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## ARTICLE III – VILLAGE OFFICIALS

### DIVISION I - MAYOR

**1-3-1**            **ELECTION.** The Mayor shall be elected for a **four (4) year** term and shall serve until a successor is elected and has qualified. **(65 ILCS 5/3.1-15-5 and 5/3.1-25-15)**

**1-3-2**            **MAYOR PRO-TEM; TEMPORARY CHAIRMAN.**

(A)                If the Mayor is temporarily absent because of an incapacity to perform official duties, but the incapacity does not create a vacancy in the office, the corporate authorities shall elect one of their members to act as Mayor pro tem. The Mayor pro tem, during this absence or disability, shall perform the duties and possess all the rights and powers of the Mayor but shall not be entitled to vote both as Mayor pro tem and as a trustee.

(B)                In the absence of the Mayor, or Mayor pro tem, the corporate authorities may elect one of their members to act as a temporary Chairman. The temporary Chairman shall have only the powers of a presiding officer and a right to vote only in the capacity as trustee on any ordinance, resolution, or motion. **(65 ILCS 5/3.1-35-35)**

**1-3-3**            **CHIEF EXECUTIVE OFFICER.** The Mayor shall be the chief executive officer of the Village and shall see to the enforcement of all laws and ordinances. The Mayor shall preside over the meetings of the Board of Trustees and perform such duties as may be required of him by statute or law. The Mayor shall have supervision over all of the executive officers and Village employees; provided, however, his or her control is subject to the power of the Village Board to prescribe the duties of various officers and employees. The Mayor shall have the power and authority at any reasonable time to inspect all books, papers and records pertaining to Village affairs and kept by any officer of the Village. **(65 ILCS 5/3.1-15-10 and 3.1-35-20)**

**1-3-4**            **MAYOR'S SIGNATURE.** The Mayor shall sign all Village warrants, commissions, permits and licenses granted by authority of the Village Board, except as otherwise provided, and such other acts and deeds as law or ordinance may require his or her official signature.

The Mayor may designate another to affix his or her signature to any written instrument that requires the Mayor's signature. The Mayor must send written notice of this designation to the Village Board stating: (1) the name of the person whom he or she has selected, and (2) what instrument the person will have authority to sign.

A written signature of the Mayor executed by the person so designated with the signature underneath the signature of the person so designated shall be attached to the notice. The notice with the signature attached shall be recorded in the journal of the Village Board and then filed with the Village Clerk. When the signature of the Mayor is placed on a written instrument at the direction of the Mayor in the specified manner, the instrument, in all respects, shall be as binding on the Village as if signed by the Mayor in person. **(65 ILCS 5/3.1-35-30)**

**1-3-5**            **APPOINTMENT OF OFFICERS.**

(A)                **Appointed.** At the first annual meeting in May, the Mayor shall appoint, by and with the advice and consent of the Village Board, all officers of the Village whose election or appointment is not otherwise provided for, and said officers shall hold their offices for the ensuing month or year, and until their respective successors are appointed and qualified. Any vacancy occurring in an appointive office shall be filled in the same manner. The Mayor shall issue a commission or certificate of appointment to all persons appointed to office in the municipality. **(65 ILCS 5/3.1-30-5)**

(B) **Filling Vacancies.** The Mayor shall appoint, by and with the advice and consent of the Village Board, all officers of the Village whose appointment will not otherwise be provided for by law; and whenever a vacancy shall occur in any office, which by law or ordinance the Mayor is empowered and required to fill, the Mayor shall, at the next regular meeting of the Village Board, communicate to it the name of the appointee to such office and pending the concurrence of the Village Board in such appointment, the Mayor may designate some suitable person to discharge the functions of such office. **(50 ILCS 105/2)**

**1-3-6 SUPERVISE CONDUCT OF OFFICERS; REMOVAL OF OFFICERS.** The Mayor shall supervise the conduct of all officers of the Village and see that they faithfully and efficiently discharge the duties of their respective offices. Except where otherwise provided by statute, the Mayor may remove any officer appointed by the Mayor under this Code, on any written charge, whenever the Mayor is of the opinion that the interests of the municipality demand removal. The Mayor shall report the reasons for the removal to the corporate authorities at a meeting to be held not less than **five (5) days** nor more than **ten (10) days** after the removal. If the Mayor fails or refuses to report to the corporate authorities the reasons for the removal, or if the corporate authorities by a **two-thirds (2/3) vote** of all members authorized by law to be elected disapprove of the removal, the officer thereupon shall be restored to the office from which the officer was removed. The vote shall be by yeas and nays, which shall be entered upon the journal of the corporate authorities. Upon restoration, the officer shall give a new bond and take a new oath of office. No officer shall be removed a second time for the same offense. **(65 ILCS 5/3.1-35-10)**

**1-3-7 DESIGNATION OF OFFICERS' DUTIES.** Whenever there is a dispute as to the respective duties or powers of any appointed officer of the Village, this dispute shall be settled by the Mayor, after consultation with the Village Attorney; and the Mayor shall have the power to delegate to any appointive officer, any duty which is to be performed when no specific officer has been directed to perform that duty.

**1-3-8 FORMAL OCCASIONS.** The Mayor shall act for and on behalf of the Village on formal occasions and receptions, but in the absence or inability to attend any such function, the Mayor may select any other Village officer to so act.

**1-3-9 GENERAL DUTIES.** The Mayor shall perform all the duties which are prescribed by law and shall take care that the laws and ordinances are faithfully executed.

The Mayor from time to time, may and annually shall give the Village Board information relative to the affairs of the Village, and may recommend for their consideration such measures as he or she believes expedient. **(65 ILCS 5/3.1-35-5)**

**1-3-10 BUSINESS LICENSE COMMISSIONER.** The Mayor is hereby designated as License Commissioner to issue and revoke any and all business licenses as prescribed by law, with the advice and consent of the Village Board.

**1-3-11 LOCAL LIQUOR COMMISSIONER.** The Mayor is hereby designated as Local Liquor Commissioner with all the powers to license and/or revoke any Village liquor license according to State and Village laws. **(235 ILCS 5/4-2)**

**1-3-12**        **HEALTH COMMISSIONER.** The Mayor is hereby declared to be Health Commissioner with all powers to abate and remove all nuisances or health hazards within the jurisdictional boundaries of the Village authority as prescribed by law.

**1-3-13**        **DECIDING VOTE - MAYOR.** The Mayor shall preside at all meetings of the Village Board. The Mayor shall not vote on any ordinance, resolution or motion, except:

- (A)            Where the vote of the Trustees has resulted in a tie; or
- (B)            Where **one-half (1/2)** of the Trustees elected have voted in favor of an ordinance, resolution or motion, even though there is no tie; or
- (C)            Where a vote greater than a majority of the corporate authorities is required by the **Illinois Compiled Statutes** to adopt an ordinance, resolution or motion.

In each instance specified, the Mayor shall vote. Nothing in this Section shall deprive an Acting Mayor or Mayor Pro-tem from voting in his or her capacity as Trustee, but he or she shall not be entitled to another vote in his or her capacity as Acting Mayor or Mayor Pro-tem. **(65 ILCS 5/3.1-40-30)**

**1-3-14 - 1-3-15**    **RESERVED.**

## **DIVISION II - VILLAGE CLERK**

**1-3-16**        **APPOINTED.** The Village Clerk shall be appointed by the Mayor with the advice and consent of the Village Board for a **four (4) year term** and shall serve until a successor is appointed and has qualified. **(65 ILCS 5/3.1-25-90)**

**1-3-17**        **VACANCY.** Whenever a vacancy in the office of Village Clerk appointed under the statutes occurs during the term, the vacancy shall be filled for the remainder of the term by the appointment of a clerk by the Mayor and with the advice and consent of the Board of Trustees. **(65 ILCS 5/3.1-25-90)** **(See Division V of this Chapter)**

**1-3-18**        **PUBLICATION OF ORDINANCES; BOARD MINUTES; RECORDS.**

(A)            **Ordinances.** The Village Clerk shall cause all ordinances passed by the Village Board and approved by the Mayor, imposing any fine, penalty, imprisonment or forfeiture, or making any appropriation to be published or printed in book or pamphlet form, published by authority of the corporate authorities, or be published at least once within **thirty (30) days** after passage, in **one (1)** or more newspapers published in the Village. **(65 ILCS 5/1-2-5)**

(B)            **Minutes; Records.**

(1)            **Open Meetings.** The Village Clerk shall attend all meetings of the Village Board and shall keep in a suitable book to be styled "**The Journal of the Village Board**", a full and faithful record of its proceedings. The Village Clerk shall record and properly index in a book kept for that purpose, all ordinances passed by the Village 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, when published, and a memorandum of the publication of such ordinance. **(65 ILCS 5/3.1-35-90)**

(2)            **Closed Meetings.** The Clerk shall prepare and preserve the minutes of closed meetings according to the provisions of the Closed Meetings Act. At least twice a year, corporate authorities shall meet to review minutes of all closed sessions and make a public statement as to whether there is

still a need to maintain such matters in confidence or whether minutes or portions of minutes from closed meetings no longer require confidential treatment and are available for public inspection. **(5 ILCS 120/2.06(c))**

(C) **Bonds.** The Clerk shall also record in proper books for the purpose, all official bonds and note upon each bond so recorded when the same was entered of record and the book and pages where recorded. **(65 ILCS 5/3.1-35-110)**

(D) **Issue Notices.** The Clerk shall issue and cause to be served upon all Trustees, notices of all special meetings of the Village Board; also notices to the members of the different committees of that body and all persons whose attendance may be required before any such committee, when so directed by the Chairman thereof. **(65 ILCS 5/1-2-4, 5/1-2-5 and 5/3.1-35-90)**

**1-3-19 DELIVERY OF PAPERS TO OFFICERS.** The Clerk shall deliver to the several committees of the Village Board and to the officers of this Village, all petitions, communications, reports and resolutions, orders, claims and other papers referred to those committees or officers by the Board on demand therefore. The Clerk shall also, without delay, deliver to the Mayor, all ordinances or resolutions, orders and claims in his or her charge which may require to be approved or otherwise acted upon by the Mayor. **(65 ILCS 5/3.1-35-90)**

**1-3-20 PREPARATION OF DOCUMENTS, COMMISSIONS AND LICENSES.** The Clerk shall prepare all commissions, licenses, permits and other official documents required to be issued by him or her under this Code and shall attest the same with the corporate seal, and the Clerk shall, in like manner, attest all deeds for the sale of real estate owned and conveyed by this Village.

**1-3-21 VILLAGE LICENSES.** In all cases where the Village requires a license to be obtained for the purpose of engaging in or carrying on any business or occupation, and the licensee is required to obtain plates, tags or stickers from the Clerk, it shall be the duty of the Clerk to provide such plates, tags, or stickers to the person paying the license fee.

**1-3-22 REPORT OF LICENSES.** The Clerk shall report to the Village Board at its regular meeting each month and more often if the Board so requires the data contained in the license register with respect to licenses issued during the previous month.

**1-3-23 ADMINISTRATION OF OATHS.** The Clerk shall have the power to administer oaths or affirmations for all lawful purposes. **(65 ILCS 5/3.1-15-20)**

**1-3-24 OUTSTANDING BONDS.** The Clerk shall keep in his office in a book or books kept expressly for that purpose a correct list of all the outstanding bonds of the Village, showing the number and amount of each, for and to whom the bonds are issued; and when the Village bonds are issued, or purchased, or paid, or cancelled, the book or books shall show that fact; [and in the annual report, the Clerk shall describe particularly the bonds sold during the year and the terms of sale with each and every item of expense thereof]. **(65 ILCS 5/3.1-35-110)**

**1-3-25 REPORTS.** The Clerk shall, on or before the regular meeting in each month, make out and submit to the Village Board a statement or report in writing of all the monies received and

warrants drawn during the preceding month, showing therein from or what sources and on what account monies were received, and for what purposes and on what account the warrants were drawn or paid.

**1-3-26**        **SUCCESSOR.** The Village Clerk shall carefully preserve all books, records, papers, maps and effects of every detail and description belonging to the Village or pertaining to the office, and not in actual use and possession of other Village officers; and upon the expiration of his or her official term, the Clerk shall deliver all such books, records, papers and effects to the successor in office. **(65 ILCS 3.1-10-35)**

**1-3-27**        **PAYMENTS.** The Clerk shall prepare monthly an itemized list of all monies received and shall deliver a copy of the same to the Village Treasurer and shall also pay over to the Treasurer all monies received in the office and take a receipt therefor.

**1-3-28**        **NOTIFICATION TO PERSONS APPOINTED TO OFFICE.** Within **five (5) days** after an appointment is made, the Clerk shall notify all persons appointed to office of their appointment. The office becomes vacant unless the person appointed qualifies within **ten (10) days** after such notice.

**1-3-29**        **OTHER DUTIES.** In addition to the foregoing duties, the Clerk shall perform all such other duties pertaining to the office as are or may be imposed upon the office by law or resolution or ordinance of the Village Board. **(65 ILCS 5/3.1-10-40)**

**1-3-30**        **DEPUTY CLERK.** The Village Clerk, when authorized by the Village Board, may appoint the Deputy Clerk who shall have the power and duty to execute all documents required by any law to be executed by the Clerk and affix the seal of the Village thereto whenever required. In signing any documents, the Deputy Clerk shall sign the name of the Village Clerk followed with the word, **"By"** and the Deputy Clerk's name and the words, **"Deputy Clerk"**.

The powers and duties herein described shall be executed by such Deputy Clerk only in the absence of the Village Clerk from the Village Clerk's office in the Village Hall, and only when either written direction has been given by the Village Clerk to such Deputy Clerk to exercise such power or the Village Board has determined by resolution that the Village Clerk is temporarily or permanently incapacitated to perform such functions. **(65 ILCS 5/3.1-30-10 and 5/3.1-10-45 and 5/3.1-35-95)**

**1-3-31**        - **1-3-32**        **RESERVED.**

### **DIVISION III - VILLAGE TREASURER**

**1-3-33**        **FINANCE COMMITTEE.** The standing committee on Finance shall exercise a general supervision over the affairs of the Finance Department. It shall ascertain the condition and needs thereof; shall, from time to time, report the same to the Mayor and Village Board so that a full understanding thereof shall be had and generally, shall do all the acts necessary to promote the efficiency of the Department.

**1-3-34**                    **TREASURER APPOINTED; VACANCY.** The Treasurer shall be appointed for a **one (1) year term** by the Mayor with the advice and consent of the Village Board and shall serve until a successor is appointed and has qualified. All vacancies shall be filled in the manner prescribed in **Division V** of this Chapter. **(65 ILCS 5/3.1-30-5)**

**1-3-35**                    **MONEY; WARRANTS; ACCOUNTS; PAYMENTS.** The Village Treasurer shall receive all monies belonging to this Village and shall pay all warrants signed by the Mayor and countersigned by the Village Clerk and not otherwise; and shall keep a separate account of each fund or appropriation and the debits and credits belonging thereto. The Treasurer shall give to every person paying money into the Village Treasury a receipt therefor, specifying the date of payment, and upon what account paid, and shall file copies of such receipts with the Clerk with the monthly reports. **(65 ILCS 5/3.1-35-40)**

**1-3-36**                    **WARRANT REGISTER.** The Treasurer shall keep a register of all warrants redeemed and paid, showing the number, date, and amount of each, the fund from which paid, and the name of the person to whom and when paid; and the Treasurer shall cancel all warrants as soon as they are redeemed. **(65 ILCS 5/3.1-35-40 and 5/3.1-35-45)**

**1-3-37**                    **PERSONAL USE OF FUNDS.** The Village Treasurer shall keep all money belonging to the Municipality and in the Treasurer's custody separate and distinct from the Treasurer's own money and shall not use, either directly or indirectly, the Municipality's monies or warrants for the personal use and benefit of the Treasurer or of any other person. Any violation of this provision shall subject the Treasurer to immediate removal from office by the corporate authorities, who may declare the Treasurer's office vacant. **(65 ILCS 5/3.1-35-55)**

**1-3-38**                    **BOND.** The Treasurer shall give bond conditioned upon the faithful performance of his duties and to indemnify the Village for any loss due to neglect of duty or wrongful act on his part; and the amount of such bond shall not be less than **ten percent (10%)** of the highest amount of taxes and special assessments received by the Treasurer during any fiscal year in the preceding **five (5) fiscal years**, nor less than one and one-half times the largest amount which the Board estimates will be in his custody at any one time, nor less than **three (3) times** the number of residents of the Village, as determined by the last Federal Census. Such bond shall be filed with the Clerk as required by statute. **(65 ILCS 5/3.1-10-45)**

**1-3-39**                    **SPECIAL ASSESSMENTS.** The Treasurer shall collect all payments on special assessments and shall see to it that the same are properly recorded and credited to the particular account entitled thereto. **(65 ILCS 5/3.1-35-85)**

**1-3-40**                    **BOOKKEEPING.** The Treasurer shall keep the books and accounts in such a manner as to show with accuracy, all monies received and disbursed for the Village, stating from whom and on what account received, and to whom and on what account paid out, and in such a way that the books and accounts may be readily investigated and understood, and the books and accounts and all files and papers of the office shall be, at all times, open to examination by the Mayor or the Finance Committee of the Board. **(65 ILCS 5/3.1-35-40)**



**1-3-41**            **STATEMENTS.** The Treasurer shall report to the corporate authorities at the regular monthly meeting, a full and detailed account of all receipts and expenditures of the municipality as shown by his books up to the time of the report. **(65 ILCS 5/3.1-35-45)**

**1-3-42**            **REPORT DELINQUENT OFFICERS.** It shall be the duty of the Treasurer to report to the Village Clerk any officer of the Village authorized to receive money for the use of the Village who may fail to make a return of the monies received by the Treasurer at the time required by law or by ordinances of the Village.

**1-3-43**            **YEAR-END REPORT.** Within **six (6) months** after the end of each fiscal year, the Treasurer shall prepare and file annually with the Village Clerk an account of monies received and expenditures incurred during the preceding fiscal year as specified in this Section. The Treasurer shall show the following in such account:

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

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

(C)                All monies paid out by the Village as compensation for personal services, giving the name of each person to whom paid, on what account paid, and the total amount in the aggregate paid to each person from each account; and

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

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

**[NOTE: The Treasurer shall file a copy of the report with the County Treasurer as provided in Sec. 5/3.1-35-70 of Chapter 65 of the Illinois Compiled Statutes.]**

**1-3-44**            **SUBMIT APPROPRIATION TO VILLAGE BOARD.** The Treasurer shall on or before the **fifteenth (15<sup>th</sup>) day of May in each year**, and before the annual appropriations to be made by the Village Board, submit to the Village Board a report of the estimates as nearly as may be of monies necessary to defray the expenses of the corporation during the current fiscal year. The Treasurer shall, in said report, classify the different objects and branches of expenditures, giving as nearly as may be the amount required for each; and for the purpose of making such a report, the Treasurer is hereby authorized to require of all officers their statement of the condition and expenses of their respective offices or departments with any proposed improvements, and the probable expense thereof, all contracts made and unfinished and the amount of any and all unexpended appropriations of the preceding year.

The Treasurer shall, in such report, 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 when payable; and in such report, shall give such other information to the Village Board as he or she may deem necessary to the end that the Village Board may fully understand the money exigencies and demands upon the corporation for the current year. **(65 ILCS 5/3.1-35-115)**

**1-3-45**            **DEPOSIT OF FUNDS.**

(A) **Designation by Board.** The Treasurer is hereby required to keep all funds and monies in his or her custody belonging to the Village in such places of deposit as have been designated by **Section 1-2-85(F)**. When requested by the Treasurer, the corporate authorities shall designate a bank or banks in which may be kept the funds and monies of the Village in the custody of the Treasurer. When a bank or savings and loan association has been designated as a depository, it shall continue as such depository until **ten (10) days** have elapsed after a new depository is designated and has qualified by furnishing the statements of resources and liabilities as required by this Section. When a new depository is designated, the corporate authorities shall notify the sureties of the Village Treasurer of that fact in writing at least **five (5) days** before the transfer of funds. The Treasurer shall be discharged from responsibility for all funds or money that the Treasurer deposits in a designated bank or savings and loan association while the funds and money are so deposited.

(B) The Village Treasurer may require any bank or savings and loan association to deposit with the Treasurer securities or mortgages that have a market value at least equal to the amount of the funds or monies of the municipality deposited with the bank or savings and loan association that exceeds the insurance limitation provided by the Federal Deposit Insurance Corporation.

(C) The Village Treasurer may enter into agreements of any definite or indefinite term regarding the deposit, redeposit, investment, reinvestment, or withdrawal of municipal funds.

(D) Each Village Treasurer may:

- (1) combine monies from more than one fund of a single municipality for the purpose of investing those funds and;
- (2) join with other municipal treasurers or municipalities for the purpose of investing the municipal funds of which the Treasurer has custody.

Joint investments shall be made only in investments authorized by law for the investment of municipal funds. When monies of more than one fund of a single municipality or monies of more than one municipality are combined for investment purposes, the monies combined for that purpose shall be accounted for separately in all respects and the earnings from investments shall be separately and individually computed, recorded, and credited to the fund or municipality, as the case may be, for which the investment was acquired.

(E) No bank or savings and loan association shall receive public funds as permitted by this Section unless it has complied with the requirements established by Section 6 of the Public Funds Investment Act. **(65 ILCS 5/3.1-35-50 and 30 ILCS 235/6)**

(F) The following bank(s) are herewith designated as places of deposit where the Treasurer of the Village is required to keep all funds and monies in his custody belonging to this municipality:

- (1) 1<sup>st</sup> National Bank of Westville, IL
- (2) Illinois State Treasurer's Pool
- (3)

**1-3-46 - 1-3-47 RESERVED.**

#### **DIVISION IV - VILLAGE ATTORNEY**

**1-3-48 APPOINTMENT OF ATTORNEY.** The Attorney shall be appointed by the Mayor, by and with the advise and consent of the Village Board for the term of **one (1) year**, unless sooner removed for cause, and until a successor shall have been appointed and qualified. The Attorney shall have full charge of the law affairs of the Village and shall be known as the Village Attorney, and shall receive reasonable fees for services rendered when, in his or her judgment, or in the judgment of the Mayor or Village Board, the same are necessary or are for the best interests of the Village. **(65 ILCS 5/3.1-30-5)**

**1-3-49            DUTIES.**

(A)            **Prosecute for Village.** The Village Attorney shall prosecute or defend on behalf of the Village in all cases in which the interests of the corporation or any officer thereof are involved; and the Village Clerk shall furnish him or her with certified copies of any ordinance, bond or paper in keeping necessary to be filed or used in any suit or proceedings.

(B)            **Preparation of Ordinances.** The Attorney shall, when required, advise the Village Board or any officer in all matters of law in which the interests of the corporation are involved, and shall draw such ordinances, bonds, forms and contracts, or examine and pass upon the same, as may be required by the Mayor, the Village Board, or any committee thereof.

(C)            **Judgments.** The Attorney shall direct executions to be issued upon all judgments recovered in favor of the Village, and shall direct their prompt service. The Attorney shall examine all the bills of the officers of courts, and of other officers of the law, and shall certify to their correctness and the liability of the Village therefore.

(D)            **Violations of Ordinances.** The Attorney shall institute and prosecute an action in every case of violation of a Village ordinance when instructed to do so by the Mayor or the Village Board.

(E)            **Prosecution of Suits.** The Attorney shall not be required to prosecute any suit or action arising under the ordinances of the Village when, upon investigation of the same, the Attorney shall become satisfied that the complaint was instituted maliciously, vexatiously, or without just cause; and shall dismiss or discontinue any such suit or proceeding upon such terms as he or she may deem just or equitable.

(F)            **Collection of Taxes.** The Attorney is hereby authorized and instructed to enforce the collection of any and all taxes and special assessments in the collection of which the Village is interested and to attend all sales of real or personal property made to enforce the collection of such taxes or special assessments and to bid thereat on behalf of the Village.

(G)            **Commissions.** The Village Attorney shall act as the legal advisory for the Utilities Systems, for the Plan Commission, for the Zoning Board of Appeals and for all other boards and commissions hereafter established by the Village Board. The Attorney shall perform all legal services as may be required for those boards and commissions.

**1-3-50 - 1-3-52    RESERVED.**

**DIVISION V – VILLAGE ENGINEER**

**1-3-53            APPOINTMENT.** With the advice and consent of the Village Board, the Mayor may appoint an engineer for the Village, who shall serve for the term of the Mayor or for such period not exceeding the term of the Mayor, as may be designated by the Mayor and Village Board.

**1-3-54            DUTIES - SALARY.** The Village Engineer shall make and submit plans, estimates and specifications for any public work which may be proposed or ordered by the Village Board. The Engineer shall also examine all public works under his or her charge and see that the plans, estimates and specifications for the same are properly executed. The Engineer shall also receive a salary as established in the annual budget. **(65 ILCS 5/3-7-6)**

**1-3-55 - 1-3-59    RESERVED.**

## DIVISION VI – SUPERINTENDENT OF STREETS

**1-3-60**            **OFFICE CREATED.** There is hereby created the office of Superintendent of Streets. The Superintendent shall be appointed by the Mayor with the advice and consent of the Village Board for a term of **one (1) year**.

**1-3-61**            **DUTIES.** The Superintendent shall have charge of the construction and care of all public streets, alleys, and driveways in the Village, and with keeping the same clean. The Superintendent shall see to it that all gutters and drains therein function properly and that the same are kept free from defects. The Superintendent shall perform all the duties and responsibilities outlined in **Chapter 33** of this Code. The Superintendent shall supervise the lighting of the public streets and alleys.

**1-3-62**            **DEPARTMENT EMPLOYEES.** All officers or employees assigned to the Department shall perform their duties subject to the orders and under the supervision of the Superintendent.

**1-3-63**            **PROPERTY CUSTODIAN.** The Superintendent shall be the custodian of all property of the Village which is not assigned to the care or custody of any other officer.

## DIVISION VII – CODE ENFORCEMENT OFFICER

**1-3-66**            **OFFICE CREATED.** There is hereby created the office of Code Enforcement Officer for the Village.

**1-3-67**            **APPOINTMENT AND REMOVAL.** Such office shall be filled by appointment by the Mayor, subject to the approval of the Village Board. Said officer shall serve a term of **two (2) years**. Notwithstanding the foregoing, said officer may be removed at the discretion of the Mayor, subject to the approval of the Board.

**1-3-68**            **COMPENSATION.** Compensation for the position of Code Enforcement Officer shall be fixed and determined from time to time by the Village Board.

**1-3-69**            **ACTING CODE ENFORCEMENT OFFICER.** In the absence of the Code Enforcement Officer or in the case of the Code Enforcement Officer's inability to act for any reason, the Village Board may designate a person to act on behalf of the Code Enforcement Officer and to exercise all the powers conferred upon the Code Enforcement Officer.

**1-3-70**            **RELIEF FROM PERSONAL LIABILITY.** The Code Enforcement Officer, shall not while acting on behalf of the Village render himself liable personally because of any act or omission as required or permitted in the discharge of his or her official duties. Any suit instituted against such Code Enforcement Officer because of any act performed by him or her in the lawful discharge of his or her duties shall be defended by the Village and in no case will said officer be personally liable for costs in any action, suit or proceeding.

**1-3-71**            **DUTIES.** The Code Enforcement Officer shall enforce and administer all applicable codes and ordinances within the Village limits and said officer's duties shall include the receipt

of applications, the issuance of permits, notices, certificates and orders, the making of inspections to determine conformance with applicable codes and ordinances, the undertaking of research and investigations, the keeping of records, the issuance of at minimum annual reports and such other activities as may be required.

**1-3-72**                    **ENFORCEMENT AUTHORITY.** The Code Enforcement Officer shall have the power to make or cause to be made an entry into or onto any building or premises wherein an alleged violation may exist and to serve violation notices, make and process complaints for Code violations and make court appearances, both municipal and otherwise, as necessary in connection therewith.

**1-3-73**                    **RECORDS AND REPORTS.** The Code Enforcement Officer shall keep permanent official records of all transaction and activities conducted by him or her, including all applications received, plans approved, permits and certificates issued, fee charged and collected, inspection reports, all policies and procedures promulgated by him or her with the consent of the Village Board and all notices and orders issued. All such notices shall be public records open for public inspection during normal business hours with reasonable notice provided.

**1-3-74**                    **SUCCESSION.** Every Code Enforcement Officer, upon the expiration of his term for any reason whatsoever, shall deliver to his or her successor all books and records which may be the property of the Village. If no successor has been appointed within **seven (7) days** after termination of such office, such property shall be delivered to the Mayor.

**1-3-75**                    **REQUIREMENTS AND TRAINING.** Code Enforcement Officers shall have at a minimum a High School Diploma or equivalent and be at least **eighteen (18) years** of age. The Village shall provide reasonable training and equipment to any such officer.