

CODE OF ORDINANCES

MAINE TOWNSHIP, ILLINOIS

Published in 2023 by Order of the Supervisor and Board of Trustees



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TOWNSHIP OF
MAINE, ILLINOIS
AT THE TIME OF THIS CODIFICATION

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Board of Trustees

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Highway Commissioner

Susan Moylan Krey
Assessor

Peter Gialamas
Township Clerk

PREFACE

This Code constitutes a codification of the general and permanent ordinances of the Township of Maine, Illinois.

Source materials used in the preparation of the Code were the ordinances adopted by the supervisor and board of trustees. The source of each section is included in the history note appearing in parentheses at the end thereof. The absence of such a note indicates that the section is new and was adopted for the first time with the adoption of the Code. By use of the comparative tables appearing in the back of this Code, the reader can locate any section of any ordinance included herein.

Acknowledgments

This publication was under the direct supervision of Alyce A. Whitson, Senior Code Attorney, and Alane Howard, Editor, of Municode, Tallahassee, Florida. Credit is gratefully given to the other members of the publisher's staff for their sincere interest and able assistance throughout the project.

The publisher is most grateful to Karen J. Dimond, Supervisor, Ed Beauvais, Highway Commissioner, Dawne Hayman, Nader Ghazaleh, and Mike Samaan, for their cooperation and assistance during the progress of the work on this publication. It is hoped that their efforts and those of the publisher have resulted in a Code of Ordinances which will make the active law of the township readily accessible to all citizens and which will be a valuable tool in the day-to-day administration of the township's affairs.

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CODE OF ORDINANCES

Chapter 1

GENERAL PROVISIONS

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Sec. 1-1. How Code designated and cited.

The ordinances embraced in the chapters and sections of this Code shall constitute and be designated as the "Code of Ordinances, Maine Township, Illinois," and may be so cited. This Code may also be referred to and cited as the "Maine Township Code."

State law reference—Revision and codification of ordinances, 65 ILCS 5/1-2-3.

Sec. 1-2. Definitions and rules of construction.

The following rules and definitions shall be applied in the construction and interpretation of this Code and township ordinances unless such application would be clearly inconsistent with the plain meaning or intent of the ordinances encompassed herein:

Acts by agents. When this Code or a township ordinance requires an act done by a person which may be legally performed by an authorized agent of that principal person, the requirement shall be construed to include all acts performed by such agents.

Agent. The term "agent" means a person acting on behalf of another.

Code. The term "Code" or "this Code" means the Code of Ordinances, Maine Township, Illinois.

Computation of time. The time within which any act provided by law is to be done shall be computed by excluding the first day and including the last, unless the last day is a Saturday or Sunday or is a holiday, as defined or fixed in any law now or hereafter in force in the township, and then it shall also be excluded. If the day succeeding such Saturday, Sunday or holiday is also a holiday or a Saturday or Sunday, then such succeeding day shall also be excluded.

State law reference—Similar provisions, 5 ILCS 70/1.11.

County. The term "county" means Cook County, Illinois.

Delegation of authority. Whenever a provision appears requiring the head of a department or other officer of the township to do some act or perform some duty, it shall be construed to authorize such department head or officer to designate, delegate and authorize subordinates to do the required act or perform the required duty unless prohibited or the terms of the provision designate otherwise.

Departments, authorities, boards, committees, commissions. When referred to in this Code by title only, the terms "department," "authority," "boards," "committees," and "commissions" shall be construed as if their title was followed by the words "of Maine Township, Illinois."

Gender. A term importing the masculine gender only shall extend and be applied to females and to firms, partnerships and corporations as well as to males.

State law reference—Similar provisions, 5 ILCS 70/1.04.

ILCS or statute. The abbreviation "ILCS" means the Illinois Compiled Statutes, as amended from time to time. The term "statute," unless otherwise specifically stated, refers to the indicated portion of the Illinois Compiled Statutes, as amended.

Joint authority. All terms purporting to give a joint authority to three or more township officers or employees shall be construed as giving such authority to a majority of such officers or other persons.

State law reference—Similar provisions, 5 ILCS 70/1.09.

May. The term "may" is to be construed as being permissive.

Month. The term "month" means a calendar month.

State law reference—Similar provisions, 5 ILCS 70/1.10.

Number. A word importing the singular number only may extend and be applied to several persons and things as well as to one person or thing, and a word importing the plural number may be applied to the singular. The singular includes the plural and the plural includes the singular.

State law reference—Similar provisions, 5 ILCS 70/1.03.

Oath, sworn, affirmed. The term "oath" includes an affirmation, and the term "sworn" shall be construed to include the term "affirmed."

State law reference—Similar provisions, 5 ILCS 70/1.12.

Officers and employees. When referred to in this Code by title only, the terms "officers" and "employees" shall be construed as if their title was followed by the words "of Maine Township, Illinois," and shall be taken to mean the officer or employee of the township having the title mentioned or performing the duties indicated and lawful designees.

Owner. The term "owner," as applied to a building or land, includes any part owner, joint owner, tenant in common, joint tenant or lessee of the whole or of a part of such building or land.

Person. The term "person" means any natural individual, firm, trust, partnership, association, or corporation in his or its own capacity as administrator, conservator, executor, trustee, receiver or other representative appointed by the court.

State law reference—Definition of person, 5 ILCS 70/1.05.

Personal property. The term "personal property" means and includes every description of money, goods, chattels, effects, evidence of rights in action and all written

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

Shall. The term "shall" is to be construed as being mandatory.

State. The term "state" means the State of Illinois.

Street. The term "street" means and includes alleys, lanes, courts, boulevards, and all public highways and includes all areas thereof embraced between the property lines and dedicated to the public use.

Tense. Words used in the past or present tense include the future as well as the past and present.

State law reference—Similar provisions, 5 ILCS 70/1.02.

Town, township. The terms "town" and "township" mean and refer to Maine Township, Cook County, Illinois.

Town board, township board. The terms "town board" and "township board" mean and refer to the board of trustees of Maine Township, Cook County, Illinois.

State law reference—Town trustees, 5 ILCS 70/1.30.

Written and in writing. The terms "written" and "in writing" may include printing and any other mode of representing words and letters.

State law reference—Written, in writing, 5 ILCS 70/1.15.

State law reference—Similar rules of statutory construction, 5 ILCS 70/0.01 et seq.

Sec. 1-3. Catchlines.

The catchlines of the several sections of this Code are intended as mere catchwords to indicate the content of the section and shall not be deemed or taken to be titles of such sections, nor as any part of the section, nor, unless expressly so provided, shall they be so deemed when any of such sections, including the catchlines, are amended or reenacted.

Sec. 1-4. References to chapters or sections.

All references to chapters or sections are to the chapters and sections of this Code unless otherwise specified.

Sec. 1-5. Editorial notes, state law references.

Editor's notes and state law references are intended as an aid and guide to the reader for informational, explanatory and organizational purposes only and shall not be deemed a part of the text of any section and are not controlling or have any legal effect on the text.

Sec. 1-6. History notes.

The history notes appearing in parentheses after sections in this Code are not intended to have any legal effect, but are merely intended to indicate the source of matter contained in the section.

Sec. 1-7. Amendments to Code.

(a) All ordinances passed subsequent to the adoption of this Code which amend, repeal or in any way affect this Code may be numbered in accordance with the numbering system of this Code and included therein. When subsequent ordinances repeal any chapter, section or subsection or any portion thereof, the repealed portions may be excluded from this Code by omission from the revised pages.

(b) Amendments to any of the provisions of this Code may be made by amending the provisions by specific reference to the section, division, or article number of this Code in substantially the following language:

Section ____ of the Code of Ordinances, Maine Township, Illinois, is hereby amended to read as follows: (Set out new provisions in full.)

(c) When the board of trustees desires to enact an ordinance of a general and permanent nature on a subject not heretofore existing in the Code, which the board desires to incorporate into the Code, a section in substantially the following language may be made part of the ordinance:

The Code of Ordinances, Maine Township, Illinois, is hereby amended by adding a new section, to be numbered ____, which section reads as follows:" The new section should then be set out in full.

The provisions of this ordinance shall become and be made a part of the Code of Ordinances, Maine Township, Illinois, and the sections of this ordinance may be renumbered to accomplish this intention.

(d) All sections, articles, chapters or provisions of this Code desired to be repealed shall be specifically repealed by section or chapter number, as the case may be.

Sec. 1-8. Supplementation of Code.

(a) By contract or by township personnel, supplements to this Code shall be prepared and printed whenever authorized or directed by the board of trustees. A supplement to the Code shall include all substantive parts of permanent and general ordinances passed by the board of trustees during the period covered by the supplement and all changes made thereby in the Code. The pages of a supplement shall be so

numbered that they will fit properly into the copy of the printed Code and will, where necessary, replace pages that have become obsolete or partially obsolete, and the new pages shall be so prepared that, when they have been inserted, the Code will be current through the date of the adoption of the latest ordinance included in the supplement.

(b) In preparing a supplement to this Code, all portions of the Code which have been repealed shall be excluded from the Code by the omission thereof from reprinted pages.

(c) When preparing a supplement to this Code, the codifier (meaning the person, agency or organization authorized to prepare the supplement) may make formal, nonsubstantive changes in ordinances and parts of ordinances included in the supplement, insofar as it is necessary to do so to embody them into a unified Code. For example, the codifier may:

- (1) Organize the ordinance material into appropriate subdivisions.
- (2) Provide appropriate catchlines, headings and titles for sections and other subdivisions of the Code printed in the supplement, and make changes in such catchlines, headings and titles.
- (3) Assign appropriate numbers to sections and other subdivisions to be inserted in the Code and, where necessary to accommodate new material, change existing section or other subdivision numbers.
- (4) Change the words "this ordinance" or words of the same meaning to "this chapter," "this article," "this division," etc., as the case may be, or to "sections ___ to ___" (inserting section numbers to indicate the sections of the Code which embody the substantive sections of the ordinance incorporated into the Code).
- (5) Make other nonsubstantive changes necessary to preserve the original meaning of ordinance sections or the alphabetical arrangement of new chapters inserted into the Code. In no case shall the codifier make any change in the meaning or effect of ordinance material included in the supplement or already embodied in the Code.

Sec. 1-9. Unauthorized alteration.

It shall be deemed unlawful for any person to alter, change, replace or deface, in any way, any section or any page of this 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 board of trustees. The township clerk shall see that the replacement pages are properly inserted in the official copies maintained in the office of the clerk.

Sec. 1-10. Effect of repeal of ordinances.

(a) When any ordinance repealing a former ordinance, clause or provision shall be itself repealed, such repeal shall not be construed to revive such former ordinance, clause or provision unless it shall be therein so expressly provided.

(b) The repeal of an ordinance shall not affect any punishment or penalty incurred before the repeal took effect, nor any suit, prosecution or proceeding pending at the time of the repeal, for an offense committed or cause of action arising under the ordinance repealed.

Sec. 1-11. Certain ordinances not affected by Code adoption.

(a) Nothing in this Code or the ordinance adopting this Code shall be construed to repeal or otherwise affect the validity of any of the following:

- (1) Ordinances levying taxes not included in this Code and budget and appropriation ordinances;
- (2) Ordinances relating to boundaries and annexations;
- (3) Franchise ordinances;
- (4) Ordinances granting certain rights to persons or corporations;
- (5) Ordinances regarding contracts and ordinances authorizing the execution of a contract or the issuance of warrants;
- (6) Ordinances regarding salaries or other compensation;
- (7) Ordinances establishing, naming or vacating streets, alleys or other public places;
- (8) Ordinances regarding special improvements;
- (9) Ordinances regarding bonds;
- (10) Ordinances relating to elections;
- (11) Ordinances relating to the transfer or acceptance of real estate by or from the township;
- (12) Special ordinances;

- (13) Ordinances relating to streets and other public places, including railroads or railroad crossings;
- (14) Ordinances regarding the conduct, duties, service or rates of public utilities or other rates or charges;
- (15) Ordinances relating to personnel benefits, policies and procedures of the township;
- (16) Ordinances regarding a prevailing wage;
- (17) Any township policy not included in the Code;
- (18) Any ordinance or resolution promising or guaranteeing the payment of money for the township, or authorizing the issuance of any bonds of the township or any evidence of the township's indebtedness, or any contract or obligation assumed by the township.

(b) All such ordinances are hereby recognized as continuing in full force and effect to the same extent as if set out at length herein and are on file in the township clerk's office.

Sec. 1-12. Severability.

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

Sec. 1-13. Acceptance into evidence.

This Code, as presented in printed form, shall be received without further proof in all courts and in all administrative tribunals of the state, as the ordinances of the township of general and permanent effect, except the excluded ordinances enumerated in section 1-11.

Sec. 1-14. General penalty.

(a) *General enforcement.* Unless another penalty is provided, a violation of any section of this Code shall be punishable as a petty offense and the violator fined not less than \$75.00 nor more than \$500.00 for any one offense, plus court costs and fees. Each day any violation of any provision of this Code shall continue shall constitute a separate offense.

(b) *Applicability.* Unless state law requires a different penalty, the penalty provisions established by this section shall apply to all ordinance violations except parking violations, violations for which a different specific penalty is provided elsewhere in this Code, and violations of state statutes adopted by the township if the minimum fine provided by statute exceeds the minimum amount established under this Code.

State law references—Penalties classified as a petty offense, 60 ILCS 1/30-190.1; penalty for petty offense violation, 730 ILCS 5/5-4.5-75.

Sec. 1-15. Code does not affect prior offenses or rights.

(a) Nothing in this Code or the ordinance adopting this Code affects any offense or act committed or done, any penalty or forfeiture incurred, or any contract or right established before the effective date of this Code.

(b) The adoption of this Code does not authorize any use or the continuation of any use of a structure or premises in violation of any township ordinance on the effective date of this Code.

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DIVISION 2. MEETINGS*

*Subdivision I. In General***Sec. 2-40. Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Meeting means "any gathering, whether in person or by video or audio conference, telephone call, electronic means (such as, without limitation, electronic mail, electronic chat and instant messaging), or other means of contemporary interactive communication, of a majority of a quorum of the members of a public body held for the purpose of discussing public business," or such other definition as shall be contained within the state statutes.

(Ord. No. 2019-3, § II, 3-26-2019)

Secs. 2-41—2-68. Reserved.

*Subdivision II. Rules for Public Participation***Sec. 2-69. Recognition and applicability standards.**

(a) The town board recognizes the value of public comment and regards the opportunity for expression of public views on matters of community interest and issues before the board as an important part of its deliberations.

*State law reference—Open Meetings Act, 5 ILCS 120/1 et seq.

(b) The following rules shall apply to any and all public comment during the township's open public meetings:

- (1) Members of the public shall be permitted to address the town board during the portion of each regular meeting designated as "public participation" and to comment on any subject matter concerning the township.
- (2) Members of the public shall be permitted to address the town board during the portion of each special meeting designated as "public participation," but comments from the public shall be limited in scope to only those matters of business then under immediate consideration by the supervisor and board of trustees at each special meeting.
- (3) Speakers are required to state their name for the record before making any comments.
- (4) Each member of the public addressing the town board shall be limited to a five-minute duration. At the discretion of the town board, the person providing public comments may be allowed to speak beyond the allotted five minutes, or the supervisor may direct the person to submit further comments, in writing, to the supervisor for distribution to the trustees. Comments provided in writing should be sent to: Maine Township, Attention: Supervisor, 1700 Ballard Road, Park Ridge, IL 60068.
- (5) To ensure that all interested parties have an opportunity to speak, members of the public are asked to be brief and limit their comments to one topic. Public comments should not be repetitious.
- (6) Public participation is generally not a question and answer period. It provides individuals with an opportunity to express their comments regarding any subject matter concerning the township. The town board reserves the right to immediately address the comments provided at the public meeting. Fair consideration will be given to the public comments and further research may be required before the town board takes any action regarding the public comments.
- (7) Members of the public shall not make inappropriate or offensive comments at a board meeting and are expected to comply with the rules. All comments must be civil in nature. Any person who engages in threatening, slanderous or disorderly behavior when addressing the town board shall be deemed out of order by the supervisor and his or her time to address the board at said meeting shall end. An individual who violates these rules may be removed from the meeting at the discretion of the supervisor.

(Ord. No. 2016-4, att., 9-27-2016)

Secs. 2-70—2-94. Reserved.*Subdivision III. Remote Participation****Sec. 2-95. Intent.**

(a) The township adopts a policy that conforms to the requirements of the Open Meetings Act (5 ILCS 120/7) to permit attendance by a means other than physical presence.

(b) The town board permits attendance of town board members at meetings by means other than physical presence in compliance with the Open Meetings Act.

(c) Any existing ordinances, resolutions or policies shall be amended to redefine the term "meeting" to include electronic gatherings as defined in 5 ILCS 120/1.02 of the Open Meetings Act.

(Ord. No. 2019-3, § I, 3-26-2019)

Sec. 2-96. Policy statement.

It is the policy of the township that a member of the town board or any committee associated with the township which is subject to the provisions of the Open Meetings Act may attend and participate in any open or closed meeting of that covered body from a remote location via telephone, video or internet connection, provided that such attendance and participation is in compliance with this subdivision and any other applicable laws. When applying this policy to a covered public body other than the town board, the term "town board" as used in sections 2-97 through 2-104 shall mean that covered body.

(Ord. No. 2019-3, att.(1), 3-26-2019)

Sec. 2-97. Prerequisites.

A member of the township shall be provided the opportunity to attend an open and closed meeting or only one of such meetings from a remote location if the member meets the following conditions and a majority of a quorum of the town board votes to approve the remote attendance:

- (1) The member must notify the township clerk at least 24 hours before the meeting unless advance notice is impractical;

*State law reference—Open Meetings Act, remote attendance, 5 ILCS 120/7.

- (2) The member must meet one of three reasons described herein why he or she is unable to physically attend the meeting, including either:
 - a. That the member cannot attend because of personal illness or disability;
 - b. The member cannot attend because of employment purposes or the business of the township; or
 - c. The member cannot attend because of a family or other emergency; and
 - (3) A quorum of the town board must be physically present at the location of the meeting as posted in the meeting notice.
- (Ord. No. 2019-3, att.(2), 3-26-2019)

Sec. 2-98. Voting procedures.

After roll call, a vote of the town board shall be taken, considering the prerequisites set forth in section 2-97, on whether to allow an off-site board member to participate remotely. All of the members physically present are permitted to vote on whether remote participation will be allowed. A vote may be taken to permit remote participation for a stated series of meetings if the same reason applies in each case. Otherwise, a vote must be taken to allow each instance of remote participation.

(Ord. No. 2019-3, att.(3), 3-26-2019)

Sec. 2-99. Quorum and vote required.

A quorum must be established by members physically present at any meeting before it can be considered whether to allow a member to participate in the meeting remotely. A vote of a majority of a quorum shall be necessary to decide the issue. For the meeting to continue, there shall always need to be a quorum physically present.

(Ord. No. 2019-3, att.(4), 3-26-2019)

Sec. 2-100. Minutes.

The member participating remotely shall be considered an off-site participant and counted as present by means of video or audio conference for that meeting if the member is allowed to participate. The meeting minutes shall also reflect and state specifically whether each member is physically present, present by video, or present by audio means.

(Ord. No. 2019-3, att.(5), 3-26-2019)

Sec. 2-101. Rights of remote member.

The member permitted to participate remotely will be able to express his or her comments during the meeting and participate in the same capacity as those members physically present, subject to all general meeting guidelines and procedures previously adopted and adhered to. The remote member shall be heard, considered, and counted as to any vote taken. Accordingly, the name of any remote member shall be called during any vote taken, and his or her vote counted and recorded by the clerk and placed in the minutes for the corresponding meeting. A member participating remotely may leave a meeting and return as in the case of any member.

(Ord. No. 2019-3, att.(6), 3-26-2019)

Sec. 2-102. Meetings.

The term "meeting," as used herein, refers to any gathering, whether in person or by video or audio conference, telephone call, electronic means (such as, without limitation, electronic mail, electronic chat, and instant messaging), or other means of contemporaneous interactive communication, of a majority of a quorum of the members of a public body held for the purposes of discussing public business.

(Ord. No. 2019-3, att.(7), 3-26-2019)

Sec. 2-103. Closed meetings.

A quorum of the township's members must be physically present at any closed meeting. Members participating remotely shall otherwise be entitled to participate in closed meetings by video or audio conference.

(Ord. No. 2019-3, att.(8), 3-26-2019)

Sec. 2-104. Costs.

A member participating remotely via telephone shall be reimbursed for the cost of the telephone call upon a valid receipt shown. Any other costs associated with remote participation, including video conferencing and other audio and video equipment, must be approved by the township.

(Ord. No. 2019-3, att.(9), 3-26-2019)

Sec. 2-105. Remote participation without physical presence of a quorum.

Subject to the requirements of 5 ILCS 120/2.06 but notwithstanding any other provision of law, an open or closed meeting subject to the Open Meetings Act may be conducted by audio or video conference, without the physical presence of a quorum of the members, so long as the following conditions are met:

- (1) The governor or the director of the state department of public health has issued a disaster declaration related to public health concerns because of a disaster as defined in section 4 of the Illinois Emergency Management Agency Act, and all or part of the jurisdiction of the public body is covered by the disaster area;
- (2) The head of the public body as defined in section 2(e) of the Freedom of Information Act determines that an in-person meeting or a meeting conducted under the Open Meetings Act is not practical or prudent because of a disaster;
- (3) All members of the body participating in the meeting, wherever their physical location, shall be verified and can hear one another and can hear all discussion and testimony;
- (4) For open meetings, members of the public present at the regular meeting location of the body can hear all discussion and testimony and all votes of the members of the body, unless attendance at the regular meeting location is not feasible due to the disaster, including the issued disaster declaration, in which case the public body must make alternative arrangements and provide notice pursuant to this section of such alternative arrangements in a manner to allow any interested member of the public access to contemporaneously hear all discussion, testimony, and roll call votes, such as by offering a telephone number or a web-based link;
- (5) At least one member of the body, chief legal counsel, or chief administrative officer is physically present at the regular meeting location, unless unfeasible due to the disaster, including the issued disaster declaration;
- (6) All votes are conducted by roll call, so each member's vote on each issue can be identified and recorded;
- (7) Except in the event of a bona fide emergency, 48 hours' notice shall be given of a meeting to be held pursuant to this section. Notice shall be given to all members of the public body, shall be posted on the website of the public body,

and shall also be provided to any news media who has requested notice of meetings pursuant to 5 ILCS 120/2.02(a). If the public body declares a bona fide emergency:

- a. Notice shall be given pursuant to 5 ILCS 120/2.02(a), and the presiding officer shall state the nature of the emergency at the beginning of the meeting;
 - b. The public body must comply with the verbatim recording requirements set forth in 5 ILCS 120/2.06;
- (8) Each member of the body participating in a meeting by audio or video conference for a meeting held pursuant to this section is considered present at the meeting for purposes of determining a quorum and participating in all proceedings;
- (9) In addition to the requirements for open meetings under 5 ILCS 120/2.06, public bodies holding open meetings under this section must also keep a verbatim record of all their meetings in the form of an audio or video recording. Verbatim records made under this subsection shall be made available to the public under, and are otherwise subject to, the provisions of 5 ILCS 120/2.06; and
- (10) The public body shall bear all costs associated with compliance with this section.

State law reference—Audio or video conferencing without the presence of a quorum, 5 ILCS 120/7(e).

Secs. 2-106—2-123. Reserved.

DIVISION 3. FLAG POLICY

Sec. 2-124. Recitals.

The recitals in the resolution from which this division is derived are incorporated into and made a part of this division as findings of the town board.

(Res. No. 2021-7, § 1, 6-22-2021)

Sec. 2-125. Authorized flags.

The town board hereby declares the following to be the official flag policy of the township ("flag policy"): The following flags shall be the only flags authorized to be flown or otherwise displayed on or over township-owned, -leased, or otherwise -controlled buildings and property:

- (1) The official flag of the United States of America.

- (2) The official flag of the state.
 - (3) The official flag of the township.
 - (4) The official National League of Families POW/MIA Flag (Public Law 101-355).
 - (5) Any other flag donated to the town board that is flown, or has been flown, by the state at the Capitol.
- (Res. No. 2021-7, § 2, 6-22-2021)

Sec. 2-126. Authority of supervisor.

The supervisor shall be authorized to determine which of the flags described in section 2-125 shall be flown on any given date.

(Res. No. 2021-7, § 3, 6-22-2021)

Secs. 2-127—2-150. Reserved.

ARTICLE III. BOARDS, COMMITTEES, COMMISSIONS

DIVISION 1. GENERALLY

Secs. 2-151—2-168. Reserved.

DIVISION 2. PLAN COMMISSION*

Sec. 2-169. Creation.

There is hereby created a plan commission for the township consisting of five members appointed by the township supervisor with the advice and consent of the town board as provided in 60 ILCS 1/105-35.

Sec. 2-170. Membership.

(a) The members of the plan commission shall be known as commissioners and shall each serve for a term of four years or until their successor has been legally appointed in accordance with this division.

*State law reference—Plan commission, 60 ILCS 1/105-35.

(b) The township supervisor shall designate one of the members as chair. The plan commission may appoint other officers it deems necessary and appropriate.

(Ord. No. 2001-2, § 1, 5-22-2001; Ord. of 7-26-2005, § 1)

State law reference—Similar provisions, 60 ILCS 1/105-35.

Sec. 2-171. Powers.

The township plan commission shall have the following powers and duties:

- (1) The plan commission may prepare and recommend to the town board a comprehensive plan for the present and future development or redevelopment of the unincorporated areas of the township. The plan may be adopted in whole or in separate geographical or functional parts, each of which, when adopted, shall be the official plan or part of the official plan of the township. The plan may include reasonable requirements with reference to streets, alleys, public grounds, and other improvements specified in this section. The plan may recommend establishing reasonable standards of design for subdivisions and for resubdivisions of unimproved land and of areas subject to redevelopment with respect to public improvements as defined in this section and establishing reasonable requirements governing the location, width, course and surfacing of public streets and highways, alleys, ways for public service facilities, curbs, gutters, sidewalks, street lights, parks, playgrounds, school grounds, size of lots to be used for residential purposes, stormwater drainage, water supply and distribution, sanitary sewers and sewage collection and treatment.
- (2) The commission may from time to time recommend changes in the official comprehensive plan.
- (3) The commission may from time to time prepare and recommend to the township authorities plans for specific improvements in pursuance of the official comprehensive plan.
- (4) The commission may give aid to the officials charged with the direction of projects for improvements embraced within the official plan to further the making of these projects and, generally, may promote the realization of the official comprehensive plan.
- (5) The commission may prepare and recommend to the town board schemes for regulating or forbidding structures or activities in unincorporated areas that may hinder access to solar energy necessary for the proper functioning of solar energy systems, as defined in section 1.2 of the Comprehensive Solar Energy Act of 1977 (30 ILCS 725/1.2), or may recommend changes in those schemes.

- (6) The commission may exercise other powers germane to the powers granted by this section that are conferred by the town board.

(Ord. No. 2001-2, § 2, 5-22-2001)

State law reference—Similar provisions, 60 ILCS 1/105-35(b).

Sec. 2-172. Miscellaneous.

(a) The plan commission shall review and make recommendations to the town board on any issues regarding the rezoning of property in unincorporated Maine Township.

(b) The town board shall file the recommendations, comments or objections of the township plan commission on behalf of the township with the county zoning board of appeals, the county board or any other county or governmental agency having jurisdiction over zoning and/or building issues in the unincorporated area.

(c) The commissioners shall be reimbursed for the ordinary and necessary expenses incurred by them in the conduct of their official duties hereunder, in accordance with the township's policy on reimbursement in effect at the time.

(d) All meetings of the plan commission shall be conducted following public notice and in accordance with the Illinois Open Meetings Act, 5 ILCS 120/1 et seq.

(Ord. No. 2001-2, § 3, 5-22-2001; Ord. of 7-26-2005, § 3)

Sec. 2-173. Meeting schedule.

The plan commission shall meet as rezoning issues are presented to the township.

(Ord. of 7-26-2005, § 4)

Secs. 2-174—2-199. Reserved.

ARTICLE IV. ETHICS AND CONFLICTS OF INTEREST*

DIVISION 1. GENERALLY

Sec. 2-200. Intent.

(a) The state general assembly has enacted the Officials and Employees Ethics Act (Public Act 93-615, effective November 19, 2003, as amended by Public Act 93-617, effective December 9, 2003), which is a comprehensive revision of state statutes regulating ethical conduct, political activities and the solicitation and acceptance of gifts by state officials and employees.

***State law references**—Illinois Governmental Ethics Act, 5 ILCS 420/1-101 et seq.; Officials and Employees Ethics Act, 5 ILCS 430/1-1 et seq.; adoption of certain acts required by governmental entities, 5 ILCS 430/70-5.

(b) The Ethics Act requires all units of local government and school districts, within six months after the effective date of Public Act 93-615, to adopt ordinances or resolutions regulating the political activities of, and the solicitation and acceptance of gifts by, the officers and employees of such units in a manner no less restrictive than the provisions of the Act.

(c) It is the clear intention of the Act to require units of local government and school districts to implement regulations that are at least as restrictive as those contained in the Act, and to impose penalties for violations of those regulations that are equivalent to those imposed by the Act, notwithstanding that such penalties may exceed the general authority granted to units of local government to penalize ordinance violations.

(d) It is the clear intention of the Act to provide units of local government with all authority necessary to implement its requirements on the local level regardless of any general limitations on the power to define and punish ordinance violations that might otherwise be applicable.

(e) Because the Act provides for the imposition of significant penalties for violations of local regulations, it is necessary to adopt the required regulations by ordinance rather than by resolution.

(Ord. No. 2004-2, intro. ¶, 4-27-2004)

Sec. 2-201. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Campaign for elective office means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, state, or local public office or office in a political organization, or the selection, nomination, or election of presidential or vice-presidential electors, but does not include activities:

- (1) Relating to the support or opposition of any executive, legislative, or administrative action;
- (2) Relating to collective bargaining; or
- (3) That are otherwise in furtherance of the person's official duties.

Candidate means a person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election, as defined in section 1-3 of the Election Code (10 ILCS 5/1-3).

Collective bargaining has the same meaning as the term is defined in section 3 of the Illinois Public Labor Relations Act (5 ILCS 315/3).

Compensated time means, with respect to an employee, any time worked or credited to the employee that counts toward any minimum work time requirement imposed as a condition of his or her employment, but for purposes of this article, does not include any designated holidays, vacation periods, personal time, compensatory time off or any period when the employee is on a leave of absence. With respect to officers or employees whose hours are not fixed, the term "compensated time" includes any period of time when the officer is on premises under the control of the employer and any other time when the officer or employee is executing his or her official duties, regardless of location.

Compensatory time off means authorized time off earned by or awarded to an employee to compensate, in whole or in part, for time worked in excess of the minimum work time required of that employee as a condition of his or her employment.

Contribution has the same meaning as that term is defined in section 9-1.4 of the Election Code (10 ILCS 5/9-1.4).

Employee means a person employed by the township, whether in a full-time or part-time basis or pursuant to a contract, whose duties are subject to the direction and control of an employer with regard to the material details of how the work is to be performed, but does not include an independent contractor.

Employer means the township.

Gift means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value, including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an officer or employee.

Leave of absence means any period during which an employee does not receive:

- (1) Compensation for employment;
- (2) Service credit toward pension benefits; and
- (3) Health insurance benefits paid for by the employer.

Officer means a person who holds, by election or appointment, an office created by statute or ordinance, regardless of whether the officer is compensated for service in his or her official capacity.

Political activity means any activity in support of or in connection with any campaign for elective office or a political organization, but does not include activities:

- (1) Relating to the support or opposition of any executive, legislative, or administrative action;
- (2) Relating to collective bargaining; or
- (3) That are otherwise in furtherance of the person's official duties.

Political organization means a party, committee, association, fund or other organization (whether or not incorporated) that is required to file a statement of organization with the state board of elections or a county clerk under section 9-3 of the Election Code (10 ILCS 5/9-3), but only with regard to those activities that require filing with the state board of elections or a county clerk.

Prohibited political activity means:

- (1) Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
- (2) Soliciting contributions, including, but not limited to, the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
- (3) Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.
- (4) Planning, conducting or participating in any public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
- (5) Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
- (6) Assisting at the polls on election day on behalf of any political organization or candidate for elective office or for or against any referendum question.

- (7) Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.
- (8) Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
- (9) Making contributions of behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
- (10) Preparing or reviewing responses to candidate questionnaires.
- (11) Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
- (12) Campaigning for any elective office or for or against any referendum question.
- (13) Managing or working on a campaign for elective office or for or against any referendum question.
- (14) Serving as a delegate, alternate, or proxy to a political party convention.
- (15) Participating in any recall or challenge to the outcome of any election.

Prohibited source means any person or entity who:

- (1) Is seeking official action by an officer or by an employee, or by the officer or another employee directing that employee;
 - (2) Does business or seeks to do business with the officer or with an employee, or with the officer or another employee directing that employee;
 - (3) Conducts activities related by the officer or by an employee, or by the officer or another employee directing that employee; or
 - (4) Has interests that may be substantially affected by the performance or non-performance of the official duties of the officer or employee.
- (Ord. No. 2004-2, § 1(1-1), 4-27-2004)

Sec. 2-202. Prohibited political activities.

(a) No officer or employee shall intentionally perform any prohibited political activity during any compensated time. No officer or employee shall intentionally use any property or resource of the township in connection with any prohibited political activity.

(b) At no time shall any officer or employee intentionally require any other officer or employee to perform any prohibited political activity:

- (1) As part of that officer's or employee's duties;
- (2) As condition of employment; or
- (3) During any compensated time off (such as holidays, vacation or personal time off).

(c) No officer or employee shall be required at any time to participate in any prohibited political activity in consideration for that officer or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity.

(d) Nothing in this section prohibits activities that are permissible for an officer or employee to engage in as part of his or her official duties, or activities that are undertaken by an officer or employee on a voluntary basis which are not prohibited by this article.

(e) No person either in a position that is subject to recognized merit principles of public employment or in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant-in-aid programs shall be denied or deprived of employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club.

(Ord. No. 2004-2, § 1(5-1), 4-27-2004)

State law reference—Similar provisions, 5 ILCS 430/5-15.

Sec. 2-203. Penalty.

(a) A person who intentionally violates any provision of section 2-202 may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.00.

(b) A person who intentionally violates any provision of division 2 of this article is subject to a fine in an amount of not less than \$1,001.00 and not more than \$5,000.00.

(c) Any person who intentionally makes a false report alleging a violation of any provision of this article to the local enforcement authorities, the state's attorney or any other law enforcement official may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.00.

(d) A violation of section 2-202 shall be prosecuted as a criminal offense by an attorney for the township by filing in the circuit court an information, or sworn complaint, charging such offense. The prosecution shall be under and conform to the rules of criminal procedure. Conviction shall require the establishment of the guilt of the defendant beyond a reasonable doubt.

(e) A violation of division 2 of this article may be prosecuted as a quasi-criminal offense by an attorney for the township, or, if an ethics commission has been created, by the commission through the designated administrative procedure.

(f) In addition to any other penalty that may be applicable, whether criminal or civil, an officer or employee who intentionally violates any provisions of section 2-202 or division 2 of this article is subject to discipline or discharge.

(Ord. No. 2004-2, § 1(25-1), 4-27-2004)

Secs. 2-204—2-251. Reserved.

DIVISION 2. GIFT BAN*

Sec. 2-252. Soliciting or accepting gifts prohibited.

Except as permitted by this division, no officer or employee and no spouse of or immediate family member living with any officer or employee (collectively referred to herein as "recipients") shall intentionally solicit or accept any gift from any prohibited source, or which is otherwise prohibited by law or ordinance. No prohibited source shall intentionally offer or make a gift that violates this section.

(Ord. No. 2004-2, § 1(10-1), 4-27-2004)

State law reference—Similar provisions, 5 ILCS 430/10-10.

Sec. 2-253. Exceptions.

(a) Section 2-252 is not applicable to the following:

- (1) Opportunities, benefits, and services that are available on the same conditions as for the general public.

***State law reference**—Gift ban, 5 ILCS 430/10-10 et seq.

- (2) Anything for which the officer or employee, or his or her spouse or immediate family member, pays the fair market value.
- (3) Any contribution that is lawfully made under the Election Code, or activities associated with a fundraising event in support of a political organization or candidate.
- (4) Educational materials and missions.
- (5) Travel expenses for a meeting to discuss business.
- (6) A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, and including the father, mother, grandfather or grandmother of the individual's spouse and the individual's fiancé or fiancée.
- (7) Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as:
 - a. The history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals;
 - b. Whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and
 - c. Whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other officers or employees or their spouses or immediate family members.
- (8) Food or refreshments not exceeding \$75.00 per person in value on a single calendar day, provided that the food or refreshments are consumed on the premises from which they were purchased or prepared or catered. For the purposes of this section, the term "catered" means food or refreshments that are purchased ready to consume which are delivered by any means.

- (9) Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee), if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee, and are customarily provided to others in similar circumstances.
- (10) Intra-governmental and inter-governmental gifts. For the purpose of this subsection, the term "intra-governmental gift" means any gift given to an officer or employee from another officer or employee, and the term "inter-governmental gift" means any gift given to an officer or employee by an officer or employee of another governmental entity.
- (11) Bequests, inheritances, and other transfers of death.
- (12) Any item from any one prohibited source during any calendar year having a cumulative total value of less than \$100.00.

(b) Each of the exceptions listed in this section is mutually exclusive and independent of every other.

(Ord. No. 2004-2, § 1(10-2), 4-27-2004)

State law reference—Similar provisions, 5 ILCS 430/10-15.

Sec. 2-254. Disposition of gifts.

An officer or employee, his or her spouse or an immediate family member living with the officer or employee, does not violate this division if the recipient promptly takes reasonable action to return a gift from a prohibited source to source or gives the gift or amount equal to its value to an appropriate charity that is exempt from income taxation under section 501(c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

(Ord. No. 2004-2, § 1(10-3), 4-27-2004)

State law reference—Similar provisions, 5 ILCS 430/10-30.

Secs. 2-255—2-271. Reserved.

DIVISION 3. ETHICS ADVISOR

Sec. 2-272. Designated; delegation of duties.

The township supervisor, with the advice and consent of the board of trustees, shall designate an ethics advisor for the township. The duties of the ethics advisor may be delegated to an officer or employee of the township unless the position has been created as an office by the township.

(Ord. No. 2004-2, § 1(15-1), 4-27-2004)

Sec. 2-273. Duties.

The ethics advisor shall provide guidance to the officers and employees of the township concerning the interpretation and compliance with the provisions of this article and state ethics laws. The ethics advisor shall perform such other duties as may be delegated by the township supervisor and board of trustees.

(Ord. No. 2004-2, § 1(15-2), 4-27-2004)

Secs. 2-274—2-294. Reserved.

DIVISION 4. ETHICS COMMISSION

Sec. 2-295. Created; membership.

There is hereby created a commission to be known as the ethics commission of the township. The commission shall be comprised of three members appointed by the township supervisor with the advice and consent of the board of trustees. No person shall be appointed as a member of the commission who is related, either by blood or by marriage up to the degree of first cousin, to any elected officer of the township. No more than two members of the commission shall belong to the same political party at the time such appointments are made. Party affiliation shall be determined by affidavit of the person appointed.

(Ord. No. 2004-2, § 1(20-1), 4-27-2004)

Sec. 2-296. Terms.

The ethics commission members shall be appointed to two-year terms. Commissioners may be appointed to serve subsequent terms.

(Ord. No. 2004-2, § 1(20-2), 4-27-2004)

Sec. 2-297. Meetings; quorum.

At the first meeting of the ethics commission, the commissioners shall choose a chairperson from their number. Meetings shall be held at the call of the chairperson or any two commissioners. A quorum shall consist of two commissioners, and official action by the commission shall require the affirmative vote of two members.

(Ord. No. 2004-2, § 1(20-2), 4-27-2004)

Sec. 2-298. Commissioner removal; filling of vacancies.

The township supervisor, with the advice and consent of the board of trustees, may remove a commissioner in case of incompetency, neglect of duty or malfeasance in office after service to the commissioner by certified mail, return receipt requested, of a copy of the written charges against the commissioner and after providing an opportunity to be heard in person or by counsel upon not less than ten days' notice. Vacancies shall be filled in the same manner as original appointments.

(Ord. No. 2004-2, § 1(20-3), 4-27-2004)

Sec. 2-299. Powers and duties.

- (a) The ethics commission shall have the following powers and duties:
 - (1) To promulgate procedures and rules governing the performance of its duties and the exercise of its powers.
 - (2) Upon receipt of a signed, notarized, written complaint, to investigate, conduct hearings and deliberations, issue recommendations for disciplinary actions, impose fines in accordance with section 2-203(c) and refer violations of section 2-202 or division 2 of this article to the appropriate attorney for prosecution. The commission shall, however, act only upon the receipt of a written complaint alleging a violation of this article and not upon its own prerogative.
 - (3) To receive information from the public pertaining to its investigations and to require additional information and documents from persons who may have violated the provisions of this article.
 - (4) To compel the attendance of witnesses and to compel the production of books and papers pertinent to an investigation. It is the obligation of all officers and employees of the township to cooperate with the commission during the course of its investigations. Failure or refusal to cooperate with requests by the commission shall constitute grounds for discipline or discharge.

(b) The powers and duties of the commission are limited to matters clearly within the purview of this article.

(Ord. No. 2004-2, § 1(20-4), 4-27-2004)

Sec. 2-300. Complaint procedure.

(a) Complaints alleging a violation of this article shall be filed with the ethics commission.

(b) Within three business days after the receipt of a complaint, the commission shall send, by certified mail, return receipt requested, a notice to the respondent that a complaint has been filed against him or her and a copy of the complaint. The commission shall send, by certified mail, return receipt requested, a confirmation of the complaint to the complainant within three business days after receipt by the commission. The notices to the respondent and the complainant shall also advise them of the date, time, and place of the meeting to determine the sufficiency of the complaint and to establish whether probable cause exists to proceed.

(c) Sufficiency of complaint.

(1) Upon not less than 48 hours' public notice, the commission shall meet to review the sufficiency of the complaint and, if the complaint is deemed sufficient to allege a violation of this article, to determine whether there is probable cause, based on the evidence presented by the complainant, to proceed. The meeting may be closed to the public to the extent authorized by the Open Meetings Act. The commission shall issue notice to the complainant and the respondent of the commission's ruling on the sufficiency of its complaint, and, if necessary, on probable cause to proceed within seven business days after receiving the complaint.

(2) If the complaint is deemed sufficient to allege a violation of division 2 of this article then the commission shall notify in writing the attorney designated by the corporate authorities to prosecute such actions and shall transmit to the attorney the complaint and all additional documents in the custody of the commission concerning the alleged violation.

(d) On the scheduled date and upon at least 48 hours' public notice of the meeting, the commission shall conduct a hearing on the complaint and shall allow both parties the opportunity to present testimony and evidence. The hearing may be closed to the public only if authorized by the Open Meetings Act.

(e) Within 30 days after the date the hearing or any recessed hearing is concluded, the commission shall either dismiss the complaint or issue a recommendation for discipline to the alleged violator and to the supervisor and board of trustees of the township, or impose a fine upon the violator, or both. The particular findings in the case, any recommendation for discipline, and any fine imposed shall be a matter of public information.

(f) If the hearing was closed to the public, the respondent may file a written demand for a public hearing on the complaint within seven business days after the issuance of the recommendation for discipline or imposition of a fine, or both. The filing of the demand shall stay the enforcement of the recommendation or fine. Within 14 days after receiving the demand, the commission shall conduct a public hearing on the complaint upon at least 48 hours' public notice of the hearing and allow both parties the opportunity to present testimony and evidence. Within seven days thereafter, the commission shall publicly issue a final recommendation to the alleged violator and to the supervisor and board of trustees or impose a fine upon the violator, or both.

(g) If a complaint is filed during the 60 days preceding the date of any election at which the respondent is a candidate, the commission shall render its decisions as required under subsection (e) of this section within seven days after the complaint is filed, and during the seven days preceding that election, the commission shall render such decision before the date of that election, if possible.

(h) The commission may fine any person who intentionally violates any provision of division 2 of this article in the amount of not less than \$1,001.00 and not more than \$5,000.00. The commission may fine any person who knowingly files a frivolous complaint alleging a violation of this article in an amount of not less than \$1,001.00 and not more than \$5,000.00. The commission may recommend any appropriate discipline up to and including discharge.

(i) A complaint alleging the violation must be filed within one year after the alleged violation.

(Ord. No. 2004-2, § 1(20-5), 4-27-2004)

Secs. 2-301—2-318. Reserved.

ARTICLE V. SEXUAL HARASSMENT POLICY

Sec. 2-319. Applicability.

This article shall apply to all employees and officers of the township.
(Ord. No. 2017-5, exh. A(9.1), 2-25-2020)

Sec. 2-320. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Employee means a person employed by the township, whether on a full-time or part-time basis or pursuant to a contract, whose duties are subject to the direction and control of an employer with regard to the material details of how the work is to be performed, but does not include an independent contractor.

Officer means a person who holds, by election or appointment, an office in the township regardless of whether the officer is compensated for service in his or her official capacity.

Sexual harassment means any unwelcome sexual advances, requests for sexual favors or any conduct of a sexual nature when:

- (1) Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;
- (2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- (3) Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Working environment is not limited to a physical location an employee is assigned to perform his or her duties.

(Ord. No. 2017-5, exh. A(9.1.1), 2-25-2020)

Sec. 2-321. Prohibition on sexual harassment.

(a) *Unlawful conduct of employee and officer.* Each employee and officer of the township has the responsibility to refrain from sexual harassment in the workplace and is prohibited from engaging in conduct that constitutes sexual harassment.

(b) *Types of misconduct.* Conduct which may constitute sexual harassment includes:

- (1) *Verbal.* Sexual innuendos, suggestive comments, insults, humor, and jokes about sex, anatomy or gender-specific traits, sexual propositions, threats, repeated requests for dates, or statements about other employees, even outside of their presence, of a sexual nature.

- (2) *Nonverbal*. Suggestive or insulting sounds (whistling), leering, obscene gestures, sexually suggestive bodily gestures, "catcalls," "smacking" or "kissing" noises.
- (3) *Visual*. Posters, signs, pin-ups or slogans of a sexual nature, viewing pornographic material or websites.
- (4) *Physical*. Unwelcome touching, hugging or kissing, pinching, brushing the body, any coerced sexual act or actual assault.
- (5) *Texting/electronic*. "Sexting" (electronically sending messages with sexual content, including pictures and video), the use of sexually explicit language, harassment, cyber stalking and threats via all forms of electronic communication (e-mail, text/picture/video messages, intranet/online postings, blogs, instant messages and social network websites like Facebook and Twitter).

(c) *Determination of sexual harassment or conduct*. The most severe and overt forms of sexual harassment are easier to determine. On the other end of the spectrum, some sexual harassment is subtler and depends, to some extent, on individual perception and interpretation. The courts will assess sexual harassment by a standard of what would offend a "reasonable person."

(Ord. No. 2017-5, exh. A(9.1.2), 2-25-2020)

Sec. 2-322. Reporting an allegation of sexual harassment.

(a) An employee who either observes or believes herself/himself to be the object of sexual harassment should deal with the incident as directly and firmly as possible by clearly communicating her/his position to her/his immediate supervisor or the township administrator or the township supervisor.

(b) It is not necessary for sexual harassment to be directed at the person making a complaint.

(c) During the occurrence of an incident of sexual harassment or following reporting, the township may document or record each incident (what was said or done, the date, the time, and the place). Additionally, the township may collect and/or compile related written records such as letters, notes, memos, electronic messages and telephone messages.

(d) All charges, including anonymous complaints, will be accepted and investigated regardless of how the matter comes to the attention of the township. However, because of the serious implications of sexual harassment charges and the difficulties associated with their investigation and the questions of credibility involved, the claimant's willing cooperation is a vital component of an effective inquiry and an appropriate outcome.

(e) Proper methods of reporting conduct believed to be sexual harassment include the following:

- (1) Electronic/direct communication. If there is sexually harassing behavior in the workplace, the harassed employee should directly and clearly express her/his objection that the conduct is unwelcome and request that the offending behavior stop. The initial message may be verbal. If the subsequent messages are needed, they should be put in writing in a note or a memo.
- (2) Contact with supervisory personnel. At the same time direct communication is undertaken, or in the event the employee feels threatened or intimidated by the situation, the problem must be promptly reported to the immediate supervisor or the township administrator or the township supervisor.
- (3) Formal written complaint. An employee may also report incidents of sexual harassment directly to the township administrator. The township administrator will counsel the reporting employee and be available to assist with the filing of a formal complaint. The employer will fully investigate the complaint and advise the complainant and the alleged harasser of the results of the investigation.
- (4) Resolution outside the township. The purpose of this article is to establish prompt, thorough and effective procedures for responding to every complaint and incident so that problems can be identified and remedied internally. However, an employee has the right to contact the Illinois Department of Human Rights (IDHR) or the equal employment opportunity commission (EEOC) about filing a formal complaint with those entities. An IDHR complaint must be filed within 180 days of the alleged incident unless it is a continuing offense. A complaint with the EEOC must be filed within 300 days.

(f) All reports shall be received and handled as confidential to the extent permitted by law and subject to any disclosure requirement pursuant to the Illinois Freedom of Information Act (5 ILCS 140/1 et seq.).

(g) The employee experiencing what he or she believes to be sexual harassment must not assume that the township is aware of the conduct. If there are no witnesses and the victim fails to notify a supervisor or other responsible officer, the township will not be presumed to have knowledge of the harassment.

(h) Allegations of sexual harassment by an elected official against another elected official shall be reported to the township ethics committee. Upon receipt of an allegation of harassment, the ethics committee shall appoint a qualified independent attorney to review and investigate all allegations set forth in the complaint.

(Ord. No. 2017-5, exh. A(9.1.3), 2-25-2020)

Sec. 2-323. Prohibition against retaliation for reporting sexual harassment.

(a) An employee shall not be retaliated against by the township or the employees or officers of the township due to the employee's:

- (1) Disclosure or threatened disclosure of any violation of this article;
- (2) Provision of information related to or testimony before any public body conducting an investigation, hearing or inquiry into any violation of this article; or
- (3) Assistance or participation in a proceeding to enforce the provisions of this article.

(b) No individual making a report will be retaliated against even if a report made in good faith is not substantiated.

(c) The employer will take reasonable steps to protect from retaliation any employee or officer who is a witness.

(d) Supervisors must ensure that no retaliation will result against an employee making a sexual harassment complaint.

(e) Similar to the prohibition against retaliation contained herein, the Officials and Employees Ethics Act (5 ILCS 430/15-10) provides whistleblower protection from retaliatory action such as reprimand, discharge, suspension, demotion, or denial of promotion or transfer that occurs in retaliation for an employee who does any of the following:

- (1) Discloses or threatens to disclose to a supervisor or to a public body an activity, policy, or practice of any officer, member, agency, or other employee that the employee reasonably believes is in violation of a law, rule or regulation;
- (2) Provides information to or testifies before any public body conducting an investigation, hearing, or inquiry into any violation of a law, rule, or regulation by any officer, member, agency or other employee; or
- (3) Assists or participates in a proceeding to enforce the provisions of the Officials and Employees Ethics Act.

(f) Pursuant to the Whistleblower Act (740 ILCS 174/15(a)), an employer may not retaliate against an employee who discloses information in a court, an administrative hearing, or before a legislative commission or committee, or in any other proceeding, where the employee has reasonable cause to believe that the information discloses a violation of a state or federal law, rule, or regulation. In addition, an employer may not retaliate against an employee for disclosing information to a government or law

enforcement agency, where the employee has reasonable cause to believe that the information discloses a violation of a state or federal law, rule, or regulation (740 ILCS 174/15(b)).

(g) According to the Illinois Human Rights Act (775 ILCS 5/6-101), it is a civil rights violation for a person, or for two or more people to conspire to retaliate against a person because he/she has opposed that which he/she reasonably and in good faith believes to be sexual harassment in employment, because he/she has made a charge, filed a complaint, testified, assisted, or participated in an investigation, proceeding or hearing under the Illinois Human Rights Act.

(h) An employee who is suddenly transferred to a lower-paying job or passed over for a promotion after filing a complaint with IDHR or EEOC may file a retaliation charge, due within 180 days (IDHR) or 300 days (EEOC) of the alleged retaliation. (Ord. No. 2017-5, exh. A(9.1.4), 2-25-2020)

Sec. 2-324. Consequences.

(a) In addition to any and all other discipline that may be applicable pursuant to the township's policies, employment agreements, procedures, employee handbooks and/or collective bargaining agreement, any person who violates this article or the prohibition on sexual harassment contained in 5 ILCS 430/5-65 may be subject to a fine of up to \$5,000.00 per offense, applicable discipline or discharge by the employer and any applicable fines and penalties established pursuant to local ordinances, state law or federal law. Each violation may constitute a separate offense. Any discipline imposed by the township shall be separate and distinct from any penalty imposed by any ethics commission and any fines or penalties imposed by a court of law or a state or federal agency.

(b) False and frivolous charges refer to cases where the accuser is using a sexual harassment complaint to accomplish some end other than stopping sexual harassment. It does not refer to charges made in good faith which cannot be proven. A false and frivolous charge is a severe offense that can itself result in a disciplinary action. Any person who intentionally makes a false report alleging a violation of any provision of this article shall be subject to discipline or discharge pursuant to applicable township policies, employment agreements, procedures, employee handbooks and/or collective bargaining agreements.

(c) Any person who intentionally makes a false report alleging a violation of any provision of the Officials and Employees Ethics Act to an ethics commission, an inspector general, the state police, a state's attorney, the attorney general, or any other

law enforcement official is guilty of a Class A misdemeanor. An ethics commission may levy an administrative fine of up to \$5,000.00 against any person who intentionally makes a false, frivolous or bad faith allegation.

(Ord. No. 2017-5, exh. A(9.1.5), 2-25-2020)

Sec. 2-325. Annual sexual harassment prevention training.

All township employees and elected officials shall be required to attend annual sexual harassment prevention training. This training shall equal or exceed the state department of human rights model sexual harassment prevention training program.

(Ord. No. 2017-5, exh. A(9.1.6), 2-25-2020)

Chapter 3

RESERVED

Chapter 4

BUILDINGS AND BUILDING REGULATIONS

Article I. In General

Secs. 4-1—4-18. Reserved.

Article II. Construction Standards

Division 1. Generally

Secs. 4-19—4-38. Reserved.

Division 2. Driveway Construction

- | | |
|------------|---|
| Sec. 4-39. | Carport or garage required. |
| Sec. 4-40. | Garage or carport projection limitations. |
| Sec. 4-41. | Application for permit. |
| Sec. 4-42. | Documentation may be required with application. |
| Sec. 4-43. | Determination. |
| Sec. 4-44. | Violation; penalty. |

ARTICLE I. IN GENERAL

Secs. 4-1—4-18. Reserved.

ARTICLE II. CONSTRUCTION STANDARDS**DIVISION 1. GENERALLY**

Secs. 4-19—4-38. Reserved.

DIVISION 2. DRIVEWAY CONSTRUCTION

Sec. 4-39. Carport or garage required.

It is unlawful to construct or cause the construction of any driveway from the street to the front or side of any building in the township, without contemporaneously constructing a carport or garage to accommodate whatever vehicles will utilize said driveway.

(Ord. No. 85-2, § 1, 5-14-1985)

Sec. 4-40. Garage or carport projection limitations.

In no event shall the garage or carport project beyond the front line of the building as defined on the plat of survey.

(Ord. No. 85-2, § 2, 5-14-1985)

Sec. 4-41. Application for permit.

Each applicant for said driveway shall make application with the highway commissioner on a form provided by the township. An additional permit may be required by the county.

(Ord. No. 85-2, § 3, 5-14-1985)

Sec. 4-42. Documentation may be required with application.

The highway commissioner may require plats of survey, architectural plans, and other documents along with the aforesaid application.

(Ord. No. 85-2, § 4, 5-14-1985)

Sec. 4-43. Determination.

The highway commissioner shall determine whether the applicant properly completed the application, and whether a permit may be issued.

(Ord. No. 85-2, § 5, 5-14-1985)

Sec. 4-44. Violation; penalty.

Violators of this division may be fined \$50.00 per day for each day said violation is in existence.

(Ord. No. 85-2, § 7, 5-14-1985)

Chapter 5

RESERVED

Chapter 6

ENVIRONMENT

Article I. In General

Secs. 6-1—6-18. Reserved.

Article II. Property Maintenance

Division 1. Generally

Sec. 6-19. Purpose.
Sec. 6-20. Definitions.
Secs. 6-21—6-43. Reserved.

Division 2. Administration and Enforcement

Sec. 6-44. Maintenance required.
Sec. 6-45. Enforcement.
Sec. 6-46. Infestation and extermination.
Sec. 6-47. Remedies cumulative.
Sec. 6-48. Collection and payment of fines.
Secs. 6-49—6-69. Reserved.

Division 3. Regulations and Requirements

Sec. 6-70. Vehicle storage.
Sec. 6-71. Garbage storage and disposal.
Sec. 6-72. Exterior maintenance.
Sec. 6-73. Accessory buildings and materials.
Sec. 6-74. Vegetation.
Sec. 6-75. Driveways and walkways.
Sec. 6-76. Duty to maintain parkways.
Sec. 6-77. Graffiti.
Sec. 6-78. Provisions from the International Property Maintenance Code adopted.
Sec. 6-79. Enforcement.
Secs. 6-80—6-101. Reserved.

Article III. Weeds and Wild Growth

Sec. 6-102. Intent.
Sec. 6-103. Cutting of weeds or grass by township.
Sec. 6-104. Collection of cost; notice of lien.
Sec. 6-105. Notice of violation and abatement.
Sec. 6-106. Notice of cost and expense and lien.
Sec. 6-107. Validity of lien.
Sec. 6-108. Release upon payment.
Sec. 6-109. Nature preserves or conservation areas.

MAINE TOWNSHIP CODE

- Sec. 6-110. Civil action or proceeding.
- Sec. 6-111. Authority of supervisor.

ARTICLE I. IN GENERAL

Secs. 6-1—6-18. Reserved.

ARTICLE II. PROPERTY MAINTENANCE**DIVISION 1. GENERALLY****Sec. 6-19. Purpose.**

The purpose of this article is to protect within the unincorporated area of the township the public health, safety and welfare and to prevent and control blight by establishing regulations and enforcement procedures to the end that real estate within the township is maintained in a safe and sanitary condition, free of health, fire and safety hazards.

(Ord. No. 97-3, § 1, 7-22-1997)

Sec. 6-20. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessory building means a structure the use of which is incidental to that of the principal building and which is located on the same lot.

Enforcement officer means the person designated by the town board of trustees as the code enforcement officer empowered to enforce the provisions of this article.

Extermination means the control and elimination of insects, rodents, and/or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating or trapping; or by any other recognized legal pest elimination method.

Garbage means any rejected or waste household food, offal, swill, or carrion, and every accumulation of animal, fruit, or vegetable matter that attends the preparation, use, cooking and dealing in, or storage of, meats, fish, fowl, fruits or vegetables, and any other matter of any nature which are subject to decay, putrefaction and the generation of noxious or offensive gases or odor, or which during or after decay may serve as breeding or feeding material for flies or other germ-carrying insects.

Graffiti means any permanent display of any letter, numeral, figure, emblem, insignia, picture, outline, character, spectacle, delineation, announcement or any combination thereof which is painted or otherwise applied of a color different from the color of the exterior of the structure on which it is painted or otherwise applied and the size of which is visible beyond the property line boundaries of the property on which it is painted or otherwise applied and placed thereon without the permission of the owner.

Infestation means the presence within or around a dwelling or dwelling unit of any insects, rodents, or other pests.

Litter means any discarded, used or consumed substance or waste. The term "litter" includes, but is not limited to, any garbage, trash, refuse, debris, rubbish, grass clippings, or other lawn or garden waste, newspaper, magazine, glass, metal, plastic, or paper container, wood, motor vehicle part, furniture, oil, carcass of dead animal, animal or human excreta, any nauseous or offensive material or liquid of any kind, any object which creates a public health or safety hazard, public nuisance or fire hazard or anything else of unsightly or unsanitary nature which has been discarded, abandoned or otherwise disposed of improperly.

Occupant means any person living in, sleeping in or having actual possession of a building or portion thereof.

Operator means any person having charge, care, management or control of any building or part thereof.

Owner means any person who alone or jointly or severally with another shall have legal or equitable title to any building, or the agent of said person or any person having management or control of the building or the portion thereof, including, but not limited to, a purchaser, mortgagee, receiver, or lessee in possession of any building or portion thereof.

Person means any natural person, partnership, trust, corporation or association. Whenever used with respect to any penalty, the term "person," as applied to partnerships or associations, shall mean the partners or members thereof, and as applied to trusts or corporations shall mean the trustees or officers thereof.

Premises means a lot, plot or parcel of land, including the buildings and structures thereon.

Rubbish means combustible and noncombustible waste materials, except garbage; and the term "rubbish" shall include the residue from the burning of wood, coal, coke, and other combustible material, paper, rags, cartons, boxes, wood excelsior, rubber,

leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass crockery, dust, or any object that is removed from the things that are presently worthless or unsuitable for immediate purpose.

(Ord. No. 97-3, § 2, 7-22-1997; Ord. of 5-11-1999, § 2)

Secs. 6-21—6-43. Reserved.

DIVISION 2. ADMINISTRATION AND ENFORCEMENT

Sec. 6-44. Maintenance required.

It shall be unlawful for the owner and/or occupant of any building to fail, refuse or neglect to maintain the real estate or building in accordance with the provisions of this article.

(Ord. No. 97-3, § 3, 7-22-1997)

Sec. 6-45. Enforcement.

The township, by its duly authorized enforcement officer, shall have the power to enforce the provisions of this article. If any violation is discovered by the enforcement officer, a citation shall be issued to the party responsible for the abatement of the violation setting forth the provisions of this article deemed to be violated. A violator shall be subject to a fine of not less than \$200.00 nor more than \$500.00 for each offense. Every day that a violation continues shall constitute a separate offense. The fine for the first violation shall be \$200.00. The fine for the second violation shall be \$400.00. The fine for the third or greater number of violations shall be \$500.00. Any citation issued for the same violation within three months of the issuance or disposition of a prior violation shall be deemed to be the second, third, or greater number of consecutive violations as to the same condition for the purpose of determining the amount of the fine. Any fine paid to the township within ten days of the issuance of the citation shall be reduced by one-half of the amount of the fine set forth on the citation.

(Ord. No. 97-3, § 4, 7-22-1997)

Sec. 6-46. Infestation and extermination.

Every owner and/or occupant shall keep their premises free from infestation. The existence of any infestation shall immediately require that the owner/occupant provide for its extermination.

(Ord. No. 97-3, § 11, 7-22-1997)

Sec. 6-47. Remedies cumulative.

The provisions of this article shall not in any way be deemed to prevent the township from exercising any and all remedies available to it under statute to enforce or obtain compliance with any statute as it relates to property maintenance within the unincorporated area of the township.

(Ord. No. 97-3, § 12, 7-22-1997)

Sec. 6-48. Collection and payment of fines.

Any fines collected by the township for offenses committed upon any highway or right-of-way maintained by or under the supervision of the township highway commissioner shall be paid to and deposited in the township road and bridge fund.

(Ord. of 5-22-2001, § 15)

Secs. 6-49—6-69. Reserved.**DIVISION 3. REGULATIONS AND REQUIREMENTS****Sec. 6-70. Vehicle storage.**

No person shall park, store, leave, or permit the parking, storing, or leaving of any motor vehicle, trailer, or other method of conveyance of any kind which is abandoned, wrecked, dismantled, inoperative, junked, partially dismantled, or otherwise in a condition that constitutes a hazard to public health or safety, whether attended or not, upon any private property within the township for a period of time in excess of 24 hours or upon any public property at any time. The failure of any motor vehicle to display an annual registration sticker or plate or a current temporary permit pending registration or the display by a motor vehicle of an annual registration sticker which has been expired for more than two months shall cause the motor vehicle to be considered inoperative for the purpose of this section. This section shall not apply to any vehicle entirely enclosed within a building on private property or to any vehicle held in connection with a business enterprise, lawfully licensed and properly operated in the appropriate business zone, pursuant to the zoning laws of the county. Any operable and/or licensed vehicles shall be parked only on areas of hard surface pavement and/or gravel driveways legally installed.

(Ord. No. 97-3, § 5, 7-22-1997; Ord. No. 2000-5, 8-22-2000)

Sec. 6-71. Garbage storage and disposal.

In addition to the requirements in section 6-78, every owner and/or occupant of a dwelling unit shall store and dispose of garbage, refuse, and any other matter of any nature which is subject to decay, putrefaction and the generation of noxious or offensive gases or flies or other insects, rodents, or other pests in a clean, sanitary and safe manner. All garbage cans and refuse containers used for outside storage of garbage shall be rat-proof, insect-proof, watertight, structurally sound to withstand handling stress, easily closed and shall be maintained at all times in a clean, sanitary condition. The owner or occupant shall not permit the accumulation of garbage and shall provide for its collection not less than once weekly by contract with a generally recognized operator of garbage collection and removal within the township.
(Ord. No. 97-3, § 6, 7-22-1997)

Sec. 6-72. Exterior maintenance.

All exterior property areas shall be maintained in a clean and sanitary condition free of any accumulation of rubbish, litter or garbage.
(Ord. No. 97-3, § 7, 7-22-1997)

Sec. 6-73. Accessory buildings and materials.

All garages, tool sheds and all other outbuildings shall be kept in good repair and secured through working doors so as not to be unsafe or harborage for insects, rodents, and other pests. Fences shall be maintained in a good state of repair free from loose or deteriorating members.
(Ord. No. 97-3, § 8, 7-22-1997)

Sec. 6-74. Vegetation.

No grass or weeds or other similar vegetation shall be allowed to grow uncontrolled, which for purposes of this article shall mean more than six inches on occupied property and more than 12 inches on vacant property. No dead vegetation, including bushes and trees, shall be allowed to remain on any property within the township for more than three months.
(Ord. No. 97-3, § 9, 7-22-1997)

Sec. 6-75. Driveways and walkways.

Driveways, parking areas and walkways shall be maintained free of loose or broken material and cracks which are safety hazards. All means of ingress to and egress from any building shall be maintained in a good repair and free from any obstructions, including vegetation.

(Ord. No. 97-3, § 10, 7-22-1997)

Sec. 6-76. Duty to maintain parkways.

Every owner and/or occupant shall be required to cut the grass or weeds or similar vegetation in the parkway immediately adjacent to the front or side yard of said real property, as necessary, so that the grass or weeds or similar vegetation on any such parkway does not exceed six inches in height.

(Ord. No. 97-4, § 14, 8-12-1997)

Sec. 6-77. Graffiti.

It shall be unlawful for the owner or occupant of any property to allow any graffiti sign painted or otherwise applied on an exterior wall of a building or on any structure upon that property to remain thereon for more than 14 days.

(Ord. of 5-11-1999, § 14)

Sec. 6-78. Provisions from the International Property Maintenance Code adopted.

The following sections of the International Property Maintenance Code are adopted herein:

Section 302.1. Sanitation. Exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property that such occupant occupies or controls in a clean and sanitary condition.

Section 302.2. Grading and drainage. Premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon. Exception: Approved retention areas and reservoirs.

Section 302.3. Sidewalks and driveways. Sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

Section 302.7. Accessory structures. Accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

Section 302.9. Defacement of property. A person shall not willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

Section 304.2. Protective treatment. Exterior surfaces, including, but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. Siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather-resistant and watertight. Metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

Section 304.3. Premises identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be not less than four inches (102 mm) in height with a minimum stroke width of one-half inch (12.7 mm).

Section 304.6. Exterior walls. Exterior walls shall be free from holes, breaks and loose or rotting material, and maintained weatherproof and properly surface coated where required to prevent deterioration.

Section 308.1. Accumulation of rubbish or garbage. Exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

Section 308.2. Disposal of rubbish. Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.

Section 308.3. Disposal of garbage. Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers.

Section 308.3.2. Containers. The operator of every establishment producing garbage shall provide, and at all times cause to be utilized, approved leakproof containers provided with close-fitting covers for the storage of such materials until removed from the premises for disposal.
(Ord. No. 2021-3, § A, 8-24-2021)

Sec. 6-79. Enforcement.

The person designated by the township supervisor and the board of trustees as the code enforcement officer is empowered to enforce the provisions of section 6-78. If any violation is discovered by the enforcement officer, a citation shall be issued to the party responsible for the abatement of the violation setting forth the provision of section 6-78 deemed to be violated. A violator shall be subject to a fine of not less than \$50.00 nor more than \$500.00 for each offense. Every day that a violation continues shall constitute a separate offense. Any citation issued for the same violation with three months of the issuance or disposition of a prior violation shall be deemed to be the second, third or greater number of consecutive violations as to the same condition for the purpose of determining the amount of the fine.
(Ord. No. 2021-3, § B, 8-24-2021)

Secs. 6-80—6-101. Reserved.

ARTICLE III. WEEDS AND WILD GROWTH*

Sec. 6-102. Intent.

(a) The residential areas in the unincorporated sections of the township are composed of various vacant and unimproved or improved parcels of land.

(b) Certain fee owners of said parcels and real estate allow or negligently suffer such parcels to allow weeds and the growth of same.

(c) The provision of 60 ILCS 1/105-15 allows the town board of trustees to provide, after notice in such statute made and provided for, for the cutting of such weeds and growth.

(d) Such statute provides further that the reasonable cost of same may be charged and collected from the fee owners of such property for the cutting of such weeds and control of weed growth.

*State law reference—Weeds, 60 ILCS 1/105-15.

(e) Such statute, in such case made and provided, further provides for such cost to be a lien upon the real estate affected, superior to all other liens and encumbrances except tax liens.

(f) Within 60 days, to perfect such lien, after such cost and expense is incurred, the township may file notice of such lien in the office of the county recorder of deeds or in the office of the county registrar of titles.

(g) Within the said 60-day period, such notice may be filed by any person performing the service by authorization of the town board of trustees in his or its own name or by the town attorney.

(Ord. No. 88-1, § 1, 1-12-1989)

Sec. 6-103. Cutting of weeds or grass by township.

The town board hereby provides for the cutting of weeds or grass on any real estate in residential areas in the township seven days after notifying the owner or the appropriate property owners' association by mail of the intended weed or grass cutting, when the owners of the real estate refuse or neglect to cut the weeds or grass.

State law reference—Similar provisions, 60 ILCS 1/105-15(a).

Sec. 6-104. Collection of cost; notice of lien.

(a) The town board may collect from the owners the reasonable cost of cutting the weeds or grass.

(b) This cost shall be a lien upon the real estate affected, superior to all other liens and encumbrances except tax liens, if within 60 days after the cost and expense is incurred, the township or person performing the service by authority of the township in his or its own name files a notice of lien in the office of the recorder in the county in which the real estate is located or in the office of the registrar of titles of said county if the real estate affected is registered under the Registered Titles (Torrens) Act (765 ILCS 35/0.01 et seq.).

State law reference—Similar provisions, 60 ILCS 1/105-15(a), (b).

Sec. 6-105. Notice of violation and abatement.

The notice shall consist of a sworn statement setting out the violation and intent of the township to cut the weeds or grass, including a description of the real estate sufficient for its identification.

State law reference—Similar provisions, 60 ILCS 1/105-15(b).

Sec. 6-106. Notice of cost and expense and lien.

If the weeds or grass was not cut within the seven days, the township shall provide for the cutting of the weeds or grass and a notice shall be sent setting out:

- (1) The amount of money representing the cost and expense incurred or payable for the service; and
- (2) The date when the cost and expense was incurred by the township.

State law reference—Similar provisions, 60 ILCS 1/105-15(b).

Sec. 6-107. Validity of lien.

(a) The lien of the township shall not be valid, however, as to any purchaser whose rights in and to the real estate had arisen after the weed or grass cutting, and before the filing of the notice.

(b) The lien of the township shall not be valid as to any mortgagee, judgment creditor, or other lienholder whose rights in and to the real estate arise before the filing of the notice.

State law reference—Similar provisions, 60 ILCS 1/105-15(b).

Sec. 6-108. Release upon payment.

(a) Upon payment of the cost and expense by the owner of or persons interested in the property after the notice of lien has been filed, the lien shall be released by the township or person in whose name the lien has been filed.

(b) The release may be filed of record as in the case of filing a notice of lien.

State law reference—Similar provisions, 60 ILCS 1/105-15(d).

Sec. 6-109. Nature preserves or conservation areas.

No provision of this article applies to any nature preserve or other area that has been designated as a conservation area.

State law reference—Similar provisions, 60 ILCS 1/105-15(d).

Sec. 6-110. Civil action or proceeding.

In addition to any lien or foreclosure action related thereto, the township may institute a civil action or proceeding to recover the amount of money owed for any service performed pursuant to section 6-103.

State law reference—Similar provisions, 60 ILCS 1/105-15(d).

Sec. 6-111. Authority of supervisor.

The supervisor of the township, or in the absence of the supervisor, the town clerk, shall be authorized:

- (1) To decide and declare what parcels of realty may be and are subject to and eligible for weed cutting pursuant to this article.
 - (2) To provide the required notice of seven days, by certified mail or personal service, upon the fee owner or some occupant of the household upon such land over the age of ten years relative to the unattended weeds and growth of weeds.
 - (3) Upon the failure of the owner or occupant to cut each weed growth or weed, or to hire, let, or authorize persons, corporate or otherwise, including township personnel, to cut such weeds.
 - (4) To decide and declare the reasonable cost of such weed cutting and to cause and direct town counsel to file such lien as called for and allowed by 60 ILCS 1/105-15 in such case made and provided.
 - (5) To sue and foreclose on such lien if not paid and retired within 30 days after the filing of same.
- (Ord. No. 88-1, § 2, 1-12-1989)

Chapter 7

RESERVED

Chapter 8

STREETS, ROADS, SIDEWALKS AND OTHER PUBLIC PLACES

Article I. In General

Secs. 8-1—8-18. Reserved.

Article II. Roads and Rights-of-Way

Division 1. Generally

Secs. 8-19—8-39. Reserved.

Division 2. Construction and Repair

- Sec. 8-40. Permit required.
- Sec. 8-41. Application for permit.
- Sec. 8-42. Authority to inspect.
- Sec. 8-43. Permit fees.
- Sec. 8-44. Certificate of insurance.
- Sec. 8-45. Bond.
- Sec. 8-46. Violation.
- Sec. 8-47. Stop work order.
- Secs. 8-48—8-67. Reserved.

Division 3. Use of Streets, Roads, Alleys, and Rights-of-Way

- Sec. 8-68. Vehicle weight restriction; exception.
- Sec. 8-69. Obstructions prohibited.
- Sec. 8-70. Permit or waiver required for fence installation.
- Sec. 8-71. Enforcement and penalty.
- Secs. 8-72—8-100. Reserved.

Article III. Snow, Debris and Water Drainage

- Sec. 8-101. Snow removal.
- Sec. 8-102. No water drainage onto township property.
- Sec. 8-103. Debris and vegetation.

ARTICLE I. IN GENERAL

Secs. 8-1—8-18. Reserved.

ARTICLE II. ROADS AND RIGHTS-OF-WAY

DIVISION 1. GENERALLY

Secs. 8-19—8-39. Reserved.

DIVISION 2. CONSTRUCTION AND REPAIR

Sec. 8-40. Permit required.

(a) No person shall construct, alter, remove, add to, diminish or demolish any part or portion of any township road district road or right-of-way or commence to construct, alter, remove, add to, diminish, or demolish any part of or portion of any township road district road or right-of-way without first having obtained a construction permit therefor, issued and signed by the highway commissioner or his authorized representative.

(b) No person that performs construction or other work on private property which connects, touches or enters onto or off of township road district roads or rights-of-way shall connect, touch, or enter onto or off of any part or portion of any township road district road or right-of-way without first having obtained a construction permit therefor, issued and signed by the highway commissioner or his authorized representative.

(Ord. No. 84-1, § 1(A), (B), 12-11-1984)

Sec. 8-41. Application for permit.

Application for a permit shall be in writing on the form prescribed by the highway commissioner. Such application shall briefly describe the proposed work and shall contain such information, drawings, plans and specifications as may be reasonably required by the highway commissioner to assess such proposed work. Application shall be made by the owner or lessee or agent of either, or the architect, engineer, or builder employed in connection with the proposed work. Such application shall contain the full names and addresses of the applicant and of the owner or lessee or agent of either and, if the applicant is a corporate body, of its responsible officers. Such application shall be

substantially in the same form as that attached to the ordinance from which this division is derived as Exhibit "A" and on file in the township offices and, when signed by the highway commissioner, may serve as a permit hereunder.

(Ord. No. 84-1, § 1(C), 12-11-1984)

Sec. 8-42. Authority to inspect.

(a) The highway commissioner shall have authority to inspect any work performed on or to any township road or right-of-way or any portion thereof.

(b) If he finds, after inspection, that the work performed does not meet the construction standards applicable to township roads, he may order the work stopped and re-performed in accordance with such standards.

(Ord. No. 84-1, § 2, 12-11-1984)

Sec. 8-43. Permit fees.

One hundred dollars shall be assessed for each permit issued that requires plan review, \$50.00 shall be assessed for any permit application that does not require plan review and \$25.00 shall be assessed where only a waiver letter is required.

(Ord. No. 84-1, § 3, 12-11-1984; Ord of 6-26-2007, § 3)

Sec. 8-44. Certificate of insurance.

Before a permit is issued, the highway commissioner shall require the applicant to deposit with it a certificate of insurance either naming the township as an additional insured providing comprehensive general liability insurance for all risks with single limit liability per person and per occurrence of not less than \$3,000,000.00 or naming the township as a party entitled to 30 days' advance written notice before cancellation of the insurance coverage. The insurance company providing the coverage shall have an "A" rating in the Best Rating Guide and shall be authorized to transact business under the laws of the state. The insurance shall remain in effect during the entire period for the construction for which the permit is to be issued and it shall provide for "occurrence" and not "claims made" coverage.

(Ord. of 4-1-1998, § 4; Ord. of 6-26-2007, § 4-1)

Sec. 8-45. Bond.

The highway commissioner may, in his discretion, determine whether a performance bond, license bond, permit bond, or cash bond ("bond") is required to be posted a condition of the issuance of the permit. If a cash bond is required by the highway commissioner, then the applicant shall deposit a cashier's or certified check payable to

the highway commissioner in an amount equal to 125 percent of the estimated cost of the construction or restoration of the township public improvement which is part of the construction for which the permit is to be issued. The amount of the bond shall be determined by the highway commissioner. The required bond shall be posted with surety in the form of a letter of credit or surety bond issued by a company reasonably acceptable to the highway commissioner. Upon approval by the highway commissioner of the installation and/or restoration of the public improvement, the bond in whatever form posted shall be released to the applicant.

(Ord. of 4-1-1998, § 5; Ord. of 6-26-2007, § 5)

Sec. 8-46. Violation.

(a) A violation of this division shall be subject to a fine as provided in section 1-14.

(b) The owner of the property and the contractor doing the work shall be jointly and severally liable for payment of any fine imposed for violation of this division.

Sec. 8-47. Stop work order.

The highway commissioner shall be authorized to issue a stop work order in the event of a violation of this division. The stop work order shall remain in force and effect until such time as the contractor and owner shall secure the necessary permit and shall have paid any fine imposed by reason of the violation.

(Ord. of 6-26-2007, § 9)

Secs. 8-48—8-67. Reserved.

DIVISION 3. USE OF STREETS, ROADS, ALLEYS, AND RIGHTS-OF-WAY

Sec. 8-68. Vehicle weight restriction; exception.

It shall be unlawful to drive a motor vehicle weighing five tons or more on the public streets, roads, alleys and rights-of-way under the jurisdiction of the highway commissioner except to make a delivery to premises on that roadway and only for as long as necessary to make such delivery.

(Ord. No. 2016-RB-3, § 1, 10-25-2016)

Sec. 8-69. Obstructions prohibited.

It shall be unlawful to place or erect any obstruction, including, but not limited to, rocks, boulders, fences and custom-made mail boxes, onto the public streets, roads,

alleys and rights-of-way under the jurisdiction of the highway commissioner. The right-of-way is defined as 33 feet from the center of the road to a resident's private property.

(Ord. No. 2016-RB-3, § 2, 10-25-2016)

Sec. 8-70. Permit or waiver required for fence installation.

It shall be unlawful to install a fence in unincorporated Maine Township without first obtaining a permit or waiver from the highway commissioner.

(Ord. No. 2016-RB-3, § 3, 10-25-2016)

Sec. 8-71. Enforcement and penalty.

(a) The person designated by the township supervisor and board of trustees as the code enforcement officer is empowered to enforce the provisions of this division.

(b) Any person or entity violating any of the provisions of this division shall be subject to the penalty provided in section 1-14.

(Ord. No. 2016-RB-3, §§ 4, 5, 10-25-2016)

Secs. 8-72—8-100. Reserved.

ARTICLE III. SNOW, DEBRIS AND WATER DRAINAGE

Sec. 8-101. Snow removal.

It shall be unlawful for any person or entity to move snow from private property onto property belonging to the township, including, but not limited to, parkways, streets, sidewalks, easements and rights-of-way under the jurisdiction of the township highway department.

(Ord. No. 98-2, § A, 1-27-1998; Ord. No. 99-RB-6, § A, 12-6-1999)

Sec. 8-102. No water drainage onto township property.

It shall be unlawful for any person or entity to cause or allow water to drain or discharge unnaturally from private property onto property belonging to the township, including, but not limited to, parkways, streets, sidewalks, easements and rights-of-way under the jurisdiction of the township highway department.

(Ord. No. 98-2, § B, 1-27-1998; Ord. No. 99-RB-6, § B, 12-6-1999)

Sec. 8-103. Debris and vegetation.

(a) It shall be unlawful for any person or entity to cause or allow any debris, refuse, tree limbs, tree trunks, leaves, grass clippings and/or other types of vegetation to be placed upon any property belonging to the township, including, but not limited to, parkways, streets, sidewalks, easements and rights-of-way under the jurisdiction of the township highway department. This section shall not apply to scheduled garbage pickup in compliance with township ordinances regulating garbage collection, to branch pickup as scheduled by the highway commissioner, or to any other refuse collection sponsored or authorized by the township.

(b) However, placement of said items on sidewalks, walkways, or streets under the jurisdiction of the highway commissioner is prohibited without the express approval of the highway commissioner.

(Ord. No. 99-RB-6, § C, 12-6-1999; Ord. No. 2000-3, § A, 8-22-2000)

Chapter 9

RESERVED

Chapter 10

TRAFFIC AND VEHICLES*

Article I. In General

Secs. 10-1—10-18. Reserved.

Article II. Administration

Division 1. Generally

Secs. 10-19—10-39. Reserved.

Division 2. Highway Commissioner

Sec. 10-40. Duties.
Sec. 10-41. Authority.
Sec. 10-42. Regulation of traffic.
Secs. 10-43—10-72. Reserved.

Article III. County Vehicle Code

Sec. 10-73. Intergovernmental agreement with county; terms.
Sec. 10-74. Adoption of county vehicle code provisions.
Secs. 10-75—10-91. Reserved.

Article IV. Specific Street Regulations

Division 1. Generally

Secs. 10-92—10-110. Reserved.

Division 2. Turns and Turning Restrictions

Sec. 10-111. Applicability.
Sec. 10-112. Left turns from Harrison onto northbound Potter Road prohibited.
Sec. 10-113. Authority to place signs.
Secs. 10-114—10-139. Reserved.

Article V. Stopping, Standing, Parking

Division 1. Generally

Secs. 10-140—10-162. Reserved.

***State law references**—Illinois Vehicle Code, 625 ILCS 5/1-100 et seq.; authority for municipal adoption of all or part of the Illinois Vehicle Code, 625 ILCS 5/20-204; power of local authority in regulating traffic, 625 ILCS 5/11-208.

MAINE TOWNSHIP CODE

Division 2. Parking on Roads

Sec. 10-163. General regulations.
Secs. 10-164—10-195. Reserved.

Division 3. Parking in Specific Places

Sec. 10-196. Moving vehicles unlawfully.
Sec. 10-197. Enforcement.
Secs. 10-198—10-217. Reserved.

Division 4. Parking on Specific Streets

Sec. 10-218. Dee Road.
Sec. 10-219. Robin Drive.
Sec. 10-220. Sumac Road.
Sec. 10-221. North Terrace; West Terrace; Park Lane; Sherry Lane.
Secs. 10-222—10-258. Reserved.

Division 5. Parking Restrictions

Sec. 10-259. Restricted parking of attached or unattached trailers.
Sec. 10-260. Standing or parking close to curb.
Sec. 10-261. Blocking driveways.
Sec. 10-262. Time limitation.
Sec. 10-263. Taxicabs or passenger buses.
Sec. 10-264. Commercial vehicles.
Sec. 10-265. Restricted parking on certain designated streets.
Sec. 10-266. Enforcement.
Sec. 10-267. Violators to be towed.
Sec. 10-268. Authority to contract for towing.
Sec. 10-269. Violation; penalty.
Secs. 10-270—10-287. Reserved.

Article VI. Snow Removal

Division 1. Generally

Sec. 10-288. Fines and penalties.
Secs. 10-289—10-307. Reserved.

Division 2. Parking

Sec. 10-308. Parking limited during snow removal.
Secs. 10-309—10-334. Reserved.

Division 3. Snow Routes

Sec. 10-335. Streets.
Secs. 10-337—10-362. Reserved.

TRAFFIC AND VEHICLES

Article VII. Vehicles

Division 1. Generally

Secs. 10-363—10-382. Reserved.

Division 2. Restrictions on Streets and Other Public Property

- Sec. 10-383. Repairing, cleaning, polishing vehicles prohibited; exceptions.
- Sec. 10-384. Vehicles with broken windows.
- Sec. 10-385. Enforcement.
- Sec. 10-386. Violators to be towed.
- Sec. 10-387. Violators subject to fine; fees and costs.

ARTICLE I. IN GENERAL

Secs. 10-1—10-18. Reserved.

ARTICLE II. ADMINISTRATION

DIVISION 1. GENERALLY

Secs. 10-19—10-39. Reserved.

DIVISION 2. HIGHWAY COMMISSIONER*

Sec. 10-40. Duties.

The highway commissioner is charged with the maintenance of roads within unincorporated areas in the township.

(Ord. No. 91-RB-3, intro. ¶, 8-12-1991)

Sec. 10-41. Authority.

The highway commissioner has authority as permitted by law to regulate traffic upon roads within the unincorporated areas of the township pursuant to 625 ILCS 5/11-304 and 605 ILCS 5/6-201.11.

(Ord. No. 91-RB-3, intro. ¶, 8-12-1991)

Sec. 10-42. Regulation of traffic.

Regulation of traffic and the use of the roads, streets, and highways within the highway commissioner's jurisdiction is necessary in order to provide for the safety of those persons using such roads, streets or highways, and for the orderly flow of traffic.

(Ord. No. 91-RB-3, intro. ¶, 8-12-1991)

Secs. 10-43—10-72. Reserved.

***State law references**—Highway commissioner, 60 ILCS 1/73-5; administration of township roads, 605 ILCS 5/6-101; functions and duties of highway commissioner, 605 ILCS 5/6-201 et seq.

ARTICLE III. COUNTY VEHICLE CODE

Sec. 10-73. Intergovernmental agreement with county; terms.

(a) The township and the township highway commissioner entered into an intergovernmental agreement with the county on or about June 28, 2011, by the terms of which, among other things, the county sheriff will provide enforcement of county ordinances governing the regulation of traffic, standing, parking and the condition of vehicles in the unincorporated area of the township and on the roads and highways under the jurisdiction of the highway commissioner.

(b) The intergovernmental agreement requires the township to adopt those sections of the county vehicle code which are to be enforced by the county sheriff and administered through an administrative adjudication proceeding for violations occurring in unincorporated Maine Township and on the roads under the jurisdiction of the highway commissioner.

(Ord. No. 2011-3, § 1, 7-26-2011)

Sec. 10-74. Adoption of county vehicle code provisions.

The town board and the highway commissioner hereby adopt all pertinent county ordinance sections governing the regulation of traffic, including standing, parking and the condition of vehicles, consisting of chapter 82 of the county vehicle code, sections 82-86, 82-87, 82-89 through 82-100 and 82-110 through 82-132, as the ordinances of the township and the township highway commissioner, as if fully set forth herein word for word, governing all of the roads and highways under the jurisdiction of the township highway commissioner. The pertinent sections of the county vehicle code, chapter 82, sections 82-86, 82-87, 82-89 through 82-100 and 82-110 through 82-132, are as follows.

(Ord. No. 2011-3, § 2, 7-26-2011)

Sec. 82-86. Stopping, standing and parking, prohibited in various locations.

Except when necessary to avoid conflict with other traffic, or in compliance with the law or the directions of a police officer or official traffic control device, no person shall:

- (1) Stop, stand or park a vehicle:
 - A. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
 - B. On a sidewalk;
 - C. Within an intersection;
 - D. On a crosswalk;

- E. Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings;
 - F. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
 - G. Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
 - H. On any railroad tracks or within a distance of ten feet from the outer rails thereof;
 - I. At any place where official signs prohibit stopping;
 - J. On a controlled-access highway;
 - K. In the area between roadways of a divided highway, including crossovers.
- (2) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge passengers:
- A. In front of a public or private driveway;
 - B. Within 15 feet of a fire hydrant;
 - C. Within 20 feet of a crosswalk at an intersection;
 - D. Within 30 feet upon the approach to any flashing signal, yield sign, or traffic control signal located at the side of a roadway;
 - E. Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of such entrance (when properly signposted);
 - F. At any place where official signs prohibit standing;
 - G. In a fire lane or within eight feet of the entrance to a fire lane.
- (3) Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading property or passengers:
- A. Within 50 feet of the nearest rail of a railroad crossing;
 - B. At any place where official signs prohibit parking.
- (4) Any person who shall violate or fail to comply with any provision of the above section, with the exception of subsections (1)H, (2)E and (3)A, shall be fined \$50.00 for each offense.
- (5) Any person who shall violate or fail to comply with any provision of subsections (2)E and (3)A shall be fined \$75.00 for each offense.

- (6) Any person who shall violate or fail to comply with any provision of subsection (1)H shall be fined \$100.00 for each offense.

(Ord. No. 2011-3, exh. A(82-86), 7-26-2011)

State law reference—Similar provisions, 625 ILCS 5/11-1303.

Sec. 82-87. Distance from the curb.

(A) Except as otherwise provided in this section, every vehicle stopped or parked upon a two-way roadway shall be so stopped or parked with right-hand wheels parallel to and within 12 inches of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder.

(B) No person shall move a vehicle not lawfully under such person's control into any prohibited area or away from a curb such distance as is unlawful.

(C) Except when otherwise provided by local ordinance, every vehicle stopped or parked upon a one-way roadway shall be stopped or parked parallel to the curb or edge of the roadway, In the direction of authorized traffic movement, with its right-hand wheels within 12 inches of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder, or with its left wheels within 12 inches of the left-hand curb or as close as practicable to the left side of the left-hand shoulder. Any person found in violation of any provision in this section will be fined \$50.00.

(Ord. No. 2011-3, exh. A(82-87), 7-26-2011)

State law reference—Similar provisions, 625 ILCS 5/11-1304.

Sec. 82-89. Stopping, standing or parking outside of business or residential district.

(a) *Unobstructed width opposite a standing vehicle.* Outside a business or residential district, no person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the roadway when it is practical to stop, park or so leave such vehicle off the roadway, but in every event an unobstructed width of the highway opposite a standing vehicle shall be left for the free passage of other vehicles and a clear view of such stopped vehicle shall be available from a distance of 200 feet in each direction upon such highway.

(b) *Posting signs.* The Cook County Department of Highways with respect to highways under its jurisdiction or for the maintenance of which it is responsible may place signs prohibiting or restricting the stopping, standing or parking of vehicles on any highway where in its opinion such stopping, standing or parking is dangerous to those using the highway or where the stopping, standing or parking of vehicles would unduly interfere with the free movement of traffic thereon. Any such regulations adopted by the department regarding the stopping, standing or parking of vehicles

upon any specific street, streets or highways become effective at the time of the erection of appropriate signs indicating such regulations. Any such signs may be erected by the department or by a local authority with the approval of the state department of transportation.

(c) *Exception.* This section and sections 82-93 and 82-94 shall not apply to the driver of any vehicle which is disabled in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving the vehicle in such position.

(d) *Fine for violation.* Every person found in violation of this section shall be fined \$50.00.

(Ord. No. 2011-3, exh. A(82-89), 7-26-2011)

Sec. 82-90. Parking on county property.

It shall be unlawful to park any vehicle upon any property owned by the county and used for the transaction of public business where such parking is prohibited by order of the custodian of the property; provided this section shall not apply to county-owned vehicles or to other vehicles whose operation is useful or essential to the proper functioning of the department, board or commission occupying the property. The custodian of the property shall post "No Parking" signs indicating the foregoing prohibition. Any person found in violation of any provision of this section will be fined \$50.00.

(Ord. No. 2011-3, exh. A(82-90), 7-26-2011)

Sec. 82-91. Parking in alleys.

(a) It shall be unlawful to park any vehicle in any alley for a period of time longer than is necessary for the expeditious loading, unloading, pickup or delivery of materials from such vehicle.

(b) It shall be unlawful to park a vehicle in an alley in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for the free movement of vehicular traffic or to block the entrance to any abutting property. Any person found in violation of any provision of this section will be fined \$50.00.

(Ord. No. 2011-3, exh. A(82-91), 7-26-2011)

Sec. 82-92. Parking of trucks restricted.

(a) No person shall stand or park any truck, tractor, semitrailer, recreational vehicle more than 22 feet in length, self-contained motor home, or bus on any residential street for a longer period than is necessary for the reasonably expeditious loading or unloading of such vehicle.

(b) No person shall stop or park any heavy truck with an empty weight of over 8,000 pounds gross weight, commercial vehicle, tractor, trailer, any other heavy operating equipment or any motor vehicle having a state license plate in excess of the "B" category or permit the stopping or parking of any such vehicle within 200 feet of any lot of record zoned for residential purposes within the unincorporated areas of Cook County, except in the case where the vehicle is loading or unloading and the truck departs the premises as soon as is reasonably possible after loading or unloading is complete, but in no case longer than two hours; provided that signs restricting such parking are posted where this restriction is in effect.

(c) This section shall be in effect only upon county highways or within the jurisdiction of another local authority with which the county has entered into an intergovernmental agreement to enforce the requirements of this section.

(d) No person shall stand or park any truck, tractor, semitrailer, trailer or self-contained motor home or bus on any business street for a longer period than is necessitated for the reasonably expeditious loading or unloading of such vehicle.

(e) Any person found in violation of this section will be fined \$50.00.
(Ord. No. 2011-3, exh. A(82-92), 7-26-2011)

Sec. 82-93. Parking privileges for persons with disabilities.

(a) A motor vehicle bearing registration plates issued to a person with disabilities, as defined by 625 ILCS 5/1-159.1 (person with disabilities defined), pursuant to 625 ILCS 5/3-616 (person with disabilities license plates), or to a disabled veteran pursuant to 625 ILCS 5/3-609 (disabled veterans' plates), or a special decal or device issued pursuant to 625 ILCS 5/3-616 (person with disabilities license plates) or pursuant to 625 ILCS 5/11-1301.2 (special decals for a person with disabilities parking) or a motor vehicle registered in another jurisdiction, state territory or foreign country upon which is displayed a registration plate, special decal or device issued by the other jurisdiction designating the vehicle is operated by or for a handicapped person shall be exempt from the payment of parking meter fees and exempt from ordinances imposing time limitations on parking, except limitations of one-half hour or less, on any street or highway zone, or any parking lot or parking place which is owned, leased or owned and leased by a municipality or a municipal parking utility; but, such vehicle shall be subject to the laws which prohibit parking in "no stopping" and "no standing" zones in front of or near fire hydrants, driveways, public building entrances and exits, crosswalks, bus stops and loading areas, and is prohibited from parking where the motor vehicle constitutes a traffic hazard, whereby such motor vehicle shall be moved at the instruction and request of a law enforcement officer to a location designated by the officer. Any motor

vehicle bearing registration plates or a special decal or device specified in this section or in 625 ILCS 5/3-616 (person with disabilities license plates) or such as specifically authorized in 625 ILCS 5/11-1301.2 (special decals for a person with disabilities parking) as evidence that the vehicle is operated by or for a person with disabilities or disabled veteran may park, in addition to any other lawful place, in any parking place specifically reserved for such vehicles by the posting of an official sign.

(b) Parking privileges granted by this section are strictly limited to the person to whom the special registration plates, special decal or device were issued and to qualified operators acting under his express direction while the person with disabilities is present.

(c) Such parking privileges granted by this section are also extended to motor vehicles of not-for-profit organizations used for the transportation of persons with disabilities when such motor vehicles display the decal or device issued pursuant to 625 ILCS 5/11-1301.2 (special decals for a person with disabilities parking).

(Ord. No. 2011-3, exh. A(82-93), 7-26-2011)

Sec. 82-94. Unauthorized use of parking places reserved for persons with disabilities.

(a) *Registration plates or decals.* It shall be prohibited to park any motor vehicle which is not bearing registration plates or decals issued to a person with disabilities, as defined in 625 ILCS 5/1-159.1 (person with disabilities defined) pursuant to 625 ILCS 5/3-616 (person with disabilities license plates) or 625 ILCS 5/11-1301.2 (special decals for a person with disabilities parking), or to a disabled veteran pursuant to 625 ILCS 5/3-609 (disabled veterans' plates), as evidence that the vehicle is operated by or for a person with disabilities or disabled veteran, in any parking place, including any private or public off-street facility, specifically reserved, by the posting of an official sign.

(b) *Removal of authorized vehicles.* Any person or local authority owning or operating any public or private off-street parking facility may, after notifying the sheriff's police department, remove or cause to be removed to the nearest garage or other place of safety any vehicle parked within a stall or space reserved for use by the handicapped which does not display handicapped registration plates or a special decal or device as required under this section.

(c) *Fine.* Any person found guilty of violating the provisions of this section shall be fined \$250.00, in addition to any costs or charges connected with the removal or storage of any motor vehicle authorized under this section.

(Ord. No. 2011-3, exh. A(82-94), 7-26-2011)

Sec. 82-95. Parking meters.

It shall be unlawful to park any vehicle in a designated parking meter zone or space without depositing a United States coin or other acceptable form of payment of the denomination indicated on the meter and putting the meter in operation or to park any vehicle in such zone or space for a period longer than is designated on the meter for the value of the coin or coins deposited in the meter; provided, however, these provisions shall not apply during such hours of the day as designated from time to time by order of the county board. Any person found in violation of this section will be fined \$50.00. (Ord. No. 2011-3, exh. A(82-95), 7-26-2011)

Sec. 82-96. Repairs to vehicles on public way.

No person shall change any parts, repair, wash, grease, wax, polish or clean a vehicle on any public way, under jurisdiction of the county, except such repairing, cleaning or polishing as is necessary to ensure good vision, or such emergency repairs as are necessary to remove such vehicle from the public way. Such emergency repairs shall be made only as close as possible to the right-hand edge of the roadway, with the vehicle facing in the direction of the traffic flow.

(Ord. No. 2011-3, exh. A(82-96), 7-26-2011)

Sec. 82-97. Parking for certain purposes prohibited.

(a) No person shall park a vehicle upon any roadway under jurisdiction of the county or in any public off-street parking facility for any of the following purposes:

- (1) To display such vehicle for sale.
- (2) To perform maintenance or repair such vehicle, except for repairs necessitated by an emergency.
- (3) To sell merchandise from such vehicle.

(b) Any person who violates any provision of this section shall be fined \$50.00 for each offense.

(Ord. No. 2011-3, exh. A(82-97), 7-26-2011)

Sec. 82-98. Unattended motor vehicles.

(a) No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the key from the ignition, effectively setting the brake thereon and, when standing upon any perceptible grade, turning the front wheels to the curb or side of the highway.

(b) Nothing in this section prohibits the use of a remote ignition start device which is capable of starting a vehicle's ignition without the vehicle's ignition key, if (a) the vehicle is equipped with an anti-theft feature which prevents the vehicle from being driven without the ignition key being properly inserted; and (b) the owner of the vehicle displays on the vehicle a decal or sticker indicating the presence of such a remote ignition start device. Every person found in violation of this section shall be fined \$50.00.

(Ord. No. 2011-3, exh. A(82-98), 7-26-2011)

State law reference—Similar provisions, 625 ILCS 5/11-1401.

Sec. 82-99. Parking in parking lots.

(a) It shall be unlawful for any person not so entitled to park a vehicle in a public parking lot.

(b) It shall be unlawful for any person not so entitled to park a vehicle in a private parking lot established voluntarily or pursuant to the county zoning ordinance to provide off-street parking facilities for tenants or employees of the owner.

(c) Whenever any vehicle is parked in violation of this section, any police officer or other person authorized to issue parking violation notices, upon a written complaint signed by the owner of the parking lot or by his authorized agent that the vehicle is not entitled to the privileges of the parking lot, may attach a parking violation notice to the vehicle.

(d) Any person who violates subsection (a) or (b) of this section shall be fined \$50.00 for each offense.

(Ord. No. 2011-3, exh. A(82-99), 7-26-2011)

Sec. 82-100. Removal of parking permit or notice of violation.

(a) It shall be unlawful for any person, other than the driver of the vehicle, to remove from a vehicle a notice of violation affixed pursuant to the vehicle code.

(b) Every person found in violation of this section shall be fined not less than \$100.00.

(Ord. No. 2011-3, exh. A(82-100), 7-26-2011)

Sec. 82-110. Brakes—Required.

(a) Every motor vehicle, other than a motorcycle, when operated on any roadway under the county's jurisdiction shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle. The brake system shall include two separate means of applying the brake, each of which means shall operate to apply the

brakes to at least two wheels. If the two separate means of applying the brakes are connected in any way, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the motor vehicle without brakes on at least two wheels.

(b) Every motorcycle and motor-driven cycle when operated on any roadway under the county's jurisdiction shall be equipped with at least one brake, which may be operated by hand or foot.

(c) Every trailer or semitrailer of a gross weight of 3,000 pounds or more when operated on any roadway under the county's jurisdiction shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle and so designed as to be applied by the driver of the towing motor vehicle from its cab. Such brakes shall be so designed and connected that in case of an accidental breakaway of the towed vehicle the brakes are automatically applied. Any person found in violation of any provision of this section will be fined \$25.00.

(Ord. No. 2011-3, exh. A(82-110), 7-26-2011)

Sec. 82-111. Brakes—Stopping capability; maintenance.

(a) The service brakes upon any motor vehicle or combination of vehicles operating on a level surface shall be adequate to stop such vehicle or vehicles within a distance of 30 feet when traveling 20 miles per hour upon dry asphalt or concrete pavement surface free from loose material.

(b) Under the above conditions the hand brake shall be adequate to stop such vehicle or vehicles within a distance of 55 feet and the hand brake shall be adequate to hold such vehicle or vehicles stationary on any grade upon which operated.

(c) Under the above conditions the service brakes upon an antique vehicle, as defined in the Illinois Vehicle Code, shall be adequate to stop the vehicle within a distance of 40 feet and the hand brake adequate to stop the vehicle within a distance of 55 feet.

(d) All braking distances specified in this section shall apply to all vehicles mentioned, whether such vehicles are not loaded or are loaded to the maximum capacity permitted by law.

(e) All brakes shall be maintained in good working order and shall be so adjusted as to operate evenly with respect to the wheels on opposite sides of the vehicle. Any person found in violation of any provision of this section will be fined \$25.00

(Ord. No. 2011-3, exh. A(82-111), 7-26-2011)

Sec. 82-112. Windshield wipers.

Every motor vehicle, except motorcycles and motor-driven cycles, operating or parked on any roadway under the county's jurisdiction and equipped with a windshield shall also be equipped with a self-operating windshield wiper which shall be maintained in good operating condition. The windshield wiper shall provide clear vision through the windshield for the driver and shall be operated under conditions of fog, snow or rain. This section shall not apply to snow removal equipment equipped with adequate manually operated windshield wipers. Any person found in violation of this section will be fined \$25.00.

(Ord. No. 2011-3, exh. A(82-112), 7-26-2011)

Sec. 82-113. Horns and warning devices.

(a) Every motor vehicle when operated upon any roadway shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance not less than 200 feet, but no horn or other warning device shall emit an unreasonably loud or harsh sound or a whistle.

(b) No vehicle shall be equipped with nor shall any person use upon a vehicle any siren, whistle or bell, except that this shall not apply to an authorized emergency vehicle as otherwise permitted in the traffic code. Any person found in violation of this section will be fined \$25.00.

(Ord. No. 2011-3, exh. A(82-113), 7-26-2011)

Sec. 82-114. Required lighting.

When upon any roadway, subject to exceptions with respect to parked vehicles:

- (a) Every motorcycle shall exhibit at all times at least one lighted lamp showing a white light visible at a distance of 500 feet in the direction of travel;
- (b) All motor vehicles other than motorcycles shall exhibit at least two lighted headlamps showing white lights or lights with a yellow or amber tint, during the period of sunset to sunrise, and at any other times when, due to insufficient natural light or unfavorable atmospheric conditions (fog, snow or rain), persons and vehicles are not clearly discernible for a distance of 1,000 feet in the direction of travel;
- (c) Each motor vehicle, trailer or semitrailer shall also exhibit at least one lighted lamp which shall be so situated as to throw a red light visible for at least 500 feet in the reverse direction;

- (d) The registration plate at the back of every motorcycle and every motor vehicle shall be so lighted that the numbers on said plate shall be plainly legible and intelligible at a distance of 50 feet; and
- (e) Every trailer having a gross weight of 3,000 pounds or less including the weight of the trailer and maximum load shall be equipped with two lighted lamps, one on each side of the rear of such trailer which shall be so situated as to throw a red light visible for at least 500 feet in the reverse direction.
- (f) Any person found in violation of any provision of this section shall be fined \$25.00.

(Ord. No. 2011-3, exh. A(82-114), 7-26-2011)

Sec. 82-115. Spot lamps and auxiliary driving lamps.

(a) Any motor vehicle may be equipped with not more than one spot lamp, except authorized emergency vehicles, and every lighted spot lamp shall be so aimed and used upon approaching another vehicle that no part of the high-intensity portion of the beam will be directed to the left of the prolongation of the extreme left side of the vehicle nor more than 100 feet ahead of the vehicle.

(b) Any motor vehicle may be equipped with not more than three auxiliary driving lamps mounted on the front at a height not less than 12 inches nor more than 42 inches above the level surface upon which the vehicle stands. Any person found in violation of this section shall be fined \$25.00.

(Ord. No. 2011-3, exh. A(82-115), 7-26-2011)

Sec. 82-116. Side cowl, fender, running board courtesy and back-up lamps.

(a) Any motor vehicle may be equipped with not more than two side cowl or fender lamps which shall emit an amber or white light without glare.

(b) Any motor vehicle may be equipped with not more than one running board courtesy lamp on each side thereof which shall emit a white or amber light without glare.

(c) Any motor vehicle may be equipped with a back-up lamp either separately or in combination with another lamp; except that no such back-up lamp shall be continuously lighted when the motor vehicle is in forward motion.

(d) Whenever a motor vehicle equipped with headlamps as herein required is also equipped with any auxiliary lamps or a spot lamp or any other lamp on the front thereof projecting a beam of an intensity greater than 300 candlepower, not more than

a total of four of any such lamps on the front of a vehicle shall be lighted at any one time when upon a highway. Any person found in violation of any provision of this section shall be fined \$25.00.

(Ord. No. 2011-3, exh. A(82-116), 7-26-2011)

Sec. 82-117. Non-motor-driven vehicles; lighting requirements.

All non-motor-driven vehicles including animal-drawn vehicles while being operated or parked on any roadway under the jurisdiction of the county between the period of sunset to sunrise shall at all times be equipped with at least one lighted lamp or lantern exhibiting a white light visible from a distance of 500 feet to the front of such vehicle and with a lamp or lantern exhibiting a red light visible from a distance of 500 feet to the rear. Any person found in violation of this section shall be fined \$25.00.

(Ord. No. 2011-3, exh. A(82-117), 7-26-2011)

Sec. 82-118. Parked vehicles; lighting regulations.

(a) Whenever a vehicle is lawfully parked at nighttime upon any lighted street within a business or residence district, no lights need be displayed upon such parked vehicle.

(b) Whenever a vehicle is parked upon an unlighted street or highway during the hours between one-half hour after sunset and one-half hour before sunrise, such vehicle shall be equipped with one or more lamps which shall exhibit a white light on the roadway side visible from a distance of 500 feet to the front of the vehicle and a red light visible from a distance of 500 feet to the rear.

(c) Any lighted headlamps upon a parked vehicle shall be depressed or dimmed. Any person found in violation of this section will be fined \$25.00.

(Ord. No. 2011-3, exh. A(82-118), 7-26-2011)

Sec. 82-119. Suspension system.

(a) It shall be unlawful to operate or park a motor vehicle on any roadway, that is under jurisdiction of the county, when the suspension system has been modified from the original manufactured design by lifting the body from the chassis in excess of three inches or to cause the horizontal line from the front to the rear bumper to vary over the three inches in height when measured from a level surface of the highway to the lower edge of the bumper.

(b) Nothing in this section shall prevent the installation of manufactured heavy duty equipment to include shock absorbers and overload springs, nor shall anything contained in this section prevent a person to operate a motor vehicle with normal wear of the suspension system if such condition does not affect the control or safe operation of

the vehicle. This section shall not apply to motor vehicles designed or modified primarily for off-highway racing purposes while such vehicles are in tow or to motorcycles or motor-driven cycles. Any person found in violation of this section will be fined \$25.00.

(Ord. No. 2011-3, exh. A(82-119), 7-26-2011)

Sec. 82-120. Bumpers.

(a) Every motor vehicle of the first division and recreational vehicles must be equipped with both front and rear bumpers while being operated or parked on any roadway within the county's jurisdiction. The bumper height shall not be modified to vary more than three inches from the original manufactured bumper height for that vehicle when measured from a level surface of the highway to the lower edge of the bumper. Nothing in this section shall prevent the installation of manufactured bumper guards.

(b) This section shall not apply to any motor vehicle designed or modified primarily for off-highway racing purposes while such vehicle is in tow or to motorcycles or motor-driven cycles or to an antique vehicle when registered as such and where the original design did not include bumpers. Any person found in violation of subsection (a) of this section will be fined \$25.00.

(Ord. No. 2011-3, exh. A(82-120), 7-26-2011)

Sec. 82-121. Rear view mirrors.

Every motor vehicle, whether parked, operated singly or when towing another vehicle shall be equipped with a mirror so located as to reflect to the driver a view of the roadway for a distance of at least 200 feet to the rear of such vehicle. Any person found in violation of this section will be fined \$25.00.

(Ord. No. 2011-3, exh. A(82-121), 7-26-2011)

Sec. 82-122. Rear reflectors on trailers.

Every trailer having a gross weight of 3,000 pounds or less including the weight of the trailer and maximum load, towed either by a motor vehicle of the first division or a motor vehicle of the second division shall be equipped with two red reflectors, which will be visible when hit by headlight beams 300 feet away at night, located on the rear of the body of such trailer, not more than 12 inches from the lower left-hand and right-hand corners. Any person in violation of this section will be fined \$25.00.

(Ord. No. 2011-3, exh. A(82-122), 7-26-2011)

Sec. 82-123. Exhaust system.

- (a) (1) Every motor vehicle shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke.
- (2) No person shall use a muffler cutout, bypass, straight pipe or similar device upon a motor vehicle on a public way.

For purposes of this subsection (a), the term "straight pipe" shall mean a muffler without baffles or any other noise inhibiting device.

(b) The engine and power mechanism of every motor vehicle shall be so equipped and adjusted as to prevent the escape of excessive fumes or smoke. Any person in violation of any provision of this section will be fined \$25.00.

(Ord. No. 2011-3, exh. A(82-123), 7-26-2011)

Sec. 82-124. Burglar alarms.

(a) In any vehicle equipped with a continuous or intermittent audible signal device which acts as a burglar alarm, such device shall be limited in operation to four minutes after activation and shall be incapable of further operation until reset to become active again.

(b) No person shall install or maintain in any vehicle registered in the county any continuous or intermittent audible signal device for use as a burglar alarm unless the device is equipped with an automatic shut-off mechanism to terminate the alarm sound after four minutes and an automatic reset mechanism to reengage the alarm for further operation. No person shall operate or park on any roadway any vehicle equipped with any continuous or intermittent audible signal device for use as a burglar alarm unless the device is equipped with an automatic shut-off mechanism to terminate the alarm sound after four minutes and an automatic reset mechanism to reengage the alarm for further operation.

(c) Any person who violates this section shall be subject to a fine of \$50.00 for each offense. Any person who violates this section a second time shall be subject to a fine of \$75.00, any person who violates this section a third or subsequent time shall be subject to a fine of \$100.00. Each installation and each use of an alarm in violation of this section shall constitute a separate and distinct offense; provided, however, it shall not be a violation of this section to operate a device for a period of time in excess of four

minutes if the device is designed to be triggered by the unauthorized opening of the hood, trunk or door of the vehicle, or by the breaking of a window, and the operation of the device in excess of four minutes was so caused.

(Ord. No. 2011-3, exh. A(82-124), 7-26-2011)

Sec. 82-125. Registration plates.

(a) Registration plates issued for a motor vehicle other than a motorcycle, trailer, semitrailer or truck-tractor shall be attached to the front and rear of the vehicle.

(b) The registration plate issued for a motorcycle, trailer or semitrailer shall be attached to the rear thereof.

(c) The registration plate issued for a truck-tractor shall be attached to the front thereof.

(d) Every registration plate shall at all times be securely fastened in a horizontal position to the vehicle for which it is issued so as to prevent the plate from swinging and at a height of not less than 12 inches from the ground, measuring from the bottom of such plate, in a place and position to be clearly visible and shall be maintained free from foreign materials and in a condition to be clearly legible. No registration plate shall be covered by any tinted or colored screen.

(e) It is illegal to park a vehicle on any roadway under the county's jurisdiction if the registration plate or other registration material fails to comply with subsections (a) through (d) or subsection (f) of this section.

(f) Every registration plate, temporary permit or evidence of temporary registration must bear evidence of proper registration for the current period and be displayed in the manner required by the secretary of state. Any person in violation of any provision of this section will be fined \$50.00.

(Ord. No. 2011-3, exh. A(82-125), 7-26-2011)

Sec. 82-126. County wheel tax sticker.

The county wheel tax sticker shall be purchased and displayed in accordance with the provisions of chapter 74, article XIV, of the county Code. Any person who violates this section shall be fined pursuant to chapter 74, XIV, of the county Code.

(Ord. No. 2011-3, exh. A(82-126), 7-26-2011)

Sec. 82-127. Safety belts.

(a) Each driver and front seat passenger of a passenger motor vehicle shall wear properly adjusted and fastened seat safety belts, except that a child less than six years of age shall be protected as required by the Child Passenger Protection Act of the State of Illinois. Each driver of a passenger motor vehicle transporting a child six years of age or more, but less than 16 years of age, in the front seat of a passenger motor vehicle shall be responsible for securing such child in a properly adjusted and fastened seat safety belt. For the purposes of this section, use of seat safety belts shall include the use of shoulder harnesses where such harness is a standard part of the equipment of the passenger motor vehicle.

(b) All school buses, as defined in section 1-182 of the Illinois Vehicle Code, codified as 625 ILCS 5/1-182, as amended, that meet the minimum Federal Motor Vehicle Safety Standards 222 for the purposes of transporting children 18 and under shall be equipped with an individual set of seat safety belts meeting Federal Motor Vehicle Safety Standards 208 and 209 as they apply to a multi-passenger vehicle with a gross weight at or under 10,000 pounds, in good operating condition for each passenger. No school bus shall be operated unless all passengers' safety belts are fastened.

(c) The provisions of this section shall not apply to:

- (1) A driver or passenger frequently stopping and leaving the vehicle or delivering property from the vehicle, if the speed of the vehicle between stops does not exceed 15 miles per hour;
- (2) A driver or passenger possessing a written statement from a physician that he or she is unable for medical or physical reasons to wear a seat safety belt;
- (3) A driver or passenger possessing a certificate or license endorsement issued by the motor vehicle division of the state or a similar agency in another state or county indicating that the driver or passenger is unable for medical, physical or other valid reasons to wear a seat safety belt;
- (4) A driver operating a motor vehicle in reverse;
- (5) A passenger motor vehicle manufactured before January 1, 1965;
- (6) A motorcycle, motortricycle or moped;
- (7) Any passenger motor vehicle which is not required to be equipped with seat safety belts under state or federal law, except school buses;

- (8) A passenger motor vehicle operated by a postal carrier of the United States Postal Service while such carrier is performing his or her duties as a postal carrier; or
- (9) A school bus transporting students who reside and attend schools situated outside of the county.

(d) Any person who shall violate the provisions of this section shall be fined \$75.00. (Ord. No. 2011-3, exh. A(82-127), 7-26-2011)

Sec. 82-128. Broken or inoperable lamps; broken or cracked glass.

(a) No person shall operate or park any vehicle on any roadway under the county's jurisdiction if any lamp or light required for the vehicle by this [Cook County] Code is broken or inoperable.

(b) No person shall operate or park any vehicle on any roadway under the county's jurisdiction if any window of the vehicle is missing, broken, or cracked and the crack exceeds six inches in length. Any person found in violation of this section will be fined \$25.00.

(Ord. No. 2011-3, exh. A(82-128), 7-26-2011)

Sec. 82-129. Obstruction of driver's vision; tinted and nonreflective windows.

(a) No person shall operate or park a motor vehicle on any roadway under the county's jurisdiction with any sign, poster, window application, reflective material, nonreflective material or tinted film on the front windshield, side-wings or side windows immediately adjacent to either side of the operator. A nonreflective tint screen may be used along the uppermost portion of the front windshield if the material does not extend more than six inches down from the top of the windshield.

(b) It is unlawful to park or stand a vehicle on any portion of the public way under the county's jurisdiction if the vehicle is equipped with nonreflective, smoked or tinted glass or nonreflective film on the front windshield, side-wings or side windows immediately adjacent to either side of the driver's seat.

(c) It is a defense to a charged violation of subsection (a) or subsection (b) of this section that the motor vehicle complies with the use, medical prescription and documentation provisions of paragraph (g) of section 12-503 of the Illinois Vehicle Code, as amended. Any person found in violation of subsections (a) and (b) of this section will be fined \$25.00.

(Ord. No. 2011-3, exh. A(82-129), 7-26-2011)

Sec. 82-130. Blue lights and flashing, rotating or oscillating blue beams.

No person shall drive, move, or park any vehicle or equipment upon any roadway under the county's jurisdiction with any device thereon displaying a blue [light] thereof, except a vehicle owned and operated by a police department, law enforcement agency or an emergency vehicle, or place, maintain, or display upon or in view of any public or oscillating blue beam. Any person found in violation of this section will be fined \$100.00.

(Ord. No. 2011-3, exh. A(82-130), 7-26-2011)

Sec. 82-131. Red lights and flashing lights.

(a) No person shall drive, move or park any vehicle or equipment upon any roadway, under the county's jurisdiction, with any lamp or device thereon displaying a red light visible from directly in front thereof.

(b) Flashing lights are prohibited on motor vehicles, except as a means for indicating a right or left turn or an emergency stop.

(c) The provisions of this section shall not apply to authorized emergency vehicles. Any person found in violation of subsection (a) or (b) of this section will be fined \$100.00.

(Ord. No. 2011-3, exh. A(82-131), 7-26-2011)

Sec. 82-132. Destructive substances on public way.

(a) No person shall throw or deposit upon any public way any glass bottle, glass, nails, tacks, wire, cans, or any other substance likely to injure any person, animal or vehicle upon such public way.

(b) Any person who drops, or permits to be dropped or thrown, upon any public way any destructive or injurious material shall immediately remove the same or cause it to be removed.

(c) Any person removing a wrecked or damaged vehicle from a public way shall remove any glass or other injurious substance dropped upon the highway from such vehicle.

(d) No person shall cast, throw or deposit any litter upon any public way.

(e) Any police officer or law enforcement officer observing a violation of this section may issue a notice of violation or other appropriate citation to any person violating any of the provisions of this section. Any person found violating any provision of this section will be fined \$100.00.

(Ord. No. 2011-3, exh. A(82-132), 7-26-2011)

Sec. 82-133. Metal-tired vehicles or equipment.

No person shall drive, move, or park on any public way under the county's jurisdiction any metal-tired vehicle or equipment having on the periphery of any wheel a block stud, flange, cleat, or spike or any other protuberance of any metal other than rubber which projects beyond the tread of the traction surface of the tire; provided, however, it shall be permissible to use tire chains of reasonable proportions upon any vehicle when required for safety because of snow, ice, mud or other conditions tending to cause a vehicle to skid. Every person found in violation of this section will be fined \$50.00. (Ord. No. 2011-3, exh. A(82-133), 7-26-2011)

Secs. 10-75—10-91. Reserved.

ARTICLE IV. SPECIFIC STREET REGULATIONS

DIVISION 1. GENERALLY

Secs. 10-92—10-110. Reserved.

DIVISION 2. TURNS AND TURNING RESTRICTIONS

Sec. 10-111. Applicability.

Section 10-112 shall govern the use of traffic east bound on Harrison at Potter Road which is within the jurisdiction of the highway commissioner of the township. (Ord. No. 91-RB-3, intro. ¶, 8-12-1991)

Sec. 10-112. Left turns from Harrison onto northbound Potter Road prohibited.

Traffic traveling eastbound on Harrison is hereby prohibited from making a left turn onto Potter Road and proceeding northbound on Potter Road. (Ord. No. 91-RB-3, § 1, 8-12-1991)

Sec. 10-113. Authority to place signs.

The highway commissioner of the township is authorized and directed to emplace signs indicating the direction of lawful traffic movement and said signs shall be placed indicating the prohibition of traffic traveling eastbound on Harrison from making a left turn and proceeding northbound on Potter Road. (Ord. No. 91-RB-3, § 2, 8-12-1991)

Secs. 10-114—10-139. Reserved.

ARTICLE V. STOPPING, STANDING, PARKING

DIVISION 1. GENERALLY

Secs. 10-140—10-162. Reserved.

DIVISION 2. PARKING ON ROADS

Sec. 10-163. General regulations.

The following provisions shall govern the use of all roads within the jurisdiction of the highway commissioner of the township:

- (1) No vehicle with second division plates, pursuant to 625 ILCS 5/11-304, except for vehicles displaying RV or recreational vehicle, shall be parked on the public roadways other than for the purposes of loading or unloading.
 - (2) Under no circumstances shall said vehicles be parked overnight on said roadways.
 - (3) The township may contract with any governmental or any nongovernmental agency for the purposes of enforcing this section.
 - (4) The township shall issue citations for violations of this section providing for fines per violation.
- (Ord. No. 99-RB-5, arts. 1—4, 11-23-1999)

Secs. 10-164—10-195. Reserved.

DIVISION 3. PARKING IN SPECIFIC PLACES

Sec. 10-196. Moving vehicles unlawfully.

No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful.

(Ord. No. 97-RB-4, § B, 8-26-1997; Ord. No. 97-5, 8-26-1997)

Sec. 10-197. Enforcement.

(a) The township, by its duly authorized enforcement officer, shall have the power to enforce the provisions of this division. If any violation is discovered by the enforcement officer, a citation shall be issued to the party responsible for the violation setting forth the provisions of this division deemed to be violated. A violator shall be subject to a fine as provided in section 1-14 for each offense.

(b) Every day that a violation continues shall constitute a separate offense. Any fine paid to the township within ten days of the issuance of the citation shall be reduced by one-half of the amount of the fine set forth on the citation.

(Ord. No. 97-RB-4, § C, 8-26-1997; Ord. No. 97-5, 8-26-1997)

Secs. 10-198—10-217. Reserved.

DIVISION 4. PARKING ON SPECIFIC STREETS

Sec. 10-218. Dee Road.

(a) Specific prohibitions.

- (1) It shall be unlawful to park any motor vehicle on the east side of the 8800 block of Dee Road on Tuesday between the hours of 9:30 a.m. and 3:30 p.m. and on the west side of the 8800 block of Dee Road on Thursday between the hours of 9:30 a.m. and 3:30 p.m.
- (2) No person shall park or permit to be parked any motor vehicle on either side of said block on any other day other than diagonal to the edge of the roadway headed in the direction of lawful traffic movement, with the exception of the southernmost two spaces on the east side where parking will be parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the curbside wheels of said vehicle within 12 inches of the edge of the roadway. Double parking is prohibited.

(b) Any person or entity found guilty of a violation of this section shall be fined as provided in section 1-14 for each violation.

(c) Any vehicle parked in violation of this section may be towed to a safe storage place where it shall be held until it is claimed by the owner. The owner or other person lawfully entitled to possession of any vehicle towed pursuant to this section shall be given possession of such vehicle upon request thereof unless it is determined at a

hearing held promptly upon the owner's request therefor that such owner or person otherwise entitled to possession is responsible for the illegal parking of such vehicle in violation of this section and is required to pay towing and storage charges therefor.

(d) The highway commissioner is authorized to contract with any municipality or private towing company to ticket, tow, or otherwise enforce this section.

(Ord. No. 86-RB3, §§ 1—4, 7-8-1986)

Sec. 10-219. Robin Drive.

(a) Specific prohibitions.

(1) It shall be unlawful to park any motor vehicle on the east side of Robin Drive between Dempster Street and Ballard Road on Tuesday between the hours of 9:30 a.m. and 3:30 p.m. and on the west side of Robin Drive between Dempster Street and Ballard Road on Thursday between the hours of 9:30 a.m. and 3:30 p.m.

(2) No person shall park or permit to be parked any motor vehicle on either side of said block on any other day other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the curbside wheels of said vehicle within 12 inches of the edge of the roadway. Double parking is prohibited.

(b) Any person or entity found guilty of a violation of this section shall be fined for each violation of this section.

(c) Any vehicle parked in violation of this section may be towed to a safe storage place where it shall be held until claimed by the owner. The owner or other person lawfully entitled to possession of any vehicle towed pursuant to this section shall be given possession of such vehicle upon request thereof unless it is determined at a hearing held promptly upon the owner's request therefor that such owner or person otherwise entitled to possession is responsible for the illegal parking of such vehicle in violation of this section and is required to pay towing and storage charges therefor.

(d) The highway commissioner of the township is authorized to contract with any municipality or private towing company to ticket, tow, or otherwise enforce this section.

(Ord. No. 89-RB-3, §§ 1—4, 6-27-1989)

Sec. 10-220. Sumac Road.

(a) Specific prohibitions.

- (1) It shall be unlawful to park any motor vehicle on the east side of Sumac Road between Emerson Street and Noel Avenue on Tuesday between the hours of 9:30 a.m. and 3:30 p.m. and on the west side of Sumac Road between Emerson Street and Noel Avenue on Thursday between the hours of 9:30 a.m. and 3:30 p.m.
- (2) No person shall park or permit to be parked any motor vehicle on either side of said block on any other day other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the curbside wheels of said vehicle within 12 inches of the edge of the roadway. Double parking is prohibited.

(b) Any person or entity found guilty of a violation of this section shall be fined for each violation of this section.

(c) Any vehicle parked in violation of this section may be towed to a safe storage place where it shall be held until it is claimed by the owner. The owner or other person lawfully entitled to possession of any vehicle towed pursuant to this section shall be given possession of such vehicle upon request thereof unless it is determined at a hearing held promptly upon the owner's request therefor that such owner or person otherwise entitled to possession is responsible for the illegal parking of such vehicle in violation of this section and is required to pay towing and storage charges therefor. (Ord. No. 92-RB-4, §§ 1—3, 10-27-1992)

Sec. 10-221. North Terrace; West Terrace; Park Lane; Sherry Lane.

(a) Specific prohibitions.

- (1) It shall be unlawful to park any motor vehicle on the east side of North Terrace or Park Lane or on the north side of West Terrace or Sherry Lane between the hours of 9:30 a.m. and 3:30 p.m. on Tuesdays or on the west side of North Terrace or Park Lane or on the south side of West Terrace or Sherry Lane on Thursdays between the hours of 9:30 a.m. and 3:30 p.m.
- (2) No person shall park or permit to be parked any motor vehicle on either side of said block on any other day other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the curbside wheels of said vehicle within 12 inches of the edge of the roadway. Double parking is prohibited.

(b) Any person or entity found guilty of a violation of this section shall be fined for each violation of this section.

(c) Any vehicle parked in violation of this section may be towed to a safe storage place where it shall be held until it is claimed by the owner. The owner or other person lawfully entitled to possession of any vehicle towed pursuant to this section shall be given possession of such vehicle upon request thereof unless it is determined at a hearing held promptly upon the owner's request therefor that such owner or person otherwise entitled to possession is responsible for the illegal parking of such vehicle in violation of this section and is required to pay towing and storage charges therefor. (Ord. No. 93-RB-1, §§ 1—3, 4-26-1993)

Secs. 10-222—10-258. Reserved.

DIVISION 5. PARKING RESTRICTIONS

Sec. 10-259. Restricted parking of attached or unattached trailers.

It shall be unlawful to park an unattached trailer on any public right-of-way, street, parkway or sidewalk within the township. No attached trailer shall park overnight on any public right-of-way, street, parkway or sidewalk within the township. (Ord. No. 98-1, § B, 1-27-1998)

Sec. 10-260. Standing or parking close to curb.

No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway or curb, headed in the direction of traffic, and with the two curbside or roadway edge side wheels of the vehicle within 12 inches of the edge of the roadway or curb, except upon those streets which have been marked or indicated by signs for angle parking, the vehicle shall be parked at the angle to the curb indicated by such mark or signs. (Ord. No. 98-1, § C, 1-27-1998)

Sec. 10-261. Blocking driveways.

No person shall stand or park any vehicle in such manner as to block ingress to or egress from any public or private driveway. (Ord. No. 98-1, § D, 1-27-1998)

Sec. 10-262. Time limitation.

It shall be unlawful for any motor vehicle to remain parked in the same spot on any public streets, roads, alleys and rights-of-way under the jurisdiction of the highway commissioner for more than 72 hours.

(Ord. No. 2016-RB-4, § 1, 11-25-2016)

Sec. 10-263. Taxicabs or passenger buses.

It shall be unlawful for any driver of a taxicab or passenger bus to stop, stand or park such vehicle on any public streets, roads, alleys and rights-of-way under the jurisdiction of the highway commissioner except for the purpose of loading and unloading passengers or in compliance with the directions of a police officer, traffic sign or traffic signal.

(Ord. No. 2016-RB-4, § 2, 11-25-2016)

Sec. 10-264. Commercial vehicles.

It shall be unlawful for any driver of a commercial vehicle to stop, stand or park such vehicle on any public streets, roads, alleys and rights-of-way under the jurisdiction of the highway commissioner except for the purpose of loading and unloading passengers, property, supplies or equipment or in compliance with the directions of a police officer, traffic sign or traffic signal. Commercial vehicles shall include, but not be limited to, trucks, camping trailers, recreational vehicles, motor homes, boats, boat trailers and miscellaneous trailers.

(Ord. No. 2016-RB-4, § 3, 11-25-2016)

Sec. 10-265. Restricted parking on certain designated streets.

No person shall stop, park or leave standing, at any time, any vehicle, whether attended or unattended, upon the improved (paved) or unimproved part of the following streets:

- (1) Lyman Avenue, from Harrison to Central Road;
- (2) Meadow Lane, from Harrison Street to Central Road;
- (3) North Terrace Place, south side of street from Oak Avenue to Golf Road;
- (4) Sherry Lane, north and east side of street from Hamline Avenue to Golf Road;
- (5) Oak Avenue, west side of street, from Emerson Street to North Terrace Place.

(Ord. No. 99-RB-4, § 3, 11-23-1999)

Sec. 10-266. Enforcement.

The person designated by the township supervisor and board of trustees as the code enforcement officer is empowered to enforce the provisions of this division.

(Ord. No. 2016-RB-4, § 4, 11-25-2016)

Sec. 10-267. Violators to be towed.

Any vehicle parked in violation of this division may be towed to a safe storage place where it shall be held until it is claimed by the owner. The owner is required to pay towing and storage charges.

(Ord. No. 2016-RB-4, § 5, 11-25-2016)

Sec. 10-268. Authority to contract for towing.

The highway commissioner of the township is authorized to contract with any municipality or private towing company to ticket, tow or otherwise enforce this division.

(Ord. No. 2016-RB-4, § 6, 11-25-2016)

Sec. 10-269. Violation; penalty.

Any person or entity violating any of the provisions of this division shall be subject to a fine for each offense, plus attorney fees and court costs.

(Ord. No. 2016-RB-4, § 7, 11-25-2016)

Secs. 10-270—10-287. Reserved.**ARTICLE VI. SNOW REMOVAL****DIVISION 1. GENERALLY****Sec. 10-288. Fines and penalties.**

A person convicted of a violation of any provision of this article for which another fine or penalty is not expressly provided shall be punished as provided in section 1-14.

(Ord. No. 99-RB-4, § 4, 11-23-1999)

Secs. 10-289—10-307. Reserved.

DIVISION 2. PARKING

Sec. 10-308. Parking limited during snow removal.

(a) It is unlawful to park any vehicle at any time after snow begins to fall and for a period of 12 hours after snow stops falling, if the snow on the street exceeds two inches in depth, provided that said 12-hour parking restriction shall continue during snow removal operation.

(b) Signs indicating that a street is to have snow removal shall be posted.

(c) Any car parked in a "Snow Route" zone, marked by a posted sign, after two inches or more of snow has fallen, and before snow removal operations are completed, shall be ticketed and towed, at the car owner's expense.

(Ord. No. 99-RB-4, § 1, 11-23-1999)

Secs. 10-309—10-334. Reserved.

DIVISION 3. SNOW ROUTES

Sec. 10-335. Streets.

(a) The following residential streets are hereinafter designated snow route streets, and parking thereon shall hereafter be prohibited after a two-inch snowfall, until such time that snow removal operations shall have been completed:

- (1) Dee Road, east side of street from Church Street to Golf Road;
- (2) Hamlin Avenue, east side of street from Church Street to West Terrace Place;
- (3) Church Street, south side of street from Potter Road to Hamlin Avenue;
- (4) Emerson Street, south side of street from Potter Road to Parkside Drive;
- (5) Meadow Lane, east side of street from Emerson Street to Noel Avenue;
- (6) Gregory Lane, southwest side of street from Greenwood to north end;
- (7) Josephine, north side of street from Gregory Lane to Lois Drive;
- (8) Lois Drive, east side of street from Gregory Lane to south end;
- (9) Clancy Drive, west side of street from Western Avenue to Kathy Street;
- (10) Parkside Drive, east side of street from Church Street to Kathy Street;
- (11) Home Avenue, west side of street from Lyons Street to Emerson Street;
- (12) Barberry Lane, south side of street from Twin Oaks Lane to Cedar Lane;

- (13) Hollyberry Lane, south side of street from Twin Oaks Lane to Cedar Lane;
- (14) Cedar Lane:
 - a. Cedar Lane, west side of street from Church Street to Barberry Lane;
 - b. Cedar Lane, west side of street from West Oaks Avenue to Hollyberry Avenue;
- (15) Fern Lane:
 - a. Fern Lane, west side of street from Church Street to Barberry Lane;
 - b. Fern Lane, west side of street from West Oaks Avenue to Hollyberry Avenue;
- (16) Maple Lane:
 - a. Maple Lane, west side of street from West Oaks Avenue to Hollyberry Avenue;
 - b. Maple Lane, west side of street from Church Street to Barberry Lane;
- (17) Twin Oaks Lane:
 - a. Twin Oaks Lane, east side of street from Church Street to Barberry Lane;
 - b. Twin Oaks Lane, east side of street from West Oaks Avenue to Hollyberry Avenue;
- (18) Noel Avenue, south side of street from Meadow Lane to Sumac Road;
- (19) Ironwood Lane, west side of street from Emerson Street to Noel Avenue;
- (20) Robin Drive, east side of street from Dempster Street to Ballard Road;
- (21) Aspen Drive, east side of street from Church Street to Barberry Lane;
- (22) Aspen Lane, west side of street from Church Street to Barberry Lane;
- (23) Barberry Lane, south side of street from Aspen Drive to Aspen Lane;
- (24) Lyons Street, north side of street from Hamlin Avenue to Parkside Drive;
- (25) Thornberry, north side of street from Cherry Lane to Greenwood Avenue;
- (26) Hazelwood, west side of street from Thornberry to Ashley Drive;
- (27) Fairlawn Drive, north side of street from Hazelwood to Cherry Lane;
- (28) Greenbriar Drive, south side of street from Hazelwood to Cherry Lane;
- (29) Ashley Drive, north side of street from Cherry Lane to Hazelwood Drive;
- (30) Poplar, west side of street from Ashley Drive to Greenbriar Drive;

- (31) Elder Lane, west side of street from Cherry Lane to Ashley Drive;
- (32) Cherry Lane, east side of street from Central Avenue to Thornberry Lane;
- (33) The following cul-de-sac streets:
 - a. Elder Court.
 - b. Cherry Court.
 - c. Cherry Circle.
 - d. Hazelwood Court.
 - e. Stacy Court.
 - f. James Court.
 - g. Gayle Court.
 - h. Allison Court.
 - i. Donald Court.
 - j. Linda Court.
 - k. William Avenue.
 - l. Valerie Court.
 - m. Nellie Court.
 - n. Greenbriar Drive.
 - o. Roder Street.
 - p. Wald Street.
 - q. Kathy Court.
 - r. Home Circle.
 - s. Home Court.
 - t. Home Terrace.
 - u. Margail Court.
 - v. Briarwood Court.

(b) The highway commissioner of the township is hereby authorized and directed to emplace the following signs at reasonable intervals on streets hereinabove set forth:

SNOW ROUTE

No parking after 2" Snowfall until Snow Removal Operations are completed

Violators will be ticketed and towed

(Ord. No. 99-RB-4, § 2, 11-23-1999)

Secs. 10-337—10-362. Reserved.

ARTICLE VII. VEHICLES

DIVISION 1. GENERALLY

Secs. 10-363—10-382. Reserved.

DIVISION 2. RESTRICTIONS ON STREETS AND OTHER PUBLIC
PROPERTY

Sec. 10-383. Repairing, cleaning, polishing vehicles prohibited; exceptions.

It shall be unlawful for anyone to change any parts, repair, wash, grease, wax, polish or clean a motor vehicle on any public streets, roads, alleys and rights-of-way under the jurisdiction of the highway commissioner except such repairing, cleaning or polishing as is necessary to ensure good vision, or such emergency repairs as are necessary to remove such motor vehicle from the public way. Such emergency repairs shall be made only as close as possible to the right-hand edge of the roadway, with the vehicle facing in the direction of the traffic flow.

(Ord. No. 2016-RB-5, § 1, 10-25-2016)

Sec. 10-384. Vehicles with broken windows.

It shall be unlawful for any motor vehicle with a broken window to remain on any public streets, roads, alleys and rights-of-way under the jurisdiction of the highway commissioner for more than 24 hours. After 24 hours, the vehicle will be towed at the owner's expense.

(Ord. No. 2016-RB-5, § 2, 10-25-2016)

Sec. 10-385. Enforcement.

The person designated by the township supervisor and board of trustees as the code enforcement officer is empowered to enforce the provisions of this division.

(Ord. No. 2016-RB-5, § 3, 10-25-2016)

Sec. 10-386. Violators to be towed.

Any motor vehicle in violation of this division may be towed to a safe storage place where it shall be held until it is claimed by the owner. The owner is required to pay towing and storage charges.

(Ord. No. 2016-RB-5, § 4, 10-25-2016)

Sec. 10-387. Violators subject to fine; fees and costs.

Any person or entity violating any of the provisions of this division shall be subject to a fine for each offense as provided in section 1-14, plus attorney fees and court costs.

(Ord. No. 2016-RB-5, § 6, 10-25-2016)

Chapter 11

RESERVED

Chapter 12

UTILITIES

Article I. In General

Secs. 12-1—12-18. Reserved.

Article II. Solid Waste

Division 1. Generally

Secs. 12-19—12-39. Reserved.

Division 2. Collection

Subdivision I. In General

- Sec. 12-40. Preamble.
- Sec. 12-41. Waste disposal service notification.
- Sec. 12-42. Violations; penalty.
- Secs. 12-43—12-72. Reserved.

Subdivision II. Entities Other Than Covered Units

- Sec. 12-73. Service required for entities other than covered units.
- Secs. 12-74—12-104. Reserved.

Subdivision III. Regulations and Requirements

- Sec. 12-105. Collection schedule.
- Sec. 12-106. Receptacles.
- Sec. 12-107. Nuisance containers or litter.
- Sec. 12-108. Placement prior to collection window prohibited.
- Sec. 12-109. Containers or receptacles to be removed within 24 hours of collection.
- Secs. 12-110—12-133. Reserved.

Subdivision IV. Covered Units

- Sec. 12-134. Single-family buildings or multifamily buildings of eight or less units.
- Sec. 12-135. Account in owner's name.

ARTICLE I. IN GENERAL

Secs. 12-1—12-18. Reserved.

ARTICLE II. SOLID WASTE***DIVISION 1. GENERALLY**

Secs. 12-19—12-39. Reserved.

DIVISION 2. COLLECTION*Subdivision I. In General***Sec. 12-40. Preamble.**

(a) There are both commercial and residential areas in the unincorporated sections of the township.

(b) Certain fee owners and users of said commercial and residential real estate fail, refuse or negligently suffer garbage and other refuse to be improperly disposed.

(c) The provisions of 60 ILCS 5/4-16 and 5/4-17 allow the town board to provide, after notice in such statutes made and provided, for the collection and disposal of garbage and other refuse.

(d) Such statutes, in such case made and provided, further provide for the imposition of penalties in regard to the collection and disposal of garbage and other refuse.

(Ord. No. 89-5, § 1, 7-25-1989)

Sec. 12-41. Waste disposal service notification.

(a) No person or entity shall remove garbage and refuse from any of the covered units in the unincorporated area of the township or transport garbage or refuse through the streets, alleys or public ways of the unincorporated area of the township or in any other manner dispose of garbage or refuse originating in the unincorporated limits of the township as to the covered units without first having notified the township.

***State law references**—Solid Waste Planning and Recycling Act, 415 ILCS 15/1 et seq.; waste management plans, 415 ILCS 15.

(b) Any person or entity violating any of the provisions of this section is guilty of a petty offense and shall be subject to the penalty provided in section 1-14, plus attorney fees and court costs.

(Ord. No. 89-5, § 8, 7-25-1989; Ord. No. 2022-2, § 3, 8, 5-27-2022)

Sec. 12-42. Violations; penalty.

Unless otherwise provided, any person violating the provisions of this division is guilty of a petty offense and shall be subject to a fine as provided in section 1-14.

(Ord. No. 89-5, § 8, 7-25-1989)

Secs. 12-43—12-72. Reserved.

Subdivision II. Entities Other than Covered Units

Sec. 12-73. Service required for entities other than covered units.

All businesses and buildings not defined as a "covered unit" shall provide refuse collection and disposal service for their dwelling unit and/or store, restaurant, and premises and provide written proof of service to the town board of trustees within 14 days of a written request by the township supervisor. Said written request shall be deemed to have been served upon the party from whom written proof is requested on the date it is deposited in a United States post office mail depository by mailing of the notice by certified mail, return receipt requested.

(Ord. No. 89-5, § 2, 7-25-1989)

Secs. 12-74—12-104. Reserved.

Subdivision III. Regulations and Requirements

Sec. 12-105. Collection schedule.

Refuse must be collected from such premises and disposed of by a contractor at least once each week between the hours of 7:00 a.m. and 6:00 p.m.

(Ord. No. 89-5, § 3, 7-25-1989)

Sec. 12-106. Receptacles.

All garbage and refuse shall be properly disposed and kept in a suitable receptacle in such manner as not to become a public nuisance.

(Ord. No. 89-5, § 4, 7-25-1989)

Sec. 12-107. Nuisance containers or litter.

No container used for the storage, collection and removal of garbage or other refuse, and no litter shall be placed so as to be unsightly, odorous, or to constitute a nuisance to adjacent property or the occupants thereof.

(Ord. No. 89-5, § 5, 7-25-1989)

Sec. 12-108. Placement prior to collection window prohibited.

It shall be unlawful and it is hereby declared to be a nuisance for any person to deposit refuse, garbage, litter, or to place any can, container or other receptacle containing the same upon the township streets or parkways prior to 7:00 p.m. the day before collection of garbage and refuse by refuse vehicles except for branches and grass clippings on special cleanup days.

(Ord. No. 89-5, § 6, 7-25-1989)

Sec. 12-109. Containers or receptacles to be removed within 24 hours of collection.

It shall be unlawful and it is hereby declared to be a nuisance for any person to allow or to permit any refuse container or other receptacle to remain upon the township streets or parkways after the collection of refuse by the refuse vehicle for a period longer than 24 hours.

(Ord. No. 89-5, § 7, 7-25-1989)

Secs. 12-110—12-133. Reserved.*Subdivision IV. Covered Units***Sec. 12-134. Single-family buildings or multifamily buildings of eight or less units.**

Covered units which are defined as all detached single-family residential buildings and all multifamily residential buildings of eight or less units shall be serviced by the exclusive solid waste and recycling franchise printed herein as appendix A to the Code currently designated by the township. No person or entity occupying a covered unit shall enter into a contract for solid waste collection with any other company.

(Ord. No. 2022-2, § 1, 5-27-2022)

Sec. 12-135. Account in owner's name.

All legal owners of the covered units in the unincorporated area are now required to maintain an account in his or her own name with the company currently maintaining

the exclusive solid waste and recycling franchise regardless of whether or not they lease out their covered unit. Each month for which an owner shall fail to maintain an account, as required herein, shall be deemed a separate offense.

(Ord. No. 2022-2, § 2, 5-27-2022)

Appendix A

SOLID WASTE AND RECYCLING FRANCHISE*

- Sec. 1. Single-family buildings or multi-family buildings of eight (8) or less units.
- Sec. 2. Account in owner's name.
- Sec. 3. Waste disposal licensing.

***Editor's note**—Printed herein is Ordinance No. 2022-2, adopted on May 27, 2022, regarding the Solid Waste and Recycling Franchise in the unincorporated areas of Maine Township. Amendments to the ordinance are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original ordinance. Obvious misspellings have been corrected without notation. For stylistic purposes, a uniform system of headings, catchlines and citations to state statutes has been used. Additions made for clarity are indicated by brackets.

MAINE TOWNSHIP ORDINANCE NO. 2022-2

AN ORDINANCE GRANTING EXCLUSIVE SOLID WASTE & RECYCLING FRANCHISE IN THE UNINCORPORATED AREAS OF MAINE TOWNSHIP

WHEREAS, the Supervisor and Board of Trustees of Maine Township ("Township") determined on September 28, 2004, that an Exclusive Solid Waste and Recycling Franchise for single-family residential buildings and multi-family residential buildings of eight (8) or less units in the unincorporated area of Maine Township ("Service Area") would be in the best interest of both the Township and the User; and

WHEREAS, an Exclusive Solid Waste and Recycling Franchise had been awarded to Allied Waste Services of North America, LLC., d/b/a Republic Services of Mount Prospect, but such franchise terminated on September 30, 2021; and

WHEREAS, the Township went out to bid by way of a Request for Proposals; and the Township awarded Flood Brothers Disposal Co., the Exclusive Solid Waste and Recycling Franchise for the Service Area commencing on October 1, 2021, and continuing until September 30, 2026, unless otherwise terminated or extended pursuant to an agreement between the Township and Flood Brothers Disposal Co.

NOW, THEREFORE, BE IT ORDAINED, by the Supervisor and the Board of Trustees of Maine Township, Cook County, Illinois as follows:

Sec. 1. Single-family buildings or multi-family buildings of eight (8) or less units.

All detached single-family residential buildings and all multi-family residential buildings of eight (8) or less units ("Covered Units") shall be serviced by the Exclusive Solid Waste and Recycling Franchise currently designated by the Township. No person or entity occupying a Covered Unit shall enter into a contract for solid waste collection with any other company.

Sec. 2. Account in owner's name.

All legal owners of the Covered Units in the unincorporated area are now required to maintain an account in his or her own name with the company currently maintaining the Exclusive Solid Waste and Recycling Franchise regardless of whether or not they lease out their Covered Unit. Each month for which an owner shall fail to maintain an account, as required herein, shall be deemed a separate offense.

Sec. 3. Waste disposal licensing.

No person or entity shall remove garbage and refuse from any of the Covered Units in the unincorporated area of Maine Township or transport garbage or refuse through the streets, alleys or public ways of the unincorporated area of the Township or in any other manner dispose of garbage [or] refuse originating in the unincorporated limits of the Township as to the Covered Units without first having secured a license for performing such garbage and refuse disposal service from the Township.

Any person or entity violating any of the provisions of this Ordinance is guilty of a petty offense and shall be subject to a fine of no less than One Hundred (\$100.00) Dollars nor more than Five Hundred (\$500.00) Dollars plus attorney fees and court costs.

This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by Law, and that all other Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

CODE COMPARATIVE TABLE

LEGISLATION

This is a chronological numerical listing of the ordinances and resolutions of the Township of Maine, Illinois, used in this Code. Repealed or superseded laws at the time of the Codification, and any omitted materials are not reflected in the table.

Legislation	Date	Section	Section this Code
Ord. No. 84-1	12-11-1984	1(A)	8-40
		1(B)	8-40
		1(C)	8-41
		2	8-42
		3	8-43
Ord. No. 85-2	5-14-1985	1	4-39
		2	4-40
		3	4-41
		4	4-42
		5	4-43
Ord. No. 86-RB3	7-8-1986	7	4-44
		1	10-218
		2	10-218
		3	10-218
		4	10-218
Ord. No. 88-1	1-12-1989	1	6-102
		2	6-111
Ord. No. 89-RB-3	6-27-1989	1	10-219
		2	10-219
		3	10-219
		4	10-219
Ord. No. 89-5	7-25-1989	1	12-40
		2	12-73
		3	12-105
		4	12-106
		5	12-107
		6	12-108
		7	12-109
		8	12-41, 12-42
Ord. No. 91-RB-3	8-12-1991	intro. ¶	10-40—10-42
		—	10-111
		1	10-112
		2	10-113
Ord. No. 92-RB-4	10-27-1992	1	10-220
		2	10-220
		3	10-220
Ord. No. 93-RB-1	4-26-1993	1	10-221
		2	10-221
		3	10-221

MAINE TOWNSHIP CODE

Legislation	Date	Section	Section this Code
Ord. No. 97-3	7-22-1997	1	6-19
		2	6-20
		3	6-44
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