording fees and the cost of the print copies.

SECTION 150.04 PRELIMINARY PLAN.

The Preliminary Plan shall be drawn on tracing paper or opaque bond having a minimum size of 24 inches by 36 inches, in a manner that clear and legible prints can be made.

SECTION 150.05 PRELIMINARY PLAN – IDENTIFICATION AND DESCRIPTION.

The Preliminary Plan shall contain the following:

- (A) Name of the subdivision not duplicating the name of any plat heretofore recorded in the County;
- (B) Location by section, town and range, or by other legal description;
- (C) An accompanying boundary line survey map with accurate distances and angles prepared and certified by a registered surveyor and an accompanying topographic map indicating source of survey;
- (D) Names and addresses of the owner and subdivider having control of tract and designer of the plan;
- (E) Graphic (engineering) scale shall not exceed 100 feet to one inch;
- (F) North-point (designated as true north);
- (G) Date of preparation.

SECTION 150.06 PRELIMINARY PLAN – EXISTING CONDITIONS.

The Preliminary Plan shall also include the following items to indicate existing conditions:

- (A) Boundary lines of the proposed subdivision in accordance with Section 150.05(C) preceding;
- (B) Total acreage;
- (C) Existing zoning districts in proposed subdivision and adjacent tracts;
- (D) Location, widths, and names of all existing or previously platted streets or other rights-of-way showing type of improvement (if any), railroad and utility rights-of-way, parks and other public open spaces, permanent buildings and structures, easements, section lines, and corporation lines within the tract and to a distance of 100 feet beyond;

Ordinances of the Village of Stanford

- (E) Location and size of existing drainage tile, sewer pipes, water mains, culverts, or other underground facilities within the tract and to a distance of 100feet beyond the tract; also locations of catch-basins, manholes, valves, and hydrants, and indicating such data as surface and invert elevations;
- (F) Location map, if required by the Board of Trustees, drawn at a scale of not less than one inch equals 1,000 feet, showing boundary lines of adjoining unsubdivided or subdivided land within an area bounded by the nearest thoroughfare or other natural boundaries, identifying the type of use on surrounding land and showing alignments of existing streets;
- (G) Topographic data in accordance with Section 150.05(C) which includes existing contours at vertical intervals of not more than two feet, except in unusual topographical conditions such vertical intervals may be increased as determined by the Board of Trustees. Topographical data shall refer to United States Geological Survey Datum. The location of watercourses, marshes, and other significant features shall also be shown. Soil boring data and seepage tests may be required at locations and depths as determined by the Board of Trustees;
- (H) Locations of or reference to location of existing monuments or survey markers used in preparation of survey and grade elevation of each monument and marker.

SECTION 150.07 PRELIMINARY PLAN – SUBDIVISION DESIGN FEATURES.

The preliminary plans shall contain each of the following with regard to subdivision design features:

- (A) Layout of streets showing right-of-way widths and street names, not duplicating the name of any street heretofore used in the Village unless such streets are extensions of or in line with already named streets, in which event those names shall be used. Streets to be extended beyond the boundaries of the subdivision shall be carried to such boundary;
- (B) Location and with of pedestrian ways and utility easements;
- (C) Layout of lots, total number of lots, and the dimensions of all lots within the subdivision;
- (D) Minimum front and side street building setback lines indicating dimensions;
- (E) Areas (other than those listed in Section 150.07(A), (B), and (C) preceding), if any, intended to be dedicated or reserved for non-residential purposes, indicating in each the approximate acreage. Such areas shall be designated by letter or number;
- (F) Proposed location, size, gradients, and invert elevations of sanitary and storm sewers, and proposed location and flow of open drainage ways, if any, and proposed method of sewage and waste disposal;
- (G) Dimensioned typical roadway cross-section;
- (H) Widths and approximate finished grade elevations and gradients of street pavements;
- (I) Proposed locations and size of water mains, and location of valves and hydrants;
- (J) If applicable, data indicating that the soil within the subdivision is suitable for the absorption of septic tank effluent without the contamination of any water supply or creating undesirable sanitary conditions. This data shall be obtained by making one percolation test on each one acre of land to be subdivided in a manner prescribed by the Board of Health;
- (K) If deemed necessary by the Board of Trustees, proposed detailed grading plans of all or a portion of a subdivision may be required to illustrate solutions to topographic or drainage problems, such as an Erosion Control Plan and Storm Water Detention. No land will be approved for subdivision which is subject to periodic flooding or

Ordinances of the Village of Stanford

which contains inadequate drainage facilities, unless the subdivider agrees to make improvements which will, in the opinion of the Board of Trustees, make such land safe for residential occupancy and provide adequate drainage.

SECTION 150.08 PLANS AND SPECIFICATIONS FOR LAND IMPROVEMENTS.

After the approval of the preliminary plan and prior to filing an application for approval of a final plat, the subdivider shall submit to the Board of Trustees and other public officials having jurisdiction, construction plans and specifications, prepared by a registered professional engineer, for required land improvements and, if required by the Board of Trustees, detailed grading plans of lots and blocks. Such construction plans and specifications shall be approved by the Engineer, Highway Superintendent, Township Highway Commissioner, and other public officials having jurisdiction, and such approval certified on the final plat. The aforementioned documents shall be approved or disapproved within 30 days.

SECTION 150.09 FINAL PLAT – GENERAL.

All information required on the preliminary plan, except that required in Section 150.06(B) through (H) inclusive and Section 150.07(C), (F), (G), (H), (I), and (J) shall be shown accurately and drawn at a scale of not more than 100 feet to the inch with black waterproof drawing ink on mylar on one or more sheets, each having a maximum dimension of 24 inches by 36 inches, in a manner that clear and legible transparent or contact prints and copies can be made.

SECTION 150.10 FINAL PLAT – ADDITIONAL DELINEATION.

The following information shall be included with the final plat with regard to additional delineation:

- (A) Accurate angular and lineal dimensions for all lines, angles, and curvatures, with functions used to describe all boundaries including: boundary line survey of tract; streets; easements; areas to be reserved for public use; and other important features. Error of closure of boundary line surveys shall not exceed one in five thousand – one foot for each 5,000 feet of perimeter survey. Angular error shall not exceed plus or minus 20 seconds. Lot lines to show dimensions in feet and hundredths, and when an angle occurs in any lot line between lot corners, the measurement of the angle shall be shown in degrees, minutes, and seconds. The final plat shall show accurately the location of all permanent lot markers as actually installed;
- (B) An identification system for all lots using consecutive numbers;
- (C) True angles and distances to the nearest established street lines and not less than three monuments, either United States Geological Survey monuments or other monuments as approved by the Superintendent of Highways, shall be accurately described on the plat by location, size, and elevation;
- (D) County, municipal, township, or section lines accurately referenced to the lines of the subdivision by distances and angles, if same are on the boundary or within 100 feet of said subdivision;
- (E) Accurate location of all monuments which shall be placed at all block corners, angle points, and at intermediate points as shall be required by the Board of Trustees, and installed in such a manner that they may be located by a registered surveyor. All United States Geological Survey, State, County, or other official benchmarks, monuments, or triangulation stations in or adjacent to e property shall be preserved in precise position;
- (F) Accurate outlines of any areas to be dedicated or reserved for public use or for the exclusive use of property owners within the subdivision.
- (G) Protective covenants, or filed as an accompanying document.

SECTION 150.11 CERTIFICATES.

Ordinances of the Village of Stanford

The application for approval of the final plat shall not be deemed completed until certificates substantially in the form as those contained in Appendix A attached hereto and made part hereof, other than the County Clerk's Certificate, have been duly executed.

SECTION 150.12 AGREEMENTS.

(A) Any owner or subdivider filing an application for approval of a final plat shall submit an agreement which shall state that the improvements required by Section 150.21 hereof shall be completed by the owner or subdivider in accordance with plans and specifications approved by the Engineer, County Superintendent of Highways, and other State and/or local officials having jurisdiction.

(B) Any owner or subdivider filing an application for approval of a final plat shall submit to the Village Clerk a surety bond to insure the construction of improvements listed in Section 150.21 hereof shall be completed in a satisfactory manner and within a period specified by the Board of Trustees, such period not to exceed two (2) years, and guaranteeing the improvements against faulty materials and workmanship for a period of one (1) year following acceptance by the Engineer, the County Superintendent of Highways, and the Township Road Commissioner or other appropriate public official. No bond shall be accepted unless it is enforceable by and payable to the Village in a sum at least equal to the cost of constructing the improvements as estimated by the Engineer and in form with surety and conditions approved by the Village Attorney.

Or, the owner or subdivider shall provide an escrow account to be held by a local bank or loan association conditioned upon satisfactory construction of the improvements, the amount of the escrow account shall be equal to the estimated cost of improvements, as estimated by the Engineer, plus ten percent (10%) additional. All withdrawals from the escrow account shall be made subject to the release of the Engineer, and the same may be paid as work progresses and is completed, subject also to the said Engineer's approval. Upon the completion of the improvements and acceptance by the Engineer, Superintendent of Highways, Township Road Commissioner, the Board of Trustees, or other appropriate public official, the additional ten percent (10%) of the escrow account shall remain on deposit until the expiration of the one (1) year guarantee herein provided, and upon approval and final release by the aforementioned officials. The form of all escrow accounts or other agreements shall be subject to the approval of the Village Attorney.

(C) All inspection fees required by Section 150.23 shall be paid to the Village and one set of plans and specifications showing all improvements as installed shall be filed with the Engineer within two (2) years following the approval of the final plat by the Board of Trustees, prior to the acceptance of the improvements and release of guarantee.

(D) The surety bond shall be acknowledged before a notary public by the principal and surety and shall be in substantially the form indicated in Appendix B attached hereto and made a part hereof.

SECTION 150.13 ECONOMIC DEVELOPMENT WAIVERS.

Despite any of the provisions of this Chapter the Board of Trustees, after public hearing preceded by at least 7 days notice, may waive all or any portions of the restrictions, conditions, rules, and regulations that are contained herein. Such waiver may only be if, after hearing conducted by the Board of Trustees, the Board finds that such a waiver would be for the benefit of the economy of the Village and its citizens. Such waivers shall take into consideration the advantage of any such waiver to the economy of the Village as opposed to the cost to the Village for any such waiver.

SECTION 150.14 SUBDIVISION DESIGN STANDARDS – STREET PLAN.

Ordinances of the Village of Stanford

The arrangement, character, extent, width, grade, and location of all streets shall conform to the General Plan of the Comprehensive Plan, and shall be considered in their relation to existing and planned streets; to reasonable circulation of traffic within the subdivision and adjoining lands; to topographical conditions; to runoff or storm water; to public convenience and safety; and in their appropriate relationship to the proposed uses of the area to be served.

SECTION 150.15 SUBDIVISION DESIGN STANDARDS – STREETS.

All lots in any subdivision, regardless of size, shall front on and have access to a public or private street. When necessary streets shall be included as part of the subdivision and shall be designed in accordance with this section.

General Requirements:

All subdivisions shall be designed so the proposed street system meets the following:

- (A) Conforms to the Comprehensive Plan of McLean County.
- (B) Extends major and collector streets through the proposed subdivision.
- (C) Locates and aligns local and cul-de-sac streets so that use by through traffic is discouraged.
- (D) Avoids centerline off-sets of less than 250 feet (75m) for local streets. On collector and arterial streets a detailed traffic study may be required.
- (E) Where the angle of deflection of a horizontal centerline is greater than two degrees, a curve shall be inserted with a radius meeting IDOT standards, except a local street with a 90 degree corner may have a minimum centerline radius of ninety (90) feet (30m).
- (F) No more than two (2) streets shall intersect at any point and so that the angle of intersection of centerlines is not less than 80 degrees nor greater than 100 degrees.
- (G) Provide a minimum turning radius of twenty-five (25) feet at the intersection of two streets in a residential subdivision. In all other zoning classifications or at the intersection of a local street with a collector or arterial road the Engineer shall determine the minimum radius.
- (H) In a single-family zoning district a cul-de-sac shall not exceed 1200 feet (360m) in length or have more than 15 lots fronting thereon, whichever imposes the more demanding standard and in other zoning districts a cul-de-sac shall not exceed 400 feet (120m) or have more than 8 lots fronting thereon, whichever imposes the more demanding standard.
- (I) Encourage safe and efficient traffic flow and provide sufficient vehicular storage space for stopping and turning movements so as not to conflict with traffic at intersecting streets or driveway entrances.
- (J) A subdivision shall have at least two means of vehicular access.
- (K) When a proposed subdivision borders undeveloped property, which could be developed, connecting streets shall be provided to these properties so as to allow for a reasonable interconnecting street pattern.
- (L) When a proposed subdivision abuts property that has an approved preliminary plan or final plat, the proposed subdivision shall connect to all existing or proposed connecting streets.
- (M) The use of cul-de-sacs in a subdivision shall be limited to situations where the natural topography or other factors dictate its use as the best engineering or design option.
- (N) The Board of Trustees may require the developer to provide for an arterial or collector street through the subdivision if it deems the arterial or collector necessary in order to provide adequate access to the area in which the development is proposed.

Ordinances of the Village of Stanford

(O) All streets shall be designed using concrete curb and gutter.

Public Street Right-of-Way Dedication and Design Standards

All public streets and roadways proposed within the confines of a subdivision shall be located in dedicated public right-of-way and shall conform to the minimum requirements of its classification as described in the following table:

Residential Subdivision <u>Type of Street</u>	Residential Subdivision <u>Without Curb</u>	Manufacturing or <u>With Curb</u>	<u>Business Subdivisions</u>
a. Major	80 feet	80 feet	80 feet
b. Collector*	70 feet	70 feet	80 feet
c. Minor	60 feet	50 feet	70 feet
d. Cul-de-sac	60 feet	50 feet	70 feet
e. Frontage Roads	60 feet	50 feet	50 feet

f. Thoroughfares – Right-of-way widths and other design standards of thoroughfares, including freeways, expressways, parkways, major and secondary thoroughfares shall be in accordance with those designated by federal, State, or County authorities having jurisdiction, whichever has the greater width and design standard requirements.

*A collector street may be required by the Board of Trustees (1) in a residential subdivision containing 20 acres or more in area and where the lots are one-half acre or less in area; (2) in any subdivision as an extension of a collector street in an adjacent subdivision; and (3) in any manufacturing or business subdivision.

(A) The subdivider shall provide not less than one-half of the right-of-way required for the construction or upgrade of an adjacent street.

(B) When situations require turning lanes, turning radii, center median, traffic control devices, or other installation which cannot be installed within the right-of-way required without the elimination or conflict between such features and other public improvements, the subdivider shall dedicate such additional right-of-way as is necessary to accommodate all such improvements.

(C) When the subdivision is situated along a street proposed as part of a land use plan, the subdivider shall provide not less than one-half of the required right-of-way.

Design:

(A) The width of a curb and gutter shall be measured from face of curb to face of curb.

(B) Pavement thickness shall be determined by IDOT structural design formulas with the following minimum requirements:

(1) For roadways having Bituminous Concrete surface, the minimum base thickness shall be 10" of compacted CA-6 or CA-10. The minimum surface shall be 3" of Class I bituminous concrete.

(2) For roadways having a Portland Cement Concrete surface, a minimum thickness of 6" (150mm) shall be required.

(3) All streets in commercial or manufacturing districts shall be concrete or full depth asphalt construction with the thickness based upon the estimated traffic.

Ordinances of the Village of Stanford

(C) Streets shall be constructed in accordance with all design and construction standards outlined in the following:

- (1) Illinois Department of Transportation “Design Manual”
- (2) Illinois Department of Transportation “Highway Standards”
- (3) Illinois Department of Transportation “Standard Specifications for Road and Bridge Construction”

(D) A cul-de-sac terminus shall have a minimum right-of-way diameter of one hundred forty (140) feet (42m) and a pavement diameter of one hundred two (102) feet (16m) where a rural cross-section is used. Where an urban cross-section is used, the right-of-way diameter shall be one hundred thirty (130) feet (39.5m) and the pavement diameter shall be one hundred ten (110) feet (33.5m) measured face-to-face of curb.

(E) Differing connecting street gradients shall be connected with vertical curves. The “Design Manual” shall govern all vertical curve computations, except when the algebraic difference of the gradient is less than one percent (1%), a fifty (50) foot (15m) vertical curve length shall be utilized. Street gradients for curb and gutter streets shall be a minimum of five-tenths of one percent (.5%).

(F) Curb and gutter:

(1) Curb and gutter shall be Type B-6.18 in accordance with the “IDOT Highway Standards” and installed in accordance with the “Standard Specifications of Road and Bridge Construction”.

(2) In any subdivision where sidewalks are provided, all curb and gutter shall be designed so as to allow wheelchairs to travel freely and without assistance. At each crosswalk a ramp shall be installed with a non-slip surface so that the sidewalk and street blend to a common level. These ramps shall be designed and constructed in accordance with the “IDOT Highway Standards”.

(3) In all subdivisions having lots with ten thousand (10,000) square feet or less, curb and gutter edging shall be installed.

(G) Signing

(1) Where required, all regulatory and advisory signs shall be installed in accordance with the Manual on Uniform Traffic Control Devices.

(2) All stop signs shall be installed on 4”x 6” treated wooden posts. All other signs shall be installed on 4”x 4” treated wooden posts.

(3) All signs shall be made of hi-intensity grade reflective material.

Street Special Provisions and Specifications:

All streets and curb and gutter shall be constructed in accordance with all applicable sections of the current edition of the Illinois Department of Transportation’s “Standard Specifications for Road and Bridge Construction”.

(A) At the time any curb and gutter is poured, the contractor shall mark the top of the curb with an “S” or “W” for sewer and water services respectively.

(B) Final grade for all manhole castings will be determined after the curb and gutter has been poured and the subgrade and/or base has been constructed. Final adjustment of the frame and grate shall be made in the following manner: After the curb and gutter has been poured and the base constructed, the final elevation will be determined by the Engineer. The frame and grate will be adjusted to this elevation in accordance with the Standard Specifications. Any material disturbed while adjusting the frame and grate will be disposed of and all fill made with lean concrete. A maximum of eight (8) inches (200mm) of adjusting rings shall be allowed.

Ordinances of the Village of Stanford

(C) All coarse aggregate for concrete shall be crushed stone. Gravel, crushed gravel, and crushed slag shall not be allowed.

(D) Concrete curb and gutter shall be sawed or scored at intervals coinciding with the joint intervals of the adjoining pavement. The minimum joint depth for the gutter shall be two (2) inches (50mm), and one (1) inch (25mm) for the curb. The curb and gutter may be joined instead of sawed provided the stated joint depths are obtained. If the curb and gutter is adjacent to bituminous pavement it shall be jointed at fifteen (15) foot (5m) intervals.

(E) The sawing of the curb and gutter shall commence within four (4) hours of the start of the pour unless otherwise directed by the Engineer. Sawing shall continue until all joints are completed or until sunset, whichever comes first. If all joints are not completed by sunset, sawing shall resume at sunrise and continue until completed.

(F) Asphaltic type expansion joints one (1) inch (25mm) thick shall be placed at all P.C., P.T., and R.P. C points at 500' (150m) minimum intervals.

(G) The contractor will provide at his own expense a loaded truck and test roll the compacted subgrade in the presence of the Engineer or his/her designee before any sub-base or surface is placed. The truck shall be loaded as follows: 27,000 pounds (12,250kg) on two axles and 45,000 pounds (20,500 kg) on three axles, plus or minus ten percent. The truck shall make one pass over the entire length of each traffic lane to be constructed. Areas that show rutting, cracking, or rolling will not be accepted; the contractor will recompact and/or reconstruct the sections that fail and test roll again for acceptance.

(H) When bituminous or concrete surface courses are to be placed over an aggregate base, the base shall be test rolled prior to the placement of the surface course.

(I) Portland Cement Concrete Pavement – Sawed transverse joints shall not be greater than 2.5 times in feet, the thickness in inches of the pavement apart and shall conform to the details in the plans. All equipment and labor required to perform the necessary jointing operation shall be available to begin sawing no later than four (4) hours after the paving operation begins, unless excess raveling occurs. The contractor shall provide the necessary equipment and labor needed to complete the sawing at the same rate per longitudinal foot as the paving operation.

(J) The contractor shall stop paving operation at 4:30 P.M. unless otherwise approved by the Engineer. Sawing shall continue at the same rate as stated above until sunset. If joints are not completed by sunset, sawing shall commence at sunrise and continue at the same rate as the previous day until all joints are completed.

(K) Trucks and mixer trucks will be allowed to operate on the subgrade; however, should the subgrade show any signs of distress, all operations will cease until these terms are corrected to the satisfaction of the Engineer. Curb and gutter is to be formed in a separate operation from the pavement. Monolithic curb will not be permitted.

(L) Final finish shall be Type B, except a burlap drag may be substituted for the artificial turf drag.

(M) Portland Cement Concrete Driveway Pavement – Pavement shall be a minimum of six (6) inches (150 mm) in depth. Sawed transverse and longitudinal joints shall conform to the following:

<u>Driveway at Widest Point</u>	<u>No. of Longitudinal Cuts</u>
---------------------------------	---------------------------------

0'-12'	0
--------	---

13'-24'	1
---------	---

25'-36'	2
---------	---

<u>Driveway Length</u>	<u>No of Transverse Cuts</u>
------------------------	------------------------------

0'-12'	0
--------	---

Ordinances of the Village of Stanford

13'-24'

1

25'-36'

2

The sawed joints shall be spaced evenly throughout the driveway. The joints shall be 1/8 inch (3mm) wide with a minimum depth of 1/4 inch (6mm) and sealed with the same material and in the same manner as Portland Cement Concrete Pavement. An expansion joint of a minimum of 3/4 inches (18mm) thick shall be placed between the driveway pavement and sidewalks and between driveway pavement and curb and gutter.

SECTION 150.16 SUBDIVISION DESIGN STANDARDS – ALLEYS AND PEDESTRIAN WAYS.

(A) Alleys, when permitted, in residential subdivisions shall be at least 30 feet wide, and alleys in multiple-family developments, commercial, and manufacturing subdivisions shall not be less than 50 feet wide.

(B) McLean County does not require sidewalks in its subdivisions and therefore does not provide standards for their installation. Should a subdivider wish to install sidewalks in his subdivision, these sidewalks will be installed on private property and not in the street right-of-way. It is recommended that if these sidewalks are installed that the owner meets all ADA standards that are required.

SECTION 150.17 SUBDIVISION DESIGN STANDARDS – EASEMENTS.

(A) Easements shall be provided for overhead or underground utility services, and for sanitary sewers, storm water drainage, and water mains. They shall be at least five (5) feet wide and be established at the rear of each lot and along such other lot lines as to provide continuity of easement alignment, of at least ten (10) foot width, from block to block. At deflection points in these easements, if overhead utility lines are contemplated, additional easements shall be established for pole-line anchors.

(B) Where a subdivision is traversed by a natural watercourse, drainage way, channel, or stream, there shall be provided a drainage easement, conforming substantially with the lines of such water course. It shall include an additional area of width adjoining both edges of the established area that has been affected by damaging floodwaters as required by the Board of Trustees.

SECTION 150.18 SUBDIVISION DESIGN STANDARDS – SEDIMENT AND EROSION CONTROL STANDARDS.

The intent of this section is to require erosion control and storm water practices that will reduce the amount of sediment and other pollutants leaving development sites, both during and after construction and to reduce the impact of sedimentation from these developments on the receiving watercourses. It is also the intent of this section to promote design and construction practices that 1) minimize ground disturbances during development; 2) maintain natural drainage; and 3) provide storm water storage.

Applicability:

(A) No land surface shall be disturbed unless an erosion control plan has first been submitted and approved for that activity, except as follows:

- (1) Land disturbing activities for which the area disturbed is less than 5,000 square feet;
- (2) For the conduct of agriculture involving normal agricultural practices;
- (3) Construction of one single-family dwelling, which is not part of a residential subdivision.

Ordinances of the Village of Stanford

(B) The County Engineer may require any non-agricultural construction activity, regardless of land disturbance area or type of activity, to comply with this section if it is determined the construction activity may cause a sedimentation problem.

Standards for Design and Maintenance of Erosion, Sedimentation, and Storm Water Control Measures:

(A) All temporary sediment control measures shall be designed to control sediment for a five-year frequency storm event.

(B) Design standards for erosion and sediment control measures shall comply with the provisions of the Illinois Procedures and Standards for Urban Soil Erosion and Sediment Control, published by the Urban Committee of the Association of Illinois Soil and Water Conservation Districts, latest edition, unless otherwise stated by this section.

(C) A written erosion control plan shall be provided along with the subdividers NPDES from IEPA.

(D) The subdivider shall provide the name and telephone number of the person responsible for the installation, inspection, and maintenance of the erosion control measures.

(E) The responsible person shall keep a diary detailing the installation and maintenance of all erosion control measures.

(F) After each storm event of ½" (12mm) or more the responsible person shall inspect all erosion control measures and have any needed repair or maintenance done in a timely manner.

Erosion, Sediment, and Temporary Storm Water Control Measures:

(A) On-site sediment control measures shall be constructed and functional prior to initiating clearing, grading, stripping, excavation, or fill activities on the site.

(B) Sediment control measures and temporary storm water control measures are to be maintained so they are operating effectively until permanent ground cover and permanent storm water control measures are established.

(C) The County Engineer may require additional control measures as necessary after a site inspection if sedimentation controls are not functioning properly.

(D) The County Engineer may with written notice suspend operations if erosion control measures have not been installed or are not being maintained properly.

Temporary Ground Cover:

All disturbed areas including lots on which no further construction is anticipated for twenty-one (21) days, shall have a temporary ground surface cover applied within seven (7) days of the last activity.

Permanent Ground Cover:

(A) When the finish grading on any portion of a project has been completed, a temporary or permanent ground cover shall be applied within fourteen (14) days, or as soon thereafter as soil conditions allow.

(B) Right-of-ways shall be seeded as follows:

(1) All work shall be done in accordance with Section 250 of the Standard Specifications for Road and Bridge Construction;

(2) Fertilizer nutrients with a ratio of 1:1:1 shall be applied at the rate of 270 pounds (300kg) per acre (hectare);

Ordinances of the Village of Stanford

- (3) Seeding mixture Class 2, Roadside Mixture, shall be applied at the rate specified;
- (4) After the area has been seeded, mulch shall be applied in accordance with Section 251 of the Standard Specifications for Road and Bridge Construction.
- (C) Lots shall be seeded with an acceptable seed mixture or other type of permanent ground cover that will allow minimal soil erosion.
- (D) Public improvements will not be accepted until all public right-of ways have permanent ground cover and all other areas of the subdivision have at least temporary ground cover.

SECTION 150.19 SUBDIVISION DESIGN STANDARDS – STORM SEWER, DRAINAGE WAY, AND STORM WATER DETENTION FACILITY STANDARDS.

No subdivision plan or plat shall be recommended for approval, which does not make adequate provision for storm or flood water runoff channels or basins. The storm water drainage system shall be separate and independent of any sanitary sewer or collection tile system. Storm sewers, where required, shall be designed by the Rational Method or any other reasonable method as approved by the Engineer. A copy of all design computations shall be submitted along with the engineering plans. Underground and/or surface storm water drainage systems shall be installed to service the entire subdivision. On site stormwater detention/retention shall be provided unless otherwise approved.

Design Standards:

All subdivisions shall include a storm water drainage system designed in such a way to provide that all lots and outlots in the subdivision will be graded and shaped so as to provide an adequate outlet for that property. This drainage system shall provide for any drainage that naturally flows through the development from adjoining property.

(A) Storm Sewers:

(1) Design Criteria

(a) Unless otherwise approved by the Engineer, formulas to be used in connection with the calculation of run-off reasonably expected from the minimum design storm shall be the Rational Method for total contributing areas of twenty (20) acres (8 hectares) or less and the Soil Conservation Service Method as outlined in their Technical Release No. 55 for areas greater than twenty (20) acres. Calculations shall be submitted in the form required by law.

(b) The minimum design storm used in calculating run-off in the Design Formula above will be the average rainfall intensity associated with an average recurrence interval of five (5) years for the storm period calculated by the Time Concentration as outlined by the latest Technical Letters of the Illinois State Water Survey for rainfall frequencies.

(c) When changing sewer sizes the sewers shall match at the 9/10 diameter point.

(2) The stormwater drainage system shall connect all inlets and catch basins to a storm sewer, pipe, or conduit of sufficient size, grade, and capacity to carry the run-off reasonably expected from the Minimum Design Storm on the area in the natural drainage area if that area is improved with the type of improvements permitted and to a maximum density authorized by the then-existing zoning ordinances of the County for property within the jurisdiction of the County; however, no storm sewer shall be smaller than twelve (12) inches (300mm) in diameter.

(3) The stormwater drainage system shall connect all storm sewers to other storm sewers or improved drainage ways of sufficient size, grade, and capacity to carry the run-off reasonably expected from the Minimum Design Storm in the natural drainage area if that area was improved with the type of improvements permitted and to the maximum density authorized by the then-existing zoning ordinances of the County for property within the jurisdiction of the County.

Ordinances of the Village of Stanford

(4) Manholes

(a) Public manholes shall be installed at the end of each storm sewer line, at all changes in grade or alignment, at all intersections and at distances not greater than 400 feet (120m) between manholes for sewers of 15 inches (375mm) or less and 500 feet (150m) for sewers of 18 to 30 inches (450mm-750mm). Greater spacing will be permitted in larger sewers and in those carrying a settled effluent.

(b) Public manholes in improved streets or other surfaced public right-of-ways accessible to vehicular traffic shall be not more than 800 feet (360m) apart or at such lesser distances as is required to permit every storm sewer in the proposed development to be inspected, tested, and cleaned from two surfaced manholes separated by not more than 1,200 feet (360m) measured in a straight line along the sewer.

(c) Minimum drop in a manhole shall be 1 inch (25mm) and the maximum drop in a manhole shall be 24 inches (600mm).

(5) Inlets for local streets shall be provided for all low points and the maximum spacing shall not exceed four hundred (400) feet (120m), except that the first inlet shall be spaced approximately four hundred feet from the high point or at no greater distance than six hundred (600) feet (180m) when approved by the Engineer. Inlets for all other street classifications shall meet IDOT design criteria.

(B) Drainage Ways:

(1) All drainage ways through the proposed development shall be improved to a size and in a way adequate to carry the run-off reasonably expected from the Minimum Design Storm in the natural drainage area if that area was improved with the type of improvements permitted and to the maximum density authorized by the then-existing zoning ordinances of the County for property within the unincorporated areas of McLean County and the land use element of the County's Comprehensive Plan.

(a) Unless otherwise approved by the Engineer, formulas to be used in connection with the calculation of run-off reasonably expected from the Minimum Design Storm shall be the Rational Method for total contributing areas of 20 acres (8 hectares) or less and the Soil Conservation Service Method as outlined in their Technical release No. 55 for areas greater than 20 acres (8 hectares).

(b) The Minimum Design Storm used in calculating run-off in the Design Formula above will be the average rainfall intensity associated with an average recurrence interval of twenty-five (25) years for the storm period calculated by the Time of Concentration as outlined by the Technical Letters of the Illinois State Water Survey for rainfall frequencies.

(2) Drainage ways shall have a flat bottom, maximum 3:1 side slopes, the top of the bank shall be constructed one (1) foot above computed water surface elevation for the Minimum Design Storm, and have a ten (10) foot (3m) maintenance/access lane on each side of the drainage way.

(C) Retention and Detention Facilities:

(1) No development shall be authorized in McLean County unless it has an approved on-site detention or retention facility. Such facility shall be designed based on the Design Formula.

(a) Unless otherwise approved by the Engineer, formulas to be used in connection with the calculation of run-off volumes and allowable release rates reasonably expected from the Minimum Design Storm shall be the Rational Method. For areas of development up to five (5) acres (2 hectares), the following shall be required.

MAXIMUM RELEASE		
<u>AREA</u>	<u>REQUIRED STORAGE RATE</u>	<u>RATE ALLOWED</u>
Up to 1 acre (0.4 hectare)	10,700 cu. ft/acre (750 cu. m/hectare)	1.05 cfs/acre (0.073 cu. m/hectare)
Up to 2 acres	9,100 cu. ft/acre (640 cu. m/hectare)	0.90 cfs/acre (0.063 cu.

Ordinances of the Village of Stanford

(0.8 hectare)		m/hectare)
Up to 3 acres (1.2 hectare)	7,800 cu. ft/acre (545 cu. m/hectare)	0.78 cfs/acre (0.055 cu. m/hectare)
Up to 4 acres (1.6 hectare)	6,900 cu. ft/acre (480 cu. m/hectare)	0.64 cfs/acre (0.045 cu. m/hectare)
Up to 5 acres (2.0 hectare)	6,200 cu. ft/acre (435 cu. m/hectare)	0.60 cfs/acre (0.042 cu. m/hectare)

(b) Storage volume will be determined from inflow hydrographs generated by the Design Formula using a minimum design storm with a range of rainfall intensities associated with an average occurrence interval of one hundred (100) years and an assumed coefficient for the post developing zoning district.

(c) Allowable release rate will be determined by the Design Formula using a minimum design storm with an average recurrence interval of three (3) years for the storm period calculated by the Time of Concentration as outlined by the latest Technical Letters of the Illinois State Water Survey for rainfall frequencies and a run-off coefficient of 0.25.

(2) Bank Stabilization

(a) Retention facilities shall be provided with wave shelves along the entire perimeter in accordance with standards required.

(b) Retention and detention facilities shall have a maximum 4:1 bank slope.

(c) Shoreline surfaces subject to wave action shall be stabilized with structural material such as riprap, revetment matting, retaining walls, etc.

(D) Calculations required to demonstrate compliance with design standards shall be submitted in the form required by law. Calculations submitted with Preliminary Plans are not required to be of greater detail as the calculations required to be submitted with Public Improvement Engineering Plans and Specifications.

(E) Right-of-way and Easement Dedications:

(1) All drainage ways shall be located in dedicated public right-of-ways. Right-of-ways for drainage ways shall be a minimum of one hundred (100) feet (30m) wide. This minimum width shall be increased if the Engineer shall determine that the drainage way's hydraulic capacity is inadequate to properly serve its drainage function.

(2) Storm sewers shall be located in public easements or dedicated public right-of-ways. Such easements and right-of-ways shall be of sufficient width and the storm sewer shall be installed at such locations therein as to permit open cut installation, maintenance, and repair within the confines of the easement or right-of-way without relocation or other unreasonable interference with other semi-public utilities located therein and so as to meet the following minimum standards:

(a) Fifteen (15) feet (5m) in width plus five (5) feet (1.5m) for each additional utility for storm sewers twenty four (24) inches (600mm) in diameter or less.

(b) Two (2) additional feet (0.5m) in width for each twelve (12) inches (300mm) or portion thereof, of additional storm sewer diameter provided in excess of twenty four (24) inches (600mm).

(c) Additional width may be required if storm sewers exceed fifteen (15) feet (5m) in depth.

Storm sewers shall use materials and be installed in the manner meeting or exceeding the requirements, standards, and specifications contained in the current edition of the Standard Specifications for Water and Sewer Main Construction in Illinois.

Ordinances of the Village of Stanford

Drainage ways and detention or retention facilities shall be constructed in the manner meeting or exceeding the requirements, standards, and specifications contained in the current edition of the Standard Specifications for Road and Bridge Construction.

SECTION 150.20 SUBDIVISION DESIGN STANDARDS – BLOCK STANDARDS.

(A) In residential subdivisions, the maximum length of blocks containing any lots less than 150 feet in width shall be 1,200 lineal feet, and the maximum length of blocks containing all lots 150 feet and over in width shall be 2,000 lineal feet. No blocks shall be less than 300 lineal feet in length unless approved by the Board of Trustees. Whenever practicable, blocks along major streets, collector streets, and arterial streets shall not be less than 1200 feet in length. Pedestrian ways leading to schools, parks, or other common destinations may be required by the Board of Trustees.

(B) In manufacturing and business subdivisions, the maximum length of blocks shall be as approved by the Board of Trustees.

(C) The shape of blocks shall be determined by topographical features, the basic street system and traffic pattern, lot depths, and areas designated for public and other non-residential land uses.

(D) Where a subdivision borders upon or is traversed by a railroad right-of-way or thoroughfare, the Board of Trustees may require a street on one or both sides of such right-of-way or street located approximately parallel to and at a distance removed suitable for the appropriate use of the intervening land, i.e. park purposes, double-frontage residential lots with no access strips along their rear lines, and off-street parking, business, or other uses as permitted by the zoning ordinance.

SECTION 150.21 SUBDIVISION DESIGN STANDARDS – LOT STANDARDS.

All subdivisions shall be designed to conform to the planning principles, layout, and design requirements of this section. These principles and design requirements concern entire systems rather than individual elements of the system, and so express concepts rather than specific standards. Specific standards are elaborated in other Chapters of the McLean County Land Ordinance.

Subdivision Principles of Planning:

Basic principles exist which should be recognized and heeded in designing circulation and access patterns in new subdivisions of convenient layout.

Basic consideration in the design of local circulation systems must recognize the factors of:

- (1) Safety – for both vehicular and pedestrian traffic,
- (2) Efficiency of service – for all users,
- (3) Livability or amenities – especially as affected by traffic elements in the circulation system, and
- (4) Economy – of both construction and use of land.

Each of the following principles is an elaboration on one or more of these four factors. The principles are not intended as absolute criteria since instances may occur where certain principles conflict. The principles should, therefore, be used as guides to proper system layout.

- (A) Adequate vehicular access should be provided to all parcels.
- (B) Local street systems should be designed to minimize through traffic movements.
- (C) Street patterns should minimize “out-of-the-way” vehicular traffic.

Ordinances of the Village of Stanford

- (D) Local street systems should be logical and comprehensible, and systems of street names and house numbers should be simple, consistent, and understandable and not duplicate any existing street name recorded in the office of the County Recorder.
- (E) Local circulation systems and land development patterns should not detract from the efficiency of major and collector streets.
- (F) Elements in the local circulation system should not have to rely on extensive traffic regulation in order to function efficiently and safely.
- (G) Traffic generators within residential areas should be considered in the local circulation pattern
- (H) Planning and construction of residential streets should clearly indicate their function.
- (I) The local street system should be designed for a relatively uniform low volume of street traffic and to discourage excessive speeds.
- (J) Pedestrian-vehicular conflict points should be minimized.
- (K) A minimum amount of space should be devoted to street uses.
- (L) There should be a minimum number of intersections.
- (M) The arrangement of local streets should permit economical and practical patterns, shapes, and sizes of development parcels.
- (N) Local streets should be related to topography from the standpoint of all economics, drainage, and amenities.
- (O) Open space areas should be provided, commensurate with the projected population density of the development.
- (P) The street and pedestrian circulation pattern in a new residential subdivision shall be compatible with any land use plan adopted by the County.
- (Q) A residential area should be conveniently accessible from major streets, however, access points should be limited in number and given special design consideration, and whenever possible, located where other features are not competing for driver attention.
- (R) Driveways should be prohibited on arterial and collector streets in residentially zoned areas.
- (S) Except in extreme case, subdivisions shall be designed with two or more access points.
- (T) A satisfactory relationship between proposed and existing development should be established in order to permit efficient and economic continuity of utilities and services.
- (U) Public utilities should be existing or proposed by the developer of a size adequate to serve the proposed subdivision and any other future development they may be required to service.
- (V) The general land use principles and planning standards should be applied to the subdivision as contained in any land use plan adopted by McLean County.
- (W) The use of a cul-de-sac street shall be limited to situations where the natural topography or other factors dictate its use as the best engineering or design option.
- (X) Interconnection with other developable land that adjoins the subject property shall be provided.

Layout and Design Requirements for Proposed Lots of Record and Outlots:

Ordinances of the Village of Stanford

- (A) Subdivisions shall consist solely and exclusively of lots of record, outlots, easements, public right-of-ways, and public improvements.
- (B) All proposed lots of record shall front on and have access to a public street or roadway except as follows:
- (1) Lots within a Planned Unit Development, as allowed, in accordance with regulations of the McLean County Zoning Ordinance.
- (2) One (1) new lot resulting from the division of a tract of land containing twenty (20) acres (8 hectares) or more may have access to a public street by an easement of not less than twenty-five (25) feet (8m) in width provided that such lot contains one (1) permanent dwelling which existed at such location on the effective date of the McLean County Ordinance and provided that no boundary of said new lot shall be nearer than two hundred (200) feet (60m) to the right-of-way line of any public street.
- (C) All proposed lots of record shall meet or exceed the lot size, dimension, and area requirements of any applicable zoning regulations of the County of McLean.
- (D) Outlots may not be built upon or developed except as provided by the McLean County Zoning Ordinance.
- (E) Rear, side, and front yard easements shall be for the use of public and private utility companies (gas, electricity, cable tv, water, sewer, etc.) as provided herein.
- (F) Where residential lots are abutting a collector or major street, a “no access strip” shall be depicted on such lots to prohibit vehicular access directly to such abutting collector or major street. A “no access strip” shall also be required for a distance of fifty (50) feet (15m) in each direction from any interior street intersection.
- (G) Boundaries of the subdivision shall be drawn to meet or exceed the following standards:
- (1) Error of closure of boundary line surveys shall not exceed 1:5000;
- (2) Angular error shall not exceed ± 20 seconds;
- (3) Lot line dimensions shall not be shown in feet and hundredths (meters and thousandths of a meter);
- (4) Angles occurring in any lot line between lot corners shall be shown in degrees, minutes, and seconds; and
- (5) Chord distances shall be shown either on the plat or on a table on a supplemental sheet.
- (H) In general, lots shall be as nearly rectangular in shape as practicable.
- (I) Dimensions of corner lots shall be large enough to allow for erection of buildings, observing the minimum front yard building setbacks required by the McLean County Zoning Ordinance from both streets.
- (J) Lot depths, widths, and setbacks shall conform to the requirements set forth in the McLean County Zoning Ordinance.
- (K) Depth and width of lots reserved or laid out for business, commercial, or industrial purposes shall be adequate to provide off-street parking facilities required for the type of use and development contemplated as regulated by the McLean County Zoning Ordinance.
- (L) Side lot lines shall generally be perpendicular to the right-of-way line and shall be designated as such when not perpendicular.
- (M) When a proposed subdivision borders undeveloped properties that could be developed, connecting stub streets shall be provided to adjacent properties so as to allow for a reasonable interconnecting street pattern.

Ordinances of the Village of Stanford

(N) When a proposed subdivision borders on a property that has a county-approved preliminary plan or final plat, the proposed subdivision shall connect to all existing or proposed stub connections.

(O) When a developer wishes to final plat a proposed subdivision in phases from an approved preliminary plan, he shall, after final platting fifteen lots or twenty-five percent (25%) of the lots on the approved preliminary plan, whichever is less, provide a second completed connecting entrance to the subdivision. At the time a total of seventy percent (70%) of the lots on an approved preliminary plat is being final plated, the developer shall complete all connecting street improvements as approved in the preliminary plan.

SECTION 150.22 PUBLIC USE AREAS.

When an area of land for public use, in addition to streets, alleys, pedestrian ways, and utility easements, is required by the Board of Trustees to be located in whole or in part in a subdivision, the subdivider shall designate on the Preliminary Plan and Final Plat that such land is reserved for public use. If such land is not acquired or arrangements made for acquisition by the Village, a school board, or other governmental body within one year after the date of recordation of the Final Plat, such land may thereafter be used by the subdivider for any use permitted by the zoning ordinance.

SECTION 150.23 ACCEPTANCE OF STREETS.

If any plat of a subdivision within the Village contains public streets or thoroughfares which are herein dedicated, such dedication shall not constitute an acceptance by the Village, Township, or County for maintenance purposes irrespective of any act or acts by an officer, agent, or employee of such Village, Township, or of McLean County with respect to such streets or improvements. The acceptance of such streets or thoroughfares shall be made only by the adoption of a resolution by the Board of Trustees after there has been filed with the Village Clerk certificates by the Engineer certifying that all improvements required to be constructed or installed in or upon such streets or thoroughfares, in connection with the approval of the Final Plat of subdivision have been fully completed and the construction or installation thereof has been approved by them.

SECTION 150.24 REQUIRED LAND IMPROVEMENTS.

Before a final plat of a subdivision may be approved by the Board of Trustees, the owner of a subdivision shall submit to the Highway Superintendent completed plans and specifications, prepared by a registered engineer, covering the improvements and utilities described in the subdivider's plat. All public improvement projects shall be completed in accordance with the most current editions of the Illinois Department of Transportation's "Standard Specifications for Road and Bridge Construction", the "Supplemental Specifications for Road and Bridge Construction", and the Standard Specifications for Water and Sewer Main Construction in Illinois". The Engineer shall certify in writing to the Board of Trustees that such improvements and utilities meet the minimum requirements of the Village, State, and other authorities having jurisdiction, and comply with the following:

(A) Sewers:

(1) Public or community sanitary sewerage system, including sewer stub terminals at the outside or curb lines or edge of pavement for each lot, shall be installed to serve all lots in a subdivision containing lots less than 22,500 square feet in area. Such installation shall be in accordance with the Illinois State Sanitary Water Board and McLean County standards and specifications.

Ordinances of the Village of Stanford

(2) Individual sewage disposal systems may be installed to serve lots containing 22,500 square feet or more in area, provided installation conforms with standards approved by the Board of Health and other applicable governmental authorities.

(B) Water Supply:

(1) Public or community water supply and distribution system, including water stub terminals extended to each lot, shall be installed to serve all lots in a subdivision containing lots less than 22,500 square feet in area. Such installation shall be in accordance with the Illinois Public Water Supply Law and McLean County standards and specifications. The required water supply and distribution system shall also include the installation of fire hydrants within the street rights-of-way, at locations and of the type and manner of installation in accordance with McLean County specifications.

(2) Individual wells may be installed on a lot containing not less than 22,500 square feet of lot area. Such installation shall conform to standards approved by the State Department of Public Health, the Board of Health, and other applicable governmental authorities.

(C) Protection and Restoration of Streets and Pavements:

Protection:

(1) All work within the public right-of-way shall be completed in accordance with the latest edition of the "Manual on Uniform Traffic Control Devices" as published by the Illinois Department of Transportation. The provisions of this Manual will be enforced whenever work is in progress within the existing roadway or adjacent to it or as required by the proper highway authority.

Lane closures will be required whenever construction is performed or vehicles are parked in a lane normally used for through traffic. Written permission for all lane closures must be obtained from the proper highway authority.

Required signing shall be in strict conformance with the Manual cited above. No construction shall commence until such time that all required signs and barricades have been erected. The contractor shall also be responsible for contacting police, fire, and school authorities of any closure.

(2) Open cut trenches shall be sheeted and braced as required by any governing federal or State laws and municipal ordinances, and as may be necessary to protect life, property, and the work.

(3) The contractor may, where working conditions and right-of-way permit, excavate pipeline trenches with sloping sides only above the top of the conduit.

(4) Contractor may utilize short tunnels to avoid obstructions such as trees, fire hydrants, sidewalks, and curbs.

(5) All excavated material shall be stockpiled such that it will not endanger the work and will avoid obstructing streets, sidewalks, driveways, watercourses, fire hydrants, valve pit covers, valve boxes, curb stops, and other utility controls.

(6) Any existing or new property or structures disturbed or damaged during construction shall be replaced or repaired to the satisfaction of the owner, at the contractor's expense.

(7) The utility companies shall be notified of a proposed project and the plans should indicate the general location of the utility main lines. It shall be the contractor's responsibility before beginning any construction to obtain from all utilities the exact locations of all underground facilities in the area of construction, whether shown on the plans or not. Any facilities disturbed by the contractor shall be repaired at the contractor's expense. J.U.L.I.E. (Joint Utility Location and Identification for Excavators) is the utility locating service in this area. Businesses and

Ordinances of the Village of Stanford

residences shall be notified a minimum of 24 hours in advance of any impending outages. No business or residence shall be without service overnight.

Restoration:

The contractor shall restore all public facilities, including but not limited to, pavements, sidewalks, driveways, curbs, gutters, trees, shrubs, lawn, fences, poles, and other structures and property removed or disturbed during or as a result of construction operations to a condition which is equal in appearance and quality to the condition that existed before the work began.

(1) All removal and replacement of pavements, sidewalks, driveways, curbs, and gutters shall be completed in accordance with all applicable sections of the “Standard Specifications for Road and Bridge Construction” and any special provisions contained herein. When removal is required for the installation of a conduit, the width of the removal shall exceed the actual trench width by one (1) foot (300mm) on each side. Removal of PCC sidewalk, pavement, driveways, curb, and gutter shall be to the nearest joint unless otherwise directed by the Engineer. For all PCC replacements, Class X concrete meeting the requirements of the “Standard Specifications for Road and Bridge Construction” shall be used.

(2) The type of removal and replacement of pavement shall be classed as follows:

(a) Type A patches shall apply to pavements that have existing aggregate base and bituminous surface.

(b) Type B patches shall apply to pavements that have existing concrete base and bituminous surface, brick base and bituminous surface, or bituminous base and bituminous surface.

(c) Type C patches shall apply to existing pavements that have existing brick surface or concrete surface. Reinforcement will be required where the existing pavement is presently reinforced.

(d) Type D patches shall apply to existing pavements that have existing brick surface that a municipality may have designated to be preserved.

(e) The limits of the pavement repair shall be saw cut in a rectangular pattern to a depth of not less than three (3) inches (75mm). Type A patches shall be a minimum of three (3) feet (1m) in width. Type B and C patches shall be a minimum of five (5) feet (1.5m) in width. For Type B and C patches the new pavement shall be shouldered one (1) foot (300mm) minimum on all sides of the excavation on undisturbed ground.

Whenever a series of Type A or B patches are made in such a manner so as to leave less than five (5) feet (1.5m) of undisturbed bituminous surface between adjacent patches, it shall be required that the bituminous surface between the patches be removed and the entire area resurfaced.

PCC pavements shall be repaired in accordance with the typical detail shown for Type C patching. Whenever a pavement patch is less than four (4) feet (1.3m) from the pavement edge, contraction joint, crack, etc., the pavement patch shall be enlarged to meet the edge, joint, or crack and the entire excavated area paved as one patch.

The limits of the pavement removal on all PCC pavements shall be extended to the nearest contraction or expansion joint.

The limits of pavement removal on Type D patching shall be in such a manner that whole bricks will be used in the replacement and that the replaced brick course extends beyond the limits of the concrete base course.

(f) All utility trenches shall be a minimum of 18 inches (450mm) in width and shall be backfilled with trench backfill. Trench backfill shall be required to a width not less than five (5) feet (1.5m) outside the edge of the pavement on streets with a rural cross-section or two (2) feet (.5m) behind the curb for an urban cross-section. Material for trench backfill shall comply with Article 1003.04 of the Standard Specifications. With the approval of the Engineer, “controlled low strength material” may be used in lieu of aggregate for trench backfill.

Ordinances of the Village of Stanford

(g) Porous granular material shall be placed full width in all utility trenches in layers not to exceed 6 inches (150mm) in thickness and compacted by mechanical means. The porous granular material shall extend to the existing ground level but not higher than the subgrade elevation. With approval of the Engineer, the contractor may compact the trench backfill by means of jetting. Should jetting be used, all trenches shall be allowed to dry before any base course or surface may be constructed.

(h) After completion of backfilling the excavation, a temporary asphalt surface shall be placed as soon as possible or as directed by the local highway authority with a minimum thickness of 3 inches (75mm). The excavation contractor shall maintain this surface until the permanent patch is constructed.

(i) Traffic control procedures and guidelines shall be followed to the fullest extent.

(j) The type of driveway replacement required shall depend on the existing type:

- An existing concrete driveway shall be replaced with a Portland Cement Concrete surface six (6) inches (150mm) thick.
- An existing bituminous surface driveway shall be replaced with an eight (8) inch (200mm) aggregate base and three (3) inches (75mm) of bituminous concrete surface.
- An existing aggregate driveway shall be replaced with eight (8) inches (200mm) of aggregate with the top four (4) inches (100mm) being the same material as the existing.

(k) Sidewalk shall be replaced to the same depth and width as the existing unless otherwise directed by the Engineer. One-half (1/2) inch (12mm) thick performed expansion joints shall be placed at locations abutting existing work and at 50-ft (15m) intervals in the new walk.

(l) Curb and gutter shall be replaced to the dimensions and cross-section as the existing. One-half (1/2) inch (12mm) thick performed expansion joints shall be placed at the junction of the existing work and at all points of curvature.

(m) All existing drain tile lines which cross the trench of a proposed sanitary sewer, storm sewer, water main and services shall be accurately recorded and marked in the field by the contractor. Upon completion of the installation of the underground utilities, the contractor shall furnish a copy of all drain tile locations to the Engineer. The Engineer shall analyze these locations and determine if the tiles should be reconnected, connected to the storm sewer or any other tile line, which may be in the area, or be rerouted through drainage easements to acceptable outlets. All tiles crossing the proposed right-of-way shall either be replaced and approved by the Engineer or shall be removed to a point of five (5) feet (1.3m) outside of the proposed right-of-way line.

All drain tile lines reconstructed or connected to a storm sewer system or collection tile system shall be constructed of either PVC water main with slip-on joints up to twelve (12) inch (300mm) or reinforced concrete storm sewer pipe of Class 3 or Class 4 as required by depth. Drain tiles not reconnected shall be plugged in an approved manner as directed by the Engineer.

Drain tiles to be reconnected shall be repaired so that carrying capacity shall not be impaired. Drain tile shall be repaired with PVC SDR 26 pipe, a minimum of two (2) inches (50mm) larger diameter than the severed tile. The length of the plastic pipe shall be such that it bears a minimum of two (2) feet (.6m) on undisturbed soil on each side of the trench, with each field tile to plastic pipe junction encased in concrete. All repairs shall be inspected and approved by the Engineer prior to backfilling. Compacted granular backfill shall be required. The plastic pipe to drain tile junction shall be wrapped with burlap or other material approved by the Engineer prior to encasement to prevent concrete from entering the flow line of the pipe.

(n) All vegetative areas disturbed during construction shall be restored by furnishing and placing topsoil to a minimum depth of four (4) inches (100mm) and seeding and mulching of the area in accordance with the "Standard Specifications for Road and Bridge Construction" or other written specifications or as directed by the Engineer. All agricultural areas disturbed during construction shall be restored by replacing the original topsoil from the area over the top of the disturbed area so that the finished surface shall be level and smooth and contain all of the original topsoil at approximately the same depth as prior to construction. No soil shall be removed from the areas designated for agricultural surface restoration without the express written consent of the owner or his designated representative.

Ordinances of the Village of Stanford

(o) Before acceptance of underground conduit construction, all pipes, manholes, catch basins, fire hydrants, and other appurtenances shall be cleaned of all debris and foreign material.

All streets shall be improved with roadway pavements to an overall width in accordance with the following minimum dimensions:

PAVEMENT WIDTH (Between back of curbs or outer edges of roadway pavement)			
Type of Street	Subdivisions Without Curb	Residential Subdivisions With Curb	Manufacturing or Business Sub. With Curb
a. Major	24 feet	44 feet	44 feet
b. Collector	24 feet	36 feet	44 feet
c. Minor	22 feet	30 feet	40 feet
d. Cul-de-sac	22 feet	30 feet	40 feet
e. Frontage Road	22 feet	30 feet	40 feet

f. Thoroughfares - In accordance with federal, State, County, or local requirements.

g. Roadway pavements in a cul-de-sac street turn-around shall have a minimum diameter, measured from edge of pavement to edge of pavement, of 120 feet for residential, manufacturing and business subdivisions. Roadway pavements in "Y" and "T" type or other type of turning area shall be as required by the County Board.

(D) Public Utilities:

(1) All utility lines for telephone and electric service carried on overhead poles shall be placed in easements along rear lot lines, and when necessary, side lot lines.

(2) Gas service lines and telephone and electric service lines when located underground, shall be placed in easements or dedicated streets in a manner which will not conflict with other underground services. Further, all transformer boxes shall be located so as not to be unsightly or hazardous to the public.

(3) All drainage and underground utility installations which traverse privately owned property shall be located in easements.

SECTION 150.25 FEE FOR FILING PRELIMINARY PLAN.

A fee of \$10.00 per lot with a minimum fee of \$200.00 shall be paid by the subdivider to the Village Clerk at the time of filing the Preliminary Plan.

SECTION 150.26 FEE FOR REVIEW OF CONSTRUCTION PLANS AND SPECIFICATIONS.

The cost incurred by the Village for the review of plans and specifications for land improvements by the Village Engineer and the Township Highway Commissioner shall be paid by the subdivider. Such costs shall be paid to the Village Clerk at the time of application for approval of a final plat.

Ordinances of the Village of Stanford

SECTION 150.27 ZONING AND OTHER APPLICABLE ORDINANCES.

No permit as regulated by the zoning ordinance shall be issued by any governing official for the establishing of any building, structure and the use thereof, or improvement of land and the use thereof when no buildings or structures are involved within a subdivision which has been approved for platting until there is compliance with all requirements of this Chapter.

SECTION 150.28 OCCUPANCY PERMIT.

No occupancy permit shall be granted for the use of any building, structure, or land improvement within a subdivision approved for platting or re-platting until required utility facilities have been installed and made ready to service the building, structure, or land improvement; and that roadways providing access to the lot or lots containing such improvements have been constructed or are in the course of construction and are suitable for vehicular traffic.

SECTION 150.29 VARIATIONS.

The Board of Trustees may grant variations from these requirements in specific cases, which, in its opinion, do not affect the intent of this Chapter.

SECTION 150.30 ENFORCEMENT.

No plat of any subdivision shall be entitled to record in the Recorder's Office or have any validity until it shall have been approved in a manner prescribed in this Chapter.

SECTION 150.31 RECORD OF PLATS.

All of such plats of subdivisions, after the same have been submitted and approved as provided in this Chapter, shall be filed and kept by the County Clerk among the records of McLean County.

SECTION 150.32 VALIDITY.

If any section, subsection, sentence, clause, or phrase of this Chapter is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Chapter.

SECTION 150.99 PENALTY.

Any person, firm, corporation, association, agent, or legal representative violating the provisions of this Chapter or failing to do any of those things this Chapter requires to be done shall be subject to the general penalty provision of this Stanford Municipal Code. Each day a violation occurs shall constitute a separate offense.

CHAPTER 151: ZONING

Section

151.01 Title

151.02 Purpose

Ordinances of the Village of Stanford

- 151.03 Scope
- 151.04 Rules of construction
- 151.05 Definitions
- 151.06 Non-conforming uses
- 151.07 Map
- 151.08 Annexation
- 151.09 District A regulations: single family residence
- 151.10 District B regulations: multiple family residence
- 151.11 Former District C regulations: single mobile home
- 151.12 District D regulations: mobile home park
- 151.13 District E regulations: business
- 151.14 District F regulations: industrial
- 151.15 Parking spaces
- 151.16 Administration and enforcement
- 151.17 Building Inspector
- 151.18 Board of Appeals
- 151.19 Building permit
- 151.20 Occupancy permit
- 151.21 Appeals
- 151.22 Variations
- 151.23 Amendments
- 151.24 Fees
- 151.25 Economic development waivers

- 151.99 Penalty

SECTION 151.01 TITLE.

This ordinance and Chapter shall be known and cited as the Village of Stanford Zoning Ordinance.

SECTION 151.02 PURPOSE.

This Chapter is adopted for the following purposes:

- (A) Promoting the public health, safety, comfort, morals, convenience, and general welfare;
- (B) Securing adequate light, pure air, and safety from fire and other dangers; and
- (C) Concerning the taxable value of land and buildings in the Village of Stanford.

SECTION 151.03 SCOPE.

This Ordinance regulates the use of land within the corporate limits of the Village of Stanford.

SECTION 151.04 RULES OF CONSTRUCTION.

The language set forth in the text of this Ordinance shall be interpreted in accordance with the following rules of construction:

- (A) The singular includes the plural and the singular;

Ordinances of the Village of Stanford

- (B) The present tense includes the past and the future tenses and the future includes the present;
- (C) The word *shall* is mandatory while the word *may* is permissive;
- (D) The masculine gender includes the feminine and neuter.

SECTION 151.05 DEFINITIONS.

For the purposes of this Chapter, the following words and phrases described in this Section shall have the meanings designated, except where a particular context clearly requires a different meaning:

Accessory Building. A structure that:

1. is subordinate in area, extent and purpose to the principal use;
2. contributes to the comfort, convenience or necessity of the principal use;
3. is located on the same lot and in the same zoning district as the principal use.

Building. Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals and property.

Business Establishment. A commercial or mercantile enterprise customarily engaged in the sale of goods or the providing of services for profit.

Dwelling. A building designed for residential living purposes and containing one or more dwelling units and/or lodging units.

Family. One or more persons, each related to the other by blood, marriage, or legal adoption or a group of not more than three persons not so related who maintain a common household in a dwelling unit.

Frontage. All property on one side of a street between two intersecting streets (crossing or terminating), measured along the line of the street, or if the street is dead ended, then all of the property abutting on one side between an intersecting street and the dead end of the street.

Home Occupation. Any business or profession carried on by a member of the immediate family residing on the premises, in connection with which:

- (A) There are no signs, other than a permitted nameplate when attached to a principal building and no activity that will indicate from the exterior that the building is being used in whole or in part for any purpose other than that of a dwelling;
- (B) There are no commodities sold, or services rendered that require receipt and delivery of merchandise, goods, or equipment by other than a passenger motor vehicle or by first class mail;
- (C) There is no more than one person other than one additional member of the immediate family residing on the premises employed or otherwise engaged;
- (D) There are no accessory buildings used in whole or in part.

Industry. Any use in which the major activity is the treatment, processing, rebuilding, repairing, or wholesale storage of material, products, or items and where the finished product is not acquired by the ultimate user on the premises, as distinguished from a retail use where the treatment, processing, repairing, or storage is secondary to the sale, exchange, or repairing of materials or products on the premises.

Lot. A parcel of land occupied or intended for occupancy by a single use permitted in this Ordinance, including one (1) main building together with its accessory buildings, the open spaces and parking spaces required by this Chapter, and having its principal frontage upon a street or upon an officially approved place.

Ordinances of the Village of Stanford

Lot of Record. A numbered lot in a recorded plat of a subdivision.

Map. The Zoning District Map of the Village of Stanford, as amended from time to time.

Mobile Home Park. A tract of land under one ownership, developed with facilities for locating two or more mobile homes, to be used only by non-transient dwellers on a month-to-month basis, whether for rent or not, but does not include a sales lot where unoccupied mobile homes are parked for the purpose of inspection for sale.

Multiple Family Residence. A building designed for or occupied exclusively by more than one family, and having separate cooking, living, sanitation, and sleeping facilities for each family.

Non-conforming Use. Any use of a building or land lawfully in existence at the time of passage of this zoning ordinance or subsequent amendments thereto, which does not conform to the use requirement of the district in which it is located.

Parking Space. An area, whether enclosed or unenclosed, of not less than 20 feet in length and 9 feet in width, having continuous unobstructed access from Village streets or alleys, and used for the purpose of parking motor vehicles.

Portable. Any building that does not touch the ground with its own floor or footing, has no permanent electrical service and has no septic or sewer service.

Single Family Dwelling. A building designed and used by one family, but does not include a single mobile home as defined in this Chapter.

Single Mobile Home. A vehicle or semi-portable structure, having a permanently attached chassis to permit it being used as a conveyance upon the street or highway and designed to permit the occupancy thereof as a dwelling place for one or more persons and which has toilet and bath or shower facilities, whether or not it is placed on a permanent foundation with its hitch and rolling equipment removed, and whether or not any structure has been attached to it as an addition.

Single Modular Home. A structure, transportable in one or more sections which in traveling mode is eight (8) body feet or more in width of forty (40) body feet or more in length, and when erected on site, is 1,000 or more square feet and which is designed to be used as a dwelling with a permanent foundation when connection with the required utilities, and includes plumbing, heating, and electrical systems contained therein. In addition, a modular home must be permanently placed on a permanent foundation extending below the frost line. Further, a modular home must have an Illinois seal on the electrical panel box indicating that it has been approved by the Illinois Department of Public Health.

Storage Shed. A portable accessory building with no foundation placed on soil or a concrete pad matching the existing grade of the property. A storage shed shall not exceed 10'x12'. The side walls of the storage shed shall not exceed 8' in height.

Street. Includes the entire right-of-way owned by the Village upon which the traveled street, and any sidewalk, is or may be located.

Structure. Anything constructed or erected whether permanent or temporary that has a projection of six inches or more above grade and a base greater than 12 square feet. However, this shall not include underground or surface structures such as tunnels, future foundations or swimming pools in whole or in part below grade.

Yard, Front. A yard extending across the front of a lot between the side lot lines, and being the minimum horizontal distance between the street line and the main building or any projection thereof other than the projection of the usual steps.

Ordinances of the Village of Stanford

Yard, Rear. A yard extending across the rear of a lot, measured between the side lot lines, and being the minimum horizontal distance between the rear lot line and the main building or any projections other than steps. On corner lots, the rear yard shall be considered as parallel to the street upon which the lot has its least dimension. On both corner lots, the rear yard shall in all cases be at the opposite end of the lot from the front yard.

Yard, Side. A yard between the main building and the side line of the lot, and extending from the front yard to the rear yard.

SECTION 151.06 NON-CONFORMING USES.

The use of property, which does not conform to the district in which it is located on the effective date of this Chapter, shall continue, subject to the following restrictions:

(A) Expansion:

Non-conforming uses shall be expanded only through the acquiring of a variation by the owner pursuant to the provisions of this Chapter.

(B) Destruction:

No non-conforming building which has been damaged to the extent of fifty percent (50%) of its value shall be restored unless such restoration shall conform to the use requirements of the district in which it is located.

(C) Discontinuance:

If a non-conforming use is discontinued for a period of twelve (12) consecutive months, it shall not thereafter be renewed, and any subsequent use shall conform to the use regulations of the district in which it is located.

SECTION 151.07 MAP.

The location and boundaries of the districts established by this Chapter are set forth on the “Zoning District Map” which is incorporated herein and hereby made a part of this Chapter. The map shall be filed with the Village Clerk and certified copies thereof, as amended from time to time, shall be available to the public in the office of the Building Inspector.

SECTION 151.08 ANNEXATION.

Additions to the incorporated area of the Village of Stanford shall automatically be classified District A: Single Family Residence.

SECTION 151.09 DISTRICT A REGULATIONS: SINGLE FAMILY RESIDENCE.

The following regulations, together with those set forth elsewhere in this Chapter, regulate the Single Family Residence District.

(A) Use – The following uses and no others shall be permitted in the District:

(1) Single-family dwellings that are located at least 1,000 feet from any farmland that is designated now or hereinafter by the Village as the site of a future sewer treatment facility or is used as a sewage treatment facility.

Ordinances of the Village of Stanford

- (2) Churches;
- (3) Public schools and private schools offering a curriculum substantially the same as a public school;
- (4) Public parks and playgrounds;
- (5) Public libraries;
- (6) Other public buildings;
- (7) Accessory buildings;
- (8) Home occupations, if conducted within a single-family dwelling;
- (9) Single-family modular homes;
- (10) A single mobile home on a lot under Section 151.11(A) or a single mobile home that replaces a mobile home pursuant to Section 151.11(A).

(11) Field crops may continue to be raised on any property that had field crops raised on existing tracts of property in the calendar year 2005 and field crops may also be raised on any individual tracts of property that is zoned A, consists of only one recorded platted lot and contains at least 1.75 acres.

(12) A cell phone tower on a single platted lot of more than five (5) acres.

(B) Lot Size – Every lot upon which a building is erected shall have an area of no less than 9,100 square feet and shall conform to the following yard requirements:

- (1) Front yards shall not be less than 20 feet in depth and have not less than 70 feet of frontage;
- (2) Side yards abutting on a street shall be not less than 20 feet wide. Two side yards shall have a combined width of not less than 15 feet but neither side yard shall be less than 7 feet in width;
- (3) Rear yards shall be not less than 40 feet in depth.

(C) Lot Size of Lots and Record – Uses permitted in this District may be erected on a lot of record existing on the effective date of this Chapter even though such lot does not conform to the lot size requirements of this District, provided that:

- (1) Front yards shall not be less than 20 feet in depth;
- (2) Two side yards shall have a combined width of not less than ten (10) feet with either side yard less than five (5) feet in width;
- (3) Rear yards shall not be less than 30 feet in depth.

(D) Location of Accessory Buildings – Accessory buildings shall only be constructed in the rear yard or side yard of a lot. Accessory buildings shall not be less than five (5) feet from the lot line and not less than five (5) feet from the principal building. Any accessory building that is constructed on a side yard must be parallel with the principal building or located to the rear of the principal building.

SECTION 151.10 DISTRICT B REGULATIONS: MULTIPLE FAMILY RESIDENCE.

The following regulations, together with those set forth elsewhere in this Chapter, regulate the Multiple Family Residence District.

(A) Use – The following uses, and no others shall be permitted in this District:

Ordinances of the Village of Stanford

- (1) Uses permitted in District A: Single Family Residence;
 - (2) Multiple family residences;
 - (3) Accessory buildings;
 - (4) Multiple family modular homes.
- (B) Lot Size – Every lot upon which a building is erected shall have an area of not less than 9,100 square feet and shall conform to the following yard requirements:
- (1) Front yards shall be not less than 20 feet in depth and shall have not less than 70 feet of frontage;
 - (2) Side yards abutting on a street shall not be less than 20 feet wide. Two wide yards shall have a combined width of not less than fifteen (15) feet but either side yard shall be less than seven (7) feet in width;
 - (3) Rear yards shall not be less than 40 feet in depth.
- (C) Lot Size of Lots of Record – Uses permitted in this District may be erected on a lot of record existing on the effective date of this Chapter even though such lot does not conform to the lot size requirements of this District, provided that:
- (1) Front yards shall not be less than twenty (20) feet in depth;
 - (2) Two side yards shall have a combined width of not less than ten (10) feet with either yard less than five (5) feet in width;
 - (3) Rear yards shall not be less than thirty (30) feet in depth.
- (D) Location of Accessory Buildings – Accessory buildings shall be constructed only in the rear yard of a lot and shall not be less than five (5) feet from lot line and not less than five (5) feet from the principal building.

SECTION 151.11 FORMER DISTRICT C REGULATIONS: SINGLE MOBILE HOME.

There shall no longer be in the Village of Stanford any Single Mobile Home District. All land that was previously zoned District C: Single Mobile Home, was rezoned to District A: Single Family Residence. The following regulations, together with those set forth elsewhere in this Chapter, shall regulate single mobile homes that were placed in the previous District C: Single Mobile Home, and any other mobile homes located in the Village of Stanford. (Reference: Village of Stanford Ordinance No. 9-96, effective October 17, 1996.)

- (A) Replacement of Existing Mobile Home – Any mobile home that was previously located on property previously zoned District C: Single Mobile Home, or otherwise previously located in the Village of Stanford, shall continue to be allowed to remain on said property. In the event that any such mobile home is destroyed or removed for any reason, it may be replaced with a single-family residence, a modular home, or a mobile home or equal or greater size in width and length. Any mobile home that replaces an existing mobile home, pursuant to the foregoing provisions, shall have its wheels permanently removed, shall be placed on a permanent foundation and sidewalks must be installed on the lot that the replacement mobile home is installed on even if sidewalks are not then in existence. In the event that there are already sidewalks on the property any sidewalks that are determined by the Village to be in need of repair or replacement shall be replaced and/or repaired by the property owner. Also, the property owner must furnish proof to the Village of Stanford that the mobile home tax assessment has been changed from personal property tax assessment to real estate tax assessment. All relevant information must be furnished by the property owner to the McLean County Supervisor of Assessments and/or Allin Township Tax Assessor concerning the change in tax status of the replacement mobile home from personal property to real property. All of the foregoing restrictions are pre-requisites to a replacement mobile home being located in the Village of Stanford. All sidewalks that are required to be installed, replaced or repaired under this Section of the Village Code shall be

Ordinances of the Village of Stanford

located from the Village right of way to the front door or front step of the replacement mobile home and shall be at least four feet in width for the entire length of the sidewalk. All such sidewalks shall remain private property and shall not become public sidewalks.

(B) Lot Size – Every lot upon which a permitted use is erected shall have an area of no less than 9,100 square feet and shall conform to the following requirements:

- (1) Front yards shall not be less than 20 feet in depth and have not less than 70 feet of frontage;
- (2) Side yards abutting on a street shall not be less than 20 feet wide. Two side yards shall have a combined width of not less than 15 feet but either side yard shall be less than 7 feet in width.
- (3) Rear yards shall not be less than 40 feet in depth.

(C) Lot Size of Lots of Record – Uses permitted in this District may be erected on a lot of record existing on the effective date of this Chapter even though such lot does not conform to the lot size requirements of this District, provided that:

- (1) Front yards shall not be less than 20 feet in depth;
- (2) Two side yards shall have a combined width of not less than 10 feet with either side yard less than 5 feet in width;
- (3) Rear yards shall not be less than 30 feet in depth.

(D) Location of Accessory Buildings – Accessory buildings shall be constructed only in the rear yard of a lot and shall be at least a distance of five (5) feet from the principal building.

SECTION 151.12 DISTRICT D REGULATIONS: MOBILE HOME PARK.

The following regulations, together with those set forth elsewhere in this Chapter, regulate the Mobile Home Park.

(A) State Law – This article incorporates the provisions of The Mobile Home Park Act, 210 ILCS 115/1 et seq., as amended, which regulate trailer coach parks, and is intended to supplement the State requirements. Nothing in this Article is intended to conflict with State requirements except that “Dependent Trailer Coaches” or “Dependent Mobile Homes” shall not be permitted in the Village of Stanford.

(B) Use – The following uses, and no others, shall be permitted in this District:

- (1) Mobile Home Park;
- (2) Accessory buildings.

(C) Water and Sewage – Each mobile home shall have a separate water supply connection and shall comply with the County Sewage Disposal requirements.

(D) Parking Surface – The surface upon which each mobile home in this District is parked shall be on all-weather material.

(E) Surface of Streets and Driveways – All streets and driveways in this District shall be constructed of an all-weather material.

SECTION 151.13 DISTRICT E REGULATIONS: BUSINESS.

The following regulations, together with those set forth elsewhere in this Chapter regulate the Business District.

Ordinances of the Village of Stanford

(A) Use – The following uses, and no others, shall be permitted in this District. However, none of the permitted uses in District E shall be converted for residential dwelling for either one or more than one family on the ground floor and no dwelling structure shall be erected for one or more than one family that provides for dwelling use on the first floor of any such structure:

- (1) Uses permitted in District A: Single Family Residence;
- (2) Uses permitted in District B: Multiple Family Residence;
- (3) Business establishments;
- (4) Accessory buildings.

(B) Water and Sewage – Each business establishment in this District shall have an adequate supply of potable water under sufficient pressure, and facilities for its sewage disposal and surface water run-off needs.

SECTION 151.14 DISTRICT F REGULATIONS.

The following regulations, together with those set forth elsewhere in this Chapter, regulate the Industrial District.

(A) Use – The following uses, and no others, shall be permitted in this District:

- (1) Business establishments;
- (2) Industries;
- (3) Accessory buildings.

(B) Lot Size – No lot size requirements need be met by District F.

(C) Water and Sewage – Each business establishment and industry in this District shall have an adequate supply of potable water under sufficient pressure, and facilities adequate for its sewage disposal and surface run-off needs.

(D) Setback: Any temporary or permanent grain structures that are erected in District F, Industrial, shall be at least 150 feet from the lot line of any residential lot in any adjoining residential district and any other structures erected in a District F, Industrial, shall be at least 30 feet from the lot line of any lot in any adjoining residential district.

SECTION 151.15 PARKING SPACES.

Generally, the following regulations govern parking spaces in the Village of Stanford:

(A) Single Family Residence – One off-street parking space shall be provided on the lot occupied by the residence or within 300 feet of the lot.

(B) Churches – Off-street parking shall be provided on the lot occupied by the church or within 200 feet of it in the ratio of one parking space to every eight seating spaces provided in the church sanctuary.

(C) Multiple Family Residence – Off-street parking shall be provided on the lot occupied by the residence or within 300 feet of it in the ratio of one parking space to each family living in the residence.

(D) Business – No parking spaces need to be provided in District E: Business by the operator of a business enterprise except any authorized single family residence and multiple family residence that is located in the business district shall provide the required parking spaces set forth in Section 151.15(A) for Single Family Residence and Section 151.15(C) for Multiple Family Residence. If a building or structure has business establishments and residential establishments located in the same building, the parking requirements set forth herein shall apply to the owner of the single family or multiple family residence.

Ordinances of the Village of Stanford

- (E) Industry – No parking spaces need to be provided in District F: Industrial by the operator of the industry.
- (F) Single Mobile Home – One off-street parking space shall be provided on the lot occupied by the single mobile home or within 300 feet of the lot.
- (G) Mobile Home Park – One off-street parking space shall be provided on the lot occupied by the mobile home or within 300 feet of the mobile home for each mobile home within the park.

SECTION 151.16 ADMINISTRATION AND ENFORCEMENT.

- (A) The administration and enforcement of this Chapter is vested in the President and the Board of Trustees, the Building Inspector, and the Zoning Board of Appeals.
- (B) The creation and duties of the administering offices as well as special rules regarding:
 - (1) Building permits;
 - (2) Occupancy permits;
 - (3) Appeals;
 - (4) Variations;
 - (5) Amendments;
 - (6) Fees; and
 - (7) Penalties.

These items are set forth in the Sections which immediately follow.

SECTION 151.17 BUILDING INSPECTOR.

- (A) Creation – The President and the Board of Trustees shall provide for the appointment of a Building Inspector to serve to such a term and at such a salary as the Board of Trustees and the President may determine.
- (B) Duties – The Building Inspector shall enforce this Chapter and in furtherance of such authority, shall:
 - (1) Determine the conformance of applications for building permits with the requirements of this Chapter;
 - (2) Issue all building permits and make and maintain records thereof;
 - (3) Issue all certificates of occupancy and make and maintain records thereof;
 - (4) Conduct inspections of buildings, structures, and use of land to determine compliance with the terms of this Chapter;
 - (5) Maintain permanent and current records of this Chapter including, but not limited to, all maps, amendments, variations, appeals, and applications therefore, and designate on the zoning map each amendment and land use variation;
 - (6) Receive, file, and forward to the Zoning Board of Appeals all applications for appeals, variations, or other matters on which the Zoning Board of Appeals is required to pass under this Chapter;

Ordinances of the Village of Stanford

(7) Prepare and file a written report of activities with the Board of Trustees prior to the first meeting of each fiscal year.

SECTION 151.18 BOARD OF APPEALS.

(A) Creation – The President and the Board of Trustees shall provide for the appointment of a Board of Appeals consisting of seven (7) members to serve respectively for the following terms:

- One for one year;
- One for two years;
- One for three years;
- One for four years;
- One for five years;
- One for six years; and
- One for seven years.

The successor to each member so appointed shall serve for a term of five years.

(B) Membership –

- (1) One of the members shall be appointed Chairman.
- (2) The amount of compensation to be paid to members, if any, shall be fixed by the President and the Board of Trustees.
- (3) The President and the Board of Trustees have the power to remove any member for cause and after public hearing.
- (4) Vacancies shall be filled for the un-expired term of the member whose place has become vacant.

(C) Meetings – The following rules govern meetings of the Board of Appeals:

- (1) All meetings of the Board of Appeals shall be held at the call of the Chairman and at such other times as the Board may determine.
- (2) The Chairman, or in his absence the Acting Chairman, may administer oaths and compel the attendance of witnesses.
- (3) All meetings of the Board shall be open to the public.
- (4) The Board shall keep minutes of its proceedings, showing the vote of each member upon every question, or if absent or failing to vote, indicating, the fact, and shall also keep records of its examinations and other official actions.
- (5) No hearings shall be conducted without a quorum of the Board being present, which shall consist of a majority of all the members.
- (6) Any absent member who certifies that he has read the transcript of the proceedings before the Board may vote upon any question before the Board.
- (7) Every finding of fact, rule, regulation, and every amendment or repeal thereof, and every order, requirement, recommendation, decision, or determination of the Board shall immediately be filed with the Village Clerk and shall be public record.
- (8) The Board shall adopt its own rules of proceeding.

Ordinances of the Village of Stanford

(D) Jurisdiction –

(1) The Board of Appeals shall hear and decide appeals from and review any order, requirement, decision, or determination by the Building Inspector, and shall also hear and decide all matters referred to it or upon which it is required to pass under this Chapter.

(2) A vote of four members of the Board shall be required to reverse any order, requirement, decision, or determination of the Building Inspector, or to decide in favor of an applicant upon any matter which it is required to pass under this Chapter or to effect any variation in the Chapter or to recommend any amendment to variation or modification in this Chapter to the corporate authorities.

(3) The Board of Appeals shall initiate, direct, and review from time to time, studies of the provisions of this Chapter, and report his recommendations to the President and the Board of Trustees not less frequently than one each year.

(4) The Board of Appeals shall direct that the Village Clerk enter changes to the Zoning Districts on the Zoning District Map as they are made.

SECTION 151.19 BUILDING PERMIT.

(A) Requirements - a building permit shall be required for an addition to a building, accessory building, structure or part thereof, for the relocation of a building, structure, or part thereof; whether relocated on the same lot or onto any lot under the jurisdiction of this ordinance; or, for any structural alteration which will result in changing the use of all or any part of a building structure. However, no building permit shall be required for one storage shed per platted lot that is not constructed on a septic system and that complies with the building setback requirements. No building permit shall be issued until the McLean County Health Department has approved the septic system. No construction shall be commenced until a building permit has been issued.

(B) Procedure –

(1) Every applicant for a building permit shall submit an application in writing which contains:

- (a) The name and address of the owner of the lot;
- (b) Location of the lot;
- (c) The contractor;
- (d) The use contemplated for the building; and
- (e) A certified statement fixing the value the building will have when completed.

(2) There shall be attached to the application a drawing or plat showing:

- (a) The plot plan;
- (b) The location of the building on the lot;
- (c) The accurate dimensions drawn to scale of the building and the lot; and
- (d) Such other information as may be necessary to provide for the enforcement of these regulations.

(3) There shall be attached to the application a written certificate from the McLean County Health Department indicating that the Department examined and approved the existing septic system, if any, at the time of installation, or has approved the location of the proposed building or addition to building on the site. No building permit may be issued until these requirements have been met.

Ordinances of the Village of Stanford

(C) Expiration of Building Permits –

(1) If the work described in any building permit has not begun within 180 days from the date of issuance or if the building operations under any permit are suspended for a period of 180 days, said permit shall expire and shall be canceled by the Building Inspector, who shall give written notice thereof to the permit holder.

(2) If the work described in any building permit has not been substantially completed within two (2) years from the date of issuance, said permit shall expire and shall be canceled by the Building Inspector, who shall give written notice thereof to the permit holder. In the event of such cancellation, further work shall not be undertaken unless and until a new building permit has been obtained.

(D) Fences -- No fence shall be erected in the Village of Stanford without first obtaining a building permit from the Building Inspector. No building permit shall be granted by the Building Inspector in the event that a fence encloses any public utility. Any fence erected shall not exceed 8 feet in height. No fence erected shall have any barbed wire or electricity attached to it except for an electric fence erected on a single platted lot that contains at least 1.5 acres.

SECTION 151.20 OCCUPANCY PERMIT.

(A) Requirement – No vacant land shall be used or new construction occupied until the user or occupant shall obtain an Occupancy Permit or Temporary Occupancy Permit from the Building Inspector.

(B) Temporary Occupancy Permit – Pending the issuance of a regular Occupancy Permit, a Temporary Occupancy Permit may be issued for a period not to exceed one (1) year while the new construction is being completed, provided however, that no occupancy permit shall issue until:

- (1) All of the utilities, including heat, have been completely installed; and
- (2) The entire exterior is enclosed.

(C) Procedure –

(1) Every applicant for an Occupancy Permit shall file a statement with the Building Inspector showing that the building is completed and complies with this Chapter;

(2) Every application for an Occupancy Permit shall be accompanied by a written certification issued by the McLean County Health Department indicating that the Department has inspected the sewage system of the applicant and that the system complies with the County requirements and is approved;

(3) After determining that the building complies with this Chapter, the Building Inspector shall issue an occupancy permit which shows that the requirements of this Chapter have been met, and retain a copy in his file;

(4) Every application for a Temporary Occupancy Permit shall be accompanied by a statement covering the items of work to be completed and the reasons that the Temporary Occupancy Permit is requested;

(5) The Building Inspector may extend the one-year period covered by the Temporary Occupancy Permit for an additional period of not more than six (6) months only upon showing of hardship by the holder of the permit.

SECTION 151.21 APPEALS.

(A) Initiation – An appeal may be taken to the Zoning Board of Appeals by any person aggrieved by a decision, order, or requirement of the Building Inspector.

(B) Procedure – The aggrieved party shall file a written appeal outlining his grievance in the office of the Building Inspector, who shall forward it to the Zoning Board of Appeals.

Ordinances of the Village of Stanford

(C) Hearing and Recommendation – The Zoning Board of Appeals shall select a reasonable time for hearing of the appeal and, upon notice to the person filing the appeal and pursuant to such hearing, shall forward its decision in the form of a recommendation to the Board of Trustees.

(D) Review – The decision of the Board of Trustees shall be the final administrative determination of the issue in the Village of Stanford and further judicial review must be pursued in the courts.

SECTION 151.22 VARIATIONS.

Upon a showing by a property owner that a strict application of the terms of this Chapter relating to the use of land imposes upon him practical difficulties or particular hardships, and upon application to the Board of Appeals and pursuant to the published notice and hearing and in accordance with the standards set forth below, the Board may make such variation of the strict application of the terms of this Chapter as is in harmony with its general purpose and intent.

(A) Standards for Granting Variations – The Board of Appeals shall grant a variation of this Chapter only upon a showing that:

- (1) The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in a particular district;
- (2) The plight of the owner is due to unique circumstances; and
- (3) The variation if granted will not alter the essential character of the locality.

(B) Authorized Variations – The Zoning Board of Appeals shall have the power to grant variations only in the following authorized instances:

- (1) To permit a yard less than the yard required by the applicable regulations;
- (2) To vary the yard regulations where, in the opinion of the Board, such variance would permit a more reasonable or sensible arrangement of buildings on the lot and would not be unduly prejudicial to the rights of adjoining or neighboring property owners;
- (3) To vary the parking regulation where an applicant demonstrates conclusively that the specific use of a building would make unnecessary the parking spaces required by this Chapter;
- (4) To vary the yard regulations to permit glassing in or extending existing front porches where in the opinion of the Board such variance would not materially change the character of the neighborhood;
- (5) To permit the enlargement of non-conforming uses.
- (6) To vary the height requirements and setback requirements for a fence.

(C) No application for variance shall be considered unless the application is in writing on a form furnished by the Zoning Board of Appeals. Further, each application that is filed for a variance shall be accompanied by a fee of \$25.00. The applicant shall also reimburse the Village, as a condition precedent to consideration of a variance application, for the actual cost of publication that the Village incurs in publishing all required notices concerning the request for the variance.

SECTION 151.23 AMENDMENTS.

(A) Proposal – Amendments to the Zoning Ordinance of the Village of Stanford may be proposed by the President and the Board of Trustees, the Planning Commission, the Zoning Board of Appeals, or any property owner or resident of the Village of Stanford.

Ordinances of the Village of Stanford

(B) Purpose – All amendments shall have purposes conforming to the purposes of this Chapter as set forth in Section 151.02.

(C) Procedure – The following procedure shall be followed in processing a proposed amendment to the Zoning Ordinance:

(1) An application, together with the proposed amendment drafted by the applicant, shall be filed in triplicate with the Village Clerk in such form and accompanied by such information as the President and Trustees require.

(2) The application and amendment shall be forwarded by the Village Clerk to the Zoning Board of Appeals, requesting a public hearing on the proposed amendment.

(3) The Zoning Board of Appeals shall hold public hearings on proposed amendments at such time and place as the Board may determine, and preserve a record of proceedings.

(4) Notice of the public hearing shall be published in a newspaper of general circulation in the Village of Stanford no more than 30 days or less than 15 days before the hearing.

(5) Within 30 days after the close of the hearing on a proposed amendment, the Zoning Board of Appeals shall make written findings of fact and shall submit same together with its recommendations to the President and the Board of Trustees, provided that if the amendment changes the zoning classification or particular property, specific findings of fact shall be made as to:

(a) Existing uses of property within the general area of the property in question;

(b) The zoning classification of property within the general area of the property in question;

(c) The suitability of the property in question to the uses permitted under the existing zoning classifications;

(d) The trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place since the day the property was placed in its present zoning classification.

The Board shall not recommend the adoption of a proposed amendment unless it determines that the adoption of the amendment is in the public interest and not solely in the interest of the applicant.

(6) The President and the Board of Trustees, upon receipt of the findings and recommendation of the Zoning Board of Appeals:

(a) May grant or deny the amendment by majority vote or refer it back to the Zoning Board of Appeals for further consideration, except that, if the President and the Board of Trustees take no action within three months of receipt of the report, the amendment is denied;

(b) As to an amendment against which the owners of twenty percent (20%) of the frontage immediately adjoining or across an alley therefrom or twenty percent (20%) of the frontage directly opposite the frontage proposed to be altered have signed, acknowledged, and filed with the Village Clerk a written protest, may grant it only by the favorable vote of two-thirds of all the members of the Board of Trustees.

SECTION 151.24 FEES.

(A) An application for a variation or amendment of this Chapter or an Occupancy Permit shall be accompanied by a fee in the amount of:

(1) Twenty dollars (\$20.00) if the application is for a variation;

Ordinances of the Village of Stanford

- (2) Fifty dollars (\$50.00) if the application is for an amendment to this Zoning Ordinance; or
- (3) Ten dollars (\$10.00) if the application is for an Occupancy Permit only.
- (B) An application for a Building Permit shall be accompanied by a fee in an amount based upon the value of the building to be constructed according to the following schedule:
 - (1) Ten dollars (\$10.00) if the constructed building will have a value of from one dollar (\$1.00) to three-hundred dollars (\$300.00);
 - (2) Twenty dollars (\$20.00) if the constructed building will have a value from \$301.00 to \$5,000.00;
 - (3) Thirty dollars (\$30.00) if the constructed building will have a value from \$5,001.00 to \$15,000.00;
 - (4) Sixty dollars (\$60.00) if the constructed building will have a value from \$15,001.00 to \$30,000.00; and
 - (5) One hundred and fifty dollars (\$150.00) if the constructed building will have a value of over \$30,000.00.

SECTION 151.25 ECONOMIC DEVELOPMENT WAIVERS.

Despite any of the provisions of this Chapter the Board of Trustees, after public hearing preceded by at least 7 days notice, may waive all or any portions of the restrictions, conditions, rules, and regulations that are contained herein. Such waiver may only be if, after hearing conducted by the Board of Trustees, the Board finds that such a waiver would be for the benefit of the economy of the Village and its citizens. Such waivers shall take into consideration the advantage of any such waiver to the economy of the Village as opposed to the cost to the Village for any such waiver.

SECTION 151.99 PENALTY.

Any person who violates or refuses to comply with the enforcement of any provision of this Chapter shall be subject to the general penalty provision of this Stanford Municipal Code. Each day a violation occurs shall constitute a separate offense.

GLOSSARY

Another. When used to designate the owner of property which is the subject of an offense, includes not only natural persons but also every other owner of property.

Board of Trustees or Village Board. The Board of Trustees of the Village of Stanford consists of the Village President and the Village's six Trustees.

Code. A codification of the Ordinances of the Village of Stanford.

Council. The Village Board of the Village of Stanford and includes the Village President and the Village's six Trustees.

Ordinances of the Village of Stanford

County. McLean County, Illinois.

County Board. The County Board of McLean County, Illinois. (5 ILCS 70/1.07)

Court. Construed to mean any court of competent jurisdiction.

Decree. Synonymous with **Judgement**. (5 ILCS 70/1.24)

Electors. Persons qualified to vote for elective officers at municipal elections. (65 ILCS 5/1-1-2)

Executive Officer. Words used for an executive or ministerial officer may include any deputy or other person performing the duties of such officer, either generally or in special cases. (5 ILCS 70/1.08)

Heretofore or Hereafter. **Heretofore** means any time previous to the day on which the ordinance, resolution, or statute takes effect; and the word **Hereafter** at any time after such day. (5 ILCS 70/1.17)

Highway, Road, or Street. **Highway, Road, or Street** may include any road laid out by authority of the United States, or of this State, or of any town or county of this State, and all bridges upon the same. (5 ILCS 70/1.16)

ILCS. Illinois Compiled Statutes (ILCS) as heretofore and hereafter amended.

Law. Denotes applicable federal law, the Constitution and statutes of the State of Illinois, the Stanford Municipal Code or the Ordinances of the Village of Stanford, and when appropriate, any and all rules and regulations which may be promulgated thereunder.

Land or Real Estate. Includes rights and easements of an incorporeal nature.

May. The act referred to is permissive.

Month. A calendar month. (5 ILCS 70/1.10)

Municipal Code. The Illinois Municipal Code, 65 ILCS 5.

Must and Shall. **Must** and **Shall** are each mandatory.

Oath. Includes an affirmation or declaration in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases, the words “swear” and “sworn” shall be construed to include the words “affirm” or “affirmed”. (5 ILCS 70/1.12)

Owner. When applied to property such as a building or land, includes any part owner, joint owner, purchaser and seller under a contract and/or deed, joint tenant, tenant by the entirety, or tenant in common of the whole or part of the property, and includes any beneficiary of a land trust which owns property.

Person. Any legal person; includes any natural person, joint ventures, joint stock companies, partnerships, associations, clubs, corporations, businesses, trusts, organizations, and bodies politic and corporate as well as individuals, such as managers, lessees, agents, servants, officers, or employees of any of the persons stated. (5 ILCS 70/1.05)

Personal Property. Includes all property, such as money, goods, chattels, things in action, and evidences of debt, except real property.

Police Officers. Police Officers employed and in the service of the Village of Stanford. **Police Force** shall be construed to include such persons in the employ of the Village of Stanford as members of the Department of Police, who are or shall hereafter be appointed and sworn as police officers. (5 ILCS 70/1.20)

Preceding and Following. Next before and next after, respectively.

Ordinances of the Village of Stanford

President. The President of the Village of Stanford.

Property. Includes real and personal property.

Public Authority. Includes school districts; units of legal government; the Village, county, state, or federal governments, officers and agencies thereof, or any commissions or committees thereof; or any duly authorized public official.

Public Place. Includes any street, sidewalk, park, cemetery, school yard, body of water or watercourse, public conveyance, or any other place for the sale of merchandise, public accommodation, or amusement.

Real Property. Includes lands, tenements, and hereditaments.

Registered Mail. Includes certified mail and **Certified Mail** includes registered mail.

Shall. The act referred to is mandatory.

Sidewalk. That portion of the street between the curb line and the adjacent property line principally intended for the use of pedestrians. (625 ILCS 5/1-188)

State. The State of Illinois.

Streets. Includes all streets, highways, avenues, lanes, alleys, courts, places, squares, curbs, or other public ways in the Village of Stanford which have been or may hereafter be dedicated or opened or opened to public use, or such other public property so designated in any law of this State.

Tenant, Occupant, or Resident. As applied to a building or land, includes any person holding a written or oral lease, or who actually occupies the whole or any part of such building or land, alone or with others.

This Code or This Code of Ordinances. The Stanford Municipal Code hereby adopted, and as hereinafter modified by amendment, revision, and by the adoption of new titles, chapters, or sections.

Units of Local Government. The meaning established in Section 1 of Article VII of the Constitution of the State of Illinois of 1970. (5 ILCS 70/1.28)

Village. The Village of Stanford, McLean County, Illinois, or the area within the territorial limits of the Village of Stanford, McLean County, Illinois and such territory outside of the Village over which it has jurisdiction or control by virtue of any constitutional or statutory provision.

Week. Seven consecutive days.

Whoever. Includes all persons, natural and artificial; partners; principals, agents, and employees; and all officials, public or private.

Written or In Writing. Includes printing, electronic, 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 that person, or in case he is unable to write, his proper mark, or by his duly authorized facsimile signature under the Illinois Uniform Facsimile Signature of Public Officials Act. If the signature is derived from an electronic source, the electronic signature must adhere to the definition under the Electronic Commerce Security Act except as otherwise provided by law. (5 ILCS 70/1.15)

Year. A calendar year unless otherwise expressed and the word “year” alone is equivalent to the expression “year of our Lord”. (5 ILCS 70/1.10)

Ordinances of the Village of Stanford

A

Abandoned Vehicles

Abandonment of vehicles prohibited B Section 90.01

Authority to declare inoperable vehicle a nuisance B Section 90.02

Authority to impound; Procedure B Section 90.03

Disposal of unclaimed vehicle B Section 90.06

Disposition of proceeds of sale B Section 90.08

Liability B Section 90.09

Notice to be given to registered owner, State Police B Section 90.04

Penalty B Section 90.99

Police department to keep records of reclamation/disposal of vehicle B Section 90.07

Reclaiming of vehicle by owner B Section 90.05

Adult Businesses

Adult uses enumerated B Section 111.02

Automatic suspension B Section 111.09

Contents of application for license B Section 111.06

Definitions B Section 111.01

Display of license and permit B Section 111.11

Employment of persons under age eighteen prohibited B Section 111.12

Exterior display B Section 111.10

Illegal activities on premises B Section 111.13

Issuance of adult use license B Section 111.07

License required B filing of application B filing fee B Section 111.05

Limitations on adult uses B Section 111.03

Measurement of distances B Section 111.04

Severability clause B Section 111.14

Suspension or revocation of license for adult use B Section 111.08

Violation and penalty B Section 111.99

Air Rifles

Ordinances of the Village of Stanford

Carrying or discharging on public streets B 131.12

Definitions B Section 131.10

Penalty B Section 131.99

Permissive possession B Section 131.13

Permissive sales B Section 131.14

Seizure and removal B Section 131.15

Selling, renting, or transferring to children; Prohibition B Section 131.11

Animals B Administration; Enforcement

Authority to impound animals B Section 91.31

Interference with enforcement prohibited B Section 91.30

Penalty B Section 91.99

Animals B General Provisions

Animals as nuisances B Section 91.04

Authority of animal control officer B Section 91.02

Biting animals B Section 91.06

Confinement of dangerous animals; Warning B Section 91.07

Cruelty to animals prohibited B Section 91.09

Definitions B Section 91.01

Disposal of dead animals B Section 91.10

Injured animals; Animals found dead on public ways B Section 91.11

Keeping animals B Section 91.05

Keeping of livestock within corporate limits B Section 91.12

Killing or attacking animals prohibited; Exceptions B Section 91.08

Penalty B Section 91.99

Restraint of dogs and other animals B Section 91.03

Attorney, Village

Compensation B Section 34.02

Duties and responsibilities B Section 34.01

Auditor, Village

Ordinances of the Village of Stanford

Compensation B Section 34.21

Duties and responsibilities B Section 34.20

B

Board of Trustees B General Provisions

Compensation B Section 32.04

Composition B Section 32.01

Powers, duties, and responsibilities B Section 32.03

Trustees; Election; Term; Vacancies B Section 32.02

Board of Trustees B Ordinances

Adoption of codes and public records by reference B Section 32.48

Approval, Disapproval by President B Section 32.43

Ordaining clause B Section 32.41

Ordinances and rules to execute powers B Section 32.40

Publication requirements; Effective date B Section 32.45

Reconsideration B Section 32.44

Recordation B Section 32.46

Revision B Section 32.47

Vote required; Method of voting B Section 32.42

Board of Trustees B Rules of Procedure

Deferral of committee reports B Section 32.23

Meetings B Section 32.22

Presiding officer B Section 32.21

Proceedings before the Board of Trustees B Section 32.20

Board of Trustees B Standing Committees

Committee structure B Section 32.60

Community Development Committee B Section 32.66

Creation of new committees B Section 32.68

Drainage Committee B Section 32.65

Finance Committee B Section 32.67

Health, Sanitation and Safety Committee B Section 32.64

Ordinances of the Village of Stanford

Police Committee B Section 32.63

Streets and Alleys Committee B Section 32.62

Water Committee B Section 32.61

Buildings, Unsafe and Dangerous

Court proceedings and rights under statute B Section 98.07

Definitions B Section 98.01

Distribution B Section 98.11

Duty to repair or demolish B Section 98.05

Notice where court order for repair or demolition sought B Section 98.06

Nuisances B Section 98.02

Penalty B Section 98.99

Persons authorized or directed to give notices B Section 98.08

Renting unfit building B Section 98.03

Separate offense for each day of continuance B Section 98.09

Unlawful to have certain buildings B Section 98.04

Validity B Section 98.10

C

Chief of Police

Compensation B Section 33.02

Powers, duties, and responsibilities B Section 33.01

Civil Emergencies

Curfew B Section 37.03

Declaration of Civil Emergency B Section 37.02

Definitions B Section 37.01

Penalty B Section 37.99

Clerk, Village

Compensation B Section 31.37

Appointment; Term; Vacancy B Section 31.35

Powers, duties, and responsibilities B Section 31.36

Ordinances of the Village of Stanford

Code of Ordinances B General Provisions

Acts by agents B Section 10.07

Amendments to code B Section 10.13

Computation of time B Section 10.09

Conflicting provisions B Section 10.12

Construction B Section 10.10

Definitions B Section 10.02

Errors and omissions B Section 10.18

General penalty provision B Section 10.99

Grammatical interpretation B Section 10.06

Interpretation of language B Section 10.05

Ordinances repealed B Section 10.15

Ordinances unaffected B Section 10.16

Prohibited acts include causing and permitting B Section 10.08

Public records available B Section 10.21

References to other Sections B Section 10.17

Revivor; Repeal shall not revive any ordinance B Section 10.11

Section headings B Section 10.03

Service of documents B Section 10.22

Severability B Section 10.14

Statutory codes B Section 10.20

Technical codes B Section 10.19

Title of code B Section 10.01

Title of office B Section 10.04

Collector, Village

Compensation B Section 31.47

Appointment; Term; Vacancy B Section 31.45

Powers, duties, and responsibilities B Section 31.46

Cross-Connection Control

Backflow prevention devices B Section 51.08

Booster pumps B Section 51.10

Cross-connection prohibited B Section 51.04

Ordinances of the Village of Stanford

Definitions B Section 51.02

General policy B Section 51.01

Inspection and maintenance B Section 51.09

Penalty B Section 51.99

Survey and investigations B Section 51.05

Type of protection required B Section 51.07

Violations B Section 51.98

Water system B Section 51.03

Where protection is required B Section 51.06

Curfew

Definitions – 132.01

Offenses - 132.02

Defenses - 132.03

Enforcement – 132.04

Penalties – 132.05

D

Deadly Weapons

Exemptions B Section 131.02

Unlawful possession of firearms and firearm ammunition B Section 131.03

Unlawful use of weapons B Section 131.01

Dogs

Definitions B Section 91.20

Impoundment; Notice; Redemption B Section 91.25

Inoculation against rabies; Exhibition of certificate B Section 91.24

Leash or confinement requirements for dangerous dogs B Section 91.23

Noise disturbance B Section 91.22

Running at large B Section 91.21

Drug and Alcohol Abuse Policy, Village of Stanford

Scope of Policy B Section 33.30

E

Ordinances of the Village of Stanford

Emergency Services and Disaster Agency (ESDA) B General Provisions

Agreements with other political subdivisions B Section 92.04

Appropriations B Section 92.08

Communications B Section 92.06

Declaration of emergency B Section 92.07

Disaster Emergency B Section 92.03

Mobile Support Team B Section 92.02

Purchases and expenditures; Reimbursement by State B Section 92.05

Purpose of Emergency Services and Disaster Agency (ESDA) B Section 92.01

Emergency Services and Disaster Agency (ESDA) B Village of Stanford Emergency Services and Disaster Plan

Accreditation B Section 92.14

Basic assumptions B Section 92.10

Concept of operations B Section 92.13

Definition of a disaster B Section 92.16

Legal basis for action in a disaster B Section 92.18

Mission B Section 92.17

Organization B Section 92.15

Purpose B Section 92.11

Situations/assumptions B Section 92.12

Engineer, Village

Compensation B Section 34.11

Duties and responsibilities B Section 34.10

F

Finance and Revenue B General Provisions

Administration of finances B Section 35.01

Annual appropriation ordinance B Section 35.02

Annual audits and reports B Section 35.06

Contracts B Section 35.07

Levy and collection of taxes B Section 35.05

Limitations; Emergency; Borrowing B Section 35.04

Penalty B Section 35.99

Ordinances of the Village of Stanford

Supplemental appropriation; Transfers B Section 35.03

Fire Prevention

Fire Prevention Code adopted B Section 93.10

Open Burning -

Authority to prohibit open fires B Section 93.25

Constant attention to open fires required B Section 93.23

Definitions B Section 93.20

Exemptions B Section 93.24

Location and containment of open fires B Section 93.22

Open burning B Section 93.21

Penalty B Section 93.99

Storage and use of volatile combustibles B Section 93.11

Fireworks

Definition B Section 93.01

Exemption B Section 93.04

Penalty B Section 93.99

Sale, use, or explosion prohibited; Exception for public display B Section 93.02

Violations; Searches and seizures B Section 93.03

G

General Offense Provisions

Attempt B Section 130.06

Definitions B Section 130.01

Intent B Section 130.02

Knowledge B Section 130.03

Negligence B Section 130.05

Recklessness B Section 130.04

Ordinances of the Village of Stanford

Gift Ban

Amendments B Section 36.24

Definitions B Section 36.20

Gift Policy B Section 36.21

Ethics Commission B Section 36.23

Ethics Officer B Section 36.22

Partial repeal B Section 36.26

Total repeal B Section 36.25

H

Health and Sanitation B Enforcement

Penalty B Section 94.99

Public health violation ticket B Section 94.20

Health and Sanitation B General Provisions

Discharge of offensive matter; Offensive cesspools B Section 94.03

Duty to keep premises clean B Section 94.01

Obstructing water or drainage B Section 94.05

Placing offensive matter on property B Section 94.02

Poisonous plants B Section 94.07

Privies B Section 94.04

Storing new and used lumber B Section 94.06

I

Investment Policy

Authorized and suitable investments B Section 35.57

Ordinances of the Village of Stanford

Authorized financial dealers and institutions B Section 35.56

Collateralization B Section 35.58

Delegation of authority B Section 35.54

Diversification B Section 35.60

Ethics and conflicts of interest B Section 35.55

Internal control B Section 35.62

Investment Policy review B Section 35.66

Marking to market B Section 35.65

Maximum maturities B Section 35.61

Objective B Section 35.53

Performance standards B Section 35.63

Policy B Section 35.50

Prudence B Section 35.52

Reporting B Section 35.64

Safekeeping and custody B Section 35.59

Scope B Section 35.51

J

K

L

Liquor Control B General Provisions

Definitions B Section 110.01

Liquor Control B Licenses

Application B insurance B Section 110.33

Application contents B insurance B Class D B Section 110.32

Application of local liquor license B requisites B Section 110.31

Bond conditions B Section 110.37

Bond required B Section 110.35

Displaying of license B Section 110.40

Examination of applicant B Section 110.34

Filing of application B Section 110.30

Filing of bond B Section 110.36

License expiration B Section 110.26

Ordinances of the Village of Stanford

License fees B Section 110.29

License privileges B Section 110.21

License required B Section 110.20

Location change B Section 110.23

Location restrictions B Section 110.24

Nature of license as property B Section 110.25

New bond yearly B Section 110.38

Peddling prohibited B Section 110.22

Persons ineligible to be licensed B Section 110.27

Retail liquor license classifications B Section 110.28

Revocation of license B forfeiture of bond B Section 110.39

Liquor Control B Local Liquor Control Commission

Compensation for Local Liquor Control Commissioner B Section 110.14

Examination of applicant for local license B Section 110.12

Fingerprints B fee B Section 110.13

Local Liquor Control Commissioner B Section 110.10

Powers, function, and duties B Section 110.11

Liquor Control B Operation of Licensed Establishments

Consumption B Section 110.50

Employees B Section 110.54

Hours B Section 110.51

New Year=s B Section 110.52

Restrictions on sales B Section 110.55

Sale of food on premises B Section 110.56

Sanitary conditions B Section 110.53

Liquor Control B Severability and Repeal

Severability B Repeal B Section 110.60

Liquor Control B Violations, Enforcement, and Penalties

Acts of agent or employee B Section 110.96

Complaint of violation B hearing B Section 110.98

Ordinances of the Village of Stanford

Entry upon premises B Section 110.97

Owner of premises and license permitting violation B Section 110.95

Revocation or suspense of local license B fines B notice of hearing B appeal B Section 110.99

Local Government Taxpayers= Bill of Rights

Abatement B Section 36.41

Appeal B Section 36.38

Application B Section 36.47

Audit procedure B Section 36.37

Certain credits and refunds B Section 36.36

Definitions B Section 36.32

Hearing B Section 36.39

Installment contracts B Section 36.42

Interest and penalties B Section 36.40

Internal review B Section 36.46

Late payment B Section 36.34

Notices B Section 36.33

Payment B Section 36.35

Publication of tax ordinances B Section 36.45

Scope B Section 36.31

Statute of limitations B Section 36.43

Title B Section 36.30

Voluntary disclosure B Section 36.44

M

Municipal Utility Tax

Additional taxes B Section 35.20

Collection B Section 35.21

Credit for overpayment B Section 35.23

Definitions B Section 35.15

Electricity amendment B Section 35.17

Exceptions B Section 35.19

Reports to Municipality B 35.22

Statute of limitations B Section 35.24

Ordinances of the Village of Stanford

Tax imposed B Section 35.16

Tax imposed B Section 35.18

N

Noise Control

Blowing horns B Section 95.02

Building operations B Section 95.08

Devices using compressed air B Section 95.06

Drum and loudspeakers B Section 95.03

Exhaust discharge B Section 95.07

Loud and unnecessary noises prohibited; Enumeration B Section 95.01

Penalty B Section 95.99

Radios and phonographs B Section 95.04

Vehicle noise B Section 95.05

Nuisances B General Provisions

Enumeration not exclusive B Section 96.02

Enumeration of particular nuisances B Section 96.01

Nuisances to be removed B Section 96.03

Nuisances B Plants and Weeds

Abatement of nuisance B Section 96.23

Lien procedure B Section 96.24

Penalty; Lien B Section 96.99

Plant height restrictions; Parkway maintenance standards B Section 96.21

Removal notice B Section 96.22

Weeds declared to be nuisances B Section 96.20

O

P

Ordinances of the Village of Stanford

Parking Regulations

Authority to tow and store vehicles B Section 72.03

Citation on illegally parked vehicle B Section 72.06

Failure of violator to appear B Section 72.07

Limited parking B Section 72.02

Penalty B Section 72.99

Presumption B Section 72.08

Responsibility of owner B Section 72.05

Severability B Section 72.09

Stopping, standing, or parking prohibited B Section 72.01

Towing and storage of vehicles having more than ten unpaid parking tickets B Section 72.04

Peddlers, Itinerant Merchants, and Solicitors

Appeal procedure B Section 112.07

Application procedure B Section 112.03

Definitions B Section 112.01

Duty of solicitors B Section 112.11

Exhibition of identification B Section 112.08

License requirement B Section 112.02

Notice regulating soliciting B Section 112.10

Penalty B Section 112.99

Revocation procedure B Section 112.05

Standards for issuance B Section 112.04

Standards for revocation B Section 112.06

Time limit on soliciting B Section 112.13

Uninvited soliciting prohibited B Section 112.12

Village policy on soliciting B Section 112.09

Penalty B General Penalty Provision

General Penalty Provision B Section 10.99

Police B Police training standards B Section 33.25

Ordinances of the Village of Stanford

Police B Rules and Regulations

Police Department Rules and Regulations B Section 38.01

President, Village

Compensation B Section 31.22

Election; term; vacancy B Section 31.20

Powers, duties, and responsibilities B Section 31.21

Public Records B Village Records

Certain information exempt from inspection and copying B Section 36.10

Definitions B Section 36.01

Dissemination of information about public bodies B Section 36.14

Extension of time limit; Notice B Section 36.08

Fees B Section 36.06

Granting of request; Procedure for inspection B Section 36.12

Individual privacy protected B Section 36.03

Notice of denial of request B Section 36.11

Policy B Section 36.02

Public records available B Section 36.04

Requests to be in writing B Section 36.05

Time limit for compliance with request B Section 36.07

Unduly burdensome request B Section 36.09

Written request not required for certain documents B Section 36.13

Q

R

Roller Blades or Roller Skates B Section 71.15

S

Sanitary Sewer System - Section 52.01

Skateboards B Section 71.15

Ordinances of the Village of Stanford

Snowmobiles B Section 71.16

Streets, Alleys, and Public Ways B General Provisions

Alley maintenance program B Section 97.06

Regulations B Section 97.02

Sidewalk construction and location standards B Section 97.04

Sidewalk replacements B Section 97.05

Street construction standards B Section 97.03

Supervision B Section 97.01

Streets, Alleys, and Public Ways B Paving and Sealing Driveways and Culverts

Culverts placed on Village property B Section 97.21

Definition of asphalt sealing B Section 97.22

Permit for asphalt sealing B Section 97.23

Permit for paving driveways B Section 97.20

Subdivision Regulations

Acceptance of streets B Section 150.21

Agreements B Section 150.12

Certificates B Section 150.11

Definitions B Section 150.02

Economic development waivers B Section 150.13

Enforcement B Section 150.28

Fee for filing preliminary plan B Section 150.23

Fee for review of construction plans and specifications B Section 150.24

Final plat B general B Section 150.09

Final plat B additional delineation B Section 150.10

Occupancy permit B Section 150.26

Penalty B Section 150.99

Plans and specifications for land improvements B Section 150.08

Preliminary plan B existing conditions B Section 150.06

Preliminary plan B general B Section 150.04

Preliminary plan B identification and description B Section 150.05

Preliminary plan B subdivision design features B Section 150.07

Procedure B Section 150.03

Public use areas B Section 150.20

Purpose and jurisdiction B Section 150.01

Ordinances of the Village of Stanford

Record of plats B Section 150.29

Required land improvements B Section 150.22

Subdivision design standards B alleys and pedestrian B Section 150.16

Subdivision design standards B block standards B Section 150.18

Subdivision design standards B easements B Section 150.17

Subdivision design standards B lot standards B Section 150.19

Subdivision design standards B street plan B Section 150.14

Subdivision design standards B streets B Section 150.15

Validity B Section 150.30

Variations B Section 150.27

Zoning and other applicable ordinances B Section 150.25

Superintendent of Streets

Compensation B Section 33.21

Powers, duties, and responsibilities B Section 33.20

T

Telecommunications Infrastructure Maintenance Fee

Collection, enforcement, and administration of telecommunications infrastructure
maintenance fee B Section 35.33

Compliance with other laws B Section 35.34

Conflict B Section 35.38

Definitions B Section 35.30

Enforcement B Section 35.36

Existing franchises and licenses B Section 35.35

Municipal telecommunications infrastructure maintenance fee B Section 35.32

Penalty B Section 35.99

Registration of telecommunications providers B Section 35.31

Severability B Section 35.37

Traffic Code B General Provisions

Definitions B Section 70.03

General B Section 70.02

Ordinances of the Village of Stanford

Illinois Vehicle Code adopted by reference B Section 70.01

Traffic Code B Prohibitions

Use of roller blades, skateboards, or similar devices B Section 71.15

Use of snowmobiles B Section 71.16

Traffic Code B Traffic Regulations

Penalty B Section 71.99

U-turn on Main Street B Section 71.01

Traffic Code B Truck Traffic Regulations

Penalty B Section 71.99

Truck Route B Section 71.10

Treasurer, Village

Compensation B Section 31.42

Powers, duties, and responsibilities B Section 31.41

Appointment; term; vacancy B Section 31.40

Trustee-Village Form

Governing officers B Section 30.01

U

Utility Services Regulations

Application, payment, availability, and use of Village=s waterworks system B Section 50.05

Damage to Village waterworks system B Section 50.06

Definitions B Section 50.01

Extensions and alterations B Section 50.02

Maintenance and repair B Section 50.03

Penalty B Section 50.99

Restrictions on and curtailments of water use B Section 50.04

Ordinances of the Village of Stanford

V

Village Officials B General Provisions

Assignment of copies of the Stanford Municipal Code to Village officials B Section 31.07

Certificate of appointment B Section 31.03

Compensation B Section 31.06

Date of inauguration B 31.04

Further duties B Section 31.05

Oath; bond B Section 31.02

Qualifications B Section 31.01

Village Officials B Official Positions

Clerk, Village

Compensation B Section 31.37

Appointment; Term; Vacancy B Section 31.35

Powers, duties, and responsibilities B Section 31.36

Collector, Village

Compensation B Section 31.47

Appointment; Term; Vacancy B Section 31.45

Powers, duties, and responsibilities B Section 31.46

President, Village

Compensation B Section 31.22

Election; term; vacancy B Section 31.20

Powers, duties, and responsibilities B Section 31.21

Treasurer, Village

Compensation B Section 31.42

Powers, duties, and responsibilities B Section 31.41

Appointment; term; vacancy B Section 31.40

Village Officials B Other Appointed Officials

Ordinances of the Village of Stanford

Appointment of other Village officials B Section 31.54
Building Inspector B Section 31.50
Director of Community Development B Section 31.51
Duties and fees; Bond B Section 31.55
Member of the Board of Local Improvements B Section 31.53
Member of the Zoning Board of Appeals B Section 31.52

W

Water Plant Operator
Compensation B Section 33.11
Powers, duties, and responsibilities B Section 33.10

Weapons
Deadly Weapons
Unlawful use of weapons – 131.01
Exemptions – 131.02
Unlawful possession of firearms and firearm ammunition – 131.03

Air Rifles
Definitions 131.10
Selling, renting, or transferring to children; Prohibition – 131.11
Carrying or discharging on public streets – 131.12
Permissive possession – 131.13
Permissive sales – 131.14
Seizure and removal – 131.15
Penalties – 131.99

X

Y

Z

Zoning
Administration and enforcement B Section 151.16
Amendments B Section 151.23
Annexation B Section 151.08
Appeals B Section 151.21

Ordinances of the Village of Stanford

Board of Appeals B Section 151.18
Building Inspector B Section 151.17
Building permit B Section 151.19
Definitions B Section 151.05
District A regulations: single family residence B Section 151.09
District B regulations: multiple family residence B Section 151.10
District D regulations: mobile home park B Section 151.12
District E regulations: business B Section 151.13
District F regulations: industrial B Section 151.14
Economic development waivers B Section 151.25
Fees B Section 151.24
Former District C regulations: single mobile home B Section 151.11
Map B Section 151.07
Non-conforming uses B Section 151.06
Occupancy Permit B Section 151.20
Parking spaces B Section 151.15
Penalty B Section 151.99
Purpose B Section 151.02
Rules of construction B Section 151.04
Scope B Section 151.03
Title B Section 151.01
Variations B Section 151.22