# VILLAGE OF VERSAILLES VILLAGE CODE 2017

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#### TITLE 1

#### CHAPTER 1

#### OFFICIAL VILLAGE CODE

#### SECTION:

1-1-1	Title
1-1-2	Acceptance
1-1-3	Amendments
1-1-4	Code Alterations
1-1-5	Copies of Code
1-1-1:	Title: Upon the adoption by the Board of Trustees, this Village Code is hereby declared to be and shall hereafter constitute the Official Code of the Village of Versailles. This Village Code of Ordinances shall be known and cited as the Versailles Village Code, and it is hereby published by the authority of the Board

Chapter. Any reference to the number of any section contained herein shall be understood to refer to the position of the same number, its appropriate chapter and title heading, and to the general penalty clause relating thereto, as well as to the section itself, when reference is made to this Village Code by title in any legal document.

of Trustees, and shall be kept up to date as provided in section1-1-3 of this

- 1-1-2 ACCEPTANCE: The Village Code, as hereby presented in printed form, shall hereafter be received without further proof in all courts and in all administrative tribunals of this State as the ordinances of the Village of general and permanent effect, except the excluded ordinances enumerated in Section 1-2-1.
- 1-1-3 AMENDMENTS: Any ordinance amending the Village Code shall set forth the title, chapter, and section number of the section or sections to be amended, and this shall constitute sufficient compliance with any statutory requirement pertaining to the amendment or revision by ordinance of any part of the Village Code. All such amendments or revisions by ordinance shall be immediately prepared by the Village Clerk for insertion in its proper place in each copy of this Village Code. Each such replacement shall be properly identified and shall be inserted in each individual copy of the Village Code upon request made to the Village Clerk.
- 1-1-4 CODE ALTERATIONS: It shall be deemed unlawful for any person to alter, change, replace or deface in any way any section or any page of this Village Code in such a manner that the meaning of any phrase or order may be changed or omitted. Replacement pages may be inserted according to the official instructions

when so authorized by the Village Board. The Village Clerk shall see that the replacement pages are properly inserted in the official copies maintained in the offices of the Village Clerk. Any person having in his custody an official copy of the Village Code shall make every effort to maintain said pages when such are delivered to him or made available to him through the office of the Village Clerk. Said Code Books, while in actual possession of officials and other interested persons, shall be and remain the property of the Village and shall be returned to the Office of the Clerk when directed to do so by order of the Village Board.

1-1-5 COPIES OF CODE: All copies of the Village Code belonging to the Village shall be deposited with the Village Clerk. He shall deliver one copy thereof to the President, one copy to each member of the Board of Trustees, one copy thereof to the Village Attorney, and one copy to such other persons as the Board of Trustees shall direct. At the expiration of each Board Member's term of office, the Village Code is to be returned to the Village Clerk for use by the succeeding board.

#### CHAPTER 2

#### SAVINGS CLAUSE

1-2-1	Repeal of General Ordinances
1-2-2	Public Utility Ordinances
1-2-3	Court Proceedings
1-2-4	Savings Clause
1-2-5	Severability Clause

- 1-2-1 REPEAL OF GENERAL ORDINANCES: All general ordinances of the Village passed prior to the adoption of this Village Code are hereby repealed, except such as are included in this Village Code, or are by necessary implication herein reserved from repeal (subject to the saving clauses contained in the following sections), and excluding the following ordinances which are not hereby repealed: tax levy ordinances, appropriates ordinances, ordinances relating to boundaries and annexations, franchise ordinances authorizing the execution of a contract or the issuance of warrants, salary ordinances, ordinances establishing, naming, or vacating streets, alleys, or other public places, improvement ordinances, bond ordinances, ordinances relating to elections, ordinances relating to the transfer or acceptance of real estate by or from the Village, and all special ordinances.
- 1-2-2 PUBLIC UTILITY ORDINANCES: No ordinance relating to railroad crossings with streets and other public ways, or relating to the conduct, duties, service or rates of public utilities shall be repealed by virtue of the adoption of ths Village Code, or by virtue of the

proceeding Section, excepting as the Village Code may contain provisions for such mattes, in which case this Village Code shall be considered as amending such ordinance or ordinances in respect to such provisions only.

- 1-2-3 COURT PROCEEDINGS: No new ordinance shall be construed or held to repeal a former ordinance whether such former ordinance is expressly repealed or not, as to any offense committed against such former ordinance or as to any act done, any penalty, forfeiture or punishment so incurred, or any right accrued or claim arising under the former ordinance, or in any way whatever to affect any such offense or act so committed or so done, or any penalty, forfeiture or punishment so incurred or any right accrued or claim arising before the new ordinance in force at the time of such proceeding, so far as practicable. If any penalty, forfeiture or punishment be mitigated by any provision of a new ordinance, such provision may be, by consent of the party affected, applied to any judgment announced after the new ordinance takes effect.
- 1-2-4 SAVINGS CLAUSE: This section shall extend to all repeals, either by express words or implication, whether the repeal is in the ordinance making any new provisions upon the same subject to any other ordinance.
  - Nothing in this chapter shall be construed as abating any action now pending under or by virtue of any general ordinance of the Village herein repealed and the provisions of all general ordinances contained in this code shall be deemed to be continuing provisions and not a new enactment of the same provision; nor shall this chapter be deemed as discontinuing, abating, modifying or altering any penalty accrued or to accrue, or as affecting the liability of any person, firm or corporation, or as waiving any right of the Village under any ordinance or provision thereof in force at the time of the adoption of this Village Code.
- 1-2-5 SEVERABILITY CLAUSE: If any section, subsection, subdivision, paragraph, sentence clause or phrase of this Village Code, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Code, or any part thereof. The Village Board of Trustees hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional, invalid or ineffective.

**CHAPTER 3** 

#### **DEFINITIONS**

#### SECTION:

- 1-3-1 Construction of Words
- 1-3-2 Definitions, general
- 1-3-3 Catchlines
- 1-3-1 CONSTRUCTION OF WORDS: Whenever any word in any section of this Village Code importing the plural number is used in describing or referring to any matters, parties, or persons, any single matter, party, or person shall be deemed to be included, although distributive words may not have been used. When any subject matter, party, or person is referred to in this Village Code by words importing the singular number only, or the masculine gender, several matters, parties, or persons, and females, as well as males, and bodies corporate, shall be deemed to be included; provided, that these rules of construction shall not be applied to any section of this Village Code which contains any express provision excluding such construction or where the subject matter or context may be repugnant thereto.

The word "ordinance" contained on the ordinances of the Village has been changed in the context of this Village Code to "Title," "Chapter," "Section," and / or "Subsection" or words of the like import for organizational and clarification purposes only. Such change to the Village Ordinances is not meant to amend passage and effective dates of such original ordinances.

1-3-2 DEFINITIONS GENERAL: Whenever the following words or terms are used in this Code, they shall have such meanings herein ascribed to them unless the context makes such meaning repugnant thereto.

AGENT A person acting on behalf of another

BOARD Unless otherwise indicated, the Board of Trustees of the Village

CHECK Check means a draft drawn on a bank for immediate payment upon presentation

CODE The Municipal Code of the Versailles, Illinois, and any amendments thereto

COUNTY The County of Brown, State of Illinois.

COURT Any court of competent jurisdiction

EMPLOYEES Whenever reference is made in this Code to a Village Employee by title only, this shall be construed as though followed by the words, "Of the Village of Versailles."

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

FISCAL YEAR The Fiscal Year of the Village of Versailles shall commence on the Third Tuesday in April of each calendar year at twelve o'clock noon.

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

MAYOR See Village President

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

MONTH A calendar month

MUNICIPAL YEAR The Municipal Year of the Village shall begin on May 1 of each Calendar Year at twelve o'clock noon.

NUISANCE Anything offensive or obnoxious to the health and welfare of the inhabitants of the Village; or any act or thing repugnant to, or creating a hazard to, or having a detrimental effect on the property of another person or to the community.

OATH Includes an affirmation

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

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

OFFICERS Whenever reference is made in this Code to a Village Officer by title only, this shall be construed as though followed by the words "Of the Village of Versailles."

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

OWNER As applied to a building or land, shall include any part owner, joint owner, tenant in common, joint tenant, or lessee of the whole or of part of such building or land

PERSON Any public or private corporation, firm, partnership, association, organization, government or any other group acting as a unit, as well as a natural person

PERSONAL PROPERTY Shall include every description of money, goods, chattels, effects, evidence of right in action and all written instruments by which any pecuniary

obligation, right or title to property is created, acknowledged, transferred, increased, defeated, discharged or diminished and every right or interest therein.

REASONABLE TIME When in this Village Code, any act or duty shall be required to be done within a reasonable time or upon a reasonable notice, such reasonable time or reasonable notice shall deemed to mean such time only as may be necessary in the prompt execution of such duty or compliance with such notice

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

STATE The State of Illinois

STREET Shall include alleys, lanes, courts, boulevards, public ways, public squares, public places, and sidewalks

SWORN Sworn or affirmed

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

VILLAGE The Village of Versailles, County of Brown, State of Illinois

VILLAGE PRESIDENT The President of the Village may be referred to as "Mayor" or "President" of the Village

WHOLESALER AND WHOLESALE DEALER Unless otherwise specifically defined, such terms shall be understood to relate to the sale of goods, merchandise, articles or things in quantity to persons who purchase for the purposes of resale

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

1-3-3 CATCHLINES: The catchlines of the several sections of the Village Code are intended as mere catchwords to indicate the content of the section and shall be deemed to taken to be titles of such sections, nor be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of the provisions of any division or section hereof, nor unless expressly so provided, shall they be so deemed when any of such sections, including the catchlines, are amended or re-enacted.

#### **CHAPTER 4**

#### GENERAL PENALTY

#### SECTION:

- 1-4-1 General Penalty
- 1-4-2 Application of Provisions
- 1-4-3 Recovery of Fines and Penalties
- 1-4-1 GENERAL PENALTY: Every person violating any of the provisions of this Village Code, where no other fine or penalty is provided, shall be fined seventy five dollars for each offense.
- 1-4-2 APPLICATION OF PROVISIONS: The penalty provided in this Chapter shall be applicable to every section of this Village Code the same as though it were a part of each and every separate section. Any person convicted of a violation of any section of this Village Code where any duty is prescribed or obligation imposed, or where any action which is of a continuing nature is forbidden or is declared to be unlawful, shall be deemed guilty of a misdemeanor. A separate offense shall be deemed committed upon each day such duty or obligation remains unperformed, or such act continues, unless otherwise specifically provided in this Village Code

In all cases where the same offense is made punishable or is created by different clauses or section of this Village Code, the prosecuting officer may elect under which to proceed; but not more than one recovery shall be had against the same person for the same offense; provided, that the revocation of a license or permit shall not be considered a recovery or penalty so as to bar any other penalty being enforced.

Whenever a minimum but no maximum fine or penalty is imposed by this Village Code, the Court may, in its discretion, adjudge the offender or offenders to pay any sum of money over and above the minimum fine or penalty so fixed and not exceeding the sum of One Thousand Dollars (\$1,000.000.

#### 1-4-3 RECOVERY OF FINES AND PENALTIES:

- A. Complaints: when any violation of any law or ordinance of the Village shall come to the knowledge any member of the police force, he shall, without delay, make or cause to be made the proper complaint before the proper judge. "Member of the Police Force" includes, but is not limited to, the Code Enforcement Officer.
- B. Arrested persons: No process shall be necessary where the person is legally arrested without warrant and brought before the Court of Judge: but the officer making such arrest shall (unless waived by the arrested person) make and file a statement setting forth the

# ORDINANCE No. <u>202</u>002

#### ORDINANCE SETTING MINIMUM FINES AND FOR ASSESSMENT OF COURT COSTS

Whereas the court costs of prosecuting ordinance violation continue to rise; and,

Whereas lower fine amounts are apparently insufficient to deter violations of city

ordinances, it is hereby ordained:

- 1. That notwithstanding any ordinance or enactment to the contrary, the minimum fine for violation of any Village ordinance is hereby raised to \$250.00.
- 2. That each day an ordinance violation continues shall be treated as a new offense. That "day" is defined as a period of time starting at noon until 11:59 A.M. the following day.
- 3. That additionally, as part of any prosecution for violation of any city ordinance, all court costs shall be taxed to the defendant. Court costs include all costs charged by the Brown County Circuit Clerk as required by law, and also any costs for subpoena service, witness fees, and mileage for any witness called by the City or defendant.
- 4. That this ordinance repeals only those specific portions of other ordinances that are in conflict with this enactment.
- 5. That this ordinance shall take effect 10 days after posting as required by law.

Adopted in open session this the <u>13</u> day of January, 2020.		
David Hoelscher – Mayor	Village Clerk (seal)	
Yeas Nays Not Voting/ present		

cause, time and place of the arrest, and a memorandum thereof to be entered upon the docket of the Court.

#### C. Bond:

- 1. Any person charged with a criminal violation of the Village Code shall post bond or file a recognizance for appearance to ensure his appearance at all court proceedings. Bond shall be set at no more than \$1,000.00 ten percent rule to apply.
- 2. Failure to appear at all court appearances by a person posting bond or filing a recognizance shall result in the forfeiture of said bond and/or recognizance, and judgement shall enter against the defendant for the full amount of the bond and/or recognizance. The defendant may show cause as to why said forfeiture should not occur, and, in the discretion of any judge in the Circuit Court of Brown County said forfeiture may be vacated provided that the defendant files or requests said action no later than 60 days from the date of the forfeiture order being entered.
- D. Trial by Jury: Any person charged with any civil, criminal, or quasi criminal violation of the Village Code shall have the right to a trial by jury. For any criminal violation no jury demand is necessary, but the right shall be afforded to the defendant unless the defendant waives such right in open court. For all other matters, such right to trial by jury shall be exercised in accordance with current Illinois State Law, including the payment of jury demand fees.
- E. Officers as witnesses: Any Village Officer shall attend court as witnesses at the trial of any cause in which the officer is involved in his official capacity. The witness shall receive no costs of any kind, nor shall any be taxed, against or collected from the Village in any court for such appearance.
- F. Any officer collecting fines, costs, or moneys on account of the Village shall pay the same to the Village Treasurer on or before the first day in each and every month. If any such officer shall neglect or refuse to pay over the amount of a fine or any money collected by him for the use of the Village as herein required, legal proceedings may be commenced at any time to compel such payment, and it shall be the duty of the president, after notice given and a reasonable time has elapsed without such payment, to bring suit in the name of the Village in some court of competent jurisdiction against said officer, and his sureties, and to require the Village Attorney to aid him in the prosecution thereof to final judgment.

CHAPTER 5

#### VILLAGE PRESIDENT

#### SECTION:

- 1-5-1 Qualification: Term of Office
- 1-5-2 Vacancy in Office
- 1-5-3 Bond
- 1-5-4 Powers and Duties
- 1-5-5 Office
- 1-5-6 President Pro Tempore
- 1-5-1 Qualifications; Term of Office: The President of the Village shall hold qualifications as required under Illinois Law. The Presidents term shall be for the term of Four Years And until his successor is elected and qualified.
- 1-5-2 Vacancy in Office:
- A. Whenever a vacancy in the Office of the Village President occurs the same shall be filed in accordance with the Statutes of the State of Illinois.
- B. Any vacancy in the Office of the Village President shall be determined in accordance with Statutes of the State of Illinois.
- 1-5-3 Bond: The Village President shall post such bond with sureties to the Village Board in accordance with Illinois Law.

#### 1-5-4 Powers and Duties:

- A. Generally, the President shall perform all duties as are, or may be, prescribed by the laws of the State of Illinois and the ordinances of the Village of Versailles, and he shall take care the laws and ordinances are faithfully executed. He shall have the powers at all times to examine the books, records, and papers of any agent, employee, or officer of the Village, appointed or elected.
- B. Appoint Committees: The President annually shall appoint the standing committees of the Board of Trustees to serve during the ensuing municipal year. The President may appoint ad hoc committees for such periods of time as are reasonable, but not to exceed the term of office of the President.
- C. Supervision: The president shall supervise the conduct of all officers, employees, and agents of the Village, and shall examine the grounds of all reasonable complaints made against any such persons, and shall report the same to the Board of Trustees at the next regular meeting of such Board after any complaint shall have been filed in writing with the Clerk of the Village, and transmitted by the Clerk to the President. The Board of

- Trustees may at such meeting, or subsequent meetings, take such action with reference to such complaint as it may deem advisable.
- D. Conservator of the peace: The President may exercise within the Village limits the powers conferred upon sheriffs to suppress disorder, and to keep the peace. He may release any person incarcerated or arrested for any violation of Village Ordinances, and shall report such release with the cause thereof to the Board of Trustees at its first meeting thereafter, but he shall not have the power to remit any fines.
- E. Communications to the Board: The President annually, and from time to time as he deems reasonable, give the Board of Trustees information relative to the affairs of the Village, and shall recommend for its consideration such measures as he may deem expedient.
- F. Grant Licenses: The President shall grant licenses for the purposes authorized by ordinance to such persons as have the qualifications prescribed by ordinance, unless the Board of Trustees shall otherwise designate and provide, and may revoke the same for good cause.
- G. Signature Required: The President shall sign any and all such documents as required by any law that require his official signature, and grant sign all commissions, licenses, and permits granted by the authority of the Village Board, except as otherwise provided in this Code.
- H. Acting President: The Acting President shall have the same duties, rights, and prerogatives as the President.
- 1-5-5 Office: The President may keep his office in the Village Hall or at such other place in the Village as may be provided by the Board of Trustees for the purpose of transacting business pertaining to his office.
- 1-5-6 President Pro Tempore: During a temporary absence or disability of the President, the Board of Trustees shall elect one of its own number to act as President Pro Tempore who, during such absence or disability, shall possess the powers of the President.

#### CHAPTER 6

#### VILLAGE BOARD OF TRUSTEES

#### SECTION:

1-6-1: Meeting of the Board 1-6-2: Presiding Office

1-6-3: Committees of the Board

1-6-4: Order of Business

1-6-5: Rules

1-6-6: Appointment and Removal of Officers

1-6-1: Meeting of the Board

- A. The regular monthly board meeting shall occur on the Second Monday of each Month, commencing at 6:30 P.M., until and unless the Board sets a different date and time for the regular monthly board meeting.
- B. Adjourned meetings may be held at such times as may be determined by the Board.
- C. Special meetings may be called and held by notification to each member of the Board of Trustees, in writing, signed by the President or by any three (3) members of said Board, or may be called as allowed by State Statute. Such notice may be personally served by reading to each or any member, or by leaving a copy thereof at the usual place of abode for any member. All members of the Board must be served. The notice shall specify the object of the meeting, and no business shall be transacted other than the business stated in said notice. All other provisions of the Illinois Open Meetings Act shall be observed as well as all other Statutory provisions regarding the holding of special meetings.

## 1-6-2: Presiding Officer

A. The president elected shall preside at all meeting of the Board of Trustees as provided under Illinois Law. In the absence of the president, the acting president shall so preside.

#### 1-6-3: Committees of the Board

A. The president shall annually appoint the members of committees, including the chairmen. Standing committees shall consist of the following:

Finance Committee

Police Committee

Streets, Alleys, and Sidewalks Committee

Lights, Fire and Water Committee

Public Health, Sewer, and Cemeteries Committee

Ordinances and Park Committee

- B. That committees shall consist of three (3) members of the Board of Trustees, except the Finance Committee which shall consist of the President and two (2) Board members. The president shall be the Ex Officio Chairmen of the Finance Committee. The first named committee member shall be the chairmen of said committee, and, in the absence of said chairmen, the second named member shall be the chairmen of said committee.
- C. Each Standing Committee of the Board shall:

- 1. Exercise a general supervision over the affairs of the Department of Municipal Government with which it is connected.
- 2. Ascertain the condition and needs of said department.
- 3. From time to time report the same to the President and the Board of Trustees so that a full understanding thereof may be had; and,
- 4. Do all acts necessary to the efficiency and proper operation of the department.
- D. Special Committees may be appointed by the President from time to time as may be necessary, either upon his own motion, or upon order of the Board of Trustees, and such committee may consist of as many members as at the time may be determined.
- E. The Majority of any committee may act, but only during the interval between regular meetings of the Board, and shall have the power to act on all matters referred to them or within their department, but shall only act by and with the advice and consent of the majority of the committee.

#### 1-6-4: Order of Business:

The order of business at regular monthly meeting shall be as follows unless otherwise directed by the President:

- A. The reading of the minutes of the preceding meeting (unless dispensed) and their approval or correction.
- B. The presentation of petitions.
- C. Communications to the Board of Trustees
- D. Claims and actions thereof
- E. Reports of Officers
- F. Standing Committee Reports
- G. Reports of Special Committees
- H. Unfinished business from the preceding meeting
- I. New Business

#### 1-6-5 Rules:

A. Roll Call; Quorum: The President, when present, or the Acting Mayor in the absence of the president, shall take the chair at the appointed hour for the Board of Trustees to meet, and shall immediately call the members, which shall be done in alphabetical order, and, if a quorum is present, the meeting shall be declared open for business. If there is less than a quorum present, then those present may adjourn from time to time, and may compel the attendance of absent members, and upon the presence of a quorum, may proceed to

- business. The presence or absence of a quorum shall be determined in accordance with Illinois Statute.
- B. Absence of the President. In the temporary absence of the President the Acting Mayor for the purposes of conducting the regular monthly meeting shall be the member of the Board of Trustees with the longest continuous service on the Board. In the event that two or more trustees have the same continuous service time on the Board, then the eldest of the same shall be the acting mayor.
- C. The Presiding officer of the meeting shall preserve order and decorum, and shall decide all questions of order, subject to appeal to the entire Board of Trustees present.
- D. The President shall be in charge of the meeting, shall determine the order in which members of the Board of Trustees may speak on an issue, and shall determine the order in which issues are called for discussion.
- E. No member may speak on the same question more than once, without leave of the President, until all other Board members have spoken on the question. Debate may be limited by the President to all members wishing to speak on a question being allowed to speak twice on the question.
- F. All members of the Board, as well as officers of the Village, shall conduct themselves in a professional manner. Vulgarities, profanity, obscene language, or personal attacks on the character of other members of the Board or the President shall not be permitted, and shall be ruled out of order. The decision by the President upon such matters is conclusive unless an appeal is made to the Board as a whole who shall determine such issues without debate, and upon immediate roll call vote.
- G. All votes shall be taken as a roll call vote when so required by State Statute. Members may abstain from voting, but such abstention shall be stated upon the record. Any vote not required to be taken as a roll call vote per State Statute may, upon motion and second by another member of the Board, be required to be taken as a roll call vote.
- H. No action shall be taken upon any motion without said motion receiving a second. When seconded, such motion shall be stated by the President, and shall be placed for vote before the Board.
- I. Motions to adjourn shall not be taken during the call of the roll, or during the taking of the Yeas and Nays on any question.
- J. That Robert's Rules of Order, and more particularly the <u>Eleventh Edition of Robert's Rules of Order Newly Revised</u>, are expressly adopted as the Rules of Order for the meetings of the Village Board.

- K. Veto. The veto by the Village President or officer acting in his stead shall cause the matter to be reconsidered in accordance with Illinois Statute. The Veto power of the President shall be exercised solely in accordance with Illinois Statute as shall the power of the Board to over ride of any veto.
- L. The appointment and removal of officers shall be by the following procedure other than for the appointment of certain officers as provided by State Statute. The President shall nominate the person or persons whom he believes are qualified for the position in issue. The Board shall approve the same by a majority vote of the present members of the Board at the meeting in which the question is presented. If such person or persons are not approved, the President shall nominate other individuals.
- M. Suspension of officers. The President may temporarily suspend officers for misconduct, but such suspension shall last no longer than until the next regular board meeting at which the issue of the removal of said officer may be taken. Removal of any officer shall require a vote of the majority of the members of the Board, and the approval of the President.

## CHAPTER 7 VILLAGE CLERK

·-· · · ·	
1-7-1	Bond
1-7-2	Duties
1-7-3	Office
1-7-4	Deputy Clerk
1-7-5	Village Collector
1-7-6	Freedom of Information Act

- 1-7-1 Bond. The village clerk shall, before entering upon the duties of the office, execute a bond to the Village in the penal sum of Five Hundred Dollars (\$500.00), or such greater sum as State law shall provide, with such sureties as the Board of Trustees by prior ordinance shall require, conditioned upon the faithful performance of the duties fo the office, and payment of all monies received according to the law, and the Ordinances of the Village, which Bond shall be deposited withe Village Treasurer.
- 1-7-2 Duties. The Village Clerk shall, in addition to the duties imposed by law, perform the following duties:
- A. The clerk shall attend the monthly meetings, act as the clerk for said meetings, and keep a suitable record book to be styled the "Journal of the Village Board," and a full and faithful record of all the proceedings of the Board.
- B. The Clerk shall issue notices to the Members of the Board of Trustees, to the members of

- committees, and to all persons whose presence is necessary for any meeting of the Board or committee when directed to so do by the Board or the Chairman of any committee.
- C. The Clerk shall attest all licenses issued by the Village, and keep records of the issuance of the same.
- D. The Clerk shall deliver all documents without delay to the various Members of the Board, the President, or other officers of the Village as appropriate.
- E. The Clerk shall be the custodian of the seal of the Village of Versailles, and shall prepare all commissions, licenses, permits, or other official documents required to be issued by the Clerk under law, and properly attest the same with the Corporate Seal, and attest all ordinances, and deeds for the sale of real estate sold or conveyed by the Village.
- F. Village Revenue and Records.
- 1. The clerk shall have and exercise a general supervision over all of the officers of the Village charged in any manner with the receipt, collection, or disbursement of the corporate revenue, and the collection and return of such revenue into the Village Treasury.
- 2. The Clerk shall require any officers charged in any manner with the receipt, collection, or disbursement of corporate funds to submit quarterly reports, in writing, showing in detail all such receipts, collections, and/ or disbursements, and to file said reports in the Office of the Clerk.
- 3. Have charge of, and carefully preserve in the Office of the Clerk, all books, records, papers, reports, files, leases, warrants, vouchers, maps, plats, ordinances, and instruments of every description belonging to the Village, except such as by law are directed to be kept or deposited elsewhere, and upon the expiration of the term of Office, immediately deliver all such books, records, papers, reports, files, leases, warrants, vouchers, maps, plats, ordinances, and instruments of every description to his successor in office, and to take receipt thereof. The term "documents" includes, but is not limited to, all computerized records of the Village.
- G. Under direction of the Finance Committee, open and keep in a neat and methodical manner, a complete set of books in which, among other things, shall be set forth the appropriations of the fiscal year for each distinct object and branch of expenditure, and also the receipts from each and every source of revenue of the Village so far as the same may be ascertained.
- H. On or before May 1 in each year, and before the annual appropriation is to be made by the Board of Trustees, submit to said board a report of his estimate as nearly as may be, of moneys necessary to defray the expense of the corporation during the next fiscal year.

In said report, he shall classify the different objects and branches of expenditure, giving as nearly as may be the amount required for each; and for the purpose of making such a report, the Clerk is hereby authorized to require of all officers their statements of the conditions and expenses of their offices and departments, with any proposed improvements, and the probable expense therefore, all contracts made and unfinished and the amount of any and all unexpended appropriations of the preceding fiscal year. In such report, he shall show the aggregate income of the preceding fiscal year from all sources, the amount of liabilities outstanding upon which interest is to be paid, the bonds and debts payable during the year, when due and payable; and in such report the Clerk shall give such other information to the Board of Trustees as he may deem necessary, to the end that the Board may fully understand the financial exigencies and demands upon the corporation for the current year.

- I. On or before the first Monday of each month, the Clerk shall make out and submit to the Board a statement or report in writing of all the money received, and all warrants drawn by him, during the preceding month, showing therein from what sources and on what sources and on what account said warrants were drawn and paid.
- J. The Clerk shall keep in his office a book expressly for use as a Register for Bonds, a correct list of all outstanding bonds of the Village, showing the number and amount of each, for and to whom the said bonds are issued, and when any Village Bonds are issued, or purchased, or paid, or cancelled, said book shall show the fact, and in the Clerk's annual report, the Clerk shall describe particularly the bonds sold during the preceding year, and the terms of the sale, together with each and every item of the expense thereof.
- K. Warrants and Checks: The Clerk shall keep in a suitable book an accurate list of all warrants and/ or checks drawn upon the Village Treasurer, showing the date, number, and amount of each, and the name of the person whose favor the same is drawn, and take the receipt of every person for the warrant and/ or check upon delivery thereof. In addition, the Clerk shall countersign all warrants and/ or checks drawn upon the Village Treasury. Said warrants and/ or checks shall be signed by the president, and shall specify on their fact the particular fund or appropriate to which they are chargeable, and the person to whom payable, and no money shall be paid otherwise than in this manner.
- L. When an appropriation is exhausted: the Clerk shall notify the Board when every any appropriation or fund is exhausted, and not thereafter draw any warrant and/ or check against such fund or appropriation until the same has been renewed.
- M. The Clerk shall record, in a book to be kept for the purpose, all ordinances passed by the Board, and at the foot of the record of each ordinance so recorded the Clerk shall make a memorandum of the date of the passage, publication, and approval of such ordinance.
- 1-7-3 Office.

The Clerk shall keep an office at the Village Hall, or at such other place as the Board may direct, and shall attend there for the transaction of business pertaining to the office.

- 1-7-4 The Village Board shall make provision when necessary for a Deputy Clerk to assist the Clerk, or in the absence of the Clerk or at such times when the Clerk is incapable of acting, to undertake the duties of the Village Clerk.
- 1-7-5 The Clerk shall also act as the Village Collector. As such, the Clerk shall perform the following duties:
- A. The Clerk shall prepare, collect, and execute all special assessments and other warrants which by law may be executed by the Clerk. The Clerk shall prepare such bills with interest computed thereon as may be required; shall prepare and safely keep all books and records relating to special assessments; and shall perform such other duties as have heretofore been imposed upon the office of Village Collector by law or Village :Ordinance.
- B. The Clerk shall be responsible for the billing and collection of water bills, and for proper accounting of such collections. The Clerk shall see that all water meters are read for billing purposes; that such meters are kept in a good state of repair; and that samples of the water supply be taken monthly and analyzed to insure safety of the water supply.
- C. The Clerk shall collect and account for the collection of all fees, charges, and deposits as are required to be paid under the Village Ordinances making proper accounting therefore, and remitting the same to the Village Treasurer.
- 1-7-6 That the Village Clerk and any successor to said office is hereby designated the Freedom of Information Act Officer;

That requests pursuant to the Freedom of Information Act shall be submitted in writing, and may be submitted directly to the Clerk during such business hours as she is at the Village Hall, or Monday through Friday from 1:00 p.m. to 4:00 p.m. by depositing the request into the bill payment depository attached to the Village Hall building.

That no fees will be charged for freedom of information act requests.

That the Village Clerk shall receive training as required by the Act, and shall submit her name to the Public Access Counselor established by the Attorney General.

That the Village Clerk shall receive said training within 30 days of the date of this ordinance designating her as the Freedom of Information Act Officer.

That the Village Clerk shall comply with all State Laws regarding Freedom of Information Act disclosures.

#### **CHAPTER 8**

#### VILLAGE OFFICERS, EMPLOYEES, AND PROFESSIONALS

#### SECTION:

1 <b>-</b> 8-1:	Elective and Appointive Officers
1-8-2:	Qualifications
1-8-3:	Appointments; Terms of Office
1-8-4:	Vacancies in Office: Removals
1-8-5:	Oaths and Bonds
1-8-6:	Commission
1-8-7:	Salaries and Fees
1-8-8:	Duties
1-8-9:	Leave of Absence
1-8-10:	Conservators of the Peace
1-8-11:	Conflicts by Village Officers
1-8-12:	Violations by Village Officers
1-8-13:	Powers of Acting Officers or Employees

1-8-1: Elective and Appointive Officers: The government of the Village shall be vested in a President, Six (6) members of the Board of Trustees, a Village Clerk, Village Attorney, Village Treasurer, Superintendent of Streets, Cemetery Sexton, a Code Enforcement Officer, and such other special or other officers as may be elected or appointed under any law or ordinance of said Village; provided, that the appointment of a Village Attorney shall be optional with the Village President. That police officers shall be hired by contract withe Brown County Sheriff.

Elected Officers shall be elected per the Statutes of the State of Illinois. That all other officers shall be appointed by the President and the Board of Trustees.

- 1-8-2: Qualifications: For elective positions, persons shall be qualified for such positions provided they have met the qualifications as outlined by State Statute. No person shall hold any office if they are in default upon any obligation to the Village. Appointed officers shall reside within the Village. All full time employees shall reside within the Village within 9 months of being hired. The Board may waive the residency requirement for any employee, but not for appointed officers. These provisions do not apply to the Village Attorney, nor do they apply to any police officer the services of whom are provided under contract with the Brown County Sheriff.
- 1-8-3: Appointments: Terms of Office: Each appointed officer of the Village shall be appointed by the President and the Board on the Second Monday in May of Each year, or as soon thereafter as may be. Appointed officers shall hold office until office until the expiration of the then current term of the President unless reappointed thereafter.

#### **ORDINANCE 17-02**

#### City of Versailles

WHEREAS, the State of Illinois has enacted "An Act regulating wages of laborers, mechanics and other workers employed in any public works by the state, county, city or any public body or any political subdivision or by any one under contract for public works", approved June 26, 1941, codified as amended, 820 ILCS 130/1 seq. (1993), formerly IL Rev. Stat., ch. 48, par. 39-s1 et seq and

WHEREAS, the aforesaid Act requires that the City Council of the City of Versailles investigate and ascertain the prevailing rate of wages as defined in said act for laborers, mechanics and other workers in the locality of Brown County employed in performing construction of public works, for said City.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VERSAILLES:

SECTION 1: To the extent and as required by "An Act regulating wages of laborers, mechanics and other workers employed in any public works of state, county, city or any public body or any political subdivision or by any one under contract for public works", approved June 26, 1941, as amended, the general prevailing rate of wages in the locality for laborers, mechanics and other workers engaged in construction of public works coming under the jurisdiction of the City of Versailles is hereby ascertained to be the same as the prevailing rate of wages for construction work in Brown County area as determined by the Department of Labor of the State of Illinois as June 1, of the current year a copy of that determination being attached hereto and incorporated herein by reference. As required by said Act, any and all revisions of the prevailing rate of wages by the Department of Labor of the State of Illinois shall supersede the Department's June determination and apply to any and all public works construction undertake by the City of Versailles. The definition of any terms appearing in this ordinance which are also used in aforesaid Act shall be the same as in said Act.

SECTION 2: Nothing herein contained shall be construed to apply said general prevailing rate of wages as herein ascertained to any work or employment except public works construction of the City of Versailles to the extent required by the aforesaid Act.

SECTION 3: The City Clerk shall publicly post or keep available for inspection by any interested party in the main office of the City Clerk this determination or any revisions of such prevailing rate of wage. A copy of this determination or of the current revised determination of prevailing rate of wages then in effect shall be attached to all contract specifications.

SECTION 4: The City Clerk shall mail a copy of this determination to any employer, and to any association of employers and to any person or association of employees who have filed their names and addresses, requesting copies of any determination stating the particular rates and the particular class of workers whose wages will be affected by such rates.

SECTION 5: The City Clerk shall promptly file a certified copy of this Ordinance with both the secretary of State Index Division and the Department of Labor of the State of Illinois.

- Vacancies in Office: Removal: If the President, Clerk, Treasurer, or a Member of 1-8-4: the Board of Trustees shall, during his official term, remove beyond the limits of the Village, his office shall thereby become vacant. The President, with the concurrence of the Board, shall have the power to remove any officer appointed by them whenever they shall be of the opinion that such removal is in the interests of the Village. No officer shall be entitled to any salary after such removal except for work performed prior to notification, by any means, of such removal.
- Oaths and Bonds: Such oaths and bonds as required by State Statute shall be execute by any person seeking to act as an officer of the Village prior to entry into office.
- 1-8-6: Commission: When a commission is required to be issued per State Statute, the Clerk shall issue said commission, to the person entitled thereto, in the form as prescribed by said Statute.
- *1-8-6*: Salaries and Fees: The salaries of the Officers of the Village shall be as follows:
- Village President:
- Village Treasurer:
- Village Clerk:
- <u>A.</u> <u>B.</u> <u>C.</u> <u>D.</u> Village Attorney: Shall be paid at such rate as the Board and Attorney agree at the time of contracting.
- <u>E.</u> Member of the Board:
- Other Officers: Shall be paid in such amounts as set by the Board at the time of hiring.

#### **DUTIES:**

- A. Reports required. Upon request by the Board, a Committee of the Board, or the President, each officer shall provide reports, either orally or in writing as requested, of the condition and business of their respective offices or department, and all matters therein touching the interests of the Village.
- B. Property. Each officer shall faithfully maintain the property of the Village, account for the same, and shall deliver the same to any successor in office within 5 days after the termination of the term of the said officer. Upon neglect or refusal to deliver said property to the successor in office, said officer shall be liable to the Village for all damages resulting to the Village for the same, and shall be subject to a penalty of no less than one thousand dollars (\$1,000.00) for each day that the property is not turned over to the successor in office.

At the commencement of term in office, each officer shall file with his predecessor in office and with the Village Clerk receipts for all books, property, articles, and belongings of the Village received from the predecessor in office.

- 1-8-9: Leave of Absence: Any appointed officer may request a leave of absence from either the President or the Board. During any such leave approved, the officer shall not receive any salary for time on leave. Being absent without leave is cause for termination of any appointed officer.
- 1-8-10: Conservators of the peace: The President, Trustees, police contracted to provide policing services, and all other officers created conservators of the peace by ordinance, shall have power to arrest or cause to be arrested, with or without process, all persons who shall break the peace, or be found violating any such ordinance of the Village, or any criminal law of the State, commit for examination, and, if necessary, detain such person in custody until he can be brought before a proper judge.
- 1-8-11: Conflicts of Interest: No Village officers shall be a contractor for any village work, or directly or indirectly interested in any contract, work or business of the Village. Nor in the purchase of any real estate or property belonging to the Village.
- 1-8-12: Violations by Village Officers:
- A. Elected Officers. May be removed from office as provided by State Statute:
- B. Liability by Officer. All officers shall be liable to the Village for all loss or damage that may result from their negligence or willful misconduct in the discharge of any official duty.
- 1-8-13: Powers of Acting Officers or Employees: In every case where any power is vested in, or any duty required of, any officer or employee, the same shall be deemed to extend to and include the person who may be acting as such officer or employee during the absence or disability of such officer or employee, or during any vacancy in such office or employment.

# CHAPTER 8 VILLAGE OFFICERS AND EMPLOYEES

# ARTICLE A. Village Attorney

SECTION: 1-8A-1 Powers and Duties.

1-8A-1. Powers and Duties.

A. Suits and action. The Village attorney shall prosecute and defend on behalf of the Village, all cases in which the interests of the Village, or any officer in their official capacity, are involved. The Village attorney shall prosecute any violations of the ordinances of the Village upon direction of the President or the Board of Trustees. Shall not be required to prosecute any suit or action, when upon

investigation of the case, he shall become satisfied that the complaint was not properly instituted, and may dismiss any suit or proceeding upon such terms as he may deem just and equitable.

- B. Legal advisor: The attorney shall draw such documents as are requested by the Village Board or President including, but not limited to: contracts, ordinances, forms, and bonds. The attorney shall provide legal advice to the Board or President as may be requested.
- C. Appeal. The Attorney may prosecute such appeals from any judgement involving the Village, however, no such appeal shall be taken without approval of the Board.

## ARTICLE B. Village Treasurer

#### SECTION:

1-8A-1:

Bond

1-8B-2:

Powers and Duties

1-8B-1 Bond. The Treasurer shall execute and provide such bond as is required by the Statutes of the State of Illinois prior to entry into office.

1-8B-2 Powers and Duties. The Village Treasurer shall:

A. Receive Moneys: Funds Kept Separate. Receive all moneys belonging to the corporation and keep a separate account of each fund or appropriation, and the debits and credits belonging thereto.

Shall keep all moneys belonging to the corporation separate and distinct from any money personally belonging to the treasurer, or any other person, and is hereby prohibited from using, either directly or indirectly, the corporation moneys or warrants in his custody, or keeping for his own or benefit, or for that of any other person, and any violation of this paragraph shall subject him to removal from office.

- B. Receipts: Give every person paying money to the Village Treasurer a receipt therefor, specifying the date of payment and upon what account paid, and file copies of such receipts with the Village Clerk at the time of his monthly reports.
- C. Register of Warrants or Checks: Keep an accurate register of all warrants redeemed, or checks written, and paid by him, and for each, showing the number, date, and amount of each, the fund from which paid, and the name fo the person to whom paid, and the date. He shall cancel all warrants as soon as redeemed by him.

- D. Special taxes in special funds: Hold all moneys received on account of any special assessments or special taxes as a special fund to be applied to the payment of the improvement for which said special assessment or special tax was made, and said money shall be used for no other purpose whatever, except to reimburse the village for money expended for such improvement.
- E. Report failure of Officers to Report Receipts. Promptly report to the Village Clerk any officer authorized to receive money on behalf of the Village who shall fail to make return of the moneys received by him at the time required by law or by the ordinances of said Village.
- F. Books and Accounts. Keep in his office books and accounts in such manner as to show with entire accuracy all moneys received and disbursed by him on behalf of the Village, stating from whom and on what account moneys have been received, and containing itemized statements corresponding to those made by the Village Clerk, and in such manner that such books and accounts may be investigated and understood, and the same, together with all other files and papers appertaining to the office of Village Treasurer and kept by him in his office, shall at all times be open to inspection by the President, the Village Clerk, or committee on finance.

## G. Reports required:

- 1. Monthly reports. At the end of each and every month, and more often if required, render an account under oath to the Board of Trustees showing the state of the Village Treasury at the time of such account, and the balance of money in the Treasury. He shall accompany such report with a statement fo all moneys received into the Village Treasury, and on what account received, together with all warrants redeemed and paid by him during the preceding month, and all checks written, and at the time of filing such report, he shall deliver to the Village Clerk all such warrants and all other vouchers he shall stamp or mark paid.
- 2. Annual reports. Annually, at the close of the fiscal year, make out and file with the Village Clerk a full and detailed report fo all receipts and expenditures of the corporation as shown by his books and his transactions as such Treasurer during the preceding year, and he shall in such report show the state of the Village Treasury at the close of said year, which report the Village Clerk shall Publish as required by law.

#### **CHAPTER 8**

VILLAGE OFFICERS AND EMPLOYEES
POLICE
VILLAGE SUPERINTENDENT
CODE ENFORCEMENT OFFICER

- 1-8C-1 Police
- 1-8C-2 Village Superintendent
- 1-8C-3 Superintendent Duties
- 1-8C-4 Code Enforcement Officer
- 1-8C-1: The Village shall arrange for policing services via contract with the Brown County Sheriff, or such other police department of any municipality as the Board may deem fit. The persons providing said services are not Village Employees, but are independent contractors providing said services. The Board and the provider of said services shall determine the amount to be paid for said services, as well as the duties of the service providers, in accordance with the terms of the contract agreed for said services.
- 1-8C-2 Village superintendent. The office of Village Superintendent is hereby created. The salary for said position shall be as set by the Village Board from time to time.
- 1-8C-3 Superintendent Duties.
- A. The Superintendent shall be responsible for the management, cleaning, and maintenance of all village property, including but not limited to: the waterworks, the cemetery, streets, alleys, Village hall, personal property, equipment, parks, sewer system, cess pools, and all other property. Additionally, the superintendent shall have such additional duties as required by the Board or President from time to time. The management of the pool shall be with the superintendent at all times other than when a pool manager is hired.
- B. The Superintendent shall possess and maintain all licenses as required by law for the operation of the waterworks, pool, sewage system, cess pools, operating motor vehicles and/ or equipment, and any other equipment, system, or works of the Village.
- C. The Superintendent shall make monthly reports to the Board, and report to the President as directed by the President, and to any committee of the Board on request of said committee.
- D. The Superintendent shall account for all property of the Village, for all expenditure of funds, and for all funds received.
- E. The Superintendent shall oversee and supervise any and all laborers of the Village, any persons supplying labor to the Village, and all employees of the Village hired for his department.
- 1-8C-4: Code Enforcement Officer. The term of this office is six months, and may be reappointed by the mayor for additional consecutive terms.
- A. That the duties of the office include: enforcement of all Village Ordinances, issuance of tickets, appearing in court to testify on behalf of the Village in matters relating to the enforcement of ordinances, collecting evidence necessary to enforce Village Ordinances, reporting as to his activities to the Village Board on or before the monthly meeting date of the

Board, conducting himself in said duties in a professional manner and in compliance with all State and Federal Laws and regulations, issuance of building permits and other permits required by the Municipal Code of the Village of Versailles, and such other duties as directed by the mayor or the Village Board from time to time.

- B. That the salary for this position shall be as set by the Board.
- C. That the Mayor may discharge the Ordinance officer at any time.
- D. That the Ordinance Officer is not a police officer. Said officer does not have the power to

arrest any person, use force in the performance of his duties, or take bond from any person, on behalf of the Village of Versailles. Entry by the Ordinance Officer into any building without a search warrant or permission of the owner or occupant is expressly forbidden.

# CHAPTER 9 MUNICIPAL FINANCE

1-9-1:	Appropriations
1-9-2:	Levy of Taxes; Filing Copy
1-9-3:	Tax Anticipation Warrants
1-9-4:	Village Depositories
1-9-5:	Claims against the Village
1-9-6:	Contracts and Purchases
1-9-7:	Wage Rates for Public
1-9-8:	Tax imposed

- 1-9-1: Appropriations. The Board shall, as soon as practicable after the commencement of each fiscal year, and within the first quarter thereof, pass an ordinance to be termed the annual appropriation ordinance, in which they shall appropriate such sum or sums of money as may be deemed necessary to defray all necessary expenses and liabilities of the Village during that fiscal year made, and the amount appropriated for each object or purpose, and no further appropriations shall be made at any time during such fiscal year unless the proposition to make such appropriation has been first sanctioned by a majority of the Village Board.
- 1-9-2: Levy of Taxes. Filing Copy. The Board shall annually, ascertain the total amount of appropriations for all corporate purposes legally made and to be collected from the tax levy of that fiscal year, and by an ordinance specifying in detail the purposes for which such appropriations are made, and the sum or amount appropriated for each purpose, respectively, levy the amount so ascertained upon all property subject to taxation within the Village as the same is assessed and equalized for State and County purposes for the current year. The Village

Clerk shall file a certified copy of such ordinance in the office of the County Clerk of Brown County, within the time required by law.

#### 1-9-3: Tax Anticipation Warrants.

- A. Issuance. At any and all times when there shall be no money in the Village treasury to meet and defray the ordinary and necessary expenses of the Village, the Village President is hereby authorized and instructed to draw, sign and issue, and the Village Clerk is hereby authorized and instructed to countersign, Village Warrants, directed to the Village Treasurer against and in anticipation of the collection of any taxes already levied by ordinance of the Village, to provide a fund for the payment of said ordinary and necessary expense of the Village.
- B. Contents. The warrants drawn and issued under and in pursuance of the provisions of the Section shall, as provided by law, show upon their face that they are payable solely from said taxes when collected, and not otherwise. Said warrants shall show to what particular fund they are chargeable They shall also show the aggregate amount of warrants drawn and issued under and in pursuance of this Section against any particular fund, and shall not, in any fiscal year, exceed seventy five percentum (75%) of the amount levied for such fund for said fiscal year. Any warrants shall in all other respects comply with all other others laws of the State of Illinois.
- C. Payment. The Taxes against which said warrants are drawn shall be set apart and held for their payment as provided by law. Warrants drawn under and pursuant to this Section shall not be charge or marked "paid" upon the books of either the Village Treasurer or the Village Clerk until they shall be actually paid and cancelled. When they are so actually paid and cancelled, they shall then be charged against the respective funds upon which they are drawn.
- D. Interest. Every such warrant shall bear interest payable only out of the taxes against which it shall be drawn at the rate of five percentum (5%) per annum from the date of its issuance until paid, or until notice shall be given by publication in a newspaper published in the County that the money for the payment is available, and that it will be paid on presentation.
- E. Records and Reports: The Village Clerk shall keep an accurate and exact accounting, in connection with his other accounts, of the amount of money drawn against each appropriation and tax levy therefor, by the issuance of anticipation warrants, and shall report to the Board at its first regular meeting in each month the aggregate amount drawn against each appropriation and the tax levy therefore, by anticipation warrants during the preceding month. Nothing herein contained shall be construed to authorize the President and the Village Clerk to draw anticipation warrants and ordinary warrants in any fiscal year to an amount exceeding, together, the amount appropriated for any fund or purpose in the annual appropriation bill for such fiscal year, but the aggregate amount of warrants (including both anticipation warrants and ordinary warrants) against any particular fund, or appropriation in any fiscal year, shall not exceed the amount appropriated for such fund in the annual appropriation bill for such fiscal year.

- 1-9-4 Village Depositories. All Village funds shall be kept in the Farmers State Bank and Trust Company.
- 1-9-5 Claims against the Village.
- A. Approval Required.
- 1. All bills, payrolls, or claims of any description against the Village must be approved by the Board of Trustees at the regular meeting of each month, and all such claims must be filed in the office of the Village Clerk prior to the meeting upon which said Board shall meet for the approval of such claims.
- 2. All claims against the Village shall be itemized as far as possible, showing the amount of materials, services, and other labor, and the location where said work was done as far as practicable.
- 3. After approval of claims by the Board, payment shall be made by check signed by the President, and countersigned by the Village Clerk or Treasurer.
- 1-9-6 Contracts and purchases.
- A. The Village Board may allow for officers and those employed by the Village to purchase such materials and services as may be required for the execution of the duties of said officer or employee. The Board shall set a maximum dollar amount for such expenditures, and the officer or employee may purchase such items as, in their discretion, they think fit.
- B. That for purchases of goods or services required by State law to be undertaken by bid such purchases shall made in the manner as required by State Statute.
- C. Wage rates for Public Works employees and Wage rates for those contracting with the Village. The Wage Rates for employees shall be, at a minimum, the rates required by law to be paid such employees, or such greater wages as the Board may set. The Prevailing Wage Act and Illinois Procurement Code, to the extent applicable, shall apply to work covered by said acts.
- 1-9-8 Tax imposed. Pursuant to 65 ILCS 5/8-11-2 a tax is imposed on:
- 1. Persons engaged in the business of distributing, supplying, furnishing, or selling gas for use or consumption, and not for resale, at a rate of 5% of the gross receipts therefrom.
- 2. 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:

- (I) For the first 2,000 kilowatt-hours used or consumed in a month; 0.61 cents per kilowatt-hour; (ii) For the next 48,000 kilowatt-hours used or consumed in a month; 0.40 cents per kilowatt-hour:
- (iii) For the next 50,000 kilowatt-hours used or consumed in a month; 0.36 cents per kilowatt-hour;
- (iv) For the next 400,000 kilowatt-hours used or consumed in a month; 0.35 cents per kilowatt-hour;
- (v) For the next 500,000 kilowatt-hours used or consumed in a month; 0.34 cents per kilowatt-hour;
- (vi) For the next 2,000,000 kilowatt-hours used or consumed in a month; 0.32 cents per kilowatt-hour;
- (vii) For the next 2,000,000 kilowatt-hours used or consumed in a month; 0.315 cents per kilowatt-hour;
- (viii) For the next 5,000,000 kilowatt-hours used or consumed in a month; 0.31 cents per kilowatt-hour;
- (ix) For the next 10,000,000 kilowatt-hours used or consumed in a month; 0.305 cents per kilowatt-hour; and
- (x) For all electricity used or consumed in excess of 20,000,000 kilowatt-hours in a month, 0.30 cents per kilowatt-hour.
- 4. None of the taxes authorized by this Section 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 sub-division thereof; nor shall any persons engaged in the business of distributing, supplying, furnishing, selling or transmitting gas, water, or electricity, or using or consuming electricity acquired in a purchase at retail, be subject to taxation under the provisions of this Section for those transactions that are or may become subject to taxation under the provisions of the "Municipal Retailers' Occupation Tax Act" authorized by Section 8-11-1; nor shall any tax authorized by this Section 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 businesses of the same class in the municipality, whether privately or municipally owned or operated, or exercising the same privilege within the municipality.
- 5. Any account of the Village of Versailles Shall be exempt from any taxes imposed by any ordinance of the Village of Versailles. This includes, but is not limited to, the Municipal Utility Tax Ordinance.
- 1-9-8 (b) Additional Taxes. Such tax shall be in addition to other taxes levied upon the taxpayer or its business.
- 1-9-8 (c) Collection. The tax authorized by 1-9-8 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, provided, that the person delivering electricity shall be allowed credit for such tax related to deliveries of electricity the charges for which are written off as uncollectible, and provided further, that if such charges are thereafter collected, the delivering supplier shall be obligated to remit such tax. For purposes of this subsection ©, any partial payment not specifically identified by the purchaser shall be deemed to be for the delivery of electricity. Persons delivering electricity shall collect the tax from the purchaser by adding such tax to the gross charge for delivering the electricity, in the manner prescribed by the municipality. 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 electricity for the expenses 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 returns pursuant to this paragraph (c) shall, at the time of filing such return, pay the municipality the amount of the tax collected pursuant to subparagraph 3.

1-9-8 (d) Overpayment. If it shall appear that an amount of tax has been paid which was not due under the provisions of this article, 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 Article 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 therefore shall be so credited.

#### CHAPTER 10

#### MUNICIPAL ELECTIONS

SECTION:

1-10-1: State Law to Govern

1-10-1: Elections of Village Officers shall be held in accordance with State Statute. The inauguration of officers shall be as required by State Statute.

CHAPTER 11

**ORDINANCES** 

- 1-11-1: Passage of Ordinances, Veto of Ordinances, Passage over Veto
- 1-11-2: Publication of Ordinances
- 1-11-3: Record and Preservation of Ordinances; Correction of Errors
- 1-11-4: Conflicting Provisions
- 1-11-1 Passage of Ordinances, Veto of Ordinances, Passage over Veto. Said passage, veto and passage over veto shall be in accordance with State Statute.
- 1-11-2 Publication of Ordinances: All ordinances imposing any appropriation shall, be published and posted to the extent required by State Statute. Any ordinances required to posted and/ or published by State Statute shall be so posted and/ or published.
- 1-11-3 Record and Preservation of Ordinances; Correction of Errors
- A. Record of Ordinance: All ordinances passed by the Village Board shall be deposited in the office of the Village Clerk, and shall be duly recorded by the Clerk in the Record Book.
- B. Preservation: Correction of Errors: The Village Clerk shall file and carefully preserve the originals of all ordinances deposited in his office. He may correct any errors in the numbering of any chapter or section of any ordinance, and insert the proper numbers, and he may omit words inserted or supply, with brackets, words omitted by clerical mistake.
- 1-11-4 Conflicting provision. When the provisions of each ordinance and chapter shall conflict with, or contravene each other, the provisions and requirements of each ordinance and chapter shall prevail as to all other subjects, matters, and questions embraced within, or arising out of the subject matter thereof, but if different or conflicting provisions be found in different sections then the same prevail, unless such construction would be repugnant to, or inconsistent with, the obvious meaning of such ordinance or chapter. All provisions shall be read to be consistent with the law of the State of Illinois, the united States, and the Constitution of the State of Illinois, and the Constitution of the united States.

#### CHAPTER 12

#### MISCELLANEOUS PROVISIONS

- 1-12-1: Village Boundaries
- 1-12-2: Village Seal
- 1-12-1: Village Boundaries: The boundaries of the Village shall be the same as those heretofore provided for the Town of Versailles, as set forth in the Act of the General Assembly of the State of Illinois granting a charter to the town, which said act was approved March 26, 1869. The boundaries of the Village are set forth in the legal description on file in the office of

the Village Clerk.

1-12-2: Village Seal: The Official Seal of the Village shall have engraved around its outer rim the words "Village of Versailles, Brown County, Illinois", and in center "May 1, 1917. Said seal shall be in the custody of the Village Clerk.

#### TITLE 2

#### CHAPTER 1

# GENERAL LICENSING PROVISIONS

2-1-1:	Procedure for issuance of license
2-1-2:	Payment of fees
2-1-3:	Term of license
2-1-4:	Conditions of License
2-1-5:	Register Kept
2-1-6:	Forfeiture of license
2-1-7:	Penalty

- 2-1-1: Procedure for issuance of license. When application is made to the Village Clerk for a license, the Clerk shall ensure all requirements for the issuance of the license are met, and that all necessary fees for the issuance of the license are paid. The application for license shall be kept by the clerk, and shall show the name of the person requesting the license, their address, and the purposes for which the license is sought, and the location of the property within the Village at which the license is to apply, or such business to be licensed is to be located and operated. The Clerk shall make out a receipt for the fees paid, and shall issue the license, keeping a duplicate copy of the license in the files of the Clerk's office. The license shall show the date of issuance, to whom it is issued, the date the license expires, the type of license, and the address showing the location at which the license is to be applicable. Any license so issued shall be valid only at the address shown on the license to which it is applicable, and no other.
- 2-1-2: Payment of fees: No license shall be issued to any person owing money to the Village at the time such license is requested, until such time as all moneys owed by said person are paid in full.
- 2-1-3: Term of License: No license shall be issued for a period longer than one year. Any license purporting to be issued for a term longer than one year from the date of issuance is valid for only one year from the date of issuance. A license issued "in blank," is Void.
- 2-1-4: Conditions of license.

- A. Transfer of license. No license may be transferred to another party except upon permission from the Board.
- B. License limited to one location. A license issued is only valid for the location listed on the license issued. A person may have more than one license issued upon payment of all fees, and meeting of all requisite conditions for the issuance of the license.
- 2-1-5: Register kept. The clerk shall keep a register of all licenses issued by him in which all duplicate copies of issued licenses shall be numbered and kept.
- 2-1-6: Forfeiture of License. All licenses that may be issued shall be subject to all laws of the State of Illinois and ordinances in effect at the time of the issuance of the license, and any subsequent ordinances passed by the Board. Any person violating the laws of the United States, the State of Illinois, or any Village Ordinance in the use of such license shall forfeit said license.
- 2-1-7: Penalty. Any person required to obtain a license who fails to so do, shall be subject to a penalty of \$100.00 for each day said person operates or undertakes any act for which a license is required.

### **CHAPTER 2**

### MUNICIPAL OCCUPATION TAXES

#### **SECTION:**

2-2-1: Municipal Retailers Occupation Tax2-2-2: Municipal Service Occupation Tax

2-2-1: Municipal Retailers Occupation Tax

- A. Tax imposed. A tax is hereby imposed upon all persons engaged in the business of selling tangible personal property in the village at the rate of one percent (1%) of the gross receipts from such sales made in the course of such business of paragraph 8-11-1 of the Illinois Municipal Code.
- B. Report Required. Every such person engaged in such business in the Village shall file on or before the last day of each calendar month, the report to the State Department of Revenue required by paragraph three (3) of "An Act in Relation to a tax upon persons engaged in business of selling tangible personal property to purchases for use or consumption" approved June 28, 1933 as amended.
- C. Payment of Tax. At the time such report is filed, there shall be paid to the State Department of Revenue the amount of tax hereby imposed on account of the receipts from sales of tangible personal property during the preceding month.

### An Ordinance Taxing the Sale of Cannabis

Whereas it is in the best interests of the Village of Versailles to attempt to limit the use of cannabis by imposing as high a tax as possible in accordance with Illinois law, and;

Whereas the possession of cannabis is still a federal offense, and the Village does not wish to be viewed in any way as violating federal law;

It is therefore hereby ordained by the Board of Trustees of the Village of Versailles as follows:

- 1. That this ordinance is not intended to violate federal law in any way, but rather is implemented to assist in preventing the illegal activities associated with cannabis.
- 2. That a Municipal Cannabis Retailers' Occupation Tax is imposed in the amount of 3% of the gross receipts from the sales of cannabis sold at retail in locations within the municipality.
- 3. That the City Clerk shall collect and maintain all information regarding any party or entity paying the tax, including taking a copy of photo identification of the individual paying the tax, and shall provide the same to the United States Attorney's Office for the Central District of Illinois or Federal Bureau of Investigation upon request.
- 4. That this ordinance shall take effect 10 days after posting as required by law.

Adopted in open session this the day of January, 2020.		
David Hoelscher – Mayor	Village Clerk (seal)	
Yeas Nays Not Voting/ present		

# An Ordinance Relating to Liquor Control 2018

Whereas Video Gaming has been legalized in the State of Illinois; and,

Whereas the Current Village Liquor Control Ordinance is in need of modification due to the changes in State law;

It is therefore hereby ordained by the Board of Trustees of the Village of Versailles as follows:

The previous liquor control ordinance is repealed and replaced as follows see attached

Ordinance:

That this ordinance shall take effect 10 days after posting as required by law.

Adopted in open session this the H day of May, 2018.

David Hoelscher – Mayor		Village Clerk (seal)
Yeas Nays Not Voting/ present		

### LIQUOR CONTROL

### SECTION:

2-3-1:	Deminitions
2-3-2:	License and compliance Required
2-3-3:	Application for License
2-3-4:	Restrictions on Issuance of License
2-3-5:	Examination of Applicant
2-3-6:	Classification of Licenses: fees
2-3-7:	Number of License Issued
2-3-8:	Insurance Required
2-3-9:	Term of License
2-3-10:	Disposition of License
2-3-11:	Renewal of Licenses
2-3-12:	Transfer of License
2-3-13:	Building and Location Restrictions
2-3-14:	Conditions of License
2-3-15:	Sanitary Conditions
2-3-16:	Minors
2-3-17:	Sales to Certain Persons Prohibited
2-3-18:	Record of Licenses Kept
2-3-19:	Entry Powers
2-3-20:	Revocation or Suspension of License
2-3-21:	Local Liquor Control Commissioner

D 6 141 ...

2-3-l Definitions: Unless the context otherwise require, the following terms, as used in this Chapter, shall be construed according to the definitions given below:

ALCOHOLIC LIQUOR Any spirits, wine, beer, alcoholic liquid containing more than one half of one percent (0.5%) of alcohol by volume which is fit for beverage purposes.

RESTAURANT Any public place kept, used, maintained, advertised and held out to the public as a place where meals are served, and where meals actually are served and regularly served, without sleeping accommodations; such space being provided with adequate and sanitary kitchen and dining room equipment and capacity and having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for its guests; provide further, that no restaurant licensed as such shall sell alcoholic liquor except with meals.

RETAIL SALE The sale for "off premises" use or consumption and not for resale.

PREMISES LICENSE A license issued for the serving, pouring, or other "on premises" consumption of alcoholic beverages to retail customers. Any such licensee shall allow no more than 2 alcoholic liquor beverages to be served per person, per hour. Any such premises license shall only be issued to a holder of a Class A Retail License upon payment of the fees for both the

Class A Retail License and Class B Premises License.

TOTAL POPULATION To be population determined by the most recent official Federal State or Village census.

- 2-3-2: LICENSE AND COMPLIANCE REQUIRED: It shall be unlawful to sell or offer for sale at retail in the Village any alcoholic liquor without having a retail liquor dealer's license or in violation of the terms of such license.
- 2-3-3: APPLICATION FOR LICENSE: Application for such licenses shall be made to the Local Liquor Commissioner, in writing signed by the applicant, if an individual, or by a duty authorized agent thereof, if a club or corporation verified by oath or affidavit, shall contain the following statements and information:
- A The name, age and address of the applicant in the case of an individual; in the case of a copartnership, the persons entitled to share in the profits thereof in the case of a corporation the objects for which organized, the names and addresses of the officers and directors, and if a majority interest of the stock of such corporation is owned by one person or his nominee the name and address of such person.
- B. The citizenship of the applicant, his place of birth, and if a naturalized citizen the time and place of his naturalization.
- C. The character of business of the applicant, and in the case of a corporation the objects for which it was formed.
- D. The length of time said applicant has been in business of that character, or in the case of a corporation, the date when its charter was issued.
- E. The amount of goods, wares and merchandise on hand at the time application is made.
- F. The location and description of the premises or place of business which is to be operated under such license.
- G. A statement whether the applicant has made application for a similar or other license on premises other than described in this application, and the disposition of such application.
- H. A statement that applicant has never been convicted of a felony and is not disqualified to receive a license by reason of any matter or thing contained in this Chapter, laws of this State or the ordinances of this Village.
- I. Whether a previous license by any state or subdivision thereof, or by the Federal government had been revoked, and the reasons thereof.
- J. A statement that the applicant will not violate any of the laws of the State of Illinois, or of the

United States, or any ordinance of the Village in the conduct of his place of business.

2-34. RESTRICTIONS ON ISSUANCE OF LICENSE: No such license shall be issued to:

A. person who is not of good character and reputation in the community in which he reside.

- B. A person who is not a citizen of the United States or legally authorized to be present and transact business in the United States.
- C. A person who has been convicted of a felony.
- E. A person who has been convicted of being the keeper or is keeping a house of ill-fame.
- F. A person who has been convicted of pandering or other crime or misdemeanor opposed to decency and morality
- G. A person whose license under this Chapter 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 copartnership, unless all of the members of such copartnership shall be qualified to obtain a license.
- I. A corporation, if any officer, manager or directed thereof or any stockholder or stockholders owning in the aggregate more than five percent (5%) of the stock of such corporation, would not be eligible to receive a license hereunder for any reason other than citizenship and reside within the political subdivision.
- K. A person whose place of businesses conducted by a manger or agent unless said manger or agent possesses the same qualifications required of the licensee.
- L. 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 who shall have forfeited his bond to appear in court to answer charges for any such violation.
- M. A person who does not own the premises for which a license is sought, or does not have a lease thereon for the full period for which the license is issued.
- N. Any law-enforcing public official, any Mayor or member of the Village Board of Trustees and no such official shall be interested in any way, either directly or indirectly, in the manufacture, sale or distribution of alcoholic liquor.
- O. Any person firm or corporation not eligible for State retail liquor dealer's license.

2-3-5: EXAMINATION OF APPLICANT: The local Control Commissioner shall have the right to examine, or cause to be examined under oath, any applicant for a local license or for a renewal thereof, or any licensee upon whom notice of revocation or suspension has been served as provided by statute and to examine or cause to be examine the books and records of any such applicant or licensee, to hear testimony and take proof of his information in the performance of his duties, and for such purpose to issue subpoenas which shall be effective in any part of his 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, as provided by statute.

2-3-6 CLASSIFICATION OF LICENSES; FEES: Such licenses shall be divided into the following classes:

Class A - Retail...

\$1,000.00

Class B - Premises ....

\$250.00

All licenses issued hereunder shall be designed by the classification letter herein provided.

2-3-7: NUMBERS OF LICENSES ISSUED: The total number of all Class A licenses issued and in force at any one time in any year shall not exceed two.

The total number of all Class B licenses issued and in force at any one time in any year shall not exceed two.

2-3-8: INSURANCE REQUIRED: No license shall be issued hereunder unless the applicant shall file with the application a certificate by an insurance company authorized to do business in the State of Illinois, certifying that the applicant has in force and effect the insurance required by statute.

2-3-9: TERM OF LICENSE: Each licensed issued hereunder shall terminate on April 30 following the issuance thereof.

24-1A. DISPOSITION OF FEES: All such fees shall be paid to the Village Clerk at the time application in made and shall be forthwith turned over to the Treasure. In the event the license applied for is denied, the fee shall be returned to the applicant; if the license is granted, then the fee shall be deposited in the General Corporate Fund or in such other fund as shall have been designated by the Board of Trustees.

2-3-II: RENEWAL OF LICENSE: Any licensee may renew his license at the expiration thereof; provided he is then qualified to receive a license and the premises for which such renewal license is sought are suitable for such purpose; provided further, that the renewal privilege herein provided for shall not be construed as a vested right which shall in any case prevent the President from decreasing the number of licenses to be issued within his jurisdiction.

2-3-12: TRANSFER OF LICENSE: A license shall be purely personal privilege, good for not to

It shall be unlawful to keep open for business or to admit the public to, or permit the public to remain within, or to permit the consumption of alcoholic liquor in or upon any premises in which alcoholic liquor is prohibited; provided that in case of restaurants and hotels, such establishments may be kept open for business during such hours, but no alcoholic liquor may be sold to or consumed by the public during such hours.

3- Election Days: Alcoholic liquor may be sold on the day of any national, State, County, or Municipal election, including primary election during the hours the polls are open B. Peddling: It shall be unlawful to peddle alcoholic liquor in the Village.

### 2-3-15 SANITARY CONDITIONS:

A. Premises: AI1 premises used for the retail sale of alcoholic liquor or for the storage of such liquor for sale shall be kept in full compliance with the ordinance regulating the condition of premises used for the storage or sale of food for human consumption.

B. Employees: It shall be unlawful to employ in any premises used for the retail sale of alcoholic liquor any person who is afflicted with or who is a carrier of any contagious, infectious or venereal disease; and it shall be unlawful for any person who is afflicted with or is a carrier of any such disease to work in or about any premises or to engage in any way in the handling, preparation or distribution of such liquor.

### 2-3-16: MINORS:

A. Sales to: It shall be unlawful for any person under the age of twenty one (21) years to purchase or obtain any alcoholic liquor in any tavern or other place in the Village where alcoholic liquor is sold except as hereafter provided. This provision restricting sale to persons under the age of twenty one (21) years does not apply to the sale, gift or delivery of beer and wine to persons under the age of twenty one (21) years but at least nineteen (19) years of age. It shall be unlawful to sell, give or deliver alcoholic liquor to any minor.

B. Misrepresentation of Age: It shall be unlawful for any person under the age of twenty one (21) years to misrepresent his or her age for the purpose of purchasing or obtaining alcoholic liquor in any tavern or other place in the Village where alcoholic liquor is sold. In every tavern or other place in the Village where alcoholic liquor is sold there shall be displayed at all times in a prominent place, a printed card which shall be supplied by the Village Clerk and which shall read substantially as follows:

### WARNING TO MINORS

You are subject to fine up to two hundred dollars (\$200.00) under the ordinance of the Village of Versailles if you purchase alcoholic liquor, or misrepresent your age for the purpose of purchasing or obtaining alcoholic follows.

C. Presence on Premises: It shall be unlawful for any holder of a retail liquor dealer's license, or his or her agent or employee to suffer or permit any minor to be or remain in any room or compartment adjoining or adjacent to or situated in the room or place where such licensed premises is located; provided, that this subsection shall not apply to any minor who is

accompanied by his or her parent or guardian or to any licensed premises which derives its principal business from the sale of services or other commodities other than alcoholic liquor. In addition to all other fines and penalties, the mayor may suspend or revoke the retail liquor dealer's license for any violation of this subsection.

### D. Employment:

- 1. It shall be unlawful for any minor to draw, pour or mix any alcoholic liquor as an employees of any retail licensee.
- 2. It shall be unlawful for any minor to attend any bar.
- 3. It shall be unlawful for any minor to draw, pour or mix any alcoholic liquor in any licensed retail premises.
- E. Responsibility of Parents: It shall be unlawful for any parent or guardian to permit any minor child of which he or she may be the parent or guardian to violate any of the provisions of this Section.
- SALES TO CERTAIN PERSONS PROHIBITED: It shall be unlawful for any holder of a liquor dealer's license to sell, deliver or give any alcoholic liquor to any intoxicated person or to any person known to him to be an habitual drunkard, spendthrift or insane, feeble-minded or distracted person.
- 2-3-18: RECORD OF LICENSE KEPT: The Village Clerk shall keep a complete record of dl such licenses issued and shall furnish the Chief of Police with a copy thereof. Upon revocation or suspension of any license the Village Clerk shall immediately give a written notice thereof to the Chief of Police.
- 2-3-19: ENTRY POWERS: It shall be unlawful to refuse to grant admittance to the premises for which a Class A license has been issued at any time upon the verbal request of any police officer, the Health Officer or any member of the Village Board of Trustees for the purposes of making an inspection of such premises or any part thereof
- 2-3-20: REVOCATION OR SUSPENSION OF LICENSE: The Mayor may suspend for not more than thirty (30) days or revoke for cause any liquor dealer's license for any violation of any provision of this Chapter, or for any violation of any State law pertaining to the sale of alcoholic liquor, as provided by law.

### 2-3-21: LOCAL LIQUOR CONTROL COMMISSIONER:

A. Mayor to Serve As: The Mayor is hereby authorized to be the Local Liquor Control Commissioner and shall be charged with the administration of the Dram Shop Act, and of such ordinances and resolution relating to alcoholic liquor as may be enacted. The mayor may appoint a person or persons to assist the Commissioner in the exercise of the powers and the performance of the duties provided for such Local Liquor Control Commissioner.

- B. Powers, Duties and Functions: The Local Liquor Control Commissioner shall have the following powers, functions and duties with respect to local liquor licenses:
- 1. To grant and/or suspend for not more than thirty (30) days, or revoke for cause all local licenses issued to persons or entities for premises within the Commissioner's jurisdiction and to impose fines as authorized by the Village Board.
- 2. To enter, or to authorize any law enforcement officer to enter, at any time, upon the premises licensed hereunder to determine whether any of the provisions of the State law or City ordinance, or any rules or regulations adopted by the Commissioner or by the State Commission have been, or are being violated, and at such time to examine the premises of the licensee in connection therewith. Any person or persons appointed by the Local Liquor Control Commissioner pursuant to this Section shall have the power given to the Local Liquor Control Commissioner by this subsection.
- 3. To receive complaints from any citizen within the Commissioner's jurisdiction that any of the provisions of the State law or of this Chapter have been or are being violated, and to act upon such complaint(s) in the manner provided by law.
- 4. To receive local license fees and pay same to the Village Clerk.
- 5. To examine, or cause to be examined, under oath, any applicant for a local license or for a renewal thereof, or any licensee upon whom notice of relocation or suspension had been served, or any licensee against whom a citation proceeding has been instituted by the State of Illinois Liquor Control Commission; to examine, or cause to be examined the books and records of any such applicant or licensee or respondent; and to hear testimony and take proof for his information in the performance of his duties; and for such purposes, to issue subpoenas which shall be effective in any part of this State. For the purpose of obtaining any of the information desired by Local Liquor Control Commissioner under this Section, the commissioner may be authorize his agent to act on his or her behalf.

To order, upon the issuance of a written order the licensed premises closed for more than seven (7) days, giving the license an opportunity to be heard during that period, 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

### LIOUOR CONTROL

#### SECTION:

2-3-1:	Definitions
2-3-2:	License and compliance Required
2-3-3:	Application for License
2-3-4:	Restrictions on Issuance of License
2-3-5:	Examination of Applicant
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2-3-7:	Number of License Issued
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2-3-12:	Transfer of License
2-3-13:	Building and Location Restrictions
2-3-14:	Conditions of License
2-3-15:	Sanitary Conditions
2-3-16:	Minors
2-3-17:	Sales to Certain Persons Prohibited
2-3-18:	Record of Licenses Kept
2-3-19:	Entry Powers
2-3-20:	Revocation or Suspension of License
2-3-21:	Local Liquor Control Commissioner

2-3-1 Definitions: Unless the context otherwise require, the following terms, as used in this Chapter, shall be construed according to the definitions given below:

ALCOHOLIC LIQUOR Any spirits, wine, beer, alcoholic liquid containing more than one half of one percent (0.5%) of alcohol by volume which is fit for beverage purposes.

RESTAURANT Any public place kept, used, maintained, advertised and held out to the public as a place where meals are served, and where meals actually are served and regularly served, without sleeping accommodations; such space being provided with adequate and sanitary kitchen and dining room equipment and capacity and having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for its guests; provide further, that no restaurant licensed as such shall sell alcoholic liquor except with meals.

RETAIL SALE The sale for "off premises" use or consumption and not for resale.

PREMISES LICENSE A license issued for the serving, pouring, or other "on premises" consumption of alcoholic beverages to retail customers. Any such licensee shall allow no more than 2 alcoholic liquor beverages to be served per person, per hour. Any such premises license shall only be issued to a holder of a Class A Retail License upon payment of the fees for both the

Class A Retail License and Class B Premises License.

TOTAL POPULATION To be population determined by the most recent official Federal State or Village census.

- 2-3-2: LICENSE AND COMPLIANCE REQUIRED: It shall be unlawful to sell or offer for sale at retail in the Village any alcoholic liquor without having a retail liquor dealer's license or in violation of the terms of such license.
- 2-3-3: APPLICATION FOR LICENSE: Application for such licenses shall be made to the Local Liquor Commissioner, in writing signed by the applicant, if an individual, or by a duty authorized agent thereof, if a club or corporation verified by oath or affidavit, shall contain the following statements and information:
- A The name, age and address of the applicant in the case of an individual; in the case of a copartnership, the persons entitled to share in the profits thereof in the case of a corporation the objects for which organized, the names and addresses of the officers and directors, and if a majority interest of the stock of such corporation is owned by one person or his nominee the name and address of such person.
- B. The citizenship of the applicant, his place of birth, and if a naturalized citizen the time and place of his naturalization.
- C. The character of business of the applicant, and in the case of a corporation the objects for which it was formed.
- D. The length of time said applicant has been in business of that character, or in the case of a corporation, the date when its charter was issued.
- E. The amount of goods, wares and merchandise on hand at the time application is made.
- F. The location and description of the premises or place of business which is to be operated under such license.
- G. A statement whether the applicant has made application for a similar or other license on premises other than described in this application, and the disposition of such application.
- H. A statement that applicant has never been convicted of a felony and is not disqualified to receive a license by reason of any matter or thing contained in this Chapter, laws of this State or the ordinances of this Village.
- I. Whether a previous license by any state or subdivision thereof, or by the Federal government had been revoked, and the reasons thereof.
- J. A statement that the applicant will not violate any of the laws of the State of Illinois, or of the

United States, or any ordinance of the Village in the conduct of his place of business.

2-34. RESTRICTIONS ON ISSUANCE OF LICENSE: No such license shall be issued to:

A. person who is not of good character and reputation in the community in which he reside.

- B. A person who is not a citizen of the United States or legally authorized to be present and transact business in the United States.
- C. A person who has been convicted of a felony.
- E. A person who has been convicted of being the keeper or is keeping a house of ill-fame.
- F. A person who has been convicted of pandering or other crime or misdemeanor opposed to decency and morality
- G. A person whose license under this Chapter 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 copartnership, unless all of the members of such copartnership shall be qualified to obtain a license.
- I. A corporation, if any officer, manager or directed thereof or any stockholder or stockholders owning in the aggregate more than five percent (5%) of the stock of such corporation, would not be eligible to receive a license hereunder for any reason other than citizenship and reside within the political subdivision.
- K. A person whose place of businesses conducted by a manger or agent unless said manger or agent possesses the same qualifications required of the licensee.
- L. 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 who shall have forfeited his bond to appear in court to answer charges for any such violation.
- M. A person who does not own the premises for which a license is sought, or does not have a lease thereon for the full period for which the license is issued.
- N. Any law-enforcing public official, any Mayor or member of the Village Board of Trustees and no such official shall be interested in any way, either directly or indirectly, in the manufacture, sale or distribution of alcoholic liquor.
- O. Any person firm or corporation not eligible for State retail liquor dealer's license.

2-3-5: EXAMINATION OF APPLICANT: The local Control Commissioner shall have the right to examine, or cause to be examined under oath, any applicant for a local license or for a renewal thereof, or any licensee upon whom notice of revocation or suspension has been served as provided by statute and to examine or cause to be examine the books and records of any such applicant or licensee, to hear testimony and take proof of his information in the performance of his duties, and for such purpose to issue subpoenas which shall be effective in any part of his 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, as provided by statute.

2-3-6 CLASSIFICATION OF LICENSES; FEES: Such licenses shall be divided into the following classes:

Class A - Retail... \$1,000.00 Class B - Premises .... \$250.00

All licenses issued hereunder shall be designed by the classification letter herein provided.

2-3-7: NUMBERS OF LICENSES ISSUED: The total number of all Class A licenses issued and in force at any one time in any year shall not exceed two.

The total number of all Class B licenses issued and in force at any one time in any year shall not exceed two.

2-3-8: INSURANCE REQUIRED: No license shall be issued hereunder unless the applicant shall file with the application a certificate by an insurance company authorized to do business in the State of Illinois, certifying that the applicant has in force and effect the insurance required by statute.

2-3-9: TERM OF LICENSE: Each licensed issued hereunder shall terminate on April 30 following the issuance thereof.

24-IA. DISPOSITION OF FEES: All such fees shall be paid to the Village Clerk at the time application in made and shall be forthwith turned over to the Treasure. In the event the license applied for is denied, the fee shall be returned to the applicant; if the license is granted, then the fee shall be deposited in the General Corporate Fund or in such other fund as shall have been designated by the Board of Trustees.

2-3-II: RENEWAL OF LICENSE: Any licensee may renew his license at the expiration thereof; provided he is then qualified to receive a license and the premises for which such renewal license is sought are suitable for such purpose; provided further, that the renewal privilege herein provided for shall not be construed as a vested right which shall in any case prevent the President from decreasing the number of licenses to be issued within his jurisdiction.

2-3-12: TRANSFER OF LICENSE: A license shall be purely personal privilege, good for not to

exceed one year after issuance, unless sooner revoked as in this Chapter provided, and shall not constitute property, nor shall it be subject to attachment, garnishment or execution nor shall it be alienable or transferable voluntarily or involuntarily, or subject to being encumbered or hypothecated. Such license shall cease upon the death of the licensee and shall not descend by the laws of testate or intestate devolution; provided, that 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 or manufacture 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 not longer than six (6) months after the death, bankruptcy or insolvency of such license. A refund shall be made of that portion of the license fee paid for any period in which the license shall be prevented from operating under the license in accordance with the provisions of this Section.

### 2-3 -13: BUILDING AND LOCATION RESTRICTION:

### A. Location Restriction:

- 1. No license shall be issued for the sale at retail of any alcoholic liquor within one hundred feet (100') of any church school, hospital home for the aged or indigent persons or for veterans, their wives or children, or any military or naval stations; provided, that this prohibition shall not apply to hotels offering restaurant service, regularly organized clubs, or to restaurants, food shops or other places where the sale of alcoholic liquors is not the principal business carried on if such places of business so exempted shall have been established for such purpose prior to the effective date hereof.
- 2. No person shall hereafter engage in the business as a retailer of any alcoholic liquor within one hundred feet (100') of any undertaking establishment or mortuary.
- 3. A Class B license shall only be issued to a motor service station selling gasoline, or gasoline blended, motor fuels with a minimum amount of sales per month of 1,500 gallons.
- B. Stores Selling School Supplies, Lunches, etc.: No license shall issued to any person for the sale at retail of any alcoholic liquor at any store or other place of business where the majority of customers are minors of school age, or where the principal business transacted consists of school books, school supplies, food lunches or drinks for such minors.

### 2-3-14: CONDITIONS OF LICENSE:

### A. Hours of Operation.

1. Closing Hours: It shall be unlawful to sell or offer for sale, at retail, or to give away in or upon any license premises, any alcoholic liquor between the hours of twelve o'clock (12:00) midnight and seven o'clock (7:00) AM. of any Monday, Tuesday, Wednesday, Thursday, and Friday, nor between the hours of one thirty o'clock (1:30) A.M. until seven o'clock (7:00) AM. on Saturday,

nor before the hours of noon on Sunday. No sales, or offers to sell at retail shall occur on Sunday after 9:00 P.M.

It shall be unlawful to keep open for business or to admit the public to, or permit the public to remain within, or to permit the consumption of alcoholic liquor in or upon any premises in which alcoholic liquor is prohibited; provided that in case of restaurants and hotels, such establishments may be kept open for business during such hours, but no alcoholic liquor may be sold to or consumed by the public during such hours.

3- Election Days: Alcoholic liquor may be sold on the day of any national, State, County, or Municipal election, including primary election during the hours the polls are open B. Peddling: It shall be unlawful to peddle alcoholic liquor in the Village.

### 2-3-15 SANITARY CONDITIONS:

A. Premises: All premises used for the retail sale of alcoholic liquor or for the storage of such liquor for sale shall be kept in full compliance with the ordinance regulating the condition of premises used for the storage or sale of food for human consumption.

B. Employees: It shall be unlawful to employ in any premises used for the retail sale of alcoholic liquor any person who is afflicted with or who is a carrier of any contagious, infectious or venereal disease; and it shall be unlawful for any person who is afflicted with or is a carrier of any such disease to work in or about any premises or to engage in any way in the handling, preparation or distribution of such liquor.

### 2-3-16: MINORS:

A. Sales to: It shall be unlawful for any person under the age of twenty one (21) years to purchase or obtain any alcoholic liquor in any tavern or other place in the Village where alcoholic liquor is sold except as hereafter provided. This provision restricting sale to persons under the age of twenty one (21) years does not apply to the sale, gift or delivery of beer and wine to persons under the age of twenty one (21) years but at least nineteen (19) years of age. It shall be unlawful to sell, give or deliver alcoholic liquor to any minor.

B. Misrepresentation of Age: It shall be unlawful for any person under the age of twenty one (21) years to misrepresent his or her age for the purpose of purchasing or obtaining alcoholic liquor in any tavern or other place in the Village where alcoholic liquor is sold. In every tavern or other place in the Village where alcoholic liquor is sold there shall be displayed at all times in a prominent place, a printed card which shall be supplied by the Village Clerk and which shall read substantially as follows:

### WARNING TO MINORS

You are subject to fine up to two hundred dollars (\$200.00) under the ordinance of the Village of Versailles if you purchase alcoholic liquor, or misrepresent your age for the purpose of purchasing or obtaining alcoholic follows.

C. Presence on Premises: It shall be unlawful for any holder of a retail liquor dealer's license, or his or her agent or employee to suffer or permit any minor to be or remain in any room or compartment adjoining or adjacent to or situated in the room or place where such licensed premises is located; provided, that this subsection shall not apply to any minor who is accompanied by his or her parent or guardian or to any licensed premises which derives its principal business from the sale of services or other commodities other than alcoholic liquor. In addition to all other fines and penalties, the mayor may suspend or revoke the retail liquor dealer's license for any violation of this subsection.

### D. Employment:

- 1. It shall be unlawful for any minor to draw, pour or mix any alcoholic liquor as an employees of any retail licensee.
- 2. It shall be unlawful for any minor to attend any bar.
- 3. It shall be unlawful for any minor to draw, pour or mix any alcoholic liquor in any licensed retail premises.
- E. Responsibility of Parents: It shall be unlawful for any parent or guardian to permit any minor child of which he or she may be the parent or guardian to violate any of the provisions of this Section.

SALES TO CERTAIN PERSONS PROHIBITED: It shall be unlawful for any holder of a liquor dealer's license to sell, deliver or give any alcoholic liquor to any intoxicated person or to any person known to him to be an habitual drunkard, spendthrift or insane, feeble-minded or distracted person.

- 2-3-18: RECORD OF LICENSE KEPT: The Village Clerk shall keep a complete record of dl such licenses issued and shall furnish the Chief of Police with a copy thereof. Upon revocation or suspension of any license the Village Clerk shall immediately give a written notice thereof to the Chief of Police.
- 2-3-19: ENTRY POWERS: It shall be unlawful to refuse to grant admittance to the premises for which a Class A license has been issued at any time upon the verbal request of any police officer, the Health Officer or any member of the Village Board of Trustees for the purposes of making an inspection of such premises or any part thereof
- 2-3-20: REVOCATION OR SUSPENSION OF LICENSE: The Mayor may suspend for not more than thirty (30) days or revoke for cause any liquor dealer's license for any violation of any provision of this Chapter, or for any violation of any State law pertaining to the sale of alcoholic liquor, as provided by law.
- 2-3-21: LOCAL LIQUOR CONTROL COMMISSIONER:
- A. Mayor to Serve As: The Mayor is hereby authorized to be the Local Liquor Control

Commissioner and shall be charged with the administration of the Dram Shop Act, and of such ordinances and resolution relating to alcoholic liquor as may be enacted. The mayor may appoint a person or persons to assist the Commissioner in the exercise of the powers and the performance of the duties provided for such Local Liquor Control Commissioner.

- B. Powers, Duties and Functions: The Local Liquor Control Commissioner shall have the following powers, functions and duties with respect to local liquor licenses:
- 1. To grant and/or suspend for not more than thirty (30) days, or revoke for cause all local licenses issued to persons or entities for premises within the Commissioner's jurisdiction and to impose fines as authorized by the Village Board.
- 2. To enter, or to authorize any law enforcement officer to enter, at any time, upon the premises licensed hereunder to determine whether any of the provisions of the State law or City ordinance, or any rules or regulations adopted by the Commissioner or by the State Commission have been, or are being violated, and at such time to examine the premises of the licensee in connection therewith. Any person or persons appointed by the Local Liquor Control Commissioner pursuant to this Section shall have the power given to the Local Liquor Control Commissioner by this subsection.
- 3. To receive complaints from any citizen within the Commissioner's jurisdiction that any of the provisions of the State law or of this Chapter have been or are being violated, and to act upon such complaint(s) in the manner provided by law.
- 4. To receive local license fees and pay same to the Village Clerk.
- 5. To examine, or cause to be examined, under oath, any applicant for a local license or for a renewal thereof, or any licensee upon whom notice of relocation or suspension had been served, or any licensee against whom a citation proceeding has been instituted by the State of Illinois Liquor Control Commission; to examine, or cause to be examined the books and records of any such applicant or licensee or respondent; and to hear testimony and take proof for his information in the performance of his duties; and for such purposes, to issue subpoenas which shall be effective in any part of this State. For the purpose of obtaining any of the information desired by Local Liquor Control Commissioner under this Section, the commissioner may be authorize his agent to act on his or her behalf.

To order, upon the issuance of a written order the licensed premises closed for more than seven (7) days, giving the license an opportunity to be heard during that period, 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

ORDINA	NCE No.	
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### An Ordinance Relating to Video Gaming

Whereas it is in the best interests of the Village of Versailles to regulate Video Gaming within the Village of Versailles, and;

Whereas the State Legislature has authorized Video Gaming;

It is therefore hereby ordained by the Board of Trustees of the Village of Versailles as follows:

- 1. Notwithstanding any other provisions of the Village Code Video Gaming undertaken in accordance with the Laws of the State of Illinois shall be permitted within the Village of Versailles;
- 2. That the definitions contained in 230 ILCS 40/1 et. Seq. are deemed to have the same meaning in this ordinance;
- 3. That for each and every video gaming terminal operated in the Village of Versailles an annual fee of \$25.00 is hereby imposed to be paid prior to the operation of each video gaming terminal in the Village and annually thereafter.
- 4. That this ordinance shall take effect 10 days after posting as required by law.

Adopted in open session this the day of May, 2018.		
David Hoelscher – Mayor	Village Clerk (seal)	
Yeas		
Nays Not Voting/ present		

### LIQUOR CONTROL

### SECTION:

2-3-1:	Definitions
2-3-2:	License and compliance Required
2-3-3:	Application for License
2-3-4:	Restrictions on Issuance of License
2-3-5:	Examination of Applicant
2-3-6:	Classification of Licenses: fees
2-3-7:	Number of License Issued
2-3-8:	Insurance Required
2-3-9:	Term of License
2-3-10:	Disposition of License
2-3-11:	Renewal of Licenses
2-3-12:	Transfer of License
2-3-13:	Building and Location Restrictions
2-3-14:	Conditions of License
2-3-15:	Sanitary Conditions
2-3-16:	Minors
2-3-17:	Sales to Certain Persons Prohibited
2-3-18:	Record of Licenses Kept
2-3-19:	Entry Powers
2-3-20:	Revocation or Suspension of License
2-3-21:	Local Liquor Control Commissioner

2-3-1 Definitions: Unless the context otherwise require, the following terms, as used in this Chapter, shall be construed according to the definitions given below:

ALCOHOLIC LIQUOR Any spirits, wine, beer, alcoholic liquid containing more than one half of one percent (0.5%) of alcohol by volume which is fit for beverage purposes.

RESTAURANT Any public place kept, used, maintained, advertised and held out to the public as a place where meals are served, and where meals actually are served and regularly served, without sleeping accommodations; such space being provided with adequate and sanitary kitchen and dining room equipment and capacity and having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for its guests; provide further, that no restaurant licensed as such shall sell alcoholic liquor except with meals.

RETAIL SALE The sale for "off premises" use or consumption and not for resale.

PREMISES LICENSE A license issued for the serving, pouring, or other "on premises" consumption of alcoholic beverages to retail customers. Any such licensee shall allow no more than 2 alcoholic liquor beverages to be served per person, per hour. Any such premises license shall only be issued to a holder of a Class A Retail License upon payment of the fees for both the

### Class A Retail License and Class B Premises License.

TOTAL POPULATION To be population determined by the most recent official Federal State or Village census.

- 2-3-2: LICENSE AND COMPLIANCE REQUIRED: It shall be unlawful to sell or offer for sale at retail in the Village any alcoholic liquor without having a retail liquor dealer's license or in violation of the terms of such license.
- 2-3-3: APPLICATION FOR LICENSE: Application for such licenses shall be made to the Local Liquor Commissioner, in writing signed by the applicant, if an individual, or by a duty authorized agent thereof, if a club or corporation verified by oath or affidavit, shall contain the following statements and information:

A The name, age and address of the applicant in the case of an individual; in the case of a copartnership, the persons entitled to share in the profits thereof in the case of a corporation the objects for which organized, the names and addresses of the officers and directors, and if a majority interest of the stock of such corporation is owned by one person or his nominee the name and address of such person.

- B. The citizenship of the applicant, his place of birth, and if a naturalized citizen the time and place of his naturalization.
- C. The character of business of the applicant, and in the case of a corporation the objects for which it was formed.
- D. The length of time said applicant has been in business of that character, or in the case of a corporation, the date when its charter was issued.
- E. The amount of goods, wares and merchandise on hand at the time application is made.
- F. The location and description of the premises or place of business which is to be operated under such license.
- G. A statement whether the applicant has made application for a similar or other license on premises other than described in this application, and the disposition of such application.
- H. A statement that applicant has never been convicted of a felony and is not disqualified to receive a license by reason of any matter or thing contained in this Chapter, laws of this State or the ordinances of this Village.
- I. Whether a previous license by any state or subdivision thereof, or by the Federal government had been revoked, and the reasons thereof.
- J. A statement that the applicant will not violate any of the laws of the State of Illinois, or of the

United States, or any ordinance of the Village in the conduct of his place of business.

- 2-34. RESTRICTIONS ON ISSUANCE OF LICENSE: No such license shall be issued to:
- A. person who is not of good character and reputation in the community in which he reside.
- B. A person who is not a citizen of the United States or legally authorized to be present and transact business in the United States.
- C. A person who has been convicted of a felony.
- E. A person who has been convicted of being the keeper or is keeping a house of ill-fame.
- F. A person who has been convicted of pandering or other crime or misdemeanor opposed to decency and morality
- G. A person whose license under this Chapter 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 copartnership, unless all of the members of such copartnership shall be qualified to obtain a license.
- I. A corporation, if any officer, manager or directed thereof or any stockholder or stockholders owning in the aggregate more than five percent (5%) of the stock of such corporation, would not be eligible to receive a license hereunder for any reason other than citizenship and reside within the political subdivision.
- K. A person whose place of businesses conducted by a manger or agent unless said manger or agent possesses the same qualifications required of the licensee.
- L. 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 who shall have forfeited his bond to appear in court to answer charges for any such violation.
- M. A person who does not own the premises for which a license is sought, or does not have a lease thereon for the full period for which the license is issued.
- N. Any law-enforcing public official, any Mayor or member of the Village Board of Trustees and no such official shall be interested in any way, either directly or indirectly, in the manufacture, sale or distribution of alcoholic liquor.
- O. Any person firm or corporation not eligible for State retail liquor dealer's license.

2-3-5: EXAMINATION OF APPLICANT: The local Control Commissioner shall have the right to examine, or cause to be examined under oath, any applicant for a local license or for a renewal thereof, or any licensee upon whom notice of revocation or suspension has been served as provided by statute and to examine or cause to be examine the books and records of any such applicant or licensee, to hear testimony and take proof of his information in the performance of his duties, and for such purpose to issue subpoenas which shall be effective in any part of his 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, as provided by statute.

2-3-6 CLASSIFICATION OF LICENSES; FEES: Such licenses shall be divided into the following classes:

Class A - Retail... \$1,000.00 <u>Class B - Premises ....</u> \$250.00

All licenses issued hereunder shall be designed by the classification letter herein provided.

2-3-7: NUMBERS OF LICENSES ISSUED: The total number of all Class A licenses issued and in force at any one time in any year shall not exceed two.

The total number of all Class B licenses issued and in force at any one time in any year shall not exceed two.

2-3-8: INSURANCE REQUIRED: No license shall be issued hereunder unless the applicant shall file with the application a certificate by an insurance company authorized to do business in the State of Illinois, certifying that the applicant has in force and effect the insurance required by statute.

2-3-9: TERM OF LICENSE: Each licensed issued hereunder shall terminate on April 30 following the issuance thereof.

24-lA. DISPOSITION OF FEES: All such fees shall be paid to the Village Clerk at the time application in made and shall be forthwith turned over to the Treasure. In the event the license applied for is denied, the fee shall be returned to the applicant; if the license is granted, then the fee shall be deposited in the General Corporate Fund or in such other fund as shall have been designated by the Board of Trustees.

2-3-ll: RENEWAL OF LICENSE: Any licensee may renew his license at the expiration thereof; provided he is then qualified to receive a license and the premises for which such renewal license is sought are suitable for such purpose; provided further, that the renewal privilege herein provided for shall not be construed as a vested right which shall in any case prevent the President from decreasing the number of licenses to be issued within his jurisdiction.

2-3-12: TRANSFER OF LICENSE: A license shall be purely personal privilege, good for not to

exceed one year after issuance, unless sooner revoked as in this Chapter provided, and shall not constitute property, nor shall it be subject to attachment, garnishment or execution nor shall it be alienable or transferable voluntarily or involuntarily, or subject to being encumbered or hypothecated. Such license shall cease upon the death of the licensee and shall not descend by the laws of testate or intestate devolution; provided, that 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 or manufacture 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 not longer than six (6) months after the death, bankruptcy or insolvency of such license. A refund shall be made of that portion of the license fee paid for any period in which the license shall be prevented from operating under the license in accordance with the provisions of this Section.

### 2-3 -13: BUILDING AND LOCATION RESTRICTION:

### A. Location Restriction:

- 1. No license shall be issued for the sale at retail of any alcoholic liquor within one hundred feet (100') of any church school, hospital home for the aged or indigent persons or for veterans, their wives or children, or any military or naval stations; provided, that this prohibition shall not apply to hotels offering restaurant service, regularly organized clubs, or to restaurants, food shops or other places where the sale of alcoholic liquors is not the principal business carried on if such places of business so exempted shall have been established for such purpose prior to the effective date hereof.
- 2. No person shall hereafter engage in the business as a retailer of any alcoholic liquor within one hundred feet (100') of any undertaking establishment or mortuary.
- B. Stores Selling School Supplies, Lunches, etc.: No license shall issued to any person for the sale at retail of any alcoholic liquor at any store or other place of business where the majority of customers are minors of school age, or where the principal business transacted consists of school books, school supplies, food lunches or drinks for such minors.

### 2-3-14: CONDITIONS OF LICENSE:

### A. Hours of Operation.

1. Closing Hours: It shall be unlawful to sell or offer for sale, at retail, or to give away in or upon any license premises, any alcoholic liquor between the hours of twelve o'clock (12:00) midnight and seven o'clock (7:00) AM. of any Monday, Tuesday, Wednesday, Thursday, and Friday, nor between the hours of one thirty o'clock (1:30) A.M. until seven o'clock (7:00) AM. on Saturday, nor before the hours of noon on Sunday. No sales, or offers to sell at retail shall occur on Sunday after 9:00 P.M.

It shall be unlawful to keep open for business or to admit the public to, or permit the public to remain within, or to permit the consumption of alcoholic liquor in or upon any premises in which alcoholic liquor is prohibited; provided that in case of restaurants and hotels, such establishments may be kept open for business during such hours, but no alcoholic liquor may be sold to or consumed by the public during such hours.

- 3- Election Days: Alcoholic liquor may be sold on the day of any national, State, County, or Municipal election, including primary election during the hours the polls are open
- B. Peddling: It shall be unlawful to peddle alcoholic liquor in the Village.
- C. Gambling: it shall be unlawful to permit any gambling on any premises licensed to sell alcoholic liquor.

### 2-3-15 SANITARY CONDITIONS:

A. Premises: All premises used for the retail sale of alcoholic liquor or for the storage of such liquor for sale shall be kept in full compliance with the ordinance regulating the condition of premises used for the storage or sale of food for human consumption.

B. Employees: It shall be unlawful to employ in any premises used for the retail sale of alcoholic liquor any person who is afflicted with or who is a carrier of any contagious, infectious or venereal disease; and it shall be unlawful for any person who is afflicted with or is a carrier of any such disease to work in or about any premises or to engage in any way in the handling, preparation or distribution of such liquor.

### 2-3-16: MINORS:

A. Sales to: It shall be unlawful for any person under the age of twenty one (21) years to purchase or obtain any alcoholic liquor in any tavern or other place in the Village where alcoholic liquor is sold except as hereafter provided. This provision restricting sale to persons under the age of twenty one (21) years does not apply to the sale, gift or delivery of beer and wine to persons under the age of twenty one (21) years but at least nineteen (19) years of age. It shall be unlawful to sell, give or deliver alcoholic liquor to any minor.

B. Misrepresentation of Age: It shall be unlawful for any person under the age of twenty one (21) years to misrepresent his or her age for the purpose of purchasing or obtaining alcoholic liquor in any tavern or other place in the Village where alcoholic liquor is sold. In every tavern or other place in the Village where alcoholic liquor is sold there shall be displayed at all times in a prominent place, a printed card which shall be supplied by the Village Clerk and which shall read substantially as follows:

### WARNING TO MINORS

You are subject to fine up to two hundred dollars (\$200.00) under the ordinance of the Village of Versailles if you purchase alcoholic liquor, or misrepresent your age for the purpose of purchasing or obtaining alcoholic follows.

C. Presence on Premises: It shall be unlawful for any holder of a retail liquor dealer's license, or his or her agent or employee to suffer or permit any minor to be or remain in any room or

compartment adjoining or adjacent to or situated in the room or place where such licensed premises is located; provided, that this subsection shall not apply to any minor who is accompanied by his or her parent or guardian or to any licensed premises which derives its principal business from the sale of services or other commodities other than alcoholic liquor. In addition to all other fines and penalties, the mayor may suspend or revoke the retail liquor dealer's license for any violation of this subsection.

### D. Employment:

- 1. It shall be unlawful for any minor to draw, pour or mix any alcoholic liquor as an employees of any retail licensee.
- 2. It shall be unlawful for any minor to attend any bar.
- 3. It shall be unlawful for any minor to draw, pour or mix any alcoholic liquor in any licensed retail premises.
- E. Responsibility of Parents: It shall be unlawful for any parent or guardian to permit any minor child of which he or she may be the parent or guardian to violate any of the provisions of this Section.
- SALES TO CERTAIN PERSONS PROHIBITED: It shall be unlawful for any holder of a liquor dealer's license to sell, deliver or give any alcoholic liquor to any intoxicated person or to any person known to him to be an habitual drunkard, spendthrift or insane, feeble-minded or distracted person.
- 2-3-18: RECORD OF LICENSE KEPT: The Village Clerk shall keep a complete record of dl such licenses issued and shall furnish the Chief of Police with a copy thereof. Upon revocation or suspension of any license the Village Clerk shall immediately give a written notice thereof to the Chief of Police.
- 2-3-19: ENTRY POWERS: It shall be unlawful to refuse to grant admittance to the premises for which a Class A license has been issued at any time upon the verbal request of any police officer, the Health Officer or any member of the Village Board of Trustees for the purposes of making an inspection of such premises or any part thereof
- 2-3-20: REVOCATION OR SUSPENSION OF LICENSE: The Mayor may suspend for not more than thirty (30) days or revoke for cause any liquor dealer's license for any violation of any provision of this Chapter, or for any violation of any State law pertaining to the sale of alcoholic liquor, as provided by law.

### 2-3-21: LOCAL LIQUOR CONTROL COMMISSIONER:

A. Mayor to Serve As: The Mayor is hereby authorized to be the Local Liquor Control Commissioner and shall be charged with the administration of the Dram Shop Act, and of such ordinances and resolution relating to alcoholic liquor as may be enacted. The mayor may appoint

a person or persons to assist the Commissioner in the exercise of the powers and the performance of the duties provided for such Local Liquor Control Commissioner.

- B. Powers, Duties and Functions: The Local Liquor Control Commissioner shall have the following powers, functions and duties with respect to local liquor licenses:
- 1. To grant and/or suspend for not more than thirty (30) days, or revoke for cause all local licenses issued to persons or entities for premises within the Commissioner's jurisdiction and to impose fines as authorized by the Village Board.
- 2. To enter, or to authorize any law enforcement officer to enter, at any time, upon the premises licensed hereunder to determine whether any of the provisions of the State law or City ordinance, or any rules or regulations adopted by the Commissioner or by the State Commission have been, or are being violated, and at such time to examine the premises of the licensee in connection therewith. Any person or persons appointed by the Local Liquor Control Commissioner pursuant to this Section shall have the power given to the Local Liquor Control Commissioner by this subsection.
- 3. To receive complaints from any citizen within the Commissioner's jurisdiction that any of the provisions of the State law or of this Chapter have been or are being violated, and to act upon such complaint(s) in the manner provided by law.
- 4. To receive local license fees and pay same to the Village Clerk.

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5. To examine, or cause to be examined, under oath, any applicant for a local license or for a renewal thereof, or any licensee upon whom notice of relocation or suspension had been served, or any licensee against whom a citation proceeding has been instituted by the State of Illinois Liquor Control Commission; to examine, or cause to be examined the books and records of any such applicant or licensee or respondent; and to hear testimony and take proof for his information in the performance of his duties; and for such purposes, to issue subpoenas which shall be effective in any part of this State. For the purpose of obtaining any of the information desired by Local Liquor Control Commissioner under this Section, the commissioner may be authorize his agent to act on his or her behalf.

To order, upon the issuance of a written order the licensed premises closed for more than seven (7) days, giving the license an opportunity to be heard during that period, 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

- 2-2-2: Municipal Service Occupation Tax.
- A. Tax Imposed. A tax is hereby imposed upon all persons engaged int his municipality in the business of making sales fo service at the rate of one percent (1%) of the cost price of all tangible personal property transferred by said service men either in the form of tangible personal property or in the form of real estate as an incident to a sale of service, in accordance with the provisions of paragraph 8-11-5 of the Illinois Municipal Code.
- B. Report required. Every supplier or serviceman required to account for municipal service occupation tax for the benefit of the municipality shall file, on ore before the last day of each calendar month, the report to the State Department of Revenue required by paragraph nine (9) of the Service Occupation Tax Act", approved July 10, 1961 as amended.
- C. Payment of Tax. At the time such report is field, there shall be paid to the State Department of Revenue the amount of tax imposed.

### **CHAPTER 3**

### LIQUOR CONTROL

### SECTION:

2-3-1:	Definitions
2-3-2:	License and compliance Required
2-3-3:	Application for License
2-3-4:	Restrictions on Issuance of License
2-3-5:	Examination of Applicant
2-3-6:	Classification of Licenses: fees
2-3-7:	Number of License Issued
2-3-8:	Insurance Required
2-3-9:	Term of License
2-3-10:	Disposition of License
2-3-11:	Renewal of Licenses
2-3-12:	Transfer of License
2-3-13:	Building and Location Restrictions
2-3-14:	Conditions of License
2-3-15:	Sanitary Conditions
2-3-16:	Minors
2-3-17:	Sales to Certain Persons Prohibited
2-3-18:	Record of Licenses Kept
2-3-19:	Entry Powers
2-3-20:	Revocation or Suspension of License

2-3-21: Local Liquor Control Commissioner

2-3-1 Definitions: Unless the context otherwise require, the following terms, as used in this Chapter, shall be construed according to the definitions given below:

ALCOHOLIC LIQUOR Any spirits, wing beer, alcoholic liquid containing more than one half of one percent (0.5%) of alcohol by volume which is fit for beverage purposes.

RESTAURANT Any public place kept, used, maintained, advertised and held out to the public as a place where meals are served, and where meals actually are served and regularly served, without sleeping accommodations; such space being provided with adequate and sanitary kitchen and dining room equipment and capacity and having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for its guests; provide further, that no restaurant licensed as such shall sell alcoholic liquor except with meals.

RETAIL SALE The sale for use or consumption and not for resale.

TOTAL POPULATION T0 be population determined by the most recent official Federal State or Village census.

2-3-2: LICENSE AND COMPLIANCE REQUIRED: It shall be unlawful to sell or offer for sale at retail in the Village any alcoholic liquor without having a retail liquor dealer's license or in

violation of the terms of such license.

2-3-3: APPLICATION FOR LICENSE: Application for such licenses shall be made to the Local Liquor Commissioner, in writing signed by the applicant, if an individual, or by a duty authorized agent thereof, if a club or corporation verified by oath or affidavit, shall contain the following statements and information:

A The name, age and address of the applicant in the case of an individual; in the case of a copartnership, the persons entitled to share in the profits thereof in the case of a corporation the objects for which organized, the names and addresses of the officers and directors, and if a majority interest of the stock of such corporation is owned by one person or his nominee the name and address of such person.

- B. The citizenship of the applicant, his place of birth, and if a naturalized citizen the time and place of his naturalization.
- C. The character of business of the applicant, and in the case of a corporation the objects for which it was formed.
- D. The length of time said applicant has been in business of that character, or in the case of a corporation, the date when its charter was issued.

- E. The amount of goods, wares and merchandise on hand at the time application is made.
- F. The location and description of the premises or place of business which is to be operated under such license.
- G. A statement whether the applicant has made application for a similar or other license on premises other than described in this application, and the disposition of such application.
- H. A statement that applicant has never been convicted of a felony and is not disqualified to receive a license by reason of any matter or thing contained in this Chapter, laws of this State or the ordinances of this Village.
- I. Whether a previous license by any state or subdivision thereof, or by the Federal government had been revoked, and the reasons thereof.
- J. A statement that the applicant will not violate any of the laws of the State of Illinois, or of the United States, or any ordinance of the Village in the conduct of his place of business.
- 2-34. RESTRICTIONS ON ISSUANCE OF LICENSE: No such license shall be issued to:
- A. person who is not of good character and reputation in the community in which he reside.
- B. A person who is not a citizen of the United States or legally authorized to be present and transact business in the United States.
- C. A person who has been convicted of a felony.
- E. A person who has been convicted of being the keeper or is keeping a house of ill-fame.
- F. A person who has been convicted of pandering or other crime or misdemeanor opposed to decency and morality
- G. A person whose license under this Chapter 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 copartnership, unless all of the members of such copartnership shall be qualified to obtain a license.
- I. A corporation, if any officer, manager or directed thereof or any stockholder or stockholders owning in the aggregate more than five percent (5%) of the stock of such corporation, would not

be eligible to receive a license hereunder for any reason other than citizenship and reside within the political subdivision.

- K. A person whose place of businesses conducted by a manger or agent unless said manger or agent possesses the same qualifications required of the licensee.
- L. 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 who shall have forfeited his bond to appear in court to answer charges for any such violation.
- M. A person who does not own the premises for which a license is sought, or does not have a lease thereon for the full period for which the license is issued.
- N. Any law-enforcing public official, any Mayor or member of the Village Board of Trustees and no such official shall be interested in any way, either directly or indirectly, in the manufacture, sale or distribution of alcoholic liquor.
- O. Any person firm or corporation not eligible for State retail liquor dealer's license.
- 2-3-5: EXAMINATION OF APPLICANT: The local Control Commissioner shall have the right to examine, or cause to be examined under oath, any applicant for a local license or for a renewal thereof, or any licensee upon whom notice of revocation or suspension has been served as provided by statute and to examine or cause to be examine the books and records of any such applicant or licensee, to hear testimony and take proof of his information in the performance of his duties, and for such purpose to issue subpoenas which shall be effective in any part of his 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, as provided by statute.
- 2-3-6 CLASSIFICATION OF LICENSES; FEES: Such licenses shall be divided into the following classes:

Class A - Retail... \$1,000.00

All licenses issued hereunder shall be designed by the classification letter herein provided.

- 2-3-7: NUMBERS OF LICENSES ISSUED: The total number of all Class A licenses issued and in force at any one time in any year shall not exceed two.
- 2-3-8: INSURANCE REQUIRED: No license shall be issued hereunder unless the applicant shall file with the application a certificate by an insurance company authorized to do business in the State of Illinois, certifying that the applicant has in force and effect the insurance required by statute.

- 2-3-9: TERM OF LICENSE: Each licensed issued hereunder shall terminate on April 30 following the issuance thereof.
- 24-IA. DISPOSITION OF FEES: All such fees shall be paid to the Village Clerk at the time application in made and shall be forthwith turned over to the Treasure. In the event the license applied for is denied, the fee shall be returned to the applicant; if the license is granted, then the fee shall be deposited in the General Corporate Fund or in such other fund as shall have been designated by the Board of Trustees.
- 2-3-II: RENEWAL OF LICENSE: Any licensee may renew his license at the expiration thereof; provided he is then qualified to receive a license and the premises for which such renewal license is sought are suitable for such purpose; provided further, that the renewal privilege herein provided for shall not be construed as a vested right which shall in any case prevent the President from decreasing the number of licenses to be issued within his jurisdiction.
- 2-3-12: TRANSFER OF LICENSE: A license shall be purely personal privilege, good for not to exceed one year after issuance, unless sooner revoked as in this Chapter provided, and shall not constitute property, nor shall it be subject to attachment, garnishment or execution nor shall it be alienable or transferable voluntarily or involuntarily, or subject to being encumbered or hypothecated. Such license shall cease upon the death of the licensee and shall not descend by the laws of testate or intestate devolution; provided, that 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 or manufacture 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 not longer than six (6) months after the death, bankruptcy or insolvency of such license. A refund shall be made of that portion of the license fee paid for any period in which the license shall be prevented from operating under the license in accordance with the provisions of this Section.

### 2-3-13: BUILDING AND LOCATION RESTRICTION:

### A. Location Restriction:

- 1. No license shall be issued for the sale at retail of any alcoholic liquor within one hundred feet (100') of any church school, hospital home for the aged or indigent persons or for veterans, their wives or children, or any military or naval stations; provided, that this prohibition shall not apply to hotels offering restaurant service, regularly organized clubs, or to restaurants, food shops or other places where the sale of alcoholic liquors is not the principal business carried on if such places of business so exempted shall have been established for such purpose prior to the effective date hereof.
- 2. No person shall hereafter engage in the business as a retailer of any alcoholic liquor within one hundred feet (100') of any undertaking establishment or mortuary.

B. Stores Selling School Supplies, Lunches, etc.: No license shall issued to any person for the sale at retail of any alcoholic liquor at any store or other place of business where the majority of customers are minors of school age, or where the principal business transacted consists of school books, school supplies, food lunches or drinks for such minors.

#### 2-3-14: CONDITIONS OF LICENSE:

### A. Hours of Operation.

1. Closing Hours: It shall be unlawful to sell or offer for sale, at retail, or to give away in or upon

any license premises, any alcoholic liquor between the hours of twelve o'clock (12:00) midnight and seven o'clock (7:00) AM. of any Monday, Tuesday, Wednesday, Thursday, and Friday, nor between the hours of one thirty o'clock (1:30) A.M. until seven o'clock (7:00) AM. on Saturday, nor before the hours of noon on Sunday. No sales, or offers to sell at retail shall occur on Sunday after 9:00 P.M.

It shall be unlawful to keep open for business or to admit the public to, or permit the public to remain within, or to permit the consumption of alcoholic liquor in or upon any premises in which alcoholic liquor is prohibited; provided that in case of restaurants and hotels, such establishments may be kept open for business during such hours, but no alcoholic liquor may be sold to or consumed by the public during such hours.

- 3- Election Days: Alcoholic liquor may be sold on the day of any national, State, County, or Municipal election, including primary election during the hours the polls are open
- B. Peddling: It shall be unlawful to peddle alcoholic liquor in the Village.
- C. Gambling: it shall be unlawful to permit any gambling on any premises licensed to sell alcoholic liquor.

### 2-3-15 SANITARY CONDITIONS:

A. Premises: AI1 premises used for the retail sale of alcoholic liquor or for the storage of such liquor for sale shall be kept in full compliance with the ordinance regulating the condition of premises used for the storage or sale of food for human consumption.

B. Employees: It shall be unlawful to employ in any premises used for the retail sale of alcoholic liquor any person who is afflicted with or who is a carrier of any contagious, infectious or venereal disease; and it shall be unlawful for any person who is afflicted with or is a carrier of any such disease to work in or about any premises or to engage in any way in the handling, preparation or distribution of such liquor.

#### 2-3-16: MINORS:

A. Sales to: It shall be unlawful for any person under the age of twenty one (21) years to purchase or obtain any alcoholic liquor in any tavern or other place in the Village where

alcoholic liquor is

sold except as hereafter provided. This provision restricting sale to persons under the age of twenty one (21) years does not apply to the sale, gift or delivery of beer and wine to persons under the age of twenty one (21) years but at least nineteen (19) years of age. It shall be unlawful to sell, give or deliver alcoholic liquor to any minor.

B. Misrepresentation of Age: It shall be unlawful for any person under the age of twenty one (21)

years to misrepresent his or her age for the purpose of purchasing or obtaining alcoholic liquor in any tavern or other place in the Village where alcoholic liquor is sold.

In every tavern or other place in the Village where alcoholic liquor is sold there shall be displayed at all times in a prominent place, a printed card which shall be supplied by the Village Clerk and which shall read substantially as follows:

#### WARNING TO MINORS

You are subject to fine up to two hundred dollars (\$200.00) under the ordinance of the Village of Versailles if you purchase alcoholic liquor, or misrepresent your age for the purpose of purchasing or obtaining alcoholic follows.

C. Presence on Premises: It shall be unlawful for any holder of a retail liquor dealer's license, or his or her agent or employee to suffer or permit any minor to be or remain in any room or compartment adjoining or adjacent to or situated in the room or place where such licensed premises is located; provided, that this subsection shall not apply to any minor who is accompanied by his or her parent or guardian or to any licensed premises which derives its principal business from the sale of services or other commodities other than alcoholic liquor. In addition to all other fines and penalties, the mayor may suspend or revoke the retail liquor dealer's license for any violation of this subsection.

### D. Employment:

- 1. It shall be unlawful for any minor to draw, pour or mix any alcoholic liquor as an employees of any retail licensee.
- 2. It shall be unlawful for any minor to attend any bar.
- 3. It shall be unlawful for any minor to draw, pour or mix any alcoholic liquor in any licensed retail premises.
- E. Responsibility of Parents: It shall be unlawful for any parent or guardian to permit any minor child of which he or she may be the parent or guardian to violate any of the provisions of this Section.

SALES TO CERTAIN PERSONS PROHIBITED: It shall be unlawful for any holder of a liquor dealer's license to sell, deliver or give any alcoholic liquor to any intoxicated person or

to any person known to him to be an habitual drunkard, spendthrift or insane, feeble-minded or distracted person.

- 2-3-18: RECORD OF LICENSE KEPT: The Village Clerk shall keep a complete record of dl such licenses issued and shall furnish the Chief of Police with a copy thereof. Upon revocation or suspension of any license the Village Clerk shall immediately give a written notice thereof to the Chief of Police.
- 2-3-19: ENTRY POWERS: It shall be unlawful to refuse to grant admittance to the premises for which a Class A license has been issued at any time upon the verbal request of any police officer, the Health Officer or any member of the Village Board of Trustees for the purposes of making an inspection of such premises or any part thereof
- 2-3-20: REVOCATION OR SUSPENSION OF LICENSE: The Mayor may suspend for not more than thirty (30) days or revoke for cause any liquor dealer's license for any violation of any provision of this Chapter, or for any violation of any State law pertaining to the sale of alcoholic liquor, as provided by law.

### 2-3-21: LOCAL LIQUOR CONTROL COMMISSIONER:

A. Mayor to Serve As: The Mayor is hereby authorized to be the Local Liquor Control Commissioner and shall be charged with the administration of the Dram Shop Act, and of such ordinances and resolution relating to alcoholic liquor as may be enacted. The mayor may appoint a person or persons to assist the Commissioner in the exercise of the powers and the performance of the duties provided for such Local Liquor Control Commissioner.

- B. Powers, Duties and Functions: The Local Liquor Control Commissioner shall have the following powers, functions and duties with respect to local liquor licenses:
- 1. To grant and/or suspend for not more than thirty (30) days, or revoke for cause all local licenses issued to persons or entities for premises within the Commissioner's jurisdiction and to impose fines as authorized by the Village Board.
- 2. To enter, or to authorize any law enforcement officer to enter, at any time, upon the premises licensed hereunder to determine whether any of the provisions of the State law or City ordinance, or any rules or regulations adopted by the Commissioner or by the State Commission have been, or are being violated, and at such time to examine the premises of the licensee in connection therewith. Any person or persons appointed by the Local Liquor Control Commissioner pursuant to this Section shall have the power given to the Local Liquor Control Commissioner by this subsection.
- 3. To receive complaints from any citizen within the Commissioner's jurisdiction that any of the provisions of the State law or of this Chapter have been or are being violated, and to act upon such complaint(s) in the manner provided by law.

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## An Ordinance Relating to Liquor Control 2018

Whereas Video Gaming has been legalized in the State of Illinois; and,

Whereas the Current Village Liquor Control Ordinance is in need of modification due to the changes in State law;

It is therefore hereby ordained by the Board of Trustees of the Village of Versailles as follows:

The previous liquor control ordinance is repealed and replaced as follows see attached Ordinance:

That this ordinance shall take effect 10 days after posting as required by law.

Adopted in open session this the \_\_\_\_ day of August, 2018.

David Hoelscher – Mayor	Village Clerk (seal)

Yeas
Nays
Not Voting/ present

- 4. To receive local license fees and pay same to the Village Clerk.
- 5. To examine, or cause to be examined, under oath, any applicant for a local license or for a renewal thereof, or any licensee upon whom notice of relocation or suspension had been served, or any licensee against whom a citation proceeding has been instituted by the State of Illinois Liquor Control Commission; to examine, or cause to be examined the books and records of any such applicant or licensee or respondent; and to hear testimony and take proof for his information in the performance of his duties; and for such purposes, to issue subpoenas which shall be effective in any part of this State. For the purpose of obtaining any of the information desired by Local Liquor Control Commissioner under this Section, the commissioner may be authorize his agent to act on his or her behalf.

To order, upon the issuance of a written order the licensed premises closed for more than seven (7) days, giving the license an opportunity to be heard during that period, 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

#### CHAPTER 5

# **AUCTIONS AND AUCTIONEERS**

#### SECTION:

2-5-1: Definition

2-5-2: License Required

2-5-3: License Fees and Term: Issuance

2-5-4: Auction on Public Property 2-5-5: Exemptions from Provisions

- 2-5-1: DEFINITIONS: AN auction commission merchant, within the meaning of this Chapter, is one who, for a certain commission or percentage on sales or for other compensation, barters or sells at public auction the goods of another consigned or delivered to him for that purpose.
- 2-5-2: LICENSE REQUIRED: No person shall engage in or carry on the business of an auction commission merchant within the limits of the Village without having first obtained a license thereof,, as hereinafter provided and anyone convicted of violating the provisions of this Section shalt be fined as provided in Section 1-4-1 of this Code for each sale made without license by such persons.
- 2-5-3: LICENSE FEES AND TERMS; ISSUANCE: The amount charged for an auction commission merchant's license shall be as follow:

One year \$125.00 Six months \$75.00

#### Three months \$ 50.00

And no license shall be issued for a shorter period than three (3) months, and such license shall be issued as in the case of other Village licenses provided.

2-5-4: AUCTIONS ON PUBLIC PROPERTY: No auctioneer shall sell at auction any kind of property whatsoever upon the Village Streets, sidewalks, alleys parks or commons without first obtaining written permission from the President of the Village Board so to do and any person so offending shall, upon conviction, be fined not less than Seventy Five (\$75.00) for each offense.

Nothing in this Section contained shall apply to sales made by any officer or person acting under a legal process.

2-5-5: EXEMPTIONS FROM PROVISIONS: The provisions of this Chapter as to license shall not be construed as to apply to any judicial sales.

#### CHAPTER6

#### PAWNBROKERS AND JUNK SHOPS

#### SECTION:

2-6-1 Definitions

2-6-2 Licenses Required

2-6-3 License Fees and Terms

2-6-1 DEFINITION: When used in this Chapter, the following words and terms shall have the meanings ascribed to them in this Section:

JUNK SHOP Any store room or place of business kept for the purchase, sale or exchange of secondhand clothing, mechanical tools, firearms, old metals, rope, rags, canvas and other like articles.

PAWNBROKER Whoever shall loan money on deposit or pledge of personal property, or shall carry on the business of purchasing such property on condition of selling the same back at a stipulated price without taking a chattel mortgage thereon duly executed and recorded as required by law.

2-6-2 LICENSES REQUIRED: No person shall carry on the business of pawnbroker or shall keep a junk shop within the Village without first having obtained a license therefor, under a penalty as provided in Section 1-4-1 of this Code.

# 2-6-3: LICENSE FEES AND TERMS:

A. Pawnbroker: The license for carrying on the business of pawnbroker shall be at the rate

Burn Ban Issued: That there shall be no open burning, notwithstanding the foregoing provisions, in the event that there has been a fire ban covering any portion of the territory of the Village of Versailles, issued by any state, county, or local office with responsibility for the prevention or extinguishment of fires, including, but not limited to the Versailles Fire Protection District. Any person violating this provision shall be subject to a minimum fine of \$150.00 for each occurrence of open burning.

#### CHAPTER 6

#### ANIMALS AND ANIMAL CONTROL

# Section

- 3-6-l: Cruelty to Animals
- 3-6-2: Running at Large Prohibited
- 3-6-3: Village Pound
- 3-6-4: Impoundment and Redemption Procedure
- 3-6-5: Prohibited Acts and Conditions
- 3-6-6: Animal Houses
- 3-6-7 Administrator
- 3-6-1: CRUELTY TO ANIMALS; Whoever shall be guilty of cruelty to any animal in any of the ways mentioned in this Section shall be fined not less than seventy five (\$75.00) dollars for each offense:
- A. By overloading, over driving, overworking, cruelly beating, torturing, tormenting, mutilating or cruelly killing any animal or causing or knowingly allowing the same to be done
- B. By cruelly working any old, maimed, infirm, sick or disabled animal, or causing or knowingly allowing the same to be done.
- C. By unnecessarily failing to provide any animal in his charge or custody, as owner or otherwise, with proper food or drink, shelter or air.
- D. By abandoning any old, maimed, infirm, sick or disabled animal.
- E. By carrying or driving, or causing to be carried or driven or kept, any animal in an unnecessarily cruel manner.
- F. By carrying or causing to be carried, keeping or causing to be kept any animal bound or tied by its legs, or bound down by the neck, or so that it cannot freely stand in an upright position while being transported, or by carrying or causing to be carried, keeping or causing to be kept any

animal in any crate or cage so constructed as to permit such animal to push its head between the

slats, wires or other openings of such crate or cage unless the spaces between such slats or wires are also sufficient to permit such animal to freely withdraw its head therefrom. The word "animal" as used in this Section shall be taken and is hereby defined, to mean any dumb creature.

3-6-2: RUNNING AT LARGE PROHIBITED: No person having the charge, custody or control thereof, shall permit any horse, mule, ass, ox, cow, goat, pig or other like animal to go loose or at large in any of the public ways in the Village under a penalty of not less than seventy five dollars (\$75.00) for every offense.

It shall be unlawful for any horse, mare, gelding, colt, mule, ass, sheep, swine, goat or neat cattle including cows giving milk, to run at large within the corporate limits of the Village, and the running at large of any of the aforesaid animals is hereby declared a nuisance which the Code enforcement officer, the President, a Member of the Village Board, or any policeman of the Village shall instantly abate upon view by taking up and confining any such animal in some certain pen, stable or enclosure to be known and designated as the pound in the Village, or, in the case of livestock, some other appropriate enclosure.

3-6-3. VILLAGE POUND: The pound shall be centrally situated within the corporate limits of the Village and accessible freely and without hindrance during the daytime to all persons in search of animals at large, and such pound shall be under the care and supervision of the Code Enforcement Officer, but shall be maintained at the expense of the Village, and shall be subject to the inspection and supervision of the Village Board of Trustees. All fees chargeable herein by the Code Enforcement Officer in connection with said pound shall be paid over by him to the Village Treasurer.

# 3-6-4. IMPOUNDMENT AND REDEMPTION PROCEDURE:

A. Notice of Impoundment: Any animal (other than dogs and cats) so impounded shall be held for two (2) days, exclusive of the day of impounding, without further legal proceedings during such time, subject to redemption by the owner in the manner hereinafter provided, and it shall be the duty of the officer so impounding such animal within the period aforesaid to make reasonable inquiry respecting the ownership of the same, and to notify the owner or supposed owner thereof if found, or some member of the owner's family over the age of twelve (12) years, that such animal is so impounded and that the same is held subject to redemption upon the payment of the pound charges. Such notice shall be in writing and shall be signed by such officer and served by copy. That failure to redeem such animals within 48 hours by the owner thereof shall result in a forfeiture of such animals to the Village. Said animals shall be disposed in the most cost effective manner. If it is reasonable (as determined by the Code Enforcement Officer) to sell said animals they shall be sold, and the proceeds from the sale shall be used first to defray the costs of sale, next to defray all costs incurred under this code, and the balance, if any, shall be paid to the owner if the owner is ascertained. Otherwise, any remaining funds shall be deposited with the Village Clerk.

Fees: The following fees shall be chargeable and collectable by the Code Enforcement Officer or

#### Clerk.

For taking into the pound and discharging therefrom:

Each horse, mare, gelding, colt, mule or ass	\$250 dollars
Each neat cattle, cow or calf	\$250 dollars
Each swine, large or small	\$250 dollars
Each sheep or goat, or other livestock	\$250 dollars

For sustenance provided each animal per day,

Each horse, mare, gelding, colt and ass	\$250 dollars
Each cow, bull or calf	\$250 dollars
Each swine, large or small	\$250 dollars
Each sheep or goat, or other livestock	\$250 dollars

For other services hereunder such fees as are provided by the Statues of The State of Illinois.

#### 3-6-5 PROHIBITED ACTS AND CONDITIONS:

A. Breaking into Pound. Any person who shall break open any stable, pen, lot or other enclosed where any animal is impounded, or shall in any way or manner rescue any animal from such stable, pen, lot or other enclosed where the same is kept or impounded shall be subject to a penalty of not less than seventy five dollars (\$75.00) for each such animal released or rescued from such pound. This is in addition to any other fees relating to impounded of any of the animals so released or rescued.

B. Animals on Sidewalks: No person having the charge, custody or control thereof shall suffer or permit to go or lead or ride of drive any horse, mare, colt, jennet, jackass, calf, cow, heifer, bull or steer upon any sidewalks where the said sidewalk shall be composed of stone, concrete, wood or other material, or only a dirt walk used as a sidewalk in the Village, under a penalty of seventy five dollars (\$75.00) for each offense.

C. Racing Horses: No person shall run or race any horse in any public way in the Village, nor shall consent to or suffer such racing, under a penalty of not less than seventy five dollars (\$75.00), to be recovered from the person or persons who shall so race, or suffer or permit such racing and the owner, rider and the person having charge of any animal which shall so race and run, severally and respectively. This racing or trotting of any horse for any trial of speed, or for the purpose of passing any other horse or horses, whether the same shall be founded upon any stake, bet or otherwise.

D. Animals Unfastened: No person shall leave any horse or other animal unattached to any carriage, wagon, cart, sleigh, shed, or other vehicle in any public way of this Village without securely fastening such horse or other animal under a penalty for each offense of seventy five dollars (\$75.00).

- E. Exhibition of Dangerous Animals: No person shall permit any bear or other dangerous animal to run large, nor lead any such animal with a chain or rope or other appliance, whether such animal be muzzled or unmuzzled, in any street, avenue, lane, highway or public place within the Village, under a penalty of five hundred (\$500.00) dollars.
- F. Killing Birds: No person shall kill or wound, or attempt to kill or wound, by the use of firearms, slingshot, bow and arrow or other weapon, any bird within the Village limits, and any person violating any of the provisions of this subsection shall be fined not less than seventy five dollars (\$75.00).
- G. Animal fights: Any person who shall, within the Village, keep or use or be in any way connected with the management of any place kept or used for the purpose of fighting or baiting any dog, cock or other animal, or shall permit such place to be kept or used on premises owned, rented or controlled by him, or who shall frequent or be found in or upon any such place or premises shall, on conviction, be fined not less than one thousand dollars (\$1,000.00) for each offense.
- 3-6-6. Animal Houses: Any pig sty or place where swine, cattle, horses, chickens, or other domestic animals are kept which is offensive or nauseous to any person residing in the vicinity of the same, or to persons passing by the same, is hereby declared to be a nuisance, and every owner or occupant of the premises who shall fail or refuse to abate such nuisance, after notice to do so by the Code Enforcement Officer, or any police officer of the Village, shall upon conviction, be fined not less than seventy five dollars (\$75.00)
- 3-6-7 Administrator: The Code Enforcement Officer shall be the administrator as defined by the Illinois Animal Control Act. The Code Enforcement Officer is also the Animal Control Warden as defined by said Act.

#### ANIMALS AND ANIMAL CONTROL

#### ARTICLE 6A. DOGS AND CATS

# SECTION:

3-6A-1	Running at Large Prohibited
3-6A-2	Vicious and Dangerous Dogs or Cats
3-6A-3	Keeping of dogs or other Domesticated animals

# 3-6A-1: RUNNING AT LARGE PROHIBITED:

A. Any person owning or having custody of a dog or cat in the Village shall keep said dog or cat either;

- 1) Restrained on a leash; or
- 2) In his place of abode; or
- 3) In a suitable doghouse or kennel; or
- 4) On that property owned or occupied by that said owner.
- B. It shall be unlawful for any owner of a dog or cat or person having custody of a dog or cat to permit or allow said dog or cat to run at large. Any owners of a dog or cat or person having custody of a dog or cat that permits or allows said dog or cat to run at large shall be guilty of violating this ordinance, and shall be subject to a fine of Seventy Five Dollars (\$75.00) for each offense.
- C. No Female dogs or cats in heat shall be permitted to run at large at any time. All Female dogs in Heat must be confined in an enclosed area of such design and structure necessary to prevent any male dog or cat from entering such enclosure.
- 3-6A-2 Vicious and Dangerous Dogs or Cats

For purposes of this Section:

- A. "Vicious Dog or Cat" Means:
- 1. Any individual dog or cat that when unprovoked inflicts bites or attempts to bite, or attacks a human being or other animal either on public or private property.
- 2. Any individual dog or cat with a known propensity, tendency or disposition to attack without provocation to cause injury or to otherwise endanger the safety of human beings or domestic animals
- 3. Any individual dog or cat that has a trait or characteristics and a generally known reputation for viciousness, dangerousness or unprovoked attacks upon human beings or other animals, unless handled in a particular manner or with special equipment.
- 4. Any individual dog or cat which has been found to be as "Dangerous Dog upon three (3) separate occasions.
- 5. Any Individual dog or cat which attacks a human being or domestic animal with out provocation.

No dog shall be deemed "vicious" if it bites, attacks, or menaces a trespasser on the property of its owner, or harms or menaces anyone who has tormented or abused it, or is a professionally trained dog for law enforcement or guard dog duties.

Vicious Dogs shall not be classified a menace based on specific breed.

# B. Dangerous Dog or Cat Means.

Any individual dog or cat which when either unleashed or unmuzzled, or unattended by its owner, or a member of its owners family, in a vicious or terrorizing manner, approaches any person in an apparent attitude of attack upon street, sidewalks, or any public grounds or place.

#### C. Enclosure Means.

A fence or structure of at least Six (6) feet in height forming or causing an enclosure suitable to prevent the entry of young children, and suitable to confine a vicious dog in conjunction with the other measures which may be taken by the owner or keeper. Such enclosure shall be securely enclosed and locked and designed with secure sides, top, and bottom and shall be designed to prevent the animal from escaping from the enclosure.

#### D. Found to be vicious means:

- 1. That the Administrator, Animal Control Warden, or Law Enforcement Officer has conducted an investigation and made a finding in writing that the dog or cat is a vicious dog or cat as defined in their ordinance and based on that finding the Administrator or Animal Control warden has described in writing that the dog or cat is a vicious dog or cat.
- 2. That the Circuit Court has found the dog to be a vicious dog or cat as described in this ordinance and has entered an Order based on that finding.
- C. Dogs or cats found to be a" Vicious" Shall be subject to destruction. It shall be the duty of any person having custody of any dangerous or vicious dog or cat to keep the same safely and securely muzzled. No owner or keeper of vicious dog or cat shall sell or give away the dog or cat.

# D. Exemptions

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 no attack or injury to a person has occurred while the dog is performing duties as expected. To qualify for exemption under this subsection each such dog shall be currently inoculated against rabies in accordance with the Illinois Small Animals Control Act. It shall be the duty of the owner of said exempted dog to notify the Animal Control warden of changes of address. In the case of a sentry or guard dog the owner shall keep the Animal Control warden advised of the location where such dog will be stationed.

#### E. Dog or other Animal Bites

A. When the Animal Control Warden receives information that any person has been bitten by a

dog or other animal, the administrator, or Animal Control Warden as an authorized representative, shall have such dog or cat confined under the observation of a licensed veterinarian for a period of 10 days. Such veterinarian shall report the clinical condition of the dog or other animal immediately with confirmation in writing, to the Administrator with in 24 hours after the dog is presented for examination giving the owners name and address, the date of confinement, the breed, description, the age ,and sex of such dog or cat, on appropriate forms. When evidence is presented that such dog or other animal was inoculated against rabies with in the time prescribed by law, it may be confined in the house of its owner or in a manner which will prohibit it from biting any person for a period of 10 days as long as the Administrator, or other licensed veterinary adjudges such confinement satisfactory. At the end of the confinement period, the Administrator or other Licensed Veterinarian shall examine such dog or other animal.

B. It is Unlawful for any person having knowledge that any person has been bitten by a dog or other animal refuse to notify the Police or Animal Control warden immediately. It is unlawful for the owner of such dog or cat to euthanize, sell, give away or otherwise dispose of such dog known to have bitten another person until the administrator releases it. If such instructions cannot be delivered in person they shall be mailed to the owner of such dog or other animal by regular mail postage pre paid. Any expense incurred in the handling of any dog or other animal under this section shall be borne by the owner.

# F. Impoundment

- 1. Animal Warden. The Animal Warden shall have the duty of impounding all dog or cat running at large, any dog or cat not bearing a current County rabies tag, or any vicious or dangerous dog or cat, or dog or cat sick or liable to communicate rabies or other contagious or infectious disease is hereby declared to be a nuisance and shall be impounded.
- 2. Dogs or cats that are vicious, dangerous, sick or liable to communicate rabies or other contagious or infectious disease shall be destroyed notwithstanding any other provisions of this ordinance. The costs of said action shall be borne by the owner of said animal. Vicious, dangerous, rabid or animals liable to communicate contagious diseases may be impounded in any County Facility available for such purpose until destroyed.
- G. Redemption of impounded Animals. The owner of any dog or cat impounded pursuant to this ordinance may redeem the dog by paying all costs, charges, and penalties assessed, if any, that have accrued up to the time of making said redemption by paying the same to the animal warden. The fee for taking up a dog will be fixed in an amount of \$20.00 initially, and thereafter by the Animal Warden and as approved by the Village Board. Compliance with all state law requirements must be met prior to the redemption of the animal.
- H. Disposition of unredeemed dogs or cat. Any impounded dog or cat not redeemed by the owner thereof within five days of its taking, shall be maintained for adoption for a period of 7 Days if space is available in the impoundment facility of Versailles. Thereafter, the Animal Warden may maintain said animal for adoption or have said animal destroyed. Any dog or cat

kept after the initial adoption period may be destroyed at any time in the discretion of the Animal Warden. In the event that dogs are impounded in excess of space available for said animals, the Animal Warden may, in his discretion, destroy animals prior to the expiration of the adoption period. Under no circumstances are rabid or vicious dogs to be allowed for adoption and the same shall be destroyed.

#### I. Violations.

A. Any person, firm or corporation violating the terms of this ordinance shall be fined no less than \$75.00 or more than \$500.00 plus the costs of any action to enforce this provision.

B. Animal control fees are to be set as follows:

Adoption fees: \$15.00 each

Redemption fees: \$5.00 plus the taking fee and boarding fees

Boarding fees: \$7.50 per day for dogs

\$3.50 per day for cats

All fees shall be paid for any animal prior to its release for adoption or redemption. Any animal sought to be redeemed or adopted shall be required to have current county animal tags, and current rabies inoculations.

J. Severability. It is the intention of the City Council that this Ordinance any every provision thereof be considered severable. The invalidity of one section, clause, or any section of this ordinance shall not affect the validity of any other portion of this Ordinance.

#### 3-6A-3 KEEPING OF DOGS AND OTHER DOMESTICATED ANIMALS.

No person or persons shall keep five (5) or more dogs or other domesticated animals over six (6) months of age in the Village at any place or on any premises in the Village, without first obtaining a permit from the Village so to do. The Village Trustees may grant or refuse such permit in its discretion as necessary for the health, safety, and welfare of the Village. That such permit, if granted, may be on such terms and conditions as the Trustees may prescribe as may be advisable or necessary to prevent the keeping of any or all such animals from becoming a nuisance, The keeping and harboring of all such animals contrary to this Section is hereby declared a nuisance. This limitation shall not apply to a licensed veterinarian relative to a veterinarian hospital or clinic maintained and operated by the licensed veterinarian. No charge shall be made for any permit issued hereunder.

TITLE 5

CHAPTER 1

GENERAL TRAFFIC PROVISIONS

#### SECTION:

5-1-2: Obedience to Police

5-1-3: Traffic at Scene of Fire

5-1-4. Traffic-Control Signs and Signals

5-l-4-2: Flashing Signals

5-1-4-3: Unauthorized Signs and Lights

5-1-4-4. Interference with Signs and Signals 5-1-5: Exemptions from Provisions

5-1-6: Driving While Intoxicated

5-1-7. Accidents

5-1-2. OBEDIENCE TO POLICE: All persons shall act in accordance with any directions given by police assigned to traffic duty notwithstanding any rules to the contrary.

5-l-3: TRAFFIC AT SCENE OF FIRE: The Fire Department officer in command, or any fireman designated by him, may exercise the powers and authority of a policeman in directing traffic at the scene of any fire or where the Fire Department has responded to an emergency call for so long as Fire Department equipment is on the scene in the absence of, or in assistance to, the police.

5-1-4: TRAFFIC CONTROL SIGNS AND SIGNALS: It shall be unlawful for any driver of any vehicle to disobey the instructions of any traffic sign or signal placed in view by authority of the President and Board of Trustees or in accordance with the laws of the State excepting on direction of a police officer. All signs and signals established by direction of the governing body shall conform to the Illinois Vehicle Code.

#### 5-1-5: UNAUTHORIZED SIGNS AND LIGHTS:

A. No person shall place, maintain or display upon or in view of any highway any unauthorized sign signal, marking or device which purports to be, or is in imitation of, or resembles an official traffic control device, or railroad sign or signal, or which attempts to direct the movement of traffic, nor shall any person place, maintain or display upon or in view of any street or highway any other sign which hides from view or interferes with the movement of traffic or effectiveness of any traffic control device, or any railroad sign or signal, and no person shall place or maintain nor shall any public authority permit upon any highway any traffic sign or signal bearing thereon any commercial advertising. Any such unauthorized device is hereby declared to be nuisance, and may be removed.

B. It shall be unlawful to maintain anywhere in the Village any sign, signal, marking or device, other than a traffic sign or signal authorized by the Village Board of Trustees, which purports to be, or is an imitation of, or resembles an official traffic control device or railroad sign or signal in view of any street or highway, and it shall be unlawful to place or maintain any sign, or other object, which hides from view any lawful traffic control device.

- C. It shall be unlawful to maintain or operate, in view of any street or highway, any flashing or rotating beacon light.
- 5-1-5: INTERFERENCE WITH SIGN OR SIGNALS: It shall be unlawful for any person of deface, injure, move or interfere with any official traffic sign or signal.

# 5-1-6: EXEMPTIONS FROM PROVISIONS:

- A. Authorized Emergency Vehicles: The provisions of this Title regulating the movement or parking of vehicles shall not apply to the driver of any authorized emergency vehicle when responding to an emergency call, but such driver upon approaching a red or stop signal or any stop sign shall slow down as necessary for safety, but may proceed cautiously past such red or stop sign or signal. At other times, drivers of authorized emergency vehicles shall stop in obedience to a stop sign or signal.
- B. No driver of any authorized emergency vehicle shall assume any special privileges under this Title except when such vehicle is operated in response to an emergency call, or in the immediate pursuit of an actual or suspected violator of the law.
- C. Public Works Vehicles: The provisions of this Title regulating the movement and parking of vehicles shall not apply to equipment or vehicles while actively engaged in installing, repairing or otherwise improving streets or street pavement.
- 5-1-7: ACCIDENTS: The driver of a vehicle which has collided with, or been in an accident with any vehicle, person or property in such a manner as to cause injury or damage, shall stop immediately, and render such assistance as may be possible, and to give his true name and residence to the injured person, or any other persons requesting the same on behalf of the injured person, or the owner of the property damaged, and to a policeman if one is present.

#### CHAPTER 2

# RULES OF THE ROAD

#### SECTION: 5-2-1: Turning Movements 5-2-2: Driver's Signals 5-2-3. Right of way 5-2-4: Restrictions on Driving Passing and Overtaking 5-2-5: 5-2-6: **Speed Restrictions** Traffic not to be obstructed 5-2-7: Unattended Vehicles 5-2-8: 5-2-9: Animals

5-2-10: Prohibited Acts and Conditions

5-2-11: Parades and Processions

5-2-12: School Busses

5-2-13: Parking

#### 5-2-1 TURNING MOVEMENTS:

A. Required Position and Method of Turning at Intersection: The driver of a vehicle intending to turn at an intersection shall do so as follows:

Both the approach for a right turn and a right turn shall be made as close as practical to the right hand curb or edge of the roadway.

At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof, and by passing to the right of such center line where it enters the intersection and after entering the intersection, the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered. Whenever practicable, the left turn shall be made in that portion of the intersection to the left of the center of the intersection.

At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle and after entering the intersection, the left turn shall be made so as to leave the intersection as nearly as practicable in the left lane lawfully available to traffic moving in such direction upon the roadway being entered. The driver of a vehicle about to enter or cross a highway from a private road or driveway shall yield the right of way to all vehicles approaching on said highway.

#### B. Left Turns:

- 1. Vehicle Turning Left: The driver of a vehicle within an intersection intending to turn to the left shall yield the right of way to any vehicle approaching from he opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard, but said driver, having so yielded and having given a signal when and as required, may make such left turn and the drivers of all other vehicles approaching the intersection from said opposite direction shall yield the right of way to the vehicle making the left turn.
- 2. No Left Turn: It shall be unlawful for the operator of any motor vehicle to turn left at any place where such turns are prohibited by ordinance.
- C. "U" Turns: It shall be unlawful for the operator of any vehicle to make a "U" turn at any place where such turns are prohibited by ordinance.

- D. Limitations on Turning Around: It shall be unlawful for the operator of any vehicle to turn such vehicle so as to proceed in the opposite direction unless such movement can be made in safety and without backing into traffic or otherwise interfering with traffic.
- E. Turning on Crest of Hill: No vehicle shall be turned so as to proceed in the opposite direction upon any curve, or upon any curve, or upon the approach to, or near the crest of a grade, where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within five hundred feet (500').

# 5-2-2: DRIVER'S SIGNALS:

- A. No driver of a vehicle shall suddenly start, slow down, stop or attempt to turn without first giving a suitable signal in such manner as to apprise others who might be affected by his action.
- B. No person shall turn a vehicle from a direct course upon a highway unless and until such movement can be made with reasonable safety and then only after giving a clearly audile signal by sounding the horn if any pedestrian may be affected by such movement or after giving an appropriate signal in the manner hereinafter provided in the event any other vehicle may be affected by such movement.
- C. A signal of intention to turn right or left shall be given during not less than the last one hundred feet (100') traveled by the vehicle before turning.
- D. The sign herein required shall be given either by means of the hand and arm or by signal lamp or signal device, but when a vehicle is so constructed or loaded that a hand and arm signal would not be visible both to the front and rear of such vehicle, then said signals must be given by such a lamp or device.
- E. All signals herein required given by hand and arms shall be given from the left side of the vehicle in the following manner and such signals shall indicate as follows:
- 1- Left Turn: Hand and arm extended horizontally.
- 2. Right Turn: Hand and arm extended upward.
- 3. Stop or Decrease of Speed: Hand and arm extended downward.
- 5-2-3: RIGHT OF WAY: Excepting as otherwise herein provided, the driver of a vehicle approaching an intersection shall yield the right of way to a vehicle approaching an intersection from a different highway, and when two (2) vehicles enter an intersection from different highways at approximately the same time, the driver of the vehicle on the left shall yield the right of way to the vehicle on the right.

# 5-2-4. RESTRICTIONS ON DRIVING:

A. Starting Parked Vehicle; No person shall start a vehicle which is stopped, standing or parked unless and until such movement can be made with reasonable safety.

- B. Driving from Alleys, Driveways or Garages: The driver of a vehicle emerging from an alley, driveway or garage shall stop such vehicle immediately prior to driving onto a sidewalk, or across a sidewalk line projected across such alley, and shall exercise extreme care in driving upon such sidewalk or across such line.
- C. Driving on Sidewalks or in Safety Zones: No driver of a vehicle shall drive within any sidewalk area except at a permanent or temporary driveway, nor at any time into or upon any portion of roadway marked as a safety zone.
- D. Driving on Right Side of roadway: Upon all roadways of sufficient width, a vehicle shall be driven upon the right half of the roadway, except as follows:
- 1. When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement:
- 2. When the right half of a roadway is closed to traffic while under construction or repair;
- 3. Upon a roadway divided into three (3) Marked lanes for traffic under the rules applicable thereon;
- 4. Upon a roadway designated and sign posted for one-way traffic;
- 5. Whenever there is a single track paved road on one side of the public highway and two (2) vehicles meet thereon the driver on whose right is the wider shoulder shall give the right a way on such pavement to the other vehicle.
- E. Backing: The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interference with other traffic.

# 5-2-5 PASSING AND OVERTAKING VEHICLES:

- A. Passing Vehicles: Drivers of Vehicles proceeding in the opposite directions shall pass each other to the right, and upon roadways having width for not more than one line of traffic in each direction, each driver shall give to the other at least one -half (½) of the main traveled portion of the roadway as nearly as possible.
- B. Overtaking Vehicles: The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to those limitations, exceptions and special rules hereinafter stated:
- l. The driver of a vehicle overtaking another vehicle proceeding the same direction shall ,pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until

safely clear of the overtaken vehicle.

- 2. Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.
- C. Over taking Vehicles on the Right:
- 1. The driver of a vehicle may overtake and pass upon the right of another vehicle when making or about to make a left turn.
- 2. The driver of a vehicle may over take and, allowing sufficient clearance pass another vehicle proceeding in the same direction either upon the left or upon the right on a roadway with unobstructed pavement of sufficient width for four (4) or more lanes of moving traffic when such movement can be made in safety. No person shall drive off the pavement or upon the shoulder of the roadway in overtaking or passing on the right.
- 3. The driver of a vehicle may overtake and pass another vehicle upon the right on a one-way street, or on any street on which traffic is restricted to one direction of movement where the roadway is free from obstructions and sufficient width for two (2) or more lanes of moving vehicles.

# D. LIMITATIONS ON OVERTAKING ON THE LEFT:

- 1. No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of ant vehicle approaching from the opposite direction or any vehicle overtaken. In every event, the overtaking vehicle must return to the right-hand side of the roadway before coming within one hundred feet (100') of any vehicle approaching from the opposite direction.
- 2. No vehicle shall, In overtaking and passing another vehicle or at any other time, be driven to the left side of the roadway under the following conditions.
- A. When approaching the crest of a grade or upon a curve in the highway, where the drivers view is obstructed within sufficient distance as to create a hazard in the event another vehicle might approach from the opposite direction.
- B. When approaching within one hundred feet (100') of, or traversing any, intersection or railroad grade crossing.
- C. Where official signs are in place directing that traffic keep to the right or a distinctive center line is marked which distinctive line also so directs traffic as declared in the sign manual adopted

by the State Department of Transportation.

The limitations in subparagraphs A and B of this section D2 shall not apply upon a one-way street or upon a street with unobstructed pavement of sufficient width for two (2) or more lanes of moving traffic in each direction when such movement can be made with safety.

#### 5-2-6 SPEED RESTRICTIONS:

#### A. GENERALLY:

- 1. It shall be unlawful to drive any motor vehicle on any street not under the jurisdiction of the State or the County in an urban district within the Village at a speed in excess of twenty-five (25) miles per hour; or in an alley at a speed in excess of fifteen (15) miles per hour; provided that if the president and Board of Trustees, by ordinance, set other limits as provided by statute, then such limits shall govern the rate of speed on the streets indicated in such ordinance. Appropriate signs shall be posted showing such speed limits.
- 2. The fact that the speed of a vehicle does not exceed the applicable maximum speed limit does not relieve the driver from any duty to decrease speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway or when special hazards exist with respect to pedestrians or other traffic by reason of weather or highway conditions, and speed shall be decreased as may be necessary to avoid colliding with any person or vehicle on or entering the highway in compliance with legal requirements and the duty of all persons to use due care.
- 2. It shall be unlawful to drive any vehicle on any street or highway within the Village under the jurisdiction of the State Department of Transportation or the county at a speed exceeding that lawfully set for such street.
- 5-2-7: TRAFFIC NOT TO BE OBSTRUCTED: No vehicle shall be operated or allowed to remain upon the street in such a manner as to form an unreasonable obstruction to traffic thereon.
- 5-2-8: UNATTENDED VEHICLES: No vehicle shall be left unattended while the motor of such vehicle is running, and no vehicle shall be left without a driver on any hill or incline unless the vehicle is secure against moving.

# 5-2-9 ANIMALS:

A. Unattended animals: It shall be unlawful to leave any horse or other draft animal unattended in any street without having such animal securely fastened.

# 5-2-10 PROHIBITED ACTS AND CONDITIONS:

A. Reckless or careless driving: It shall be unlawful to operate any vehicle in the Village in a careless, reckless or wanton manner, or carelessly so as to endanger life or property.

- B. Clinging to Vehicles: It shall be unlawful for any person on any street riding a bicycle, motorcycle or any toy vehicle to cling to or attach himself or his vehicle to any moving motor vehicle or wagon.
- C. Toy Vehicles: It shall be unlawful for any person upon skates, a coaster, sled or other toy vehicle to go upon any roadway other than at a crosswalk.
- D. Riding on Running Boards: It shall be unlawful for any person to ride upon the fenders, running boards or outside step of any vehicle.

#### 5-2-11 PARADES AND PROCESSIONS

- A. Parade Permit: No person shall conduct or organize a parade through the streets and public highways without obtaining a permit therefor from the Village Board the same shall not unreasonably be denied.
- B. Driving through processions. No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this Section. This provisions shall not apply at intersections where traffic is controlled by police officers.
- C. Drivers in Procession: Each driver in a funeral or other procession shall drive as near to the right hand edge of the roadway as practical and shall follow the vehicle ahead as close as practical and safe.
- D. Funeral processions to be identified. A funeral composed of a procession of vehicles shall be identified as such by the display upon the outside of each vehicle of a pennant or other identifying insignia and by having the lights of each vehicle lighted.

#### 5-2-12 SCHOOL BUSSES:

The driver of a vehicle on a street or highway upon meeting or overtaking from either direction any school bus which has stopped on the highway for the purpose of receiving or discharging any

school children shall stop the vehicle before reaching such school bus when there is in operation on the bus a visual signal as required by the statute for operation while the bus is transporting pupils.

# 5-2-13 Parking

1. That the parking of any motor vehicle or semi trailer on any roadway, shoulder, or alongside any roadway in the Village of Versailles within 50 feet of any posted "No Parking" sign is hereby declared a nuisance and engaging in such action is a violation of

# this ordinance;

- 2. That the parking of any tractor trailer, semi-tractor, semi-truck, or trailer used for the hauling of goods, or any combination thereof, is barred on Main Street, Versailles, Illinois, whether said tractor trailer, semi-tractor, semi-truck, trailer or combination thereof is parked on said roadway, on the shoulder of said roadway, or alongside the roadway that constitutes Main Street, Versailles, Illinois is hereby declared a nuisance and engaging in such action is a violation of this ordinance;
- 3. That this ordinance is only effective within the geographical limits of the Village of Versailles.
- 4. That this ordinance is authorized pursuant to 65 ILCS 5/11-60-2 et. seq.;
- 5. That any person engaging in such activity shall be issued a citation. The fine for any violation of this act is \$75.00;
- 6. In order to abate any nuisance described in this ordinance, that any tractor trailer, semi-tractor, semi-truck, or trailer used for the hauling of goods, or any combination thereof parked in violation of this ordinance may be towed and impounded to be released to the vehicle's owner or operater upon the payment of the costs of towing and impounded.

#### TITLE 6

#### CHAPTER 1

#### VILLAGE CEMETERY

# SECTION:

6-1-1	Cemetery Established
6-1-2	Management and Control of Cemetery
6-1 <b>-</b> 3	Sexton
6-1-4	Purchase of lots
6-1-5	Maintenance of Lots
6-1-6	Burials
6-1-7	Disposition of Revenue
6-1-8	Violations; Penalty

6-1-l: CEMETERY ESTABLISHED: The tracts of land now owned by the Village and heretofore used as a cemetery or burial place, together with such additions thereto as may

ORDINANCE No.	
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#### CEMETERY MAINTENANCE ORDINANCE

Whereas it has become apparent that the Cemetery needs proper maintenance and from time to time appropriate direction to the general public as to its use, and

Whereas flexibility is need as to the direction given to the public to ensure proper maintenance and use of the cemetery, it is hereby ordained:

- 1. That the following is an additional ordinance regulating the cemetery. All other cemetery ordinances currently in force are not modified in any way;
- 2. That to ensure cleanliness and public safety, and safety of the maintenance workers in the cemetery the Village Public Works director may, from time to time, place such notices regulating the public use of the cemetery, including, but not limited to, the placement of items on or near the graves or grave sides, the use, or prohibition of use, and the types of objects on graves or grave sides, and the times of the year when items may be placed on graves or grave sides. The Public Works director may also direct that objects be removed from graves or grave sides, and may remove and dispose of non conforming objects at any time without recompense to any person.
- 3. That this ordinance is to be broadly construed to the extent permitted by law as the nature of the use of objects placed at graves or grave sides is constantly changing.
- 4. That this ordinance is passed pursuant to 65 ILCS 5/11-49-1 et. Seq.
- 5. That this ordinance shall take effect 10 days after posting as required by law.

Adopted in open session this the _	day of February, 2019.	
Dave Hoelscher – Mayor	Village Clerk (seal)	

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Yeas	***************************************
Nays Not Voting/ present	<del></del>
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hereafter be made, shall be continued and used for that purpose only.

6-1-2: MANAGEMENT AND CONTROL OF CEMETERY: In accordance with the Illinois Law, public graveyards shall be controlled by the corporate authorities of the Village in such manner as they deem proper. The cemetery is managed by the Village Board.

#### 6-1-3: A. SEXTON.

Appointment, Term and Removal: The President and Trustees shall appoint a Sexton for the Cemetery whose term of office shall not exceed on year, the same to be specified in the order of appointment, and he shall be subject to removal by the President and Trustees at their discretion.

Duties: The Cemetery shall be under the care and supervision of the Cemetery Sexton, subject to the orders of the Village President and Trustees, and said Sexton shall dig no grave in any lot for any person who does not hold a deed to such lot, exceed upon direct instructions from the President and Trustees.

- B. Compensation: The Sexton shall receive such compensation for his services as shall be determined by the President and Board of Trustees.
- 6-1-4: PURCHASE OF LOTS: The tract of land shall be dived and set apart as heretofore, and the same shall be sold to purchasers at such price as the Board of Trustees sets from time to time. 6-1-5: MAINTENANCE OF LOTS: The Board of Trustees shall, from time to time, set such fees as are appropriate for the continued care and maintenance of the cemetery and lots therein.

# 6-1-6: BURIALS:

Grave Digging Fees: The fees and charges for grave openings, digging of graves, and closings shall be as set by the Board of Trustees from time to time.

- 6-1-7: DISPOSITION OF REVENUE: The proceeds arising from the sale of cemetery lots and the openings of graves for interment shall be as far as necessary appropriated to the current expense, compensation of the Sexton and improvement of the Cemetery, which shall be known as the Cemetery Fund.
- 6-1-8: VIOLATIONS; PENALTY: Any person who shall dig any grave in the Cemetery except under the supervision of the Sexton, or in case of his absence or disability, under the supervision and direction of some member of the Village Board of Trustees, or who shall break down deface, hack or in any manner injure the fence of enclosure of the Cemetery; or who shall tear down, deface or in any manner injure any lot, enclosure tombstone material erected at any grave, or any shrub, bush or other thing or ornament within the Cemetery; or who shall cut, hack or deface any tree or shrub, or in any manner injure the same, or any other things belonging to or standing on or being within the Cemetery; or who shall in any manner injure the grass, herbage, streets, walks, ornaments or other thing or things of or within the Cemetery, whether the same be private property or belong to the Village; or who shall leave open any gate of the enclosure of the same, or of any private burial place therein, the same being done either willfully, neglectfully or

carelessly; or who shall therein engage in any sports or amusements; or who shall turn any beasts or animal therein, or shall conduct himself therein in a boisterous, rude or indecent manner, or shall therein use profane or indecent language, or in any manner disturb any burial party or individual being there for a lawful purpose shall, upon conviction thereof, forfeit and pay for the use of the Village not less than five hundred dollars (\$500.00).

#### **CHAPTER 2**

#### WATER USE AND SERVICE

- 6-2-1 Water service: The Village shall provide water and sewer service for the Village of Versailles. All individual residential units shall have individual water and sewer service. No housing of any type may be utilized in the Village without adequate water and sewer service for the protection of the public health. Multiple units utilizing one service account are prohibited.
- 6-2-2 That each water and sewer account shall have a deposit placed with the Village Clerk as security for the account holder's performance and payment of service bills. That the amount of the deposit shall be \$100.00 for each account. Each account shall have its own deposit. Said deposits shall not earn interest.
- 6-2-3 That water and sewer rates are hereby set as follows:
  - A. For water usage up to 3499 gallons of water per month shall be \$17.02 and the sewer charge shall be 10.21.
  - B. For water usage of 3500-4499 gallons of water per month shall be \$18.71 and the sewer charge shall be 11.23.
  - C. For water usage of 4500-5499 gallons of water per month shall be \$20.40 and the sewer charge shall be 12.24.
  - D. For water usage of 5500-6499 gallons of water per month shall be \$22.09 and the sewer charge shall be 13.25.
  - E. For water usage of 6500-7499 gallons of water per month shall be \$23.78 and the sewer charge shall be 14.27.
  - F. For water usage of 7500-8499 gallons of water per month shall be \$25.47 and the sewer charge shall be 15.28.

# ORDINANCE No. <u>20-06</u>

#### AN ORDINANCE AMENDING THE WATER ORDINANCE

Whereas the Water ordinance sets rates to be charged by the City for the usage of water; and,

Whereas the Water ordinance is in need of amendment as the costs of producing and supplying water have increased, it is ordained as follows:

- 1. That ordinance 6-3-8 Water Rates is hereby amended as follows:
  - A. For the year 2021 after the implementation of this ordinance the minimum rate per month for usage up to 3499 gallons of water per month shall be \$21.92. For each gallon used per month over the 3499 gallons the rate shall be an additional \$2.15 per gallon used.
  - B. For the year 2022 the minimum rate per month for usage up to 3499 gallons of water per month shall be \$23.02. For each gallon used per month over the 3499 gallons the rate shall be an additional \$2.26 per gallon used.
  - C. For the year 2023 the minimum rate per month for usage up to 3499 gallons of water per month shall be \$24.17. For each gallon used per month over the 3499 gallons the rate shall be an additional \$2.37 per gallon used.
- 2. All other terms and provisions of the water ordinance not in conflict or modified by this section shall remain in full force and effect.

That this amendment will take effect 10 days after posting as is required by law.

Adopted in open session this the 14th day of December, 2020.		
David Hoelscher	Village Clerk (seal)	
Yeas Nays Not Voting/ present		

<b>ORDINANCE</b>	No.

# AN ORDINANCE RELATING TO DISHONORED METHODS OF PAYMENT

Whereas the City collects monies for services provided, including but not limited provision of water and sewer services; and,

Whereas, the Village accepts alternative forms of payment than U.S. Currency (which is also accepted); and,

Whereas, from time to time said payments are dishonored or otherwise not paid; It is ordained as follows:

- 1. That any method of payment, be it electronic debt, check, credit card, or otherwise, which is subsequently dishonored, not accepted, charged back, or otherwise not paid on demand of the Village of Versailles, shall incur a "Non Payment Fee" that shall be charged to the person making the payment, and/ or to the person the account of whom the payment was made.
- 2. That said "Non Payment Fee" is set at \$50.00 for each such occurrence as described in paragraph 1. If the payment is made by a person to the credit of an account of another both the person making the payment and the person the account of whom the payment was credited shall be charged a \$50.00 fee.
- 3. Any such dishonored, not accepted, charged back, or otherwise not paid on demand payments shall not be credited to any account. Any account to which such payments were credited shall be debited such payment amount. Such accounts shall be deemed to have no payment made to them on account of any dishonored, not accepted, charged back, or otherwise not paid on demand payments. Delinquent status and late payment status shall be applied to any accounts that are delinquent or for which payment is late due to the failure of the payment to be honored or paid.
- 4. Within a 6 month period, after the second dishonored check, or payment is not accepted, charged back, or otherwise not paid on demand the City shall only accept cash payment from the person making payment, or on the account to which said payments were dishonored, charged back, or otherwise not paid on demand.
- 5. That in the event any check is dishonored, or payment is not accepted, charged back, or otherwise not paid on demand, any service on the account to which the payment was made, or any service to the person making such payment shall be suspended until such time as payment is made in full for payment of the services, including any late payment fees, disconnect fees, or any other sums owed on the account, and the additional "Non Payment Fee" is paid in full. This includes, but is not limited to, the immediate suspension of water service.

6.	That the Mayor, or his designees, may allow, but is not required to, a three day grace period from the date the City first attempts to give notice of the failed payment prior to suspending services. The City is not required by this section, or any other section, of this ordinance or any other city ordinance to provide notice of any failed payment. This section creates no substantive right in any person.			
	That this ordinance will take effect 10 days after posting as is required by law.			
Adopted in open session this the 13th day of November, 2017.				
David	Hoelscher – Mayor	Village Clerk (seal)		
Yeas Nays Not Vo	oting/ present			

- G. For water usage of 8500-9499 gallons of water per month shall be \$27.16 and the sewer charge shall be 16.30.
- H. For water usage of 9500-10499 gallons of water per month shall be \$28.85 and the sewer charge shall be 17.32.
- I. For every additional 500 gallons of water used above 10500 the water rate shall increase by an additional \$5.00 dollars per each additional 500 gallons used, or part thereof, and the sewer rates shall increase an additional \$5.00 dollars per each additional 500 gallons used, or part thereof.
- J. That in addition each account is charged a \$5.00 administrative and billing fee. This fee is shall not be deposited in the water fund, but shall be deposited in a water surcharge fund as it is not incurred for the provision of water, but for the administrative costs of the Village relating to the same.
- Monthly payment in full required. Any accounts not paid in full each month shall be subject to cutoff of water and sewer services. That payment shall be made by the service recipient no later than the 20<sup>th</sup> of the month. The Village Clerk shall notify the Mayor and Village Board at each regular meeting of any accounts not paid, and in shut off status.
- 6-2-5

  That a service recipient may request payment arrangements be made on any account. The Village is not required to enter into any such arrangements. However, in the discretion of the Mayor and/ or the Village Clerk said payment arrangements may be made. Such arrangements may allow payments on ONE monthly bill to be made, and such arrangements may be made over a period of no more than three additional months. During any such time a payment arrangement is made any and all regular monthly bills must be paid on time, and in full. Failure to make the payments as agreed, or to pay the monthly bills accruing during said payment arrangement period shall result in the immediate shut off of water services without exception.

#### TITLE 7

#### CHAPTER 1

#### Section:

- 7-1-1 Set Back Lines7-1-2 Obstruction of Roads
- 7-1-1 Set Back Lines. This ordinance applies to the new construction or erection of any

building, placement of modular or mobile home, or extension or improvement of any current building or structure.

- A. Location. No building or structure shall be permitted to be placed within 15 linear feet from a roadway, parkway, drive, or street. No building or structure shall be permitted to be placed within 10 linear feet of any alley. No building or structure shall be placed within 5 feet of any lot line except such placement may occur if the lot on which the structure is placed and the adjoining lot are owned by the same person. "Adjoining lot" means only the lot directly adjoining the lot on which the structure is placed, and of which said structure shall be within 5 feet.
- B. That any building or structure so erected are deemed a public nuisance, and shall be abated. Any person causing such building or structure to be placed, placing said building or structure, or maintaining such building or structure shall be subject to a \$75.00 fine for each violation of this provision. Each day such violation occurs shall be deemed a separate offense.
- C. The Village may, in addition to the penalties described herein, may maintain an act at law or in equity to prevent, correct, restrain, or abate such violations, prevent the occupancy of such structures, and/ or to prevent any use of said buildings or structures.
- 7-1-2 Obstruction of Roads. No building, fence, hedge fence, or other structure over 4 and ½ feet high shall be allowed to be placed, or maintained, within 20 feet from any street corner in the Village of Versailles. That "fence" includes, but is not limited to, any type of fence as described in the Fence Act, 765 ILCS 130/.01 et seq. That the placement, maintenance, or erection of any building, fence, hedge fence, or other structure in violation of this ordinance is hereby declared a public nuisance. That violations of this ordinance are subject to a fine of no less than \$75.00 and no more than \$500.00 for each violation. Each day such violation continues shall be deemed a separate offense.

# ORDINANCE No. [8-07

An Ordinance Amending The Versailles Village Code Entitled Set Back Ordinance

Whereas it has come to the attention of the Village Board that Buildings and other structures obstruct the vision of motorists, thereby endangering the public;

And, whereas the Village Board finds that the modification of the ordinances regulating the obstruction of road by modified and are necessary to protect the public while maintaining the utility of fences;

It is therefore hereby ordained by the Board of Trustees of the Village of Versailles as follow that Ordinance 7-1-2 be amended as follows:

7-1-2 Obstruction of Roads. No building, fence, hedge fence, or other structure over 6 feet high shall be allowed to be placed, or maintained, within 20 feet from any street corner in the Village of Versailles. That "fence" includes, but is not limited to, any type of fence as described in the Fence Act, 765 ILCS 130/.01 et seq. That the placement, maintenance, or erection of any building, fence, hedge fence, or other structure in violation of this ordinance is hereby declared a public nuisance. That violations of this ordinance are subject to a fine of no less than \$75.00 and no more than \$500.00 for each violation. Each day such violation continues shall be deemed a separate offense.

That this ordinance is adopted this the <u>ft</u> day of December, 2018.

David Hoelscher - Mayor

Yeas

Nays
Not Voting/ present

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ORDINANCE No			
An Ordinance Amending The Versailles Village Code Entitled Set Back Ordinance			
Whereas it has come to the attention of the Village Board that Buildings and other			
structures obstruct the vision of motorists, thereby endangering the public;			
And, whereas the Village Board finds that the modification of the ordinances regulating			
the obstruction of road by modified and are necessary to protect the public while maintaining the			
utility of fences;			
It is therefore hereby ordained by the Board of Trustees of the Village of Versailles as			
follow that Ordinance 7-1-2 be amended as follows:			
Obstruction of Roads. No building, fence, hedge fence, or other structure over 6 feet high shall be allowed to be placed, or maintained, within 20 feet from any street corner in the Village of Versailles. That "fence" includes, but is not limited to, any type of fence as described in the Fence Act, 765 ILCS 130/.01 et seq. That the placement, maintenance, or erection of any building, fence, hedge fence, or other structure in violation of this ordinance is hereby declared a public nuisance. That violations of this ordinance are subject to a fine of no less than \$75.00 and no more than \$500.00 for each violation. Each day such violation continues shall be deemed a separate offense.			
That this ordinance is adopted this the day of December, 2018.			

Village Clerk (seal)

David Hoelscher - Mayor

Not Voting/ present

Yeas Nays

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# AN ORDINANCE REGULATING MOBILE HOMES AND MODULAR HOMES

Whereas it is clear that older mobile homes and modular homes may create additional fire hazards; and,

Whereas the standards for the production of mobile and modular homes are constantly improving, and with such improvements safety is improving; and,

Whereas it is necessary to protect the public by regulating mobile homes and modular homes, it is hereby ordained:

- 1. That the prior ordinances regulating mobile homes and / or modular homes is repealed.
- 2. That mobile homes and/ or modular homes may be placed within the Village of Versailles only after obtaining a building permit from the appropriate Village Official.
- 3. That no mobile home and/or modular home older than 5 years old at the time of the permit application shall not be allowed within the Village.
- 4. That mobile home and / or modular homes shall be kept in good repair at all times.
- 5. That skirting shall be maintained around the bottom of any mobile home and / or modular home placed within the Village at all times. The Skirting shall prevent the area underneath the mobile home and / or modular home from being seen by the public. The purpose of this provision is to prevent potentially inflammable materials from accumulating underneath the mobile home and /or modular home.
- 6. That any mobile home and/ or modular home currently in place in the Village shall be exempted from this ordinance with regards to the issue of age only. All mobile homes and/ or modular homes shall be in compliance with all other terms of this ordinance. However, if such

mobile home and /or modular home is to be moved within the Village a new building permit must be sought, and compliance with the provisions of this ordinance shall be made.

- 7. That in the event that any existing mobile home and / or modular home is destroyed by an Act of God another non conforming, as to age only, mobile home or modular home may be placed on the same lot as the previously located mobile home and /or modular home provided the destroyed mobile home and / or modular home is removed.
- 8. Any applications for building permit filed prior to the effective date of this ordinance shall not be subject to any age limitations on the mobile home and /or modular home. Any such mobile home and/ or modular home shall comply with all other requirements of this ordinance.
- 9. That this ordinance is only effective within the geographical limits of the Village of Versailles.
- 10. That any person violating this ordinance shall be subjected to a fine of \$125.00 per day for each day of non compliance. Each day of violation shall be considered an additional offense. Actions in violation of this ordinance are hereby declared to be a nuisance.
- 11. That this ordinance shall take effect 10 days after posting as required by law.

Adopted in open session this theday of August, 2018.						
David Hoelscher – Mayor	Village Clerk (seal)					
Yeas Nays Not Voting/ present	· ·					

ORDIN	VANCE	No.	
OIOI	17 77 100	110.	

# AN ORDINANCE REGULATING MOBILE HOMES AND MODULAR HOMES

Whereas it is clear that older mobile homes and modular homes may create additional fire hazards; and,

Whereas the standards for the production of mobile and modular homes are constantly improving, and with such improvements safety is improving; and,

Whereas it is necessary to protect the public by regulating mobile homes and modular homes, it is hereby ordained:

- 1. That the prior ordinances regulating mobile homes and / or modular homes is repealed.
- 2. That mobile homes and/ or modular homes may be placed within the Village of Versailles only after obtaining a building permit from the appropriate Village Official.
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- 6. That any mobile home and/ or modular home currently in place in the Village shall be exempted from this ordinance with regards to the issue of age only. All mobile homes and/ or modular homes shall be in compliance with all other terms of this ordinance. However, if such

mobile home and /or modular home is to be moved within the Village a new building permit must be sought, and compliance with the provisions of this ordinance shall be made.

- 7. That in the event that any existing mobile home and / or modular home is destroyed by an Act of God another non conforming, as to age only, mobile home or modular home may be placed on the same lot as the previously located mobile home and /or modular home provided the destroyed mobile home and / or modular home is removed.
- 8. Any applications for building permit filed prior to the effective date of this ordinance shall not be subject to any age limitations on the mobile home and /or modular home. Any such mobile home and/ or modular home shall comply with all other requirements of this ordinance.
- 9. That this ordinance is only effective within the geographical limits of the Village of Versailles.
- 10. That any mobile home placed within the village shall be securely placed upon a permanent foundation. All tongues, wheels, and towing hitches shall be removed.
- 11. That any person violating this ordinance shall be subjected to a fine of \$125.00 per day for each day of non compliance. Each day of violation shall be considered an additional offense. Actions in violation of this ordinance are hereby declared to be a nuisance.
- 12. That this ordinance shall take effect 10 days after posting as required by law.

	Adopted in open session this th	leday of September, 2018.	
•	•		
David :	Hoelscher – Mayor	Village Clerk (seal)	•

Yeas \_\_\_\_ Nays \_\_\_ Not Voting/ present \_\_\_