

Village of Morton Municipal Code Book

Instruction Sheet: Morton, Illinois
 Supplement 226 - May 2013
 Includes Ordinances: 12-24, 12-25, 12-27, 12-29, 12-30, 12-36

REMOVE PAGES HEADED

INSERT PAGES HEADED

TABLE OF CONTENTS

Table of Contents

Table of Contents

TITLE 1

TITLE 1 TITLE 1
 ADMINISTRATIVE
 1-5-9 RESCINDED ACTION: No vote or...
 NONE (New Section)

TITLE 1 TITLE 1
 ADMINISTRATIVE
 1-5-9 RESCINDED ACTION: No vote or...
 1-23-1 CHAPTER 23
 VILLAGE ADMINISTRATOR

TITLE 3

3-8-1 CHAPTER 8
 LIQUOR
 3-8-4 Class G holder:...
 (and the rest of the chapter)

3-8-1 CHAPTER 8
 LIQUOR
 3-8-4 Class G holder:...
 (and the rest of the chapter)

TITLE 4

4-2-1 CHAPTER 2
 PLUMBING CODE AND INSPECTIONS

4-2-1 CHAPTER 2
 PLUMBING CODE AND INSPECTIONS

TITLE 10

10-2-1 CHAPTER 2
 DEFINITIONS

10-2-1 CHAPTER 2
 DEFINITIONS

TITLE 12

12-3-1 CHAPTER 3
 EMPLOYEE POLICIES AND BENEFITS
 12-3-16 LEAVE WITHOUT PAY:

12-3-1 CHAPTER 3
 EMPLOYEE POLICIES AND BENEFITS
 12-3-16 LEAVE WITHOUT PAY:

ALPHABETICAL INDEX

-A- ABANDONED, LOST, STOLEN...
 -D- DRUG PARAPHERNALIA
 -L- LIQUOR REGULATIONS
 -P- PEDESTRIANS (cont.)

-A- ABANDONED, LOST, STOLEN...
 -D- DRUG PARAPHERNALIA
 -L- LIQUOR REGULATIONS
 -P- PEDESTRIANS (cont.)

PREFACE

This volume of the Village Code of the Village of Morton, as supplemented, contains ordinances up to and including ordinances:

12-24, February 4, 2013
12-25, February 4, 2013
12-27, March 4, 2013
12-29, April 1, 2013
12-30, April 1, 2013
12-36, May 6, 2013

Ordinances of the Village adopted after said ordinances supersede the provisions of this Village Code to the extent that they are in conflict or inconsistent therewith. Consult the Village office in order to ascertain whether any particular provision of the Code has been amended, superseded, or repealed.

Table of Contents

TITLE 1

Administrative

Village Code	1
Savings Clause	2
Definitions	3
Penalty	4
Board Of Trustees	5
President	6
Clerk	7
Treasurer	8
Corporation Counsel	9
Superintendent Of Public Works	10
Village Collector	12
Water, Sewer, And Gas Inspector	13
Officers And Employees	14
Village Jail	15
Corporate Seal	16
Fiscal Year/Inauguration	17
Surety Bonds	18
Illinois Municipal Retirement Fund	19
Village Engineer	20
Vacancies In Municipal Office	21
Freedom Of Information Officers	22
Village Administrator	23

TITLE 2

Boards And Commissions

Plan Commission	2
Board Of Local Improvements	3
Board Of Fire And Police Commissioners ...	4
Police Pension Fund Board	5
Emergency Services And Disaster Agency ...	6
Board Of Appeals	7
Business District Development and Redevelopment Commission	8

TITLE 3

Business Regulations

Licenses And Permits	1
Business District Retailers' Occupation Tax and Business District Service Occupation Tax	2
Liquor	8
Itinerant Merchants, Peddlers	9
Junk Dealers	10
Peddlers (Rep. by Ord. 93-21, 1-3-94)	11
Foreign Fire Insurance Companies	12
(Rep. by Ord. 93-17,11-15-93)	14
Abandoned, Lost, Stolen, Or Unclaimed Vehicles	19
Registration Of Residential Solicitors	20
Regulation Of Adult Businesses	21
Renting Tax	23
Dance Halls	24
Simplified Municipal Telecommunications Tax	25
Municipal Telecommunication Tax Rebates	26
Cable/Video Service Provider Fee	27
Tax On Sale Of Gas	28

TITLE 4

Building Regulations

Building Code And Building Permits	1
Plumbing Codes	2
Housing Code	3
Electrical Code	4
Violations	5

TITLE 5

Fire Regulations

Fire Department 1
 Fireworks 2
 Fire Prevention Code 3
 Fire Detection Systems 4
 Paramedic Services 5
 Fire Hydrants 6

TITLE 6

Police Regulations

Police Department 1
 General Offenses 2
 Animals 3
 Minors 4
 Weeds (Rep. by Ord. 96-40, 4-7-97) 5
 Shooting Events 7
 Regulation And Control Of Garbage, Refuse,
 And Ashes (Rep. by Ord. 96-40, 4-7-97) ... 8
 Possession Or Consumption Of Tobacco
 By Minors 9
 Parking Or Storing Junk, Inoperable Motor
 Vehicles, And Motor Vehicle Parts 10
 Dangerous/Vicious Animals11
 Disposal Of Animal Waste12

TITLE 7

Health and Sanitation

(Reserved For Future Use) 1
 Garbage And Refuse 2
 (Reserved For Future Use) 3

TITLE 8

Public Ways And Property

Right Of Ways, Streets, Alleys,
 Sidewalks, And Driveways 1
 Gas Distribution Department 2
 Wastewater Treatment And
 Collection System 3
 Waterworks And Water Distribution System .. 4
 Storm Water Utility 5
 Weeds 6
 Storm Drains 7
 Maintenance Of Private Property 8
 Street Names
 (Rep. by Ord. 96-22, 10-7-96) 9
 Discharging Of Sump Pumps And
 Perimeter Tiles Into Sanitary Sewers 10
 Underground Utility Service 11
 Utility Equipment 12
 Basic Annexation Fees 13
 Deferred Annexation Fees 14
 Utility Billing And Collection Policies
 And Procedures 15
 Dedication of Land for Bike Path16

TITLE 9

Traffic

Definitions 1
 Enforcement 2
 Pedestrians 3
 Rules Of The Road 4
 Condition Of Vehicles 5
 Parking 6
 Drivers 7
 Bicycles 8
 Through; One-Way Streets 9
 Yield Intersections 10
 Left Turn Lanes 11
 Traffic Right Of Way, Encroachment 12
 Parking During Snow Removal 13
 Prohibition On Skateboarding 14
 Trespasses Prohibited 15

TITLE 1
ADMINISTRATIVE

Subject	Chapter
Village Code	1
Savings Clause	2
Definitions	3
Penalty	4
Board Of Trustees	5
President	6
Clerk	7
Treasurer	8
Corporation Counsel	9
Superintendent Of Public Works	10
Village Collector	12
Water, Sewer, And Gas Inspector	13
Officers And Employees	14
Village Jail	15
Corporate Seal	16
Fiscal Year/Inauguration	17
Surety Bonds	18
Illinois Municipal Retirement Fund	19
Village Engineer	20
Vacancies In Municipal Office	21
Freedom Of Information Officers	22
Village Administrator	23

1-5-9: **RESCINDED ACTION:** No vote or action of the Board of Trustees shall be rescinded at any special meeting unless there be present at such special meeting as many members of the Board of Trustees as were present at the meeting when such vote or action was taken, as provided by Statute. (1944 Code, Sec. 14)

1-5-10: **RESOLUTIONS:** Any resolution submitted to the Board of Trustees shall be reduced to writing before being voted upon, on request by any two (2) members of the Board. (1944 Code, Sec. 15)

1-5-11: **ADDRESSING MEETINGS:** No person other than the President or a member of the Board of Trustees or a member of Village staff shall address the Board of Trustees at any regular or special meeting except upon consent of the President of the Board of Trustees or a Trustee. Persons addressing the Board of Trustees shall be subject to the following rules:

- (A) Persons may address the Board of Trustees only during the Public Comment portion of the agenda and after being recognized by the President, or at such other time as may be permitted by the President or a Trustee.
- (B) Upon being recognized, persons addressing the Board of Trustees shall identify themselves by name and address. Comments shall be limited to five (5) minutes. The President may lengthen or shorten a person's opportunity to speak. Persons anticipating the need to address the Board of Trustees for a longer period of time shall provide advance notice to the President of such need.
- (C) All comments shall be limited to matters which the President and Board of Trustees has supervisory, appointive or legislative authority or to hear a citizen speak on a matter of a redress of a grievance.
- (D) Persons addressing the Board should not expect an answer at the conclusion of the presentation.
- (E) The President shall have the authority to determine procedural matters regarding public participation not otherwise defined herein. (Ord. 93-9, 7-19-93; amd. Ord. 05-48, 4-3-06; amd. Ord. 12-36, 5-6-13)

1-5-12: **SUSPENSION OF RULES:** The rules of order, other than those prescribed by Statute, may be suspended at any time by the consent of a majority of the members present at any meeting. (1944 Code, Sec. 17)

1-5-13: **ROBERT'S RULES OF ORDER:** Robert's Rules of Order shall govern the deliberations of the Board of Trustees except when in conflict with any of the foregoing rules. (1944 Code, Sec. 18)

1-5-14: **RECORDING MEETINGS:**

- (A) Any person may record the proceedings at meetings of the Board of Trustees required to be open by the Open Meetings Act by tape, film or other means.
- (B) Recording meetings shall not distract or disturb members of the Board of Trustees, other meeting participants, or members of the public. The President may designate a location for recording equipment, may restrict the movements of individuals who are using recording equipment, or may take such other steps as are deemed necessary to preserve decorum and facilitate the meeting.

- (C) If a witness at any meeting of the Board of Trustees required to be open by the Open Meetings Act refuses to testify on the grounds that he may not be compelled to testify if any portion of his testimony is to be broadcast or televised, or if motion pictures are to be taken of him while he is testifying, the Board of Trustees shall prohibit such recording during the testimony of the witness. (Ord. 05-48, 4-3-06)

1-5-15: **ATTENDANCE AT MEETINGS OTHER THAN BY PHYSICAL PRESENCE:**

- (A) The President or a Trustee may attend a meeting of the President and Board of Trustees via interactive video or audio conference, provided the member has notified the Village Clerk before such meeting that he or she will be unable to attend for any of the reasons set forth in paragraph B. Such advance notice is not required if it is not practical.

In such case, the member shall file with the Clerk, a statement indicating why such advance notice was not practical. The statement shall be filed within three (3) days of the meeting which the member was unable to attend, but which he or she attended by interactive video or audio conference.

- (B) A member may attend a meeting via interactive video or audio conference only if he or she is prevented from physically attending the meeting because one of the following conditions exists:

1. Personal illness or disability.
2. Employment purposes or the business of the public body.
3. Family or other emergency. (Ord. 06-29, 11-6-06)

CHAPTER 23

VILLAGE ADMINISTRATOR

SECTION:

- 1-23-1: Creation of Office
- 1-23-2: Assumption of Duties
- 1-23-3: General Duties
- 1-23-4: Assignment of Specific Duties
- 1-23-5: Treasurer Signature

- 1-23-1: **CREATION OF OFFICE:** There is hereby created the office of Village Administrator, who shall be appointed by the President with the consent of the Board of Trustees.
- 1-23-2: **ASSUMPTION OF DUTIES:** The Village Administrator shall perform all duties of the Treasurer/Comptroller as set forth in Title 1 Chapter 8.
- 1-23-3: **GENERAL DUTIES:** The Village Administrator shall also have the following general duties:
- (A) Risk Management
 - (B) Insurance Administration
 - (C) Personnel Management
 - (D) Preparation/filing of annual appropriation ordinance & tax levy
 - (E) Supervision of the administration department, information and technology development and office of tourism
 - (F) Review of liquor license applications and renewals
- 1-23-4: **ASSIGNMENT OF SPECIFIC DUTIES:** In addition to the duties set forth in Sections 2 and 3, the President of the Board of Trustees may from time to time assign additional specific duties.
- 1-23-5: **TREASURER SIGNATURE:** Where a document requires a signature by the Treasurer, the Village Administrator shall execute same in his or her capacity as Treasurer.
(Ord. 12-30, 4-1-13)

CHAPTER 8

LIQUOR

SECTION:

- 3-8-1: Definitions
- 3-8-2: License Required
- 3-8-3: Types Of Licenses
- 3-8-4: Closing Hours
- 3-8-5: Application Procedure; Payments; Renewals; Transfers; Location; Change of Ownership
- 3-8-6: Limitation On Number
- 3-8-7: Licenses, Application Requirements
- 3-8-8: Application, Persons Ineligible
- 3-8-9: Application, Decision
- 3-8-10: Bartender Permits (Rep. by Ord. 94-3, 5-2-94)
- 3-8-11: License Revocation; Suspension Or Fine
- 3-8-12: License, Appeals
- 3-8-13: Carrying Of Alcoholic Liquor From Premises
- 3-8-14: Certain Acts Prohibited
- 3-8-15: Closing Premises
- 3-8-16: Condition Of Premises
- 3-8-17: Curb Service, Drive Thrus
- 3-8-18: Delivery To Minors
- 3-8-19: Display Of License
- 3-8-20: Display Of Warning Card
- 3-8-21: Election Days
- 3-8-22: Exceptions
- 3-8-23: Gambling
- 3-8-24: General Requirements Of License Holder
- 3-8-25: Location Restrictions
- 3-8-26: Minors In Taverns
- 3-8-27: Misrepresentation Of Age
- 3-8-28: Peddling
- 3-8-29: Public Places, Consumption
- 3-8-30: Reporting Of Incidents
- 3-8-31: Restricted Area
- 3-8-32: Sale Of Licensed Premises
- 3-8-33: Showing Of Certain Films, Pictures Prohibited
- 3-8-34: Penalty Provisions
- 3-8-35: Severability Clause

3-8-1: **DEFINITIONS:** Unless the context otherwise provides, words and phrases used in this Chapter shall be construed according to the definitions set forth herein.

ALCOHOL: The product of distillation of any fermented liquid, whether rectified or diluted, whatever may be the origin thereof, and includes synthetic ethyl alcohol. It does not include denatured alcohol or wood alcohol.

ALCOHOLIC LIQUOR: Includes alcohol, spirits, wine, beer, and every liquid or solid, patented or not, containing alcohol, spirits, wine, or beer and capable of being consumed as a beverage by a human being. The provisions of this Code shall not apply to alcohol used in the manufacture of denatured alcohol produced in accordance with Acts of Congress and regulations promulgated thereunder nor to any liquid or solid containing one-half of one percent (0.5%) or less of alcohol by volume.

- BEER:** A beverage obtained by the alcoholic fermentation of an infusion or concoction of barley or other grain, malt, and hops in water, and includes, among other things, beer, ale, stout, lager beer, porter, and the like.
- CLUB:** A corporation organized under the laws of this State, not for pecuniary profit, solely for the promotion of some common object other than the sale or consumption of alcoholic liquors, kept, used, and maintained by its members through the payment of annual dues, and owning, hiring, or leasing a building or space in a building of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests, and provided with suitable and adequate kitchen and dining room space and equipment, and maintaining a sufficient number of servants and employees for cooking, preparing, and serving food and meals for its members and their guests; provided, that such club files with the Liquor Control Commissioner at the time of its application for a license under this Code two (2) copies of a list of names and residences of its members, and similarly files within ten (10) days of the election of any additional member his name and address; and provided further, that its affairs and management are conducted by a board of directors, executive committee, or similar body chosen by the members at their annual meeting and that no member or any officer, agent, or employee of the club is paid, or directly or indirectly receives, in the form of salary or other compensation any profits from the distribution or sale of alcoholic liquor to the club or the members of the club or its guests introduced by members beyond the amount of such salary as may be fixed and voted at any annual meeting by the members or by its board of directors or other governing body out of the general revenue of the club. This definition is intended to include all clubs whether they are deemed private or public.
- LICENSED PREMISES:** The premises described in the application for the license or in the license as the place where the business to be covered or is covered by the license is to be or is carried on.
- LIQUOR CONTROL COMMISSION:** The Liquor Control Commission shall consist of the President of the Board of Trustees of the Village of Morton. He shall have the power to administer all of the provisions of this Chapter, and he shall also have such other powers as provided for in the Liquor Control Act of 1934 as now in effect or as may from time to time be amended.
- ORIGINAL PACKAGE:** Any bottle, flask, jug, can, cask, barrel, keg, hogshead, or other receptacle or container whatsoever used, corked or capped, sealed, and labeled by the manufacturer of alcoholic liquor to contain and to convey any alcoholic liquor.
- PERSON:** Any person, firm, partnership, club, association, or corporation.
- PREMISES:** The area within a building for which a license to sell alcoholic liquor is issued and which is actually used in connection with the storage, preparation, and sale of alcoholic liquor, but specifically excluding any outside areas such as patios, open porches, roof tops, balconies, stoops, sidewalks, yards, driveways, parking lots, and similar outside areas.
- PUBLIC PLACE:** Any place to which the general public has a right to resort; not necessarily a place devoted solely to the uses of the public, but a place which is in point of fact public rather than private, a place visited by many persons and usually accessible to the neighboring public.

Class G holder: On Monday through Saturday from 12:00 midnight to 1:00 A.M. and from 10:00 A.M. to 12:00 midnight; on Sunday from 12:00 midnight to 1:00 A.M. and from 12:00 noon to 12:00 midnight.

Class H holder: Allowed by the granting of same. (amd. Ord. 11-02, 5-2-11)

- (B) On January 1 of each year, holders of Class A-2, Class A-3, Class B-2, Class B-3, and Class C liquor licenses may extend their hours of sale to 2:00 A.M. This extension is allowed provided that no additional patrons may be admitted after regular closing hours, and there shall be no advertising or invitation to the public that the premises are open after the regular closing hours; and, in the event of any disturbance of the peace within the licensed premises, the premises shall close on order of the police at any time after regular closing hours; and the extension of the New Year's Eve closing hour shall not further apply; and all patrons shall, on such order of the police, immediately leave the licensed premises.
- (C) It shall be unlawful to keep open for business, to advertise it is open for business, or to admit the public to any licensed premises during the hours which it is prohibited from selling or dispensing alcoholic beverages or within thirty (30) minutes after the closing hour to permit any consumption or open containers of alcoholic beverages that could be used for consumption. No person other than the licensee or employees engaged in the performance of their duties shall be permitted to remain on said premises more than thirty (30) minutes after closing hours and until the premises may be legally reopened; provided, that in case of restaurants, such establishments may be kept open during such hours but no alcoholic liquor may be sold after the closing hour, nor shall any open container of alcoholic beverage be available to the public or any patron within thirty (30) minutes after the closing hour. (amd. Ord. 08-37, 3-16-09)

3-8-5: APPLICATION PROCEDURE; PAYMENTS; RENEWALS; TRANSFERS; LOCATION; CHANGE OF OWNERSHIP:

- (A) Applications: Applications shall be directed to and filed with the Local Liquor Control Commissioner, or his designee, and shall be accompanied by the deposit of a certified or cashier's check of a Morton Bank, postal money order, or cash in the full amount of the annual license applied for. If any application is denied, the deposit shall be returned to the applicant. (Ord. 04-53, 3-7-05)
- (B) Payments: License fees shall be payable in full prior to May 1 of the year of issuance. All licenses shall expire on April 30 next after the date of issue. The fee to be paid shall be reduced in proportion to the full calendar months which have expired in the year prior to the issuance of the license. Payment shall be made to the Local Liquor Control Commissioner, or his designee. (amd. Ord. 00-54, 4-2-01; amd. Ord. 04-53, 3-7-05)
- (C) Renewals: Any licensee may renew his license prior to the expiration thereof; provided, that he is then qualified to receive a license and the premises for which such renewal license is sought are suitable for the purpose; and provided further, that the renewal privilege herein contained shall not be construed as a vested right which shall, in any case, prevent the Board of Trustees from decreasing the number of licenses to be issued within the Village.

Any person who shall fail to make application for renewal and pay the fee as herein provided shall be deemed to have forfeited and abandoned such license, and no renewal thereof shall thereafter be permitted. Any such license so forfeited or abandoned shall not be reissued, and any such person seeking thereafter to procure a license shall be considered as a new applicant and shall be subject to all limitations as to the number of licenses to be issued as heretofore provided.

- (D) **Transfer Of License:** A license shall be purely a privilege good for and not to exceed one year after issuance, unless sooner revoked as by law provided, and shall not constitute property; nor shall it be subject to attachment, garnishment, or execution; nor shall it be alienable or transferable voluntarily or involuntarily. Such license shall not descend by the law of testate or intestate devolution; but it shall cease upon the death of the licensee; provided, that executors or administrators of the estate of any deceased licensee and trustee of any insolvent or bankrupt licensee, when such estate consists in part of alcoholic liquors, may continue the business of the sale of alcoholic liquor under order of the appropriate court and may exercise the privileges of the deceased or insolvent or bankrupt licensee after the death of such decedent or such insolvency or bankruptcy until the expiration of such license, but not longer than six (6) months after the death, insolvency, or bankruptcy of such licensee. A refund shall be made of that portion of the license fee paid for any period in which the licensee shall be prevented from operating under such license in accordance with the provisions of this Subsection. If a transfer is requested, an appropriate application shall be submitted together with payment of an investigation fee of fifty dollars (\$50.00). (amd. Ord. 12-24, 2-4-13)
- (E) **Change Of Location:** A retail dealer’s license shall permit the sale of alcoholic liquor only in the premises described in the application and license. Such location may be changed only upon a written permit to make such changes issued by the Local Liquor Control Commissioner. No change of location shall be permitted unless the proposed new location is a proper one for the retail sale of alcoholic liquor under the laws of this State and the applicable provisions of this Code. (Ord. 85-19, 4-21-86; amd. Ord. 04-53, 3-7-05)
- (F) **Change of Ownership:** If the ownership of a license changes at any time, licensee shall notify the Liquor Commissioner in writing of same and provide the name and address of the new owner(s) and such other information as the Liquor Commissioner may require. The licensee shall also pay the sum of fifty dollars (\$50.00) as an investigation fee in order that the Liquor Commission can determine the eligibility of any new owner. (Ord. 12-24, 2-4-13)

3-8-6: **LIMITATION ON NUMBER:** In order that the health, safety, and welfare of the people of the Village be protected, and in order that minors shall be prevented from the purchase of alcoholic liquors, and in order that temperance in the consumption of liquors be fostered and promoted, there shall be a limit upon the number of liquor licenses issued and in effect, which is as follows:

Class A-1	Zero (0)
Class A-2	Five (5)
Class A-3	Zero (0)
Class A-4	One (1)
Class B-1	Three (3)
Class B-2	Thirteen (13)
Class B-3	Three (3)
Class C	One (1)
Class D	Two (2)
Class E	Nine (9)
Class F	No specific limit
Class G	Zero (0)
Class H	No specific limit

(Ord. 86-1, 5-5-86; amd. Ord. 86-14, 11-3-86; Ord. 87-11, 8-17-87; Ord. 88-14, 8-15-88; Ord. 89-10, 8-21-89; Ord. 95-1, 5-15-95; Ord. 97-14, 7-22-97; Ord. 97-38, 4-20-98; Ord. 98-30, 12-7-98; Ord. 98-49, 4-19-99; Ord. 99-12, 8-2-99; Ord. 99-17, 9-7-99; Ord. 99-38, 11-15-99; amd. Ord. 99-48, 2-21-00; amd. Ord. 00-02, 5-1-00; amd. Ord. 01-01, 5-7-01; amd. Ord. 02-10, 7-1-02; amd. Ord. 04-10, 6-21-04; amd. Ord. 04-21, 7-6-04; amd. Ord. 05-22, 10-17-05; amd. Ord. 05-47, 3-20-06; amd. Ord. 06-08, 6-5-06; amd. Ord. 08-10, 8-18-08; amd. Ord. 08-13, 9-15-08; amd. Ord. 08-15, 11-3-08, amd. Ord. 08-29, 12-1-08; amd. Ord. 08-47, 4-20-09; amd. Ord. 09-06, 5-18-09; amd. Ord. 09-09, 6-1-09; amd. Ord. 09-12, 7-6-09; amd. Ord. 09-23, 8-3-09; amd. Ord. 10-23, 11-15-10; amd. Ord. 10-34, 2-21-11; amd. Ord. 10-40, 4-4-11; amd. Ord. 11-02, 5-2-11; amd. Ord. 11-09, 6-20-11; amd. Ord. 11-16, 7-18-11; amd. Ord. 11-33, 3-19-12; amd. Ord. 10-35, 4-2-12; amd. Ord. 12-05, 6-18-12; amd. Ord. 12-22, 12-3-12)

3-8-7: **LICENSES, APPLICATION REQUIREMENTS:** All applications shall be on forms approved by the local Liquor Control Commission and shall be submitted in writing, executed under oath or affirmation by the applicant seeking a license, shall be accompanied by a bond in the penal sum of one thousand dollars (\$1000.00) with corporate surety authorized to do business in the State of Illinois, and shall set forth the following information and statements:

- (A) The applicant's name and mailing address.
- (B) The name and address of the applicant's business.
- (C) If applicable, the date of the filing of the "assumed name" of the business with the County Clerk.
- (D) In case of a co-partnership, the date of the formation of the partnership; in the case of an Illinois corporation, the date of its incorporation; or, in the case of a foreign corporation, the state where it was incorporated and the date of its becoming qualified under the Illinois Business Corporation Act¹ to transact business in the State of Illinois.
- (E) The name and address of the landlord if the premises are leased.
- (F) The date of the applicant's first request for a State liquor license and whether it was granted, denied, or withdrawn.
- (G) Whether the applicant has made an application for a liquor license which has been denied; and, if so, the reasons therefor.
- (H) Whether the applicant has ever had a previous liquor license suspended or revoked; and, if so, the reasons therefor.
- (I) Whether the applicant has ever been convicted of a gambling offense or felony; and, if so, the particulars thereof.
- (J) Whether the applicant possesses a current Federal Wagering or Gaming Device Stamp; and, if so, the particulars thereof.
- (K) Whether the applicant or any other person directly or indirectly in his place of business is a public official; and, if so, the particulars thereof.
- (L) Whether, in the case of an application for the renewal of a license, the applicant has made any political contributions within the past two (2) years; and, if so, the particulars thereof.

¹ S.H.A., Ch. 32, 1.01 et seq.

- (M) The applicant's name, sex, date of birth, Social Security number, position, and percentage of ownership in the business; and the name, sex, date of birth, Social Security number, position, and percentage of ownership in the business of every sole owner, partner, corporate officer, director, manager, and any person who owns five percent (5%) or more of the shares of the applicant business entity or parent corporations of the applicant business entity.
- (N) That he has not received or borrowed money or anything else of value and that he will not receive or borrow money or anything else of value (other than merchandising credit in the ordinary course of business for a period not to exceed ninety [90] days as herein expressly permitted under section 6-5 of the Liquor Control Act of 1934), directly or indirectly, from any manufacturer, importing distributor, or distributor, or from any representative of any such manufacturer, importing distributor, or distributor; nor be a part in any way, directly or indirectly, to any violation by a manufacturer, distributor, or importing distributor of Section 6-6 of the Liquor Control Act of 1934.
- (O) The length of time the applicant has resided in the Village prior to filing the application and all addresses at which the applicant has resided in the past five (5) years; if a corporation, the length of time the manager has resided in the Village prior to filing the application and all addresses at which the manager has resided in the past five (5) years.
- (P) The character of the business of the applicant; and, in the case of a corporation, the objects for which it was formed.
- (Q) The location and description of the premises or place of business which is to be operated under the license.
- (R) A statement whether applicant is an alcoholic or has received treatment for alcoholism or any drinking problem, or has been involved in any incident involving the police, including traffic, in which he was intoxicated, detailing the dates, locations, and results of any such treatment or incident.
- (S) A statement whether the applicant has received a local license to sell alcoholic liquors at retail from any state or political subdivision thereof.
- (T) A statement that the location where the applicant proposes to sell alcoholic liquors at retail is not within one hundred feet (100') of any church, school, hospital, home for aged, indigent persons, or veterans, undertaking establishment, or mortuary.

If said application is made on behalf of a partnership, firm, association, club, or corporation, then the same shall be signed and sworn or affirmed to by at least two (2) members of such partnership or the resident and secretary of such corporation or club. The applicant shall submit with the application documentary proof of his interest in the premises, whether by lease, deed, or otherwise.

- 3-8-8: **APPLICATION, PERSONS INELIGIBLE:** No license authorized by this Chapter shall be issued to:
- (A) A person who is not a resident of any city, village, or county in which the premises covered by the license are located, except in case of railroad or boat license.
- (B) A person who is not of good character and reputation in the community in which he resides.
- (C) A person who is not a citizen of the United States.
- (D) A person who has been convicted of a felony under any Federal or State law, if the Liquor Control Commission determines after investigation that such person has not been sufficiently rehabilitated to warrant the public trust.

- (E) A person who has been convicted of pandering or other crime or misdemeanor opposed to decency and morality.
- (F) A person who has been convicted of being the keeper or is keeping a house of ill fame.
- (G) A person whose license issued under this Chapter or the laws of the State of Illinois has been revoked for cause.
- (H) A person who at the time of application for renewal of any license issued hereunder would not be eligible for such license upon first application.
- (I) A co-partnership, unless all of the members of such co-partnership shall be qualified to obtain a license.
- (J) A corporation, if any officer, manager, or director thereof, or any stockholder or stockholders owning in the aggregate more than five percent (5%) of the stock of such corporation would not be eligible to receive a license hereunder for any reason other than citizenship and residence within the political subdivision.
- (K) A corporation, unless it is incorporated in Illinois or unless it is a foreign corporation which is qualified under the Illinois Business Corporation Act to transact business in Illinois.
- (L) A person whose place of business is conducted by a manager, unless the manager or agent possesses the same qualifications required by the licensee.
- (M) A person who has been convicted of a violation of any Federal or State law concerning the manufacture, possession, or sale of alcoholic liquor subsequent to the passage of this Chapter or has forfeited his bond to appear in court to answer charges for any such violation.
- (N) A person who does not beneficially own the premises for which the license is sought or does not have a lease thereon for the full period for which the license is to be issued.
- (O) Any law-enforcing public official, including members of the local Liquor Control Commission, any mayor, alderman, or member of the City Council or Commission, any president of the Village Board of Trustees, or any president or member of a county board; and no such official shall be interested in any way, either directly or indirectly, in the manufacture, sale, or distribution of alcoholic liquor, except that license may be granted to such official in relation to premises which are not located within the territory subject to the jurisdiction of that official if the issuance of such license is approved by the State Liquor Control Commission.
- (P) A person who is not a beneficial owner of the business to be operated by the licensee.
- (Q) A person who has been convicted of a gambling offense as proscribed by any of subsections (a)(3) through (a)(10) of Section 28-1 or as proscribed by Section 28-3 of the "Criminal Code of 1961" approved July 28, 1961, as heretofore or hereafter amended, or as proscribed by a statute replaced by any of the aforesaid statutory provisions.¹
- (R) A person to whom a Federal Gaming Device Stamp or a Federal Wagering Stamp has been issued by the Federal government for the current tax period.
- (S) A co-partnership to which a Federal Gaming Device Stamp or a Federal Wagering Stamp has been issued by the Federal government for the current tax period, or if any of the partners have been issued a Federal Gaming Device Stamp or Federal Wagering Stamp by the Federal government for the current tax period.

¹ S.H.A. 720 ILCS.

- (T) A corporation, if any officer, manager, or director thereof, or any stockholder owning in the aggregate more than twenty percent (20%) of the stock of such corporation has been issued a Federal Gaming Device Stamp or a Federal Wagering Stamp for the current tax period.
- (U) Any premises for which a Federal Gaming Device Stamp or a Federal Wagering Stamp has been issued by the Federal government for the current tax period. (Ord. 86-1, 5-5-86)

3-8-9: **APPLICATION, DECISION:** Within thirty (30) days after the submission of an application to the local Liquor Control Commission, the Liquor Control Commission shall either approve or deny said application; except that, if no action has been taken within said thirty (30) day period, said application shall be deemed to have been denied and no license shall issue. (Ord. 86-1, 5-5-86)

3-8-10: **BARTENDER PERMITS:** (Rep. by Ord. 94-3, 5-2-94)

3-8-11: **LICENSE REVOCATION; SUSPENSION OR FINE:** Any violation of any provisions of this Chapter or of the Liquor Control Act of 1934², any mis-statements or withholding of material information in an application for license, or any indebtedness to the Village shall be deemed cause for refusal of a license, revocation, or suspension of a license, or the levying of a fine against the license holder.

Any license granted as provided by this Chapter may be revoked or suspended for cause by the local Liquor Control Commission upon a finding of the local Liquor Control Commission that any provision of this Chapter has been violated; or, in the alternative, the local Liquor Control Commission may impose a fine.

All fines imposed shall be subject to the provisions of 235 Illinois Compiled Statutes 5/7-5 or as may from time to time be amended.

For purposes of this Section, a license holder shall be responsible for and accountable for any actions by his employees, agents, or anyone acting on his behalf with respect to any activities on the licensed premises.

3-8-12: **LICENSE, APPEALS:** No such license shall be revoked or suspended, nor may a fine be imposed unless the local Liquor Control Commission shall hold a public hearing upon at least three (3) days' written notice to the licensee, at which time said licensee may appear and defend. If the local Liquor Control Commission has reason to believe that any continued operation of a particular licensed premises will immediately threaten the welfare of the Village, it may, without notice of hearing, order the licensed premises closed for not more than seven (7) days upon the issuance of a written order stating the reason for such conclusion. The local Liquor Control Commission shall give the licensee an opportunity to be heard during said seven (7) day period.

Within five (5) days of any hearing held pursuant to this Section, the local Liquor Control Commission shall, if it determines that the license shall be suspended or revoked or that a fine be levied, state the reasons for such determination in a written order of revocation or suspension or amount of fine and shall serve a copy of such order within the five (5) days upon the licensee, said service to be personal or by certified or registered mail, return receipt requested.

3-8-13: **CARRYING OF ALCOHOLIC LIQUOR FROM PREMISES:** No person shall carry any alcoholic liquors in an unsealed or opened container from the licensed premises where such alcoholic liquor was purchased.

No licensee or person as proprietor, agent, servant, or employee of such licensee shall knowingly permit any patron to violate this Section nor sell alcoholic liquors to such person knowing that such person intends to carry the alcoholic liquor from the premises in an open or unsealed container.

² S.H.A. 235 ILCS.

The foregoing provisions shall not apply when a licensee has been issued a Class F license and further provided that the person carrying such unsealed or open container does not carry same off of the area for which the Class F license has been granted.

3-8-14: **CERTAIN ACTS PROHIBITED:** It shall be unlawful for any licensee for on-premises consumption under this Chapter to suffer or permit any person on the premises or in any area which can be viewed from the premises acts of or acts which simulate:

- (A) Sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, or any sexual acts which are prohibited by law.
- (B) The touching, caressing, or fondling of the breasts, buttocks, anus, or genitals.
- (C) The displaying of the pubic hair, anus, vulva, or genitals.
- (D) To permit any person to remain in or upon the licensed premises who commits any of the acts described above or allows another person to commit upon his or her body any of the acts described above.

3-8-15: **CLOSING PREMISES:** If a disturbance occurs on the licensed premises during the operating hours as set forth in this Chapter, which appears to endanger the lives, property, or persons of the patrons of a licensed premises, the Chief of Police or his delegate may order the licensed establishment to close its business until the next business day and may order all the patrons to leave the licensed premises immediately.

3-8-16: **CONDITION OF PREMISES:** All premises used for the retail sale of alcoholic liquor or for the storage of such liquor for retail sale shall be kept in a clean and sanitary condition and shall be kept in full compliance with the provisions of this Chapter and other ordinances of the Village regulating the condition of premises.

3-8-17: **CURB SERVICE, DRIVE THRU:** The premises for which a license has been issued shall not have drive-thru facilities whereby a consumer can purchase beer, wine, or other alcoholic liquor from a motor vehicle.

It is the intent and purpose of this Section to allow the purchase and/or sale of beer, wine, or other alcoholic liquor in the premises only, unless otherwise allowed by the issuance of a Class F license.

3-8-18: **DELIVERY TO MINORS:** No person after purchasing or otherwise obtaining alcoholic liquor shall sell, give, or deliver such alcoholic liquor to another person under the age of twenty one (21) years, except in the performance of a religious ceremony or service.

3-8-19: **DISPLAY OF LICENSE:** Every licensee shall cause his license issued under this Chapter to be framed and kept in plain view in a conspicuous place on the licensed premises.

3-8-20: **DISPLAY OF WARNING CARD:** Every place in the Village where alcoholic liquor is sold for beverage purpose shall display in a prominent place in plain view on the premises a printed card which shall read as follows:

WARNING TO MINORS

You are subject to a fine of up to five hundred dollars (\$500.00) under the ordinances of the Village of Morton if you purchase alcoholic liquor or misrepresent your age for the purpose of purchasing or obtaining alcoholic liquor.

3-8-21: **ELECTION DAYS:** Liquor licensees may sell at retail alcoholic liquor on any election day in accordance with the limitations and restrictions of their respective class of license under the Morton Municipal Code.

- 3-8-22: **EXCEPTIONS:** The possession and dispensing, or consumption by a minor of alcoholic liquor in the performance of a religious service or ceremony, or the consumption by a minor under the direct supervision and approval of the parents, parent, guardian, or guardians of such minor in the privacy of a home is not prohibited by this Chapter. (Ord. 85-19, 4 -21-86)
- 3-8-23: **GAMBLING:** No licensee shall permit any gambling or gambling devices in the place licensed or any place connected therewith. Failure of such licensee to prohibit gambling in his place of business shall be grounds for revocation or suspension of his license. (Ord. 85-19, 4-21-86)
- 3-8-24: **GENERAL REQUIREMENTS OF LICENSE HOLDER:** No licensee nor any officer, associate member, representative, agent, or employee of such licensee shall:
- (A) Sell or possess for sale any package containing alcoholic liquor unless the same shall have affixed thereto all cancelled revenue stamps which may be required by the State or Federal laws.
 - (B) Sell, give, or deliver alcoholic liquor to any person under the age of twenty one (21) years or to any intoxicated person, or to any person known to him to be a habitual drunkard, spendthrift, insane, mentally ill, mentally deficient, or in need of mental treatment.
 - (C) Harbor or permit any intoxicated person to linger on the premises described in the license or permit any conduct which shall tend to disturb the peace and quiet of the neighborhood of the premises.
 - (D) Serve or permit any person to consume any alcoholic liquor in any portion of the premises, the interior of which is shut off from the general public by doors, curtains, screenings, partitions, or other devices of any kind, or maintain such an area as part of or adjacent to the premises.
 - (E) Make sale of alcoholic liquors in excess of or contrary to the powers granted in any of the provisions of the license for the premises or in violation of the Liquor Control Act of 1934.
 - (F) Employ or permit anyone under the age of twenty one (21) years to act as an entertainer, or to sell or serve alcoholic liquor, or to act as a bartender in the preparation of alcoholic liquor; except that a person of nineteen (19) years of age may serve such liquor to tables beyond the bar or place of preparation; provided, that all of the following conditions are met:
 1. The primary duty of such person is the serving of food and the servicing of patrons seated at tables.
 2. The service of alcoholic beverages is incidental to the service of food to patrons.
 3. Service shall not be at a counter primarily used for serving drinks (i.e., bar) or any portion of the establishment where meals are not generally served (i.e., cocktail lounge).
 - (G) Allow the sale or consumption of alcoholic liquor in any area except in the premises, unless the licensee has been issued a Class F license, and in such case only as allowed under the conditions of such Class F license. (Ord. 85-19, 4-21-86)
 - (H) Violate any provisions of Title 12 Chapter 2 of the Morton Municipal Code or violate any rules or regulations promulgated by any authority pursuant to the Smoke Free Illinois Act. (Ord. 07-52, 1-7-08)

3-8-25: LOCATION RESTRICTIONS: No license shall be issued for the sale at retail of any alcoholic liquor within one hundred feet (100') of any church, school, hospital, home for the aged, indigent persons, or veterans, undertaking establishment, or mortuary; provided that this prohibition shall not apply to restaurants, regularly organized clubs, food shops, or other places where sale of alcoholic liquors is not the principal business carried on, if such place of business so exempted shall have been established for such purposes prior to taking effect of this Chapter, nor to the renewal of a license for the sale at retail of alcoholic liquor on premises within one hundred feet (100') of any church or school since the issuance of the original license. In the case of a church, a distance of one hundred feet (100') shall be measured to the nearest part of any building used for worship services or educational programs and not to property or boundaries.

No Class A-1 or B-1 license may be issued to a location which is within one hundred feet (100') of any residentially zoned district. The one hundred feet (100') shall not include any right-of-way between the properties.

Any existing location that has a Class A-1 or B-1 liquor license and which is located within the restricted area shall be exempt from this requirement. The exemption shall remain in effect for such location as long as the liquor license remains in effect and for an additional period of one year from the time the license is terminated. (Ord. 85-19, 4-21-86; amd. Ord. 11-25, 11-21-11)

3-8-26: MINORS IN TAVERNS: It shall be unlawful for any minor person under the age of seventeen (17) years, unless accompanied by his parent, legal guardian, or other responsible adult at least twenty five (25) years of age having the custody and control of said minor person, to enter upon or attempt to enter any premises licensed as a tavern, except in the exercise of the legitimate business or trade of such minor; provided, however, that this Section shall not apply to restaurants, clubs, package liquor stores, or to that portion of bowling alleys other than those used exclusively or primarily for the sale and consumption of alcoholic liquors. (Ord. 85-19, 4-21-86)

3-8-27: MISREPRESENTATION OF AGE: If a licensee or his agent or employee believes or has reason to believe that sale or delivery of any alcoholic liquor is prohibited because of the nonage of the prospective recipient, he shall, before making such sale or delivery, demand presentation of some form of positive identification containing proof of age, issued by a public official in the performance of his official duties.

For the purpose of preventing the violation of this Section, any licensee, his agent, or employee may refuse to sell or serve alcoholic beverages to any person who, in his opinion, is unable to produce adequate positive identification of identity and of the fact that he or she is at least the age of twenty one (21). (Ord. 85-19, 4-21-86; amd. Ord. 96-27, 10-21-96)

3-8-28: PEDDLING: It shall be unlawful to peddle alcoholic liquor in the Village. (Ord. 85-19, 4-21-86)

3-8-29: PUBLIC PLACES, CONSUMPTION: No person may consume or have in his possession an open container or a container with a broken seal containing any alcoholic beverage in any park or vehicle parking area open to the public or in any restaurant or eating places not licensed to serve alcoholic beverages within the Village.

The foregoing provisions shall not apply when a licensee has been issued a Class F license; and further provided, that the aforesaid activity is only permitted pursuant to the authority and provisions of such Class F license. (Ord. 85-19, 4-21-86)

3-8-30: REPORTING OF INCIDENTS: Each licensee and each of his agents and employees shall immediately report to the Police Department of the Village of Morton any incident occurring in or about the licensed premises and in his knowledge or view relating to the attempt or commission of any crime, including any violation of this Chapter, and shall truthfully and fully answer all questions and investigations of any identified police officer who makes inquiry concerning any persons in or about the licensed premises and any events taking place in and about the licensed premises. (Ord. 85-19, 4-21-86)

3-8-31: **RESTRICTED AREA:** It shall be unlawful to sell or offer for sale at retail any alcoholic liquor within any residential district of the Village. (Ord. 85-19, 4-21-86)

3-8-32: **SALE OF LICENSED PREMISES:** Upon application being filed with the Local Liquor Control Commissioner, or his designee, and upon payment of an investigation fee in the sum of fifty dollars (\$50.00), the Local Liquor Control Commissioner may issue a license to the purchaser of an established licensed business as a going concern. Such application must be for exactly the same class of license as that held by the seller, and such application shall be only for the same location as the previously licensed business. Any such purchaser shall make application for the issuance of a new license to him, and in such application he shall state the actual facts in respect to his purchase of such business. He shall also fill out an application form and furnish the information and make that statement similar to that required of any other licensee under Section 3-8-7 of this Chapter. Such application shall be investigated and approved or rejected in the case of applications for original licenses; and, if approved, the license shall be issued to such purchaser upon payment to the Local Liquor Control Commissioner, or his designee, of the license fee then due, without any credit for any unused portion of the previous license; and there shall be no rebate to any person for any unused portion of any license. No license shall be issued to the purchaser of such business until the seller of such business shall have surrendered his license to the Local Liquor Control Commissioner, or his designee, for cancellation. (Ord. 85-19, 4-21-86; amd. Ord. 04-53, 3-7-05)

3-8-33: **SHOWING OF CERTAIN FILMS, PICTURES PROHIBITED:** It shall be unlawful for any licensee for on-premises consumption under this Chapter to suffer or permit the showing on the premises or in any area which can be viewed from the premises of film, still pictures, electronic reproduction, or other visual reproductions depicting:

- (A) Acts or simulated acts of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, or any sexual acts which are prohibited by law.
- (B) Any person being touched, caressed, or fondled on the breast, buttocks, anus, or genitals.
- (C) Scenes wherein a person displays the vulva or the anus or the genitals.
- (D) Scenes wherein artificial devices or inanimate objects are employed to depict or drawings are employed to portray any of the prohibited activities described above. (Ord. 85-19, 4-21-86)

3-8-34: **PENALTY PROVISIONS:** Any person other than a license holder who violates any of the provisions of this Chapter shall, upon conviction, be punished by a fine of not less than fifty dollars (\$50.00) or more than seven hundred fifty dollars (\$750.00) except that the minimum fine for violations of certain sections of this Chapter shall be as follows:

- (A) Section 3-8-14: Two hundred dollars (\$200.00).
- (B) Section 3-8-18: Two hundred dollars (\$200.00).
- (C) Section 3-8-27: (Rep. by Ord. 96-27, 10-21-96)
- (D) Section 3-8-33: Two hundred dollars (\$200.00).

License holders are subject to the provisions of Sections 3-8-1 and 3-8-12 of this Chapter and are subject to the fines provided for therein. (Ord. 85-19,4-21-86; amd. Ord. 99-37, 12-6-99)

3-8-35: **SEVERABILITY CLAUSE:** If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Chapter, or any part thereof, or application thereof to any person, firm, corporation, public agency, or circumstance is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Chapter or any part thereof. It is hereby declared to be the legislative intent of the Board of Trustees that this Chapter would have been adopted had such unconstitutional or invalid provision, clause, sentence, paragraph, section, or part thereof not then been included. (Ord. 85-19, 4-21-86)

CHAPTER 2

PLUMBING CODE AND INSPECTIONS

SECTION:

- 4-2-1: Adoption Of Plumbing Codes
- 4-2-2: Inspections
- 4-2-3: Duty To Request
- 4-2-4: Permit Required
- 4-2-5: Cancellations/Re-Inspection Fee
- 4-2-6: Responsible Parties
- 4-2-7: Failure To Obtain Permit

4-2-1: **ADOPTION OF PLUMBING CODES:** The current Edition of the Illinois Plumbing Code, and any subsequent editions or amendments thereto, as published by the Illinois Department of Public Health, is hereby adopted for the purpose of establishing minimum standards of design, materials, and workmanship for all water and sewer plumbing hereafter installed, altered, or repaired, and to establish methods of procedure within the limits of the Village. The current edition, and all subsequent editions or amendments thereto, of the American National Standard "National Fuel Gas Code", also identified by National Fire Protection Association #54 and ANSI Z223.1, is hereby adopted for the purpose of establishing minimum standards of design, materials, and workmanship for all gas plumbing hereafter installed, altered, or repaired, and to establish methods of procedure within the limits of the Village. A copy of each is on file in the office of the Village Clerk, and the same are hereby incorporated as fully as if set out at length herein, with the provisions thereof controlling in the installation, alteration, or repair of all plumbing. All amendments and new or revised editions shall be effective sixty (60) days after the Village publishes a notice indicating that such amendments or new or revised editions have been placed on file at the office of the Village Clerk. Until such date, the prior editions shall remain in effect. (Ord. 90-37, 4-15-91; amd. Ord. 94-24, 11-21-94)

4-2-2: **INSPECTIONS:** All new construction, building additions, and remodeling may require three (3) inspections. The first inspection shall be of the underground and is required before concrete is poured or piping is graded over. The second inspection is of the rough plumbing and shall be done prior to insulation. The third inspection is the final and shall be accomplished after all fixtures are set. (Ord. 06-39, 2-19-07; amd. Ord. 12-25, 2-4-13)

4-2-3: **DUTY TO REQUEST:** It is the responsibility of the owner or his contractor to request all inspections. Inspections shall be requested by notifying the zoning department during normal business hours and notification must be a minimum of twenty four (24) hours in advance of the needed inspection. The inspection shall take place as soon thereafter as reasonably possible. (Ord. 06-39, 2-19-07)

4-2-4: **PERMIT REQUIRED:** Alterations or modifications to existing plumbing will require a permit and inspection if anything is being moved any distance. No permit or inspection will be required if the contractor is only resetting fixtures back to their exact location. All plumbing permits will be in effect for no more than eighteen (18) months or until a final inspection has been completed. Plumbing permits shall be non-assignable. (amd. Ord. 12-25, 2-4-13)

The following are the plumbing inspection fees:

NEW CONSTRUCTION

Base charge	\$55.00
Fixture, each @	\$15.00
Sprinkler (Fire)	\$100.00
Sprinkler (Lawn) per head	\$ 4.00
Minimum	\$55.00

ADDITIONS/REMODELS

Base charge	\$75.00
Fixture, each @	\$25.00

(Ord. 06-39, 2-19-07; amd. Ord. 07-55, 1-21-08; amd. Ord. 10-15, 8-16-10; amd. Ord. 11-03, 5-2-11)

4-2-5: **CANCELLATIONS/RE-INSPECTION FEE:** If a scheduled inspection is to be cancelled, the owner of the property or the contractor must contact the zoning department at least two (2) hours prior to the scheduled inspection time. All inspections not cancelled at least two (2) hours before the scheduled inspection time shall be charged a re-inspection fee.

The re-inspection fee shall be as follows:

1st re-inspection request	\$ 50.00
2nd re-inspection request	\$ 75.00
3rd re-inspection request	\$100.00
4th re-inspection request	\$125.00

(Ord. 06-39, 2-19-07)

4-2-6: **RESPONSIBLE PARTIES:** The owner of the property, the tenant of a property having plumbing work done, and the contractor shall all be jointly and severably responsible for compliance with all provisions of this chapter. (Ord. 06-39, 2-19-07)

4-2-7: **FAILURE TO OBTAIN PERMIT:** If a person commences plumbing work without obtaining a permit when one is required, such person shall pay twice the fee. (Ord. 12-25, 2-4-13)

CHAPTER 2
DEFINITIONS

SECTION:

10-2-1: Definitions

10-2-1: **DEFINITIONS:** Wherever anywhere in this Title any of the following terms are used, they shall have the meaning indicated hereafter in this Chapter.

ACCESSORY USE, ACCESSORY AREA, ACCESSORY BUILDING: A use customarily incidental and subordinate to the principal use, principal area or principal building and located on the same lot, parcel, or tract of land with said principal use, area, or building, and an accessory use, area, or building shall be deemed to constitute occupancy of that part of the lot, parcel, or tract of land so used or upon which the accessory building is located. Private garage shall not be considered an accessory use. A ground mounted solar system shall be considered an accessory use. A swimming pool shall be considered an accessory use. (Ord. 78-31, 3-5-79; amd. Ord. 83-4, 5-16-83; amd. Ord. 91-8, 7-15-91; amd. Ord. 10-20, 10-4-10)

ALLEY: An alley is a public way not more than thirty feet (30') wide affording secondary access to abutting property.

ANIMAL HOSPITAL: An establishment for the treatment, and necessary boarding incidental thereto, of small animals such as dogs, cats, rabbits, and birds by a veterinarian.

APARTMENT: A room or suite of rooms with complete kitchen and sanitary facilities in a structure designed to accommodate two (2) or more such units.

AUTOMOBILE WRECKING YARD: Any place where one (1) or more motor vehicles not in running condition, or parts thereof, are stored in the open and are not being restored to operation; or any land, building, or structure used for the wrecking or storing of such automobiles or the parts thereof. Any location for storage of motor vehicles awaiting repair for more than seven (7) consecutive days shall be considered an automobile wrecking yard.

BARKER: An individual, operating outside of a business's primary structure, who attempts to engage passersby through verbal, physical, or other contact in order to entice them into patronizing said business. (Ord. 07-31, 9-4-07)

BARKER SIGNS: Any temporary signs used to advertise a business or business event that are not affixed to any type of building or support structure, but are instead carried by an individual serving as a "barker" on behalf of the business entity. (Ord. 07-31, 9-4-07)

BED AND BREAKFAST ESTABLISHMENTS: An owner/operator occupied residence providing accommodations for a charge to the public with no more than five (5) guest rooms, each limited to two (2) transient adult guests per night, for rent, in operation for more than ten (10) nights in a twelve (12) month period. Bed and Breakfast establishments shall not include motels, hotels, boarding houses, or lodging houses. (Ord. 09-20, 8-3-09)

BOARDING OR LODGING HOUSE:	A building other than a hotel where meals or sleeping accommodations or both are provided for compensation for three (3), but not more than ten (10), persons.
BRICK	A molded rectangular block primarily comprised of clay and/or shale, fired with natural gas or coal at approximately two thousand degrees (2000°) to fuse the shale or clay into a durable building unit that is laid contiguously with the joints between the units filled with mortar. (Ord. 09-34, 12-21-09)
BUILDING:	A building is any structure with substantial walls and roof securely affixed to the land and entirely separated on all sides from any other structure by space or by walls in which there are no communicating doors, windows, or openings; and which is designed or intended for the shelter, enclosure, or protection of persons, animals, or chattels.
BUILDING HEIGHT:	The vertical distance measured from the sidewalk level or its equivalent established grade to the highest point of the roof. Where buildings are set back from the building setback line, the height will be measured from the average elevation of the finished lot grade. (Ord. 78-31, 3-5-79; amd. Ord. 05-20, 9-6-05)
CLINIC:	An establishment, including the operation of a professional pharmacy, but excluding facilities for in-patient nursing care, where one (1) or more physicians and other medical professionals diagnose and treat human physical and/or mental ailments. (Ord. 79-39, 3-3-80)
COMMUNITY RESIDENCE:	A group home or specialized residential care home serving unrelated persons with disabilities which is licensed, certified, or accredited by appropriate local, State, or national bodies. This Ordinance shall not be construed to require a license, certification, or accreditation and same shall only be required where State or Federal law requires same. Community residence does not include a residence which serves persons as any alternative to incarceration for a criminal offense, or persons whose primary reason for placement is substance or alcohol abuse, or persons whose primary reason for placement is treatment for a communicable disease. (Ord. 89-19, 2-5-90)
CONSTRUCTION SIGNS:	A temporary sign, which includes those indicating construction or home improvement, or the offering of services such as lawn maintenance and landscaping, at a specific location at which they are located. (Ord. 07-31, 9-4-07)
COVERAGE:	The portion of the lot area covered by the building area.
CURB LEVEL:	The average elevation of the established curb of a street taken along the curb line between the points of intersection of the curb line and the lot lines. Where no curb has been established, the curb level shall be the average elevation of the land surface taken along the street right of way and the lot lines.
DAY CARE CENTER:	An adult care facility or a child care facility receiving more than eight (8) persons for care during all or part of a day. Day care centers are not to be construed as public or private school facilities. (Ord. 78-31, 3-5-79; amd. Ord. 12-27, 3-4-13)

CHAPTER 3

EMPLOYEE POLICIES AND BENEFITS

SECTION:

- 12-3-1: Salaries
- 12-3-2: Hours of Employment, Overtime, Holidays, And Holiday Pay
- 12-3-3: Longevity Increases
- 12-3-4: Vacations
- 12-3-5: Emergency Leave
- 12-3-6: Sick Leave
- 12-3-7: Family And Medical Leave Act (FMLA)
- 12-3-8: Funeral Leave
- 12-3-9: Discretionary Bonuses
- 12-3-10: Insurance
- 12-3-11: Applicants For Employment
- 12-3-12: Educational Assistance Policy
- 12-3-13: Employment Length From Date Of Absence
- 12-3-14: Drug And Alcohol Abuse Policy
- 12-3-15: Residency Of Employees
- 12-3-16: Leave Without Pay
- 12-3-17: New Hires Above Salary Level 18
- 12-3-18: Employee Evaluations

12-3-1: **SALARIES:**

- (A) The President and Board of Trustees shall, from time to time, adopt a Base Salary Schedule. Said Base Salary Schedule shall remain in full force and effect until modified by subsequent action by the Board of Trustees.
- (B) The salaries of all elected municipal officials and other employees that are set by ordinance shall not be a part of the Base Salary Schedule.
- (C) It shall be the policy of the Board of Trustees to review on January 1 of each year the current salaries of all municipal employees and determine whether any adjustments are appropriate. In making said determination, the Board of Trustees shall consider the prevailing economic conditions, comparable employment markets, and the consumer price index fluctuations, as applied to the average salaries of all municipal employees.
- (D) Supervisors, at their discretion, may hire new employees with a starting salary between Step A and Step C of the Base Salary Schedule if doing so is, in the opinion of the supervisor, warranted because of such factors as the employment market conditions at the time of hire and the experience and/or qualifications of the employee.
- (E) Any merit pay increases (i.e., any pay greater than Step C in the Base Salary Schedule), that may from time to time be granted by the applicable supervisor of a particular employee, shall be subject to the following guidelines:
 1. Any such increases apply only to full-time employees.
 2. To be eligible for a merit increase, an employee shall have been employed for a consecutive period of at least one (1) year, three (3) months, and one (1) day.

3. Merit pay increases shall only be granted January 1 of each year.
4. The length of time an employee has been employed, for purposes of determining his eligibility, shall be determined each January 1.
5. Any merit pay increase granted shall not exceed twenty percent (20%) of the difference between Step C pay and Step D pay. The intent of these guidelines is to make it clear that the fastest possible method of increasing an employee's salary between Step C and Step D would be for a twenty percent (20%) increase at the first eligible date and twenty percent (20%) increase on each applicable subsequent date.
6. The above guidelines are to be considered as the maximum limitation on increases and shall not be construed as any indication that such increases are to be considered automatic or mandatory. Rather, each supervisor should carefully consider whether each employee is deserving of such an increase based on performance.

- (F) An employee of the Gas Distribution Department who becomes a certified gas pipeline welder may receive Technical Pay of one hundred dollars (\$100) per month. Said Technical Pay may be allowed at the discretion of the Superintendent of the Gas Distribution Department and the Superintendent of Public Works. The Superintendent of the Gas Distribution Department shall be responsible for determining that the employee has, in fact, been certified as a gas pipeline welder. Such Technical Pay shall be effective the month following attainment of the certification, provided that the Superintendent of the Gas Distribution Department and the Superintendent of Public Works have approved same.
- (G) Any Paramedic Technician who performs the additional duties of Shift Supervisor shall receive additional pay of fifty cents (\$0.50) per hour, in addition to the pay received pursuant to the Base Salary Schedule. Any Paramedic Technician who performs the duties of Lead Paramedic shall receive additional pay of fifty cents (\$0.50) per hour, in addition to the pay received pursuant to the Base Salary Schedule. An individual may receive additional pay for performing both the duties of Shift Supervisor and Lead Paramedic.
- (H) While "on-call", employees of the Public Works Department shall receive on-call pay as follows:
1. Employees of the Street Department, the Wastewater Treatment Department, and the Water Treatment Department shall receive twenty five dollars (\$25) per day.
 2. Employees of the Gas Distribution Department and the Water Distribution Department shall receive fifty dollars (\$50.00) per day.
(amd. Ord. 07-53, 1-7-08)

12-3-2: **HOURS OF EMPLOYMENT, OVERTIME, HOLIDAYS, AND HOLIDAY PAY:**

- (A) Employees shall work forty (40) hours per week, except the Chief of Police, Deputy Chief of Police, Director of Fire and Emergency Medical Services, Superintendent of Public Works, Zoning Enforcing Officer, and Treasurer. (amd. Ord. 06-16, 7-10-06; amd. Ord. 11-23, 11-7-11; amd. Ord. 11-31, 1-3-12)

Those employees shall be expected to work a reasonable amount of time so that they can accomplish their job functions in a manner acceptable to the President and Board of Trustees. It is the policy of the President and Board of Trustees that, provided these employees are performing their job in a satisfactory manner, they can, on an occasional basis, take time off without using vacation time.

12-3-16: **LEAVE WITHOUT PAY:**

- (A) A regular, full-time employee with at least one (1) calendar year of consecutive service who has a need to be absent from work for any reason, and who is not eligible for any other types of leave, may request leave without pay. Leave without pay shall not be granted unless all accrued and applicable paid leaves have been exhausted.
- (B) Requests for leave without pay for a period not to exceed eight (8) working hours shall be submitted to, and require the approval of, the employee's supervisor. Requests for leave without pay exceeding eight (8) working hours, but not exceeding forty (40) working hours, shall be submitted in writing to, and require the approval in writing of, the Village President.
- In requesting leave without pay, an employee shall indicate the reason for the leave, the date the leave is requested to begin, and the date the leave is requested to end. Leave without pay shall be granted for a specific time period with a fixed ending date.
- Requests for leave without pay not exceeding forty (40) working hours shall be submitted as far in advance as possible. Except for emergency situations, requests for leave without pay exceeding forty (40) working hours shall be submitted at least two (2) calendar weeks prior to the date the leave is requested to begin.
- (C) Leave without pay will be considered for satisfactory performing employees on the basis of the nature of the request, the service needs of the Village, and whether approval of the leave without pay would be detrimental to the operations of the department. The Village reserves the right, in its sole discretion, to determine the appropriateness of a request for leave without pay. Approval of leave without pay is not guaranteed.
- (D) Prior to the expiration of a granted leave without pay, the employee may request an extension of the leave without pay in the same manner as the original leave. Leave without pay, including any extensions thereof, shall not exceed one (1) calendar year.
- (E) An employee returning from leave without pay shall be reinstated to the employee's prior position at the same pay grade and salary as when the leave without pay began, provided that the employee is capable of performing the essential duties, with or without reasonable accommodation, and that there is such a vacant and budgeted position available. If the employee's prior position is not available, then the employee may be considered for any vacant and budgeted position for which the employee is qualified. If another position is not found for the employee within thirty (30) calendar days from the date the leave without pay expires, the employee's employment with the Village shall be terminated.
- (F) Failure of an employee to report to work at the end of the approved leave period or request an extension of the leave period prior to its expiration, shall be considered as the voluntary resignation of the employee.
- (G) Employees on leave without pay shall not be permitted to obtain, accept, or work at outside employment during the leave without pay without prior written authorization from the Village President.
- (H) While on leave without pay, employees shall not forfeit any accrued benefits.
- (I) While on leave without pay for a period exceeding thirty (30) calendar days, an employee shall:
1. Accrue no paid leave, including sick leave and vacation leave.
 2. Accrue no service credit.

3. Receive no benefits, including educational assistance and health insurance. Health insurance coverage may be continued while on leave without pay, in accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA). Employees shall be responsible for the entire cost of coverage. Failure to make payments on a timely basis may result in termination of coverage. Any employee who chooses not to continue health insurance coverage while on leave without pay, or who has health insurance coverage cancelled while on leave without pay, may be added to the group health insurance plan upon returning to work in accordance with the then current group health insurance plan provisions. Any non-Village paid benefits that the employee wishes to remain in effect must be paid in full by the employee.
4. Receive no compensation, including holiday pay.
5. Receive no longevity pay increases that may be scheduled to occur during the leave period. An employee's anniversary date shall be adjusted by the length of the leave period.
6. Receive no merit pay increases that may be scheduled to occur during the leave period. Should a scheduled merit pay increase occur during the leave period, the Department Head shall postpone such merit pay increase until the employee returns to work and is evaluated. The Department Head may also postpone the review date if it is felt that sufficient time has not elapsed to adequately evaluate the employee's performance.
(Ord. 07-56, 1-21-08)

12-3-17: **NEW HIRES ABOVE SALARY LEVEL 18:** The Board of Trustees shall have the right to vary any employee policies and benefits for a new hire with a salary grade over 18. A new hire shall be any person hired after July 1, 2011. Any such variance(s) shall be approved by the Board when the new person is hired, or at a subsequent date. (Ord. 11-17, 7-18-11)

12-3-18: **EMPLOYEE EVALUATIONS:** All supervisors shall complete and sign each employee evaluation by December 15 of each year. The evaluations will be kept in a locked cabinet at the municipal building. The persons having access to the files are: the President of the Board of Trustees, Mayor Pro Tem, and the Village Administrator.

Salary increases will not be granted until they are received by the Village Administrator.

If a supervisor is recommending a change in position on the salary schedule or any increase beyond that set forth in the salary schedule, the supervisor shall inform the Trustee who has responsibility over that department. That information shall be provided to the Trustee at the time the evaluation is completed.
(Ord. 12-29, 4-1-13)

A

ABANDONED, LOST, STOLEN, OR UNCLAIMED VEHICLES

- Abandonment Unlawful 3-19-2
- City Not Held Liable 3-19-13
- Definitions 3-19-1
- Disposal Of Unclaimed Vehicles Without Notice 3-19-10
- Notification Of Owner 3-19-7
- Notification To Police 3-19-3
- Proceeds Of Sale 3-19-12
- Public Sale 3-19-9
- Reclamation Of Vehicle 3-19-8
- Record Searches 3-19-6
- Records To Be Kept 3-19-5
- Removal Of Motor Vehicles Or Other Vehicles 3-19-4
- Report Of Transaction 3-19-11

ACCEPTANCE OF MUNICIPAL CODE 1-1-2

ACCIDENTS, TRAFFIC 9-7-3

ACCOUNTING OF VILLAGE TREASURER 1-8-6

ACCOUNTING OF WATERWORKS AND SEWERAGE SYSTEMS 8-4-23

ACCOUNTS KEPT BY VILLAGE CLERK 1-7-5

ACCUMULATION OF GARBAGE, NUISANCE 7-2-2

ACTIONS AND SUITS OF VILLAGE 1-9-3

ADULT BUSINESSES, REGULATION OF

- Adult Uses Enumerated 3-21-2
- Automatic Suspension 3-21-9
- Contents Of Application For License 3-21-6
- Definitions 3-21-1
- Display Of License And Permit 3-21-11
- Employment Of Persons Under Age Of Eighteen Prohibited 3-21-12
- Exterior Display 3-21-10
- Illegal Activities On Premises 3-21-13
- Issuance Of Adult Use License 3-21-7
- License Required; Filing Of Application, Filing Fee 3-21-5
- Limitations On Adult Uses 3-21-3
- Measurement Of Distances 3-21-4
- Repeal Of Conflicting Ordinances 3-21-16
- Severability Clause 3-21-14
- Statement Of Urgency 3-21-17
- Suspension Or Revocation Of License For Adult Use 3-21-8
- Violation And Penalty 3-21-15

ADMINISTRATOR, VILLAGE

- Assignment Of Specific Duties 1-23-4
- Assumption Of Duties 1-23-2
- General Duties 1-23-3
- Treasurer Signature 1-23-5

ADVERTISING

- Advertising Structures, Sign Regulations 10-9
- Telecommunications Towers, On 8-15-10
- Trees; Shrubbery 8-1-10

ADVISOR, LEGAL OF VILLAGE 1-9-5

AGE LIMIT OF VEHICLE DRIVERS 9-7-1

AGE MISREPRESENTATION 6-4-6

AGENT, ILLINOIS MUNICIPAL RETIREMENT FUND 1-19-2

AGRICULTURAL USES

- Building Permit Required 4-1-2(C)
- Zoning Of 10-4-3(K)

AIR GUNS, DISCHARGING 6-2-5

ALARMS, FIRE; DETECTION SYSTEMS 5-4

ALCOHOL, DRIVING UNDER THE INFLUENCE 9-7-2

ALCOHOLIC LIQUOR (See Also LIQUOR REGULATIONS) 3-8

 Transportation Of 9-4-25

ALLEYS (See Also STREETS)

 One-Way Traffic 9-4-12

 Skateboarding On Prohibited 9-14-1

AMBULANCE SERVICE, PARAMEDIC DEPARTMENT TO OPERATE 5-5-1

AMENDMENTS

 To Municipal Code 1-1-3

 To Subdivisions 11-2-8

 To Zoning Regulations, Procedures 10-10-2(E)

ANIMALS

 Dangerous/Vicious 6-11

 Disposal of Animal Waste 6-12

 Dog Or Cat Bites 6-3-6

 Impounding 6-3-7

 License Required 6-3-1

 Livestock (See LIVESTOCK FEEDING OPERATION) 10-2-1

 Muzzles 6-3-5

 On Thoroughfares, Traffic 9-2-8

 Owner 6-3-3

 Penalty For Dog Or Cat Bites 6-3-8

 Rabies Inoculation 6-3-2

 Running At Large 6-3-4

 Tags 6-3-2

ANNEXATION, BASIC FEES

 Exemption 8-13-3

 Purpose 8-13-1

 Fee Structure 8-13-2

ANNEXATION, DEFERRED FEES

 History 8-14-1

 Purpose 8-14-2

 Rate 8-14-3

ANNEXED TERRITORY

 Water Charges 8-4-4

 Zoning Of 10-3-4

ANTENNA DISH, SATELLITE 10-4-3(L)

APPEALS

 Board Of Zoning 2-7

 Regarding Liquor Licenses 3-8-12

 Storm Water Utility 8-5-7

 To Court, Zoning 2-7-3

 To Zoning Regulations, Procedures 10-10-2(D)

APPLICATION OF GENERAL PENALTY 1-4-4

APPOINTMENT

 Assignment of Duties and Responsibilities 1-5-6

 Board Of Local Improvements 2-3-1

 Board Of Police Commissioners 2-4-2

 Corporation Counsel 1-9-1

 Director Of Civil Defense 2-6-3

 Director Of Fire And Emergency Services 5-1-3

 Plan Commission Members 2-2-1

 Police Pension Fund Board 2-5-2

 Special Police 6-1-11

 Superintendent Of Public Works 1-10-1

 Superintendent Of Water Distribution Department 8-4-2.2

 Superintendent Of Water Treatment Department 8-4-1.2

DRUG PARAPHERNALIA

Definition of 6-2-8
 Nuisance 6-2-8.1
 Penalty 6-2-8.1
 Possession Of 6-2-8.2
 Sale Or Delivery 6-2-8.1
 Transportation of 9-4-55

DRUGS (See Also DRUG PARAPHERNALIA)

Driving Under The Influence Of 9-4-1
 Synthetic Alternative 6-2-29

DRUNKENNESS, RULES OF THE ROAD

. 9-4-1

DUMPING, GARBAGE 7-2-8

DUMPSTERS 10-4-13

DUPLEX
 Two On One Lot 10-5-4(B)3
 Special Use 10-5-4(C)4

E

EASEMENTS

Subdivision Design Standards 11-4-3
 Commonwealth Edison 11-9-1

ELECTION DAYS, LIQUOR SALES 3-8-21

ELECTION OF

Board President 1-6-1
 Police Pension Fund Board 2-5-2
 Clerk 1-7-1
 Village Trustees 1-5-1

ELECTRIC SERVICE, UNDERGROUND 8-11

ELECTRIC VEHICLES, NEIGHBORHOOD 9-4-56

ELECTRICAL CODE, ADOPTION OF 4-4-1

EMERGENCY DECLARATIONS 12-4

EMERGENCY MEDICAL SERVICES 5-5

EMERGENCY SERVICES AND DISASTER AGENCY

Appropriation 2-6-12
 Compensation 2-6-7
 Coordinator 2-6-2
 Emergency Action 2-6-6
 Functions 2-6-3
 Mutual Aid Agreements 2-6-5
 Oath 2-6-10
 Office 2-6-11
 Organization Created 2-6-1
 Purchases And Expenditures 2-6-9
 Reimbursement By State 2-6-8
 Service As Mobile Support Team 2-6-4

EMERGING FROM ALLEY, BUILDING, PRIVATE ROAD, OR DRIVEWAY 9-4-35

EMPLOYEE POLICIES AND BENEFITS 12-3

Employee Evaluations 12-3-18
 Leave Without Pay 12-3-16
 Residency of Employees 12-3-15

EMPLOYEES, VILLAGE 1-14

State Officials And Employees Ethics Act 12-6-1

ENCROACHMENTS, TRAFFIC REGULATIONS (See Also STREETS AND OTHER RIGHTS OF WAY) 9-12-2

ENGINEER, VILLAGE

- Appointment 1-20-1
- Duties 1-20-2
- Subdivision Responsibilities 11-2-1(C)
- Superintendent Of Public Works Functions 1-20-3

ENGINEERS, EMPLOYMENT OF 2-3-2

EQUIPMENT ON BICYCLES 9-8-8

EQUIPMENT, UTILITY 8-12

EROSION CONTROL, SUBDIVISIONS 11-5-2

EXCAVATIONS (See Also STREETS AND OTHER RIGHTS OF WAY) 8-1-7

EXEMPTIONS AND CREDITS, STORM WATER UTILITY 8-5-6

EXISTING BUILDINGS IN INTERSTATE CORRIDORS 10-4-8

F

F CLASS LIQUOR LICENSE 3-8-3

FEES

- Adult Businesses 3-21-5
- Ambulance Service Usage 5-5-3
- Annexation
 - Basic Fees 8-13
 - Deferred Fees 8-14
- Annexations, Water Connections 8-4-4
- Bartender Permits 3-8-11(H)
- Building Permits 4-1
- Cable/Video Service Provider
 - Audits 3-27-5
 - Fee Imposed 3-27-2
 - Late Fees/Payment 3-27-6
- Criminal History Record Information Preparation 6-1-15
- Development 8-13-4
- Engineering Fees For Construction Plan Review, Subdivisions 11-6-4
- Engineering Fees For Inspection, Subdivisions 11-6-5
- Excavation Permit, Subdivisions 8-1-5
- Final Plat, Subdivisions 11-6-3
- Fireworks, Permit Fees 5-2-5
- Gas Service
 - Reconnection 8-15-10
 - Service Line Installation 8-2-4
 - Special Charge For Gas Main Tap-Ins 8-2-5
- Itinerant Merchants, Peddlers; License 3-9-4
- License And Permits 3-1-5
- Liquor Licenses 3-8-3
- Massage Establishments 3-22-3
- Plumbing 4-2-4, 4-2-5
- Preliminary Plat Fee, Subdivisions 11-6-2
- Reconnection Fee, Water Service 8-4-21, 8-15-10
- Review Of Construction Plans Deposit, Subdivisions 11-2-6(A)
- Sewer Contractors' License 8-3-4.1(B)
- Storm Water Utility 8-5-5
- Tenants, Utility Service Deposit Fee 8-15-3
- Wastewater Service Charges 8-3-9

LIQUOR REGULATIONS

- Application
 - Decision 3-8-9
 - Persons Ineligible 3-8-8
 - Procedure; Payments; Renewals; Transfers; Location; Change Of Ownership 3-8-5
- Carrying Of Alcoholic Liquor From Premises 3-8-13
- Certain Acts Prohibited 3-8-14
- Closing Hours 3-8-4
- Closing Premises 3-8-15
- Condition Of Premises 3-8-16
- Curb Service, Drive Thrus 3-8-17
- Definitions 3-8-1
- Delivery To Minors 3-8-18
- Display Of License 3-8-19
- Display Of Warning Card 3-8-20
- Election Days 3-8-21
- Exceptions 3-8-22
- Gambling 3-8-23
- General Requirements Of License Holder 3-8-24
- License
 - Appeals 3-8-12
 - Application Requirements 3-8-7
 - Classifications 3-8-3
 - Required 3-8-2
 - Revocation; Suspension Or Fine 3-8-11
- Limitation On Number 3-8-6
- Location Restrictions 3-8-25
- Minors In Taverns 3-8-26
- Misrepresentation Of Age 3-8-27
- Peddling 3-8-28
- Penalty Provisions 3-8-34
- Public Places, Consumption 3-8-29
- Reporting Of Incidents 3-8-30
- Restricted Area 3-8-31
- Sale Of Licensed Premises 3-8-32
- Severability Clause 3-8-35
- Showing Of Certain Films, Pictures Prohibited 3-8-33
- Types Of Licenses 3-8-3
- LITTER (See GARBAGE AND REFUSE)
- LIVESTOCK FEEDING OPERATION 10-2-1
- LIVESTOCK, SALES STABLES; BARNS 3-13-4
- LOADING, OFF-STREET ZONING REQUIREMENTS 10-8-8
- LOADING ZONES, TRAFFIC 9-6-9
- LOCAL IMPROVEMENTS BOARD
 - Appointments 2-3-1
 - General Duties 2-3-2
- LOTS, SUBDIVISION DESIGN STANDARDS 11-4-5

M

MH MOBILE HOME ZONING DISTRICT 10-5-7

MAINTENANCE OF PRIVATE PROPERTY

- Abatement By Village 8-8-6
- Abatement; Lien 8-8-7
- Definition Of Nuisance 8-8-1
- Duty Of Maintenance Of Private Property 8-8-2
- Exterior Storage Prohibited 8-8-3
- Notice To Abate 8-8-4
- Payment And Release 8-8-8
- Penalty For Failure To Abate Such Nuisance 8-8-5

MAP

- Subdivision 11-8-1
- Zoning 10-3-2

MARIJUANA, POSSESSION OF 6-2-3

MEETINGS OF BOARD OF TRUSTEES 1-5-3

MERCHANTS, ITINERANT; PEDDLERS

- Application 3-9-3
- Definitions 3-9-1
- Exemption From Application, License, And Bond Requirements 3-9-5
- Fraud 3-9-14
- License 3-9-4
- License And Bond Provisions 3-9-2
- Limitation On Hours Of Operation 3-9-10
- Location Of Sales Facilities On School Or Park Property 3-9-13
- Peddling On Nonmotorized Vehicles After Sunset Prohibited 3-9-9
- Possession Required, License 3-9-6
- Public Streets; Restrictions 3-9-11
- Restrictions On Sales Facilities On Private Property 3-9-12
- Severability Clause 3-9-16
- Special Events 3-9-7
- Vehicles To Be Marked 3-9-8
- Violation And Penalty 3-9-15
- Violations Of Other Laws Or Regulations 3-9-17

METERS

- Gas
 - Damaged 8-2-14
 - Inspection 8-2-9
 - Readings Conclusive 8-2-11
 - Required 8-2-8
 - Separate Meters Required For Distinct Premises 8-2-13
 - Testing 8-2-12
- Water 8-4-10

MINORS

- Adult Businesses, Employment In 3-21-12
- Arrests, Notification 6-4-2
- Consumption Of Liquor 6-4-6
- General Curfew 6-4-1
- Investigation Of Minors; Welfare 6-4-3
- Liquor
 - Liquor Establishments, Employment Of Restricted 3-8-24(F)
 - Liquor Sales To Prohibited 3-8-18, 3-8-24(B)
 - Misrepresentation Of Age 3-8-27
 - Taverns, Minors In 3-8-26

PEDESTRIANS (cont.)

- Under Influence Of Alcohol Or Drugs 9-3-11
- Use Right Half Of Crosswalks 9-3-6
- Walking On Highways 9-3-8
- Yield To Authorized Emergency Vehicles 9-3-10

PENALTY, GENERAL

- Application 1-4-4
- Default; Labor 1-4-2
- Insufficient Checks 1-4-6
- Liability Of Officers 1-4-5
- License 1-4-3
- Penalty 1-4-1

PENS, LIVESTOCK 3-13-5

PENSION FUND, VOLUNTEER FIREFIGHTER 5-1-15

PERFORMANCE STANDARDS IN INDUSTRIAL DISTRICTS 10-7-4

PERIMETER TILE DISCONNECTION 8-10

PERMITS (See Also LICENSES Or LICENSES AND PERMITS)

- Borrow Pits 10-14-1
- Building 4-1-2
- Contractor Or Third Party Responsibility 4-1-8
- Extension Of Time To Complete Work 4-1-7
- Fireworks 5-2-4
- General (See Also LICENSES) 3-1-1
- Home Occupation 10-13-5
- Massage Establishments 3-22-2, 3-22-4
- Records (Clerk) 1-7-6
- Sewer 8-3-4.2
- Sewer, Supplementary 8-3-4.4
- Signs, Zoning Regulations 10-9-3
- Zoning 10-10-2(A)

PERSONAL WIRELESS SERVICE FACILITIES 13-1

- Access And Parking 13-1-19
- Aircraft Hazard 13-1-20
- Alternatives Analysis And Comparison 13-1-11
- Co-Location Requirements 13-1-4
- Conflict And Severability 13-1-23
- Definitions 13-1-3
- Fall Zone And Setback Requirements 13-1-9
- Fees 13-1-10
- Interference With Public Safety Telecommunications 13-1-22
- Lighting And Security 13-1-16
- Modifications 13-1-12
- Noise 13-1-15
- Pre-Existing Personal Wireless Service Facilities 13-1-5
- Purpose 13-1-2
- Radio Frequency Radiation Emissions 13-1-14
- Registry, Monitoring, Inspection, Abandonment, And Obsolescence 13-1-13
- Review Of Permit 13-1-21
- Screening And Landscaping 13-1-18
- Short Title 13-1-1
- Sign/Identification Plaques 13-1-17
- Specification Of Land Use Classifications 13-1-6
- Standards 13-1-8
- Tiered Permit Process 13-1-7

PLAN COMMISSION

Home Occupation Application Procedures 10-13-3
 Organization 2-2-1
 Powers 2-2-2
 Subdivision Responsibilities 11-2-1(B)
 Zoning Administration And Enforcement 10-10-1(B)

PLAN DIRECTOR, SUBDIVISIONS ENFORCEMENT OFFICER 11-2-1(A)

PLANNED RESIDENTIAL DEVELOPMENTS, ZONING

Action Of Village Board On Tentative Approval 10-5-8(L)
 Amount And Location Of Common Open Space 10-5-8(E)
 Application For Tentative Approval Of Planned Residential Development 10-5-8(H)
 Definitions 10-5-8(B)
 Final Plan/Final Plats 10-5-8(N)
 Findings Of Fact Of Plan Commission After Hearing 10-5-8(K)
 Minimum Area For Planned Residential Development 10-5-8(C)
 Plan Commission Public Hearing On Planned Residential Development 10-5-8(J)
 Plan Commission Tentative Approval Of Planned Residential Development 10-5-8(I)
 Plan To Be Guaranteed By Covenants And Easements 10-5-8(F)
 Purpose 10-5-8(A)
 Reviewing The Plans 10-11-9
 Standards And Criteria Of Common Open Space 10-5-8(D)
 Status Of Plan After Tentative Approval 10-5-8(M)
 Subdivision Regulations May Be Varied 10-5-8(G)

PLAT

Final Subdivision 11-3-5
 Preliminary 11-3-3

PLAT OFFICER

Subdivision 11-7-1
 Subdivision Responsibilities 11-2-1(F)

PLUMBING CODE ADOPTED 4-2-1

Cancellations/Re-Inspection Fee 4-2-5
 Duty To Request 4-2-3
 Failure To Obtain Permit 4-2-7
 Fees 4-2-4
 Inspections 4-2-2
 Responsible Parties 4-2-6

POLES, CLIMBING UTILITY 6-2-4

POLICE CHIEF 6-1-4

POLICE COMMISSIONERS, BOARD OF FIRE AND

Appointment 2-4-2
 Commission Created 2-4-1

POLICE DEPARTMENT

Bond Of Policemen 6-1-6
 Call For Assistance 6-1-7
 Certificates Of Accreditation 6-1-2
 Chief Of Police 6-1-4
 Compliance With Police Commission Rules 6-1-9
 Conduct Of Members 6-1-12
 Criminal History Record Information Preparation Fee 6-1-15
 Department Created 6-1-1
 Department Duties 6-1-3
 Interference With Officers 6-1-8
 Members 6-1-5
 Officers 6-1-2

Village of Morton Municipal Code Book

Instruction Sheet: Morton, Illinois
Supplement 227 - August 2013
Includes Ordinances: 13-01, 13-02

REMOVE PAGES HEADED

INSERT PAGES HEADED

TITLE 4

4-4-1 CHAPTER 4
ELECTRICAL CODE

4-4-1 CHAPTER 4
ELECTRICAL CODE

TITLE 6

6-2-1 CHAPTER 2
GENERAL OFFENSES

6-2-1 CHAPTER 2
GENERAL OFFENSES

NONE (New Section)

6-2-30 ATV'S, MOPEDS....

ALPHABETICAL INDEX

-A- APPOINTMENT (cont)

-A- APPOINTMENT (cont)

-M- MINORS (cont.)

-M- MINORS (cont.)

PREFACE

This volume of the Village Code of the Village of Morton, as supplemented, contains ordinances up to and including ordinances:

13-01, June 3, 2013

13-02, June 3, 2013

Ordinances of the Village adopted after said ordinances supersede the provisions of this Village Code to the extent that they are in conflict or inconsistent therewith. Consult the Village office in order to ascertain whether any particular provision of the Code has been amended, superseded, or repealed.

CHAPTER 4
ELECTRICAL CODE

SECTION:

- 4-4-1: Adoption Of National Electrical Code
- 4-4-2: Permit Required
- 4-4-3: Permits
- 4-4-4: Scheduling Inspections
- 4-4-5: Re-inspection Fee
- 4-4-6: Certifications

4-4-1: **ADOPTION OF NATIONAL ELECTRICAL CODE:** The 2008 National Electrical Code, and any subsequent editions or amendments thereto, copyrighted by the National Fire Protection Association, a copy of which is on file in the office of the Village Clerk, is hereby adopted for the purpose of establishing rules and regulations for the installation of all electrical wiring, installation of electrical fixtures, apparatus, or electrical appliances for furnishing light, heat, or power, or other electrical work introduced into or placed in or upon, or in any way connected to, any building or structure within the Village. The same is hereby incorporated as fully as if set out at length herein. All amendments and new or revised editions shall be effective sixty (60) days after the Village publishes a notice indicating that such amendments or new or revised editions have been placed on file at the office of the Village Clerk. Until such date, the prior editions shall remain in effect. (Ord. 90-37, 4-15-91; amd. Ord. 94-24, 11-21-94; amd. Ord. 08-26, 12-1-08)

4-4-2: **PERMIT REQUIRED:** Any electrical job in excess of one thousand dollars (\$1,000.00), or any increase in the electrical service, will require a permit and appropriate inspections. (Ord. 08-26, 12-1-08; amd. Ord. 08-40, 3-16-09)

4-4-3: **PERMITS:**

(A) Residential Permits:

Single Family Home:	\$400
Duplex:	\$800
Multi-family (more than 2 units):	\$800, plus \$50 per unit over two units
Additions; Remodel Projects:	\$200
Service Panel Change Out/Generator:	\$100

(B) Commercial/Industrial Permits:

Based on Cost of Electrical for New Construction & Remodel Valuation	
	Fee
\$1,001 - \$2,500	\$100
\$2,501 - \$10,000	\$250
\$10,001 - \$15,000	\$350
\$15,001 - \$20,000	\$500
Over \$20,000	\$500 plus \$2 per \$1,000 over \$20,000 (rounded to nearest \$1,000)

(C) Sign Permits: \$100

(D) Service Panel Change Out/Generator: \$100

In the event any work is started prior to the time a permit is obtained, the permit fee shall be doubled. All electrical permits will be in effect for no more than 18 months or until a final inspection has been completed. Electrical permits shall be non-assignable. (Ord. 08-26, 12-1-08; amd. Ord. 08-40, 3-16-09; amd. Ord. 09-39, 1-4-10; amd. Ord. 10-02, 5-17-10; amd. Ord. 11-04, 5-2-11; amd. Ord. 13-02, 6-3-13)

4-4-4: **SCHEDULING INSPECTIONS:** If a scheduled inspection is to be cancelled, the owner of the property or the contractor must contact the zoning department at least two (2) hours prior to the scheduled inspection time. All inspections not cancelled at least two (2) hours before the scheduled time shall be charged a re-inspection fee.

It is the responsibility of the owner or his contractor to request all inspections. Inspections shall be requested by notifying the zoning department during normal business hours and notification must be a minimum of twenty four (24) hours in advance of the needed inspection except for the final inspection which requires a forty eight (48) hours advanced notice. (Ord. 08-26, 12-1-08)

4-4-5: **RE-INSPECTION FEE:** In the event any re-inspections are needed the following fees shall apply:

1st re-inspection	\$50
2nd re-inspection	\$75
3rd re-inspection	\$100
4th re-inspection	\$125

(Ord. 08-26, 12-1-08)

4-4-6: **CERTIFICATIONS:** No electrician shall install any electrical equipment, systems, components, or materials without first having obtained a certificate of registration to do so from the Village of Morton, Tazewell County, Illinois.

A certificate of registration is not required for residential work provided the work is being done solely by the owner of the subject property. All electrical equipment must be installed in compliance with the National Electrical Code.

In order to obtain a certificate of registration to install electrical equipment as provided above, an electrician shall submit evidence of the following to the Zoning and Enforcing Officer:

1. A current license issued by any of the following communities:
 - a. Peoria, IL
 - b. Bloomington, IL
 - c. Springfield, IL
 - d. Decatur, IL
 - e. Pekin, IL
 - f. Ottawa, IL
 - g. Joliet, IL
 - h. any other Illinois testing community upon verification by the Zoning and Enforcing Officer; or
2. Evidence of successful completion of a test administered by any of the communities listed in subdivision (1) of this paragraph, or a national fire protection association test pertaining to the National Electrical Code and knowledge thereof.

Upon presentation by an electrician of satisfactory evidence of either of the items listed in (1) or paragraph (2) above, the Zoning and Enforcing Officer shall issue an electrical certification of registration to such an electrician. The electrical certification shall cost one hundred dollars (\$100) per year and shall be issued on a calendar year basis. No electrical work may be done without an electrical certification. (Ord. 08-26, 12-1-08, amd. Ord. 09-31, 11-16-09)

CHAPTER 2
GENERAL OFFENSES

SECTION:

- 6-2-1: Assault
- 6-2-2: Battery
- 6-2-3: Cannabis
- 6-2-4: Climbing Utility Poles
- 6-2-5: Discharging Firearms
- 6-2-6: Disorderly Conduct
- 6-2-7: Disturbing Assemblages
- 6-2-8: Drug Paraphernalia-Definitions
- 6-2-8.1: Sale Or Delivery-Penalty-Public Nuisance
- 6-2-8.2: Possession Of Drug Paraphernalia
- 6-2-9: Fires
- 6-2-10: Gambling
- 6-2-10.1: Definition
- 6-2-10.2: Gambling Device
- 6-2-10.3: Keeping A Gambling Place
- 6-2-10.4: Seizure Of Gambling Devices And Gambling Funds
- 6-2-10.5: Prohibition
- 6-2-11: Harassment By Telephone
- 6-2-12: Hunting
- 6-2-13: Impersonating Village Officers; Fire Personnel
- 6-2-14: Injury To Property
- 6-2-15: Interference With Firefighter; Destruction Of Fire Apparatus Prohibited
- 6-2-16: Missiles
- 6-2-17: Noises
- 6-2-18: Obscenity
- 6-2-19: Obstructing Passageways
- 6-2-20: Posting Bills
- 6-2-21: Prostitution; Definition
- 6-2-21.1: Soliciting For A Prostitute
- 6-2-21.2: Keeping A Place Of Prostitution
- 6-2-21.3: Patronizing A Prostitute
- 6-2-21.4: Definition Of Sexual Penetration
- 6-2-22: Public Indecency
- 6-2-23: Resisting Or Obstructing A Peace Officer
- 6-2-24: Snow Or Ice On Streets
- 6-2-25: Trespass
- 6-2-25.1: Specifically Enumerated Trespasses Suppression
- 6-2-26: Unlawful Assemblages
- 6-2-27: Urinating
- 6-2-28: Unlawful Use Of Weapons
- 6-2-29: Synthetic Alternative Drugs
- 6-2-30: ATV's, Mopeds, Motor Driven Cycles, Off-Highway Motorcycles, and Snowmobiles on Residential Property

6-2-1: **ASSAULT:** It shall be unlawful for a person to commit an assault. A person commits an assault when, without lawful authority, he or she engages in conduct which places another in reasonable apprehension of receiving a battery. (Ord. 96-40, 4-7-97)

6-2-2: **BATTERY:** It shall be unlawful for any person to commit a battery. A person commits a battery if he or she intentionally or knowingly, without legal justification and by any means:

- (A) Causes bodily harm to an individual, or
- (B) Makes physical contact of an insulting or provoking nature with an individual. (Ord. 96-40, 4-7-97)

6-2-3: **CANNABIS:** It shall be unlawful for any person knowingly to possess marijuana, hashish, and other substances which are identified as including any parts of the plant *Cannabis sativa*, whether growing or not; the seed thereof, the resin extracted from any part of such plant; and any compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds or resin, including tetrahydrocannabinol (THC) and all other cannabinol derivatives, including its naturally occurring or synthetically produced ingredients, whether produced directly or indirectly by extraction, or independently by means of chemical synthesis or by combination of extraction and chemical synthesis; but shall not include the mature stalks of such plant, and other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks, (except the resin extracted therefrom), fiber, oil or cake, or the sterilized seed of such plant which is incapable of germination.

Any person possessing any substance containing cannabis resin up to the amount of two and five-tenths (2.5) grams shall, upon conviction, be assessed a fine not less than two hundred dollars (\$200.00) and not more than seven hundred fifty dollars (\$750.00). (Ord. 99-37, 12-6-99)

Any person possessing any substance containing cannabis resin in an amount of two and five-tenths (2.5) grams or more but less than ten (10) grams shall, upon conviction, be fined not less than three hundred dollars (\$300.00) and not more than seven hundred fifty dollars (\$750.00). (amd. Ord. 99-37, 12-6-99)

Any person possessing any substance containing cannabis resin in an amount of ten (10) grams or more but less than thirty (30) grams shall, upon conviction, be fined not less than four hundred dollars (\$400.00) and not more than seven hundred fifty dollars (\$750.00). (amd. Ord. 99-37, 12-6-99)

Any person possessing any substance containing cannabis resin in an amount thirty (30) grams or more shall, upon conviction, be fined seven hundred fifty dollars (\$750.00). (amd. Ord. 99-37, 12-6-99)

Where any person has been convicted of any of the provisions of the offense at any prior time, then there shall be added to the applicable minimum fine the amount of one hundred dollars (\$100.00) for each such prior conviction. (Ord. 96-40, 4-7-97)

6-2-4: **CLIMBING UTILITY POLES:** It shall be unlawful for any person to climb upon any telegraph pole, telephone pole, electric light pole, or sign pole, unless in the performance of his duties. (Ord. 96-40, 4-7-97)

6-2-5: **DISCHARGING FIREARMS:** It shall be unlawful to discharge any firearms or air gun in the Village; provided that this Section shall not be construed to prohibit any officer of the law to discharge a firearm in the performance of his duty, nor to any citizen to discharge a firearm when lawfully defending his person or property, nor shall the provision of this Section apply to any licensed event which may be sponsored by a known local organization holding a charter in a national organization or association. (Ord. 96-40, 4-7-97)

6-2-6: **DISORDERLY CONDUCT:** A person commits disorderly conduct when he knowingly:

- (A) Does any act in such unreasonable manner as to alarm or disturb another and to provoke a breach of the peace; or
- (B) With intent to annoy another, makes a telephone call, whether or not conversation thereby ensues; or

6-2-30: **ATV'S, MOPEDS, MOTOR DRIVEN CYCLES, OFF-HIGHWAY MOTORCYCLES, AND SNOWMOBILES ON RESIDENTIAL PROPERTY:**

(A) Definitions, as used in this chapter:

1. *ATV* means an all terrain vehicle as defined in Section 5/1-101.8 of the Illinois Vehicle Code.
2. *Motorcycle* means a motor vehicle as defined in Section 5/1-147 of the Illinois Vehicle Code.
3. *Moped* as defined in Section 5/1-148.2 of the Illinois Vehicle Code.
4. *Motor Driven Cycle* as defined in Section 5/1-145.001 of the Illinois Vehicle Code.
5. *Off-Highway Motorcycles* as defined in Section 5/1-153.1 of the Illinois Vehicle Code.
6. *Residentially Zoned Area* means any parcel of land, or portion thereof, within any "residential" zoning district as defined in Title 10 Chapter 5 of this Code, except areas zoned R-S with acreage of 5 acres or more.
7. *Vehicles* for purposes of this chapter means Motorcycles, ATV's, Mopeds, Motor Driven Cycles, Off-Highway Motorcycles, and Snowmobiles.

(B) Operation of Vehicles: No person shall operate any vehicle as defined in Paragraph A upon private property in a residentially zoned district within the Village at any time, excluding a driveway, a garage, or paved private streets, regardless of whether such vehicle is licensed or unlicensed.

(C) Use of property for the operation of vehicles prohibited: No owner or resident of private property in a residentially zoned area within the Village shall use their property, or permit their property to be used by any other person, for the operation of any vehicle. This shall not preclude the use of a garage, a driveway, or paved private streets.

(D) Exemptions: The following uses of vehicles are exempt from the provisions of this chapter:

1. The operation of publicly-owned or emergency vehicles or motorcycles by public officers or emergency personnel in the course and scope of their employment.
2. The operation of any vehicles associated with the maintenance of real property of lawful uses thereon.
3. The operation of any vehicle associated with construction, repair, remodeling, or grading of any real property.
4. The operation of any vehicle associated with normal and customary yard maintenance. (Ord. 13-01, 6-3-13)

APPOINTMENT (cont)

- Village Collector 1-12-1
- Village Officers And Employees 1-14-2
- Village Treasurer 1-8-1
- Water, Sewer, And Gas Inspector 1-13-1

APPROPRIATION FOR CIVIL DEFENSE ORGANIZATION 2-6-12

ARRESTS, CONSERVATORS OF THE PEACE 1-14-10

ASSAULT (See Also BATTERY) 6-2-1

ASSEMBLAGES

- Disturbing 6-2-7
- Unlawful 6-2-26

ASSESSMENT PROCEEDINGS, SPECIAL 1-9-6

ASSESSMENTS, COLLECTOR, SPECIAL (See Also COLLECTOR, VILLAGE) 1-12

ASSISTING POLICE OFFICERS 6-1-7

ATTORNEY, VILLAGE (See Also CORPORATION COUNSEL, VILLAGE) 1-9

- Borrow Pit Work Injunction, Issue 10-14-11
- Subdivision Responsibilities 11-2-1(E)

ATV'S, MOPEDS, SNOWMOBILES ON RESIDENTIAL PROPERTY 6-2-30

AUTOMOBILES, WASHING PROHIBITED DURING WATER SHORTAGE 8-4-20

AVENUES, DESIGNATION OF STREETS AND 8-1-8

B

B CLASS LIQUOR LICENSES 3-8-3

B-1 PROFESSIONAL OFFICE ZONING DISTRICT 10-6-2

B-2 GENERAL BUSINESS ZONING DISTRICT 10-6-3

B-3 HIGHWAY AND SERVICE COMMERCIAL ZONING DISTRICT 10-6-4

BACKFLOW PREVENTION DEVICES, WATER SUPPLY PROTECTION 8-4-15

BARBERRY BUSHES 8-6-3

BARNS (See Also SALES STABLES; BARNS) 3-13

BARRICADES (Obstruction and Deposits on Public Right Of Ways) 8-1-6

BATTERY (See Also ASSAULT) 6-2-2

BEER (See Also LIQUOR REGULATIONS) 3-8

BICYCLES

- Display of License Plate 9-8-5
- Equipment 9-8-8
- Inspection 9-8-7
- Issuance Of Licenses 9-8-4
- License Application 9-8-3
- License Sticker Required 9-8-2
- Operation Of Bicycles 9-8-9
- Penalty 9-8-10
- Traffic Laws Apply 9-8-1
- Transfer Of Ownership 9-8-6

BILLS (POSTING) 6-2-20

BIKE TRAIL REGULATION 8-17

BLOCKS, SUBDIVISION DESIGN STANDARDS 11-4-4

BOARD OF APPEALS, ZONING

- Appeals To Court 2-7-3
- Organization 2-7-1
- Procedures And Powers 2-7-2
- Zoning Procedures, Administration, And Enforcement 10-10-1(C)

BOARD OF TRUSTEES

- Addressing Meetings 1-5-11
- Assignment of Duties and Responsibilities 1-5-6
- Attendance at Meetings Other Than by Physical Presence 1-5-15
- Disturbing Meetings 1-5-7
- Election; Term 1-5-1
- Gas Service
 - Extensions, Approve 8-2-6
 - Rates Established By 8-2-15(A)
- Meetings 1-5-3
- Oath; Compensation 1-5-2
- Order Of Business 1-5-8
- Presiding Officer 1-5-4
- Quorum 1-5-5
- Rescinded Action 1-5-9
- Resolutions 1-5-10
- Robert's Rules Of Order 1-5-13
- Subdivision Responsibilities 11-2-1(D)
- Suspension Of Rules 1-5-12

BOARD OF TRUSTEES, VILLAGE PRESIDENT 1-6

BOARDS

- Board Of Trustees 1-5
- Local Improvements 2-3
- Police Commissioners 2-4
- Police Pension Fund 2-5
- Zoning Appeals 2-7

BONDS

- Borrow Pit Work 10-14-9
- Clerk 1-7-2
- Collector, Village 1-12-2
- Excavations 8-1-7
- Itinerant Merchants, Peddlers 3-9-2, 3-9-5
- Liquor License Applicants 3-8-7
- Officers And Employees, Village 1-14-8
- Police Commissioners 2-4-3
- Policemen 6-1-6
- President, Village 1-6-4
- Secretary-Treasurer Of Fire Department 5-1-8
- Sewer Contractors 8-3-4.1(A)
- Surety 1-18
- Treasurer, Village 1-8-2

BORROW PITS (See Also ZONING, MORTON ZONING ORDINANCE) 10-14

BRAKES, VEHICLES 9-5-4

BREACH OF PEACE 6-2-16

BUILDING CODE AND BUILDING PERMITS

- Adoption Of Building Code 4-1-1
- Completion Of Work 4-1-6
- Contractor Or Third Party Responsibility 4-1-8
- Extension Of Time To Complete Work 4-1-7
- Fees 4-1-3
- Issuance Of Building Permit 4-1-4
- Permits 4-1-2
- Revocation 4-1-5
- Sign Regulations, Building Permit Required 10-9-3
- Violations And Penalties 4-5

MINORS (cont.)

- Misrepresentation Of Age 6-4-4
- Parental Responsibility 6-4-7
- Possession Of Liquor 6-4-5
- Tobacco, Use Of 6-9

MISSILES 6-2-16

MODULAR HOME DEFINITION OF 10-2-1

MONUMENTS, SUBDIVISIONS 11-5-10

MORTON MUNICIPAL CODE

- Acceptance 1-1-2
- Amendments 1-1-3
- Construction Of Words 1-1-4
- Intent 1-1-6
- Interpretations 1-1-5
- Title 1-1-1

MORTON, VILLAGE OF

- ESDA Agency 2-6
- Storm Water Credit Manual 8-5-6.2
- Subdivision And Official Map Ordinance 11-1-1
- Volunteer Fire Department 5-1-1
- Volunteer Firefighter's Pension Fund 5-1-15
- Zoning Ordinance 10-1-1

MOTEL/HOTEL

- Obstructing Passageways 6-2-19
- Room Renting Tax 3-23-1

MOTOR VEHICLES, OFF-STREET PARKING AND LOADING REQUIREMENTS 10-8

MOTORCYCLES 9-4-40

- Equipment 9-5-13

MOTORCYCLES, MOTOR DRIVEN CYCLES, OFF-HIGHWAY MOTORCYCLES

- On Residential Property 6-2-30

MUFFLER, VEHICLES 9-5-7

MUNICIPAL

- Clerk 1-7
- Code 1-1
- Counsel 1-9
- Fiscal Year 1-17-1
- President 1-6
- Retirement Fund 1-19
- Seal 1-16-1
- Seal, Clerk Custodian Of 1-7-7
- Telecommunications Tax 3-25
- Telecommunications Tax Rebates 3-26
- Treasurer 1-8

MUZZLES, DOGS 6-3-5

N

NAMES (DESIGNATION OF STREETS AND AVENUES) 8-1-8

NATIONAL ELECTRICAL CODE ADOPTED 4-4-1

NATIONAL FUEL GAS CODE ADOPTED 4-2-1

NEIGHBORHOOD ELECTRIC VEHICLES 9-4-56

NEW YEAR'S EVE CLOSING HOURS, LIQUOR ESTABLISHMENTS 3-8-4(B)

NITROGLYCERINE PROHIBITED 5-2-3

NOISE

- Performance Standards 10-7-4.1
- Prohibitions 6-2-17

NOTICES, ATTACHING TO TREES OR SHRUBBERY 8-1-10(D)
 NUDITY PROHIBITED; CERTAIN FORMS 3-8-33
 NUISANCES
 Accumulation Of Garbage 8-8-1
 Business 3-1-10
 Health 7-3-11
 Paraphernalia 6-2-8.1
 Weeds 8-6

O

OATHS
 Board Of Trustees 1-5-2
 ESDA Members 2-6-10
 Police Commissioners 2-4-3
 Village President 1-6-4
 OBSCENE PERFORMANCES OR FILM PROHIBITED IN LIQUOR
 ESTABLISHMENTS 3-8-14, 3-8-33
 OBSCENITY 6-2-18
 OBSTRUCTING PASSAGEWAYS 6-2-19
 OBSTRUCTIONS AND DEPOSITS ON PUBLIC RIGHT OF WAYS 8-1-6
 OCCUPANCY CERTIFICATE, ZONING 10-10-2(B)
 OCCUPATION TAX
 Municipal Retailers' 3-16-1
 Municipal Service 3-17-1
 ODORS (Performance Standards) 10-7-4.4
 OFFENSES, GENERAL
 Assault 6-2-1
 Battery 6-2-2
 Cannabis 6-2-3
 Climbing Utility Poles 6-2-4
 Discharging Firearms 6-2-5
 Disorderly Conduct 6-2-6
 Disturbing Assemblages 6-2-7
 Drug Paraphernalia (See Also PARAPHERNALIA) 6-2-8
 Fire Apparatus, Destruction Of Prohibited 6-2-15
 Firefighter
 Impersonating 6-2-13
 Interference With 6-2-15
 Fires 6-2-9
 Gambling 6-2-10
 Definition 6-2-10.1
 Gambling Device 6-2-10.2
 Keeping A Gambling Place 6-2-10.3
 Prohibition 6-2-10.5
 Seizure Of Gambling Devices And Gambling Funds 6-2-10.4
 Harassment By Telephone 6-2-11
 Hunting 6-2-12

Village of Morton Municipal Code Book

Instruction Sheet: Morton, Illinois
Supplement 228 - October 2013
Includes Ordinances: 13-03, 13-07, 13-13, 13-15, 13-16, 13-18

REMOVE PAGES HEADED

INSERT PAGES HEADED

TITLE 1

TITLE 1 ADMINISTRATIVE
1-24-1 CHAPTER 24
BIDDING AND CONTRACT
PROCEDURES
(and the following page)

TITLE 1 ADMINISTRATIVE
1-24-1 CHAPTER 24
BIDDING AND CONTRACT
PROCEDURES
(and the following page)

TITLE 3

3-8-4 Class G holder:
(and the following page)

3-8-4 Class G holder:
(and the following page)

TITLE 9

9-4-51 TRUCK ROUTES:
(and the following page)
9-9-1 (R) Main St. shall...
(and the following page)

9-4-51 TRUCK ROUTES:
(and the following page)
9-9-1 (R) Main St. shall...
(and the following page)

TITLE 10

10-4-3 (H) Landscaped Buffers...
10-6-3 5. Frozen food stores...

10-4-3 (H) Landscaped Buffers...
10-6-3 5. Frozen food stores...

ALPHABETICAL INDEX

-A- APPOINTMENT (cont)
(and the following page)

-A- APPOINTMENT (cont)
(and the following page)

PREFACE

This volume of the Village Code of the Village of Morton, as supplemented, contains ordinances up to and including ordinances:

13-03, July 15, 2013
13-07, July 1, 2013
13-13, September 3, 2013
13-15, October 7, 2013
13-16, October 7, 2013
13-18, October 7, 2013

Ordinances of the Village adopted after said ordinances supersede the provisions of this Village Code to the extent that they are in conflict or inconsistent therewith. Consult the Village office in order to ascertain whether any particular provision of the Code has been amended, superseded, or repealed.

TITLE 1
ADMINISTRATIVE

Subject	Chapter
Village Code	1
Savings Clause	2
Definitions	3
Penalty	4
Board Of Trustees	5
President	6
Clerk	7
Treasurer	8
Corporation Counsel	9
Superintendent Of Public Works	10
Village Collector	12
Water, Sewer, And Gas Inspector	13
Officers And Employees	14
Village Jail	15
Corporate Seal	16
Fiscal Year/Inauguration	17
Surety Bonds	18
Illinois Municipal Retirement Fund	19
Village Engineer	20
Vacancies In Municipal Office	21
Freedom Of Information Officers	22
Village Administrator	23
Bidding and Contract Procedures	24

CHAPTER 24

BIDDING AND CONTRACT PROCEDURES

SECTION:

1-24-1: Bidding and Contract Procedures

1-24-1: **BIDDING AND CONTRACT PROCEDURES:**

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

(B) *Formal Contract Procedure:* All work or other public improvement that is not to be paid for in whole or in part by special assessment or special taxation, and all purchases of equipment, contracts for supplies and materials and service contracts, except as otherwise provided herein, when the estimated cost thereof exceeds ten thousand dollars (\$10,000.00), shall be purchased from the lowest responsible bidder, after due notice inviting bids, unless competitive bidding is waived by a vote of two thirds of the trustees then holding office. Civil projects of less than twenty thousand dollars (\$20,000.00) may be authorized by the Director of Public Works without formal bidding.

In the event the Chief of Police determines that the state bid for a police car is such that dealers located in the Village cannot match it or better it, then formal bidding shall not apply to the purchase of that vehicle.

(C) *Advertisements For Bids:* A notice inviting bids shall be published at least once in a newspaper with general circulation within the Village and at least ten days before bids are due. The Village shall also advertise all pending work or purchases by posting a notice on the public bulletin board in the Village hall and on its website.

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

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

Such bid may be in the form of a certified check, bond, or letter of credit in an amount as specified in the advertisement for bids to ensure finalization of the contract and to indemnify the Village against all loss, damages, and claims that may accrue against the Village as a consequence of the granting of the contract.

(F) *Bid Opening Procedure:*

1. *Sealed:* Bids shall be submitted sealed to the Village Administrator and shall be identified as bids on the envelope.

2. *Opening*: Bids shall be opened in public at a time and place stated in the public notice and by the person designated in the bid notice or such other persons as designated by the Village Administrator.
3. *Tabulation*: A tabulation of all bids received shall be by the Village Administrator or his or her designee, and the bids shall be furnished to the Board of Trustees prior to the meeting where the Board of Trustees will consider the awarding of a bid.

(G) *Rejection of Bids*: The Village, through its corporate authorities, shall have the authority to reject all bids or parts of all bids when the public interest will be served thereby.

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

(I) *Report*: The Village administrator and applicable department head shall submit a bid report to the Board of Trustees prior to the meeting at which the bids will be considered. For any bids on vehicles or equipment, the chief mechanic or his supervisor shall also provide a report.

(J) *Award of Contract*:

1. *Authority in Village*: The Board of Trustees shall have the authority to award contracts within the purview of this section.
2. *Lowest Responsible Bidder*: Contracts shall be awarded to the lowest responsible bidder on the basis of the bid that is in the best interests of the Village to accept. In awarding the contract, in addition to the price, the Board of Trustees shall consider:
 - (a) the ability, capacity, and skill of the bidder to perform the contract to provide the service required;
 - (b) whether the bidder can perform the contract or provide the service promptly, or within the time specified, without delay or interference;
 - (c) the character, integrity, reputation, judgment, experience, and efficiency of the bidder;
 - (d) the quality and performance of previous contracts or services;
 - (e) the previous and existing compliance by the bidder with law and ordinances relating to the contract and service;
 - (f) the sufficiency of the financial resources and ability of the bidder to perform the contract or provide service;
 - (g) the quality, availability, and adaptability of the supplies or contractual services to the particular use required;
 - (h) the ability of the bidder to provide future maintenance and service for the use of the subject of the contract; and
 - (i) the number and scope of conditions attached to the bid.
3. *Performance Bids*: The Board of Trustees shall have the authority to require a performance bond before entering into a contract, in such amounts as it shall find reasonably necessary to protect the best interests of the Village and to conform to the statutory requirements for such bonds.

- (K) *Open Market Procedure:* All work and purchases of equipment, contracts for supplies and materials, and service contracts of less than the estimated value of ten thousand dollars (\$10,000.00) shall be made in the open market without newspaper advertisement and without observing the procedure prescribed by this section for the award of formal contract in such a manner so as to ensure the best interests of the public after solicitation of bids and proposals by mail, telephone, facsimile transmission or otherwise.
- (L) *Professional Services Exempt From Bidding Requirements:* All contracts for professional services, including, but not limited to, attorneys, engineers, real estate appraisers, and architects, and any other profession whose ethical code involved prohibits or discourages involvement in normal bidding procedures, may be entered into by the Village without observing the bidding procedures prescribed by this section for the award for formal contracts.
- Regular employment contracts in the municipal service shall likewise be exempt from the provisions of this ordinance.
- (M) *Emergency Purchases:* In case of any apparent emergency that requires immediate work or purchase of supplies, materials, or services, the board of trustees shall be empowered to secure by open market procedure as herein set forth, at the lowest obtainable price, any work, supplies, or services regardless of the amount of the expenditures. A finding of such an emergency shall be made in an affirmative vote of at least two thirds of the Board of Trustees at the time of such emergency contract or no later than the first regular Village Board meeting thereafter.
- (N) *Cooperative Purchasing:* The Village shall have the authority to join with other units of government in cooperative purchasing plans when the best interests of the Village would be served thereby.

(Ord. 13-03, 7-15-13)

Class G holder: On Monday through Saturday from 12:00 midnight to 1:00 A.M. and from 10:00 A.M. to 12:00 midnight; on Sunday from 12:00 midnight to 1:00 A.M. and from 12:00 noon to 12:00 midnight.

Class H holder: Allowed by the granting of same. (amd. Ord. 11-02, 5-2-11)

- (B) On January 1 of each year, holders of Class A-2, Class A-3, Class B-2, Class B-3, and Class C liquor licenses may extend their hours of sale to 2:00 A.M. This extension is allowed provided that no additional patrons may be admitted after regular closing hours, and there shall be no advertising or invitation to the public that the premises are open after the regular closing hours; and, in the event of any disturbance of the peace within the licensed premises, the premises shall close on order of the police at any time after regular closing hours; and the extension of the New Year's Eve closing hour shall not further apply; and all patrons shall, on such order of the police, immediately leave the licensed premises.
- (C) It shall be unlawful to keep open for business, to advertise it is open for business, or to admit the public to any licensed premises during the hours which it is prohibited from selling or dispensing alcoholic beverages or within thirty (30) minutes after the closing hour to permit any consumption or open containers of alcoholic beverages that could be used for consumption. No person other than the licensee or employees engaged in the performance of their duties shall be permitted to remain on said premises more than thirty (30) minutes after closing hours and until the premises may be legally reopened; provided, that in case of restaurants, such establishments may be kept open during such hours but no alcoholic liquor may be sold after the closing hour, nor shall any open container of alcoholic beverage be available to the public or any patron within thirty (30) minutes after the closing hour. (amd. Ord. 08-37, 3-16-09)

3-8-5: APPLICATION PROCEDURE; PAYMENTS; RENEWALS; TRANSFERS; LOCATION; CHANGE OF OWNERSHIP:

- (A) Applications: Applications shall be directed to and filed with the Local Liquor Control Commissioner, or his designee, and shall be accompanied by the deposit of a certified or cashier's check of a Morton Bank, postal money order, or cash in the full amount of the annual license applied for. If any application is denied, the deposit shall be returned to the applicant. (Ord. 04-53, 3-7-05)
- (B) Payments: License fees shall be payable in full prior to May 1 of the year of issuance. All licenses shall expire on April 30 next after the date of issue. The fee to be paid shall be reduced in proportion to the full calendar months which have expired in the year prior to the issuance of the license. Payment shall be made to the Local Liquor Control Commissioner, or his designee. (amd. Ord. 00-54, 4-2-01; amd. Ord. 04-53, 3-7-05)
- (C) Renewals: Any licensee may renew his license prior to the expiration thereof; provided, that he is then qualified to receive a license and the premises for which such renewal license is sought are suitable for the purpose; and provided further, that the renewal privilege herein contained shall not be construed as a vested right which shall, in any case, prevent the Board of Trustees from decreasing the number of licenses to be issued within the Village.

Any person who shall fail to make application for renewal and pay the fee as herein provided shall be deemed to have forfeited and abandoned such license, and no renewal thereof shall thereafter be permitted. Any such license so forfeited or abandoned shall not be reissued, and any such person seeking thereafter to procure a license shall be considered as a new applicant and shall be subject to all limitations as to the number of licenses to be issued as heretofore provided.

- (D) **Transfer Of License:** A license shall be purely a privilege good for and not to exceed one year after issuance, unless sooner revoked as by law provided, and shall not constitute property; nor shall it be subject to attachment, garnishment, or execution; nor shall it be alienable or transferable voluntarily or involuntarily. Such license shall not descend by the law of testate or intestate devolution; but it shall cease upon the death of the licensee; provided, that executors or administrators of the estate of any deceased licensee and trustee of any insolvent or bankrupt licensee, when such estate consists in part of alcoholic liquors, may continue the business of the sale of alcoholic liquor under order of the appropriate court and may exercise the privileges of the deceased or insolvent or bankrupt licensee after the death of such decedent or such insolvency or bankruptcy until the expiration of such license, but not longer than six (6) months after the death, insolvency, or bankruptcy of such licensee. A refund shall be made of that portion of the license fee paid for any period in which the licensee shall be prevented from operating under such license in accordance with the provisions of this Subsection. If a transfer is requested, an appropriate application shall be submitted together with payment of an investigation fee of fifty dollars (\$50.00). (amd. Ord. 12-24, 2-4-13)
- (E) **Change Of Location:** A retail dealer’s license shall permit the sale of alcoholic liquor only in the premises described in the application and license. Such location may be changed only upon a written permit to make such changes issued by the Local Liquor Control Commissioner. No change of location shall be permitted unless the proposed new location is a proper one for the retail sale of alcoholic liquor under the laws of this State and the applicable provisions of this Code. (Ord. 85-19, 4-21-86; amd. Ord. 04-53, 3-7-05)
- (F) **Change of Ownership:** If the ownership of a license changes at any time, licensee shall notify the Liquor Commissioner in writing of same and provide the name and address of the new owner(s) and such other information as the Liquor Commissioner may require. The licensee shall also pay the sum of fifty dollars (\$50.00) as an investigation fee in order that the Liquor Commission can determine the eligibility of any new owner. (Ord. 12-24, 2-4-13)

3-8-6: **LIMITATION ON NUMBER:** In order that the health, safety, and welfare of the people of the Village be protected, and in order that minors shall be prevented from the purchase of alcoholic liquors, and in order that temperance in the consumption of liquors be fostered and promoted, there shall be a limit upon the number of liquor licenses issued and in effect, which is as follows:

Class A-1	Zero (0)
Class A-2	Five (5)
Class A-3	One (1)
Class A-4	Zero (0)
Class B-1	Three (3)
Class B-2	Thirteen (13)
Class B-3	Three (3)
Class C	One (1)
Class D	Two (2)
Class E	Nine (9)
Class F	No specific limit
Class G	Zero (0)
Class H	No specific limit

(Ord. 86-1, 5-5-86; amd. Ord. 86-14, 11-3-86; Ord. 87-11, 8-17-87; Ord. 88-14, 8-15-88; Ord. 89-10, 8-21-89; Ord. 95-1, 5-15-95; Ord. 97-14, 7-22-97; Ord. 97-38, 4-20-98; Ord. 98-30, 12-7-98; Ord. 98-49, 4-19-99; Ord. 99-12, 8-2-99; Ord. 99-17, 9-7-99; Ord. 99-38, 11-15-99; amd. Ord. 99-48, 2-21-00; amd. Ord. 00-02, 5-1-00; amd. Ord. 01-01, 5-7-01; amd. Ord. 02-10, 7-1-02; amd. Ord. 04-10, 6-21-04; amd. Ord. 04-21, 7-6-04; amd. Ord. 05-22, 10-17-05; amd. Ord. 05-47, 3-20-06; amd. Ord. 06-08, 6-5-06; amd. Ord. 08-10, 8-18-08; amd. Ord. 08-13, 9-15-08; amd. Ord. 08-15, 11-3-08, amd. Ord. 08-29, 12-1-08; amd. Ord. 08-47, 4-20-09; amd. Ord. 09-06, 5-18-09; amd. Ord. 09-09, 6-1-09; amd. Ord. 09-12, 7-6-09; amd. Ord. 09-23, 8-3-09; amd. Ord. 10-23, 11-15-10; amd. Ord. 10-34, 2-21-11; amd. Ord. 10-40, 4-4-11; amd. Ord. 11-02, 5-2-11; amd. Ord. 11-09, 6-20-11; amd. Ord. 11-16, 7-18-11; amd. Ord. 11-33, 3-19-12; amd. Ord. 10-35, 4-2-12; amd. Ord. 12-05, 6-18-12; amd. Ord. 12-22, 12-3-12; amd. Ord. 13-13, 9-3-13)

3-8-7: **LICENSES, APPLICATION REQUIREMENTS:** All applications shall be on forms approved by the local Liquor Control Commission and shall be submitted in writing, executed under oath or affirmation by the applicant seeking a license, shall be accompanied by a bond in the penal sum of one thousand dollars (\$1000.00) with corporate surety authorized to do business in the State of Illinois, and shall set forth the following information and statements:

- (A) The applicant's name and mailing address.
- (B) The name and address of the applicant's business.
- (C) If applicable, the date of the filing of the "assumed name" of the business with the County Clerk.
- (D) In case of a co-partnership, the date of the formation of the partnership; in the case of an Illinois corporation, the date of its incorporation; or, in the case of a foreign corporation, the state where it was incorporated and the date of its becoming qualified under the Illinois Business Corporation Act¹ to transact business in the State of Illinois.
- (E) The name and address of the landlord if the premises are leased.
- (F) The date of the applicant's first request for a State liquor license and whether it was granted, denied, or withdrawn.
- (G) Whether the applicant has made an application for a liquor license which has been denied; and, if so, the reasons therefor.
- (H) Whether the applicant has ever had a previous liquor license suspended or revoked; and, if so, the reasons therefor.
- (I) Whether the applicant has ever been convicted of a gambling offense or felony; and, if so, the particulars thereof.
- (J) Whether the applicant possesses a current Federal Wagering or Gaming Device Stamp; and, if so, the particulars thereof.
- (K) Whether the applicant or any other person directly or indirectly in his place of business is a public official; and, if so, the particulars thereof.
- (L) Whether, in the case of an application for the renewal of a license, the applicant has made any political contributions within the past two (2) years; and, if so, the particulars thereof.

¹ S.H.A., Ch. 32, 1.01 et seq.

- (M) The applicant's name, sex, date of birth, Social Security number, position, and percentage of ownership in the business; and the name, sex, date of birth, Social Security number, position, and percentage of ownership in the business of every sole owner, partner, corporate officer, director, manager, and any person who owns five percent (5%) or more of the shares of the applicant business entity or parent corporations of the applicant business entity.
- (N) That he has not received or borrowed money or anything else of value and that he will not receive or borrow money or anything else of value (other than merchandising credit in the ordinary course of business for a period not to exceed ninety [90] days as herein expressly permitted under section 6-5 of the Liquor Control Act of 1934), directly or indirectly, from any manufacturer, importing distributor, or distributor, or from any representative of any such manufacturer, importing distributor, or distributor; nor be a part in any way, directly or indirectly, to any violation by a manufacturer, distributor, or importing distributor of Section 6-6 of the Liquor Control Act of 1934.
- (O) The length of time the applicant has resided in the Village prior to filing the application and all addresses at which the applicant has resided in the past five (5) years; if a corporation, the length of time the manager has resided in the Village prior to filing the application and all addresses at which the manager has resided in the past five (5) years.
- (P) The character of the business of the applicant; and, in the case of a corporation, the objects for which it was formed.
- (Q) The location and description of the premises or place of business which is to be operated under the license.
- (R) A statement whether applicant is an alcoholic or has received treatment for alcoholism or any drinking problem, or has been involved in any incident involving the police, including traffic, in which he was intoxicated, detailing the dates, locations, and results of any such treatment or incident.
- (S) A statement whether the applicant has received a local license to sell alcoholic liquors at retail from any state or political subdivision thereof.
- (T) A statement that the location where the applicant proposes to sell alcoholic liquors at retail is not within one hundred feet (100') of any church, school, hospital, home for aged, indigent persons, or veterans, undertaking establishment, or mortuary.

If said application is made on behalf of a partnership, firm, association, club, or corporation, then the same shall be signed and sworn or affirmed to by at least two (2) members of such partnership or the resident and secretary of such corporation or club. The applicant shall submit with the application documentary proof of his interest in the premises, whether by lease, deed, or otherwise.

3-8-8: **APPLICATION, PERSONS INELIGIBLE:** No license authorized by this Chapter shall be issued to:

- (A) A person who is not a resident of any city, village, or county in which the premises covered by the license are located, except in case of railroad or boat license.
- (B) A person who is not of good character and reputation in the community in which he resides.
- (C) A person who is not a citizen of the United States.
- (D) A person who has been convicted of a felony under any Federal or State law, if the Liquor Control Commission determines after investigation that such person has not been sufficiently rehabilitated to warrant the public trust.

9-4-51: **TRUCK ROUTES:**

(A) Truck Routes Designated: The movement of all trucks traveling within the Village shall be confined to the following truck routes, except as hereinafter provided:

1. All State Routes.
2. Ashland Street.
3. Broadway Road.
4. Commerce Drive.
5. Courtland Street.
6. Detroit Avenue from Main Street to Jackson Street.
7. West Jefferson Street from Detroit Avenue to the western corporate limits, subject to any applicable ordinances of Tazewell County.
8. North Main Street from Jackson Street to Courtland Street.
9. South Main Street from the I-155 interchange to Detroit Avenue.
10. North Morton Avenue from Jackson Street to Courtland Street.
11. West Queenwood Road from Main Street to the I-155 interchange.
12. Veteran's Road from Courtland Street to West Jackson Street. (Ord. 98-14, 7-20-98; amd. Ord. 99-1, 5-17-99; amd. Ord. 09-19, 8-3-09)

(B) Exceptions:

1. The restrictions set forth herein shall not apply to trucks normally classified as one ton maximum and under, and having not more than two (2) axles.
2. All trucks larger than those specified in Subsection (B)1 of this Section may travel off of truck routes within the Village only for the purpose of making local freight deliveries. Said trucks shall proceed to the delivery point via the shortest direct route and shall return by the same path to the closest truck route.

(C) Penalty: The minimum penalty, including court costs for any violation of this Section, is seventy five dollars (\$75.00) (Ord. 97-31, 11-17-97)

9-4-52: **TOY VEHICLES IN ROADWAY:** It shall be unlawful for any person upon skates, a coaster, a skateboard, sled, miniature automobile, or other toy vehicle to go upon any roadway other than at a crosswalk. (Ord. 80-5, 6-2-80)

9-4-53: **PUBLIC POOL CROSSING:** The driver of a vehicle approaching the marked crosswalk located on Greenwood Street at the entrance to the Morton Park District Pool, shall yield the right of way, slowing down or stopping if need be to so yield, to any pedestrian who has entered the crosswalk or is approaching the crosswalk so closely as to be in danger. (Ord. 93-14, 10-4-93)

9-4-54: **SPEED RESTRICTIONS:** No person shall drive any vehicle upon any public street or highway in the Village at a speed which is greater than:

- (A) That which is reasonable and proper with regard to traffic conditions and the use of the public street or highway, or that endangers the safety of any person or property. The fact that the speed of an automobile does not exceed the applicable maximum speed limit does not relieve the driver of the duty to decrease speed when approaching or crossing an intersection, when approaching or rounding a curve, when approaching a hillcrest, upon any narrow or winding roadway, or when special hazards exist with respect to pedestrians or other traffic or by reason of weather or highway conditions. Speed must be decreased as necessary to avoid colliding with any person or vehicle or on entering the public street or highway in compliance with legal requirements and the duty of all persons to use due care.¹
- (B) The limits posted by the Illinois Department of Transportation on the streets and highways maintained by the Illinois Department of Transportation.
- (C) Fifteen (15) miles per hour on all alleys. (Ord. 89-18, 2-19-90)
- (D) Twenty (20) miles per hour while passing a school zone or while traveling on any thoroughfare on or across which children pass to and from school during school days and when school children are present. This Section shall not be applicable unless appropriate signs are posted on streets and highways under Village jurisdiction. Such signs shall give proper and due warning that a school zone is being approached and shall indicate the school zone and the maximum speed limit in effect during school days when school children are present. Nothing in this Title shall prohibit the use of electronic speed detecting devices within five hundred feet (500') of signs within a special school speed zone indicating such zone, as defined in this Section, nor shall evidence obtained thereby be inadmissible in any prosecution for speeding, providing the use of such devices shall apply only to the enforcement of the speed limit at such special speed zone.² In addition to all other streets where this subsection applies, it shall also apply to Illinois Street from Monroe to Jackson Street.
- On any day when children are present and within fifty feet (50') of motorized traffic, a person may not drive a motor vehicle at a speed in excess of twenty (20) miles per hour or any lower posted speed while traveling on a park zone street that has been designated for the posted reduced speed. Idlewood Street is designated as a park zone street between South Fourth Avenue and Parkside Avenue. (Ord. 13-16, 10-7-13)
- (E) Twenty five (25) miles per hour on the following streets or highways:
1. Adams Street from South Plum Avenue to South First Avenue.
 2. Jefferson Street from South Plum Avenue to First Avenue.
 3. Main Street from Jackson Street to West Birchwood Street.
- (F) Thirty (30) miles per hour on all streets or highways within the Village limits, unless a different limit applies pursuant to this Section.
- (G) Thirty five (35) miles per hour on the following streets or highways:
1. West Birchwood Street from South Main Street to Detroit Avenue.

¹ For Statute authority, see S.H.A. 625 ILCS 5/11-601(A).

² For Statute authority, see S.H.A. 625 ILCS 5/11-605.

2. Detroit Avenue from West Jackson Street to a point one thousand five hundred feet (1,500') south of West Jackson Street and from West Birchwood Street to South Main Street.
3. East Jefferson Street from North Oregon Avenue to a point seven hundred fifty feet (750') east of Tennessee Avenue.
4. West Jefferson Street from Bond Street to I-74.
5. West Lakeland Road from North Morton Avenue to Ossami Lake Drive.
6. North Main Street from the TP&W Railroad tracks to North Nebraska Avenue.
7. North Main Street from the Norfolk Southern Railroad tracks to a point five hundred feet (500') south of the northern corporate limits line.
8. South Main Street from Birchwood Street to Jadewood Street.
9. North Morton Avenue from Lakeland Road to Lynnwood Court.
10. East Queenwood Road from South Main Street to a point six hundred feet (600') east of South Second Avenue.
11. West Queenwood Road from South Main Street to a point one thousand feet (1,000') west of South Main Street.
12. Veteran's Road from West Jefferson Street to the northern corporate limits line. (Ord. 04-15, 6-21-04; amd. Ord. 09-01, 5-4-09; amd. Ord. 10-41, 4-25-11, amd. Ord. 11-15, 7-18-11)

(H) Forty (40) miles per hour on the following streets or highways:

1. Courtland Street. (amd. Ord. 11-15, 7-18-11)
2. Detroit Avenue from Detroit Parkway to a point one thousand five hundred feet (1,500') south of West Jackson Street.
3. South Fourth Avenue from East Maywood Street to East Queenwood Road. (amd. Ord. 12-17, 11-5-12)
4. Harding Road from North Main Street to the eastern corporate limits line.
5. South Main Street from Jadewood Street to I-155.
6. North Morton Avenue from I-74 to Lakeland Road.
7. East Queenwood Road from a point six hundred feet (600') east of South Second Avenue to South Fourth Avenue.
8. Tennessee Avenue from a point one thousand three hundred feet (1,300') north of East Jackson Street to a point five hundred feet (500') south of East Jefferson Street. (amd. Ord. 09-01, 5-4-09; amd. Ord. 10-22, 11-15-10; amd. Ord. 10-41, 4-25-11)

(I) Forty five (45) miles per hour on the following streets or highways:

1. Detroit Avenue from West Birchwood Street to Detroit Parkway.
2. East Jefferson Street from a point seven hundred fifty feet (750') east of Tennessee Avenue to the eastern corporate limits line.

3. West Jefferson Street from I-74 to the western corporate limits line.
4. East Lakeland Road from North Morton Avenue to the eastern corporate limits line.
5. North Main Street from North Nebraska Avenue to the Norfolk Southern Railroad tracks.
6. North Main Street from a point five hundred feet (500') south of the northern corporate limits line to said line.
7. East Queenwood Road from South Fourth Avenue to a point one thousand three hundred and twenty feet (1,320') east of South Fourth Avenue.
8. West Queenwood Road from a point one thousand feet (1,000') west of its intersection with South Main Street to a point two thousand three hundred feet (2,300') west of said intersection.
9. Tennessee Avenue from a point one thousand three hundred feet (1,300') north of East Jackson Street to the northern corporate limits line and from a point five hundred feet (500') south of East Jefferson Street to the southern corporate limits line. (amd. Ord. 09-01, 5-4-09; amd. Ord. 10-22, 11-15-10; amd. Ord. 10-41, 4-25-11)

(J) Fifty (50) miles per hour on the following streets or highways:

1. South Fourth Avenue from East Queenwood Road to a point nine hundred feet (900') south of same.
2. That part of Hirstein Road between Cooper Road and Lakeland Road that lies within the Village limits. (Ord. 07-48, 12-17-07)

(K) Fifty five (55) miles per hour on the following street or highways:

1. Broadway Road.
2. South Fourth Avenue from a point nine hundred feet (900') south of East Queenwood Road to Broadway Road.
3. West Queenwood Road west of a point two thousand three hundred feet (2,300') west of the intersection of West Queenwood Road and South Main Street. (Ord. 89-18, 2-19-90; amd. Ord. 90-10, 8-20-90; amd. Ord. 92-16, 9-8-92; amd. Ord. 93-3, 5-17-93; amd. Ord. 96-18, 9-3-96; amd. Ord. 98-29, 12-7-98; amd. Ord. 00-58, 4-16-01; amd. Ord. 01-40, 3-18-02; amd. Ord. 02-43, 5-5-03; amd. Ord. 03-24, 10-20-03; amd. Ord. 05-45, 2-20-06)

9-4-55 **TRANSPORTATION OF CANNABIS, CONTROLLED SUBSTANCE, OR DRUG PARAPHERNALIA PROHIBITED:**

(A) No driver may knowingly transport, carry, possess, or have any cannabis (as defined in Title 6, Chapter 2, Section 3 of the Morton Municipal Code, as may be amended from time to time), controlled substances (as defined in the Illinois Controlled Substances Act, 720 ILCS 570/100 et seq., as that act may be amended from time to time), or drug paraphernalia (as defined in Title 6, Chapter 2, Section 8 of the Morton Municipal Code, as may be amended from time to time), within the passenger area of any motor vehicle upon a public street or public property in the Village of Morton.

(B) Any person violating any provision of this Section shall, upon conviction or plea of guilty, pay a fine of seventy-five dollars (\$75.00). That fine may be paid at the Clerk's office without court appearance. If a person does not pay the fine at the Clerk's office, then he or she, in addition to any fine upon a conviction or plea of guilty, shall be assessed court costs as provided by statute. (Ord. 02-09, 7-15-02)

- (R) Main St. shall be a through street, except at the following locations:
1. Idlewood St. and Detroit Ave. (four-way stop).
 2. Jackson St. (four-way stop).
 3. Queenwood Rd. (four-way stop). (amd. Ord. 00-01, 5-1-00)
- (S) S. Minnesota Ave. shall be a through street at Sunset Rd.
- (T) Missouri Ave. shall be a through street, except at the following locations:
1. E. Jackson St.
 2. E. Jefferson St.
 3. E. Polk St.
 4. Sunset Rd.
- (U) E. Monroe St. shall be a through street, except at the following locations:
1. N. First Ave.
 2. N. Third Ave. (three-way stop).
 3. N. Illinois Ave.
 4. N. Indiana Ave.
 5. N. Missouri Ave.
 6. N. Nebraska Ave.
- (V) N. Morton Ave. shall be a through street, except at W. Jefferson St.
- (W) Nebraska Ave. shall be a through street, except at the following locations:
1. E. Idlewood St.
 2. E. Jackson St.
 3. E. Jefferson St.
 4. N. Main St.
- (X) Northbound Ossami Lake Dr. shall be a through street at Stoneway Dr.
- (Y) Northshore Dr. shall be a through street at Lakeview Dr.
- (Z) Pershing St. shall be a through street at Bauman Ave.
- (AA) S. Plum Ave. shall be a through street at W. Washington St.

- (BB) E. Polk St. shall be a through street at the following locations:
1. N. Kansas Ave.
 2. N. Minnesota Ave.
 3. N. Missouri Ave.
 4. Pierce St.
- (CC) Queenwood Rd. shall be a through street, except at the following locations:
1. S. Fourth Ave. (four-way stop).
 2. S. Main St. (four-way stop).
- (DD) S. Second Ave. shall be a through street at E. Maywood St.
- (EE) Stoneway Dr. shall be a through street, except at Veteran's Road.
- (FF) Sunset Rd. shall be a through street, except at the following locations:
1. S. Illinois Ave.
 2. S. Minnesota Ave.
- (GG) N. Third Ave. shall be a through street at the following locations:
1. Behrends Ct.
 2. E. Harrison St.
 3. E. Madison St.
 4. E. Polk.
 5. E. Tyler.
- (HH) Thornridge Dr. shall be a through street at Garnet Dr.
- (II) Veteran's Road shall be a through street, except at Jefferson St.
- (JJ) E. Washington St. shall be a through street at Clifton Ave.
- (KK) A four-way stop shall be located at the following intersections:
1. E. Edgewood St. and Lee Ave.
 2. S. Fourth Ave. and E. Queenwood Rd.
 3. S. Fourth Ave. and E. Washington St.
 4. N. Main St. and Jackson St.
 5. S. Main St. and Detroit Ave. / E. Idlewood St.
 6. S. Main St. and Queenwood Rd.

7. Nelson Ave. and W. Wick St.

(LL) A three-way stop shall be located at the intersection of N. Third Ave. and E. Monroe St.

A person required to stop as above shall yield the right-of-way to any vehicle which has entered the intersection from the through street, or which is approaching so closely as to constitute an immediate hazard. (Ord. 96-17, 9-3-96; amd. Ord. 97-18, 8-4-97; amd. Ord. 00-26, 9-5-00; amd. Ord. 00-42, 4-21-03; amd. Ord. 4-26, 8-2-04; amd. Ord. 04-48, 1-3-05; amd. Ord. 06-42, 4-2-07; amd. Ord. 07-33, 9-17-07; amd. Ord. 09-45, 4-5-10; amd. Ord. 13-15, 10-7-13)

9-9-2: **ONE-WAY STREETS:** Vehicles traveling on the indicated portions of the streets named below shall travel in the designated direction only. Vehicles traveling other portions of said streets may travel either direction.

(A) E. Monroe Street: One way east, from N. Main Street to N. Illinois Avenue. (Ord. 90-24, 11-19-90; amd. Ord. 96-8, 6-17-96)

(B) Alley west of S. Main Street: One way north, from one hundred fifteen feet (115') north of W. Adams to W. Jefferson. (Ord. 96-8, 6-17-96)

9-9-3: **TURNS PROHIBITED:**

Right hand turns are prohibited from Martha's Parkway onto Clark St. (Ord. 08-11, 8-18-08)

- (H) Landscaped Buffers Or Screening Required: Newly established industrial uses adjacent to or backing on residential or business districts, or newly established business uses adjacent to or backing on residential districts, or newly established multi-family uses adjacent to or backing on single-family uses, shall provide and continuously maintain on that property line a dense hedge, tree row, or other similar landscape device suitable to visually screen the differing types of adjacent uses from one another.
- (I) Obstructions To Visibility At Intersections Prohibited: On a corner lot, no obstruction to visibility shall be allowed within a triangular area formed by the intersecting property lines along the fronting streets and a straight line joining said lot lines at points the following distances from the intersection of such intersecting lot lines for types of streets as designated on the Official Map:
1. Twenty feet (20') for local streets, and
 2. Thirty five feet (35') for all other streets.
- This provision shall apply to obstructions on and after September 17, 2001.
(amd. Ord. 01-17, 9-17-01)
- (J) Minimum Square Footage For Single-Family Residences: Any building used as a single-family residence shall contain on the ground floor eight hundred (800) square feet of livable floor space.
- (K) Zoning Of Bona Fide Agricultural Uses: Notwithstanding the above, none of the following regulations, with the exception of yard requirements, shall be applicable to bona fide agricultural uses. This shall not be construed, however, as eliminating the necessity of agricultural uses from applying for and obtaining the necessary building and zoning permits prior to construction, alteration, or moving of buildings. No fee, however, shall be required for a zoning permit for such bona fide agricultural uses. (Ord. 78-31, 3-5-79)
- (L) Satellite Dishes: A satellite antenna dish, which is defined as a device used for the reception of communications or other signals from orbiting satellites, is permitted in districts zoned R-S, R-1, R-2, and R-3, subject to the following conditions:
1. Dishes mounted on the ground level shall not exceed a height of twelve feet (12').
 2. Dishes mounted on the rooftop or chimney of a structure shall not be greater than two feet (2') in diameter, and the highest point of the dish shall not exceed thirty five feet (35') measured from the top to the curb level.
 3. The dish shall not contain any lettering other than that placed on same identifying the manufacturer and shall not otherwise be used for the display of messages.
 4. Ground-mounted dishes shall be located only in the rear yard and shall be subject to a ten foot (10') setback on the rear yard property line and a ten foot (10') setback on the side yard lot line. If an easement requires a greater setback than the foregoing, then the easement setback shall apply.
 5. Ground-mounted dishes shall be reasonably concealed from the view at ground level of adjacent properties on all sides, except the side to which the dish is directed to receive the signal. On that side the view shall be obscured to the extent possible without interfering with the reception of the signal. Fencing or landscape screening shall be used for such purpose subject to the general requirements for same as provided in other sections of this Code. Any landscape screening that is used must be planted within six (6) months of the date of the installation of the dish and must be continuously maintained. Any landscape screening that is used must be nondeciduous and must be of a minimum height of four feet (4') when planted. (Ord. 84-22, 3-4-85)

6. A ground-mounted dish shall be considered an accessory use. (Ord. 93-2, 5-17-93)
7. A satellite antenna dish may be used only if it is permanently affixed to the ground, rooftop, or chimney of a structure. Satellite antenna dishes may not be located or affixed to any movable object, including, but not limited to, motor vehicles, trailers, or other movable objects. The use of a satellite antenna dish on a temporary basis is expressly prohibited. (Ord. 84-22, 3-4-85; amd. Ord. 93-4, 5-17-93)

(M) One satellite antenna dish is permitted in districts zoned MH, B-1, B-2, B-3, I-1, or I-2. The satellite antenna dish may be located only on the rooftop or in the rear yard, shall be subject to all other zoning requirements and restrictions, and shall be subject to site plan review. (Ord. 83-4, 5-16-83)

(N) Swimming pools where permitted shall be subject to the following:

1. Each swimming pool shall conform to the requirements of an accessory use.
2. Surrounding each swimming pool, whether the pool be inground or above ground, there shall be erected an enclosure fence which shall be at least five feet (5') in height. A wall of at least five feet (5') in height is sufficient for one (1) or more sides of the enclosure. A screened-in patio area completely enclosing a pool shall be considered appropriate enclosure.

All existing swimming pools that have an enclosure fence of at least four feet (4') in height and/or walls of at least four feet (4') in height may remain in existence, and no modifications are needed to same. In such cases, said fences or walls may be repaired or maintained, but they shall not be replaced or moved from their present location.

3. The gates of the required fence shall be self-closing and have self-latching latches placed at least four feet (4') above the ground. The fence shall be so constructed as to not allow a five inch (5") diameter sphere to pass through the fence.
4. No pool, the construction of which is completed after the effective date of this Ordinance, shall be filled with water of a depth of two feet (2') or more until the enclosure required by this Section has been provided.
5. The enclosure required by this Chapter shall be installed around all existing pools no later than May 1, 1992, subject to the provisions of Subsection 2 of this Section. (Ord. 91-8, 7-15-91)
6. They shall be maintained in a reasonable state of repair and condition. Water shall not be allowed to become stagnant. (Ord. 13-18, 10-7-13)
7. If on July 15, 1991, there was a fence of at least thirty six inches (36") in height located around an existing swimming pool, then said existing fence shall only have to meet the four foot (4') height requirement if same is modified to said height prior to May 1, 1992. If said existing fence is not modified to four feet (4') prior to said date, then it must meet the five foot (5') height requirement after that date. (Ord. 91-12, 2-3-92)
8. If on March 3, 1997, there existed a swimming pool which had been constructed without external buttresses, but which otherwise met the definition of a swimming pool prior to March 3, 1997, then the owner of the property where said swimming pool is located shall have until May 1, 1998, to erect a fence on the property that is in compliance with the provisions of this Section. (Ord. 96-39, 3-17-97)

5. Frozen food stores, including locker rental in conjunction therewith.
6. Funeral homes, mortuaries, and crematories.
7. Radio and television broadcasting studios and transmitting towers.
8. Restricted production and repair, limited to the following: art, needlework, clothing, custom manufacturing, and alterations for retail only, jewelry from precious metals, watches, dentures, and optical lenses.
9. Service, cleaning, or repair shops for personal, household, or garden equipment.
10. Veterinarian or animal hospital without outdoor kennels or runways.
11. Food processing and retail sales.
12. Retail sale of automobile supplies and auto parts. (amd. Ord. 01-28, 11-5-01)
13. Restaurants, taverns, and similar establishments serving alcoholic liquors with an outdoor eating, drinking, or seating area. (amd. Ord. 08-44, 4-20-09)

(C) Required Yard Area: Every building hereafter erected or structurally enlarged shall provide the following yard requirements, except for lots of record which shall meet reduced requirements of Section 10-4-4, and except for those general exceptions to yard requirements as outlined in Section 10-4-3:

1. Front Yard: The front yard shall equal the building height but in no case less than twenty five feet (25'), except for new B-2 business development located within the defined area for which reduced landscaped yards are required in Section 10-4-3. New business uses within this area need to provide a front yard of only ten feet (10').
2. Side Yard: The side yard shall be a minimum of ten feet (10') for buildings of two and one-half (2 1/2) stories or less, unless an existing adjoining property provides no side yard, in which case the property need provide no side yard. Ten foot (10') side yard is minimum required side yard for buildings of two and one-half (2 1/2) stories or less where buildings are separated. For unattached building of more than two and one-half (2 1/2) stories, the side yard shall be increased five feet (5') for each story or portion of story above two and one-half (2 1/2) stories.
3. Rear Yard: The rear yard shall be not less than eight feet (8').
4. Fences: Ornamental and enclosure fences meeting the required conditions are exempt from the specific yard requirements as noted.
 - (a) Ornamental fences not exceeding six feet (6') in height are permitted within the front yard. Enclosure fences are not permitted in front yards.
 - (b) Ornamental and enclosure fences not exceeding six feet (6') in height are permitted in the side and rear yards. (amd. Ord. 08-30, 12-1-08)

(D) Building Height: No building shall be erected or enlarged to exceed a height of two and one-half (2 1/2) stories or thirty five feet (35'), except for those general exceptions to height limitations listed in Section 10-4-3. Buildings of up to five (5) stories or seventy feet (70') in height may be permitted as a special use subject to the public hearing and other special permit requirements as outlined in Chapter 10 of this Title.

(E) Required Off-Street Parking And Loading: Required off-street parking and loading shall be provided as outlined in Chapter 8 of this Title. (Ord. 78-31, 3-5-79)

- (F) Required Construction Area And Composition: A building which is erected or enlarged shall conform to the following:
1. It shall rest upon footing or foundation. This shall not be construed to prohibit pole buildings or post frame buildings if set in concrete.
 2. It shall have sanitary facilities which comply with all other requirements of the Morton Municipal Code. This provision shall not apply to those buildings used exclusively for storage or warehousing.
- (G) Interstate Corridor: In the event the property is located within an interstate corridor, then the required lot size, required yard area, and driveways and parking areas, shall be as set forth in Title 10, Chapter 4, Subsections 7(B) and (C). The provisions of Title 10, Chapter 4, Subsection 7(G) shall also apply. (Ord. 94-31, 5-15-95)

10-6-4: **B-3 HIGHWAY AND SERVICE COMMERCIAL DISTRICT:**

- (A) Permitted Uses:
1. All uses permitted as a "permitted use" in the B-1 Professional Office District and in the B-2 General Business District.
 2. All other retail stores, shops, and service establishments not permitted in the B-1 or B-2 Districts, including those uses specifically mentioned below and providing within enclosed buildings except as noted below, not however, to include uses involving any manufacturing or processing except as expressly permitted below.
 3. Automobile supplies and auto parts.
 4. Auto washing establishments.
 5. Boat sales.
 6. Bowling alleys.
 7. Branch banks.
 8. Catering establishments.
 9. Clubs, lodges, fraternal and business organization meeting halls, and recreational facilities.
 10. Drive-in food, refreshment, and other business establishments servicing customers in parked cars.
 11. Dry cleaning and laundry establishments.
 12. Earth moving and material handling indoor equipment displays and sales rooms.
 13. Exterminating shops.
 14. Farm supplies (not to include outdoor storage of farm equipment).
 15. Feed stores.
 16. School bus storage yards and related buildings. (Ord. 13-07, 7-1-13)

APPOINTMENT (cont)

- Village Collector 1-12-1
- Village Officers And Employees 1-14-2
- Village Treasurer 1-8-1
- Water, Sewer, And Gas Inspector 1-13-1

APPROPRIATION FOR CIVIL DEFENSE ORGANIZATION 2-6-12

ARRESTS, CONSERVATORS OF THE PEACE 1-14-10

ASSAULT (See Also BATTERY) 6-2-1

ASSEMBLAGES

- Disturbing 6-2-7
- Unlawful 6-2-26

ASSESSMENT PROCEEDINGS, SPECIAL 1-9-6

ASSESSMENTS, COLLECTOR, SPECIAL (See Also COLLECTOR, VILLAGE) 1-12

ASSISTING POLICE OFFICERS 6-1-7

ATTORNEY, VILLAGE (See Also CORPORATION COUNSEL, VILLAGE) 1-9

- Borrow Pit Work Injunction, Issue 10-14-11
- Subdivision Responsibilities 11-2-1(E)

ATV'S, MOPEDS, SNOWMOBILES ON RESIDENTIAL PROPERTY 6-2-30

AUTOMOBILES, WASHING PROHIBITED DURING WATER SHORTAGE 8-4-20

AVENUES, DESIGNATION OF STREETS AND 8-1-8

B

B CLASS LIQUOR LICENSES 3-8-3

B-1 PROFESSIONAL OFFICE ZONING DISTRICT 10-6-2

B-2 GENERAL BUSINESS ZONING DISTRICT 10-6-3

B-3 HIGHWAY AND SERVICE COMMERCIAL ZONING DISTRICT 10-6-4

BACKFLOW PREVENTION DEVICES, WATER SUPPLY PROTECTION 8-4-15

BARBERRY BUSHES 8-6-3

BARNS (See Also SALES STABLES; BARNS) 3-13

BARRICADES (Obstruction and Deposits on Public Right Of Ways) 8-1-6

BATTERY (See Also ASSAULT) 6-2-2

BEER (See Also LIQUOR REGULATIONS) 3-8

BICYCLES

- Display of License Plate 9-8-5
- Equipment 9-8-8
- Inspection 9-8-7
- Issuance Of Licenses 9-8-4
- License Application 9-8-3
- License Sticker Required 9-8-2
- Operation Of Bicycles 9-8-9
- Penalty 9-8-10
- Traffic Laws Apply 9-8-1
- Transfer Of Ownership 9-8-6

BIDDING AND CONTRACT PROCEDURES 1-24

BILLS (POSTING) 6-2-20

BIKE TRAIL REGULATION 8-17

BLOCKS, SUBDIVISION DESIGN STANDARDS 11-4-4

BOARD OF APPEALS, ZONING

- Appeals To Court 2-7-3
- Organization 2-7-1
- Procedures And Powers 2-7-2
- Zoning Procedures, Administration, And Enforcement 10-10-1(C)

BOARD OF TRUSTEES

- Addressing Meetings 1-5-11
- Assignment of Duties and Responsibilities 1-5-6
- Attendance at Meetings Other Than by Physical Presence 1-5-15
- Disturbing Meetings 1-5-7
- Election; Term 1-5-1
- Gas Service
 - Extensions, Approve 8-2-6
 - Rates Established By 8-2-15(A)
- Meetings 1-5-3
- Oath; Compensation 1-5-2
- Order Of Business 1-5-8
- Presiding Officer 1-5-4
- Quorum 1-5-5
- Rescinded Action 1-5-9
- Resolutions 1-5-10
- Robert's Rules Of Order 1-5-13
- Subdivision Responsibilities 11-2-1(D)
- Suspension Of Rules 1-5-12

BOARD OF TRUSTEES, VILLAGE PRESIDENT 1-6

BOARDS

- Board Of Trustees 1-5
- Local Improvements 2-3
- Police Commissioners 2-4
- Police Pension Fund 2-5
- Zoning Appeals 2-7

BONDS

- Borrow Pit Work 10-14-9
- Clerk 1-7-2
- Collector, Village 1-12-2
- Excavations 8-1-7
- Itinerant Merchants, Peddlers 3-9-2, 3-9-5
- Liquor License Applicants 3-8-7
- Officers And Employees, Village 1-14-8
- Police Commissioners 2-4-3
- Policemen 6-1-6
- President, Village 1-6-4
- Secretary-Treasurer Of Fire Department 5-1-8
- Sewer Contractors 8-3-4.1(A)
- Surety 1-18
- Treasurer, Village 1-8-2

BORROW PITS (See Also ZONING, MORTON ZONING ORDINANCE) 10-14

BRAKES, VEHICLES 9-5-4

BREACH OF PEACE 6-2-16

BUILDING CODE AND BUILDING PERMITS

- Adoption Of Building Code 4-1-1
- Completion Of Work 4-1-6
- Contractor Or Third Party Responsibility 4-1-8
- Extension Of Time To Complete Work 4-1-7
- Fees 4-1-3
- Issuance Of Building Permit 4-1-4
- Permits 4-1-2
- Revocation 4-1-5
- Sign Regulations, Building Permit Required 10-9-3
- Violations And Penalties 4-5

BUILDING REGULATIONS
 Building Code And Building Permits 4-1
 Electrical Code 4-4
 Housing Code 4-3
 Plumbing Codes 4-2
 Violations 4-5
BUILDING SETBACKS, SUBDIVISION 11-9-2
BUILDINGS, SUPERVISION OF VILLAGE 1-10-2(C)
BUSINESS DISTRICT DEVELOPMENT AND REDEVELOPMENT COMMISSION 2-8
 Sign Regulations For 10-9-6
 Zoning 10-6
BUSINESS DISTRICT RETAILERS' OCCUPATION TAX 3-2-1
BUSINESS DISTRICT SERVICE OCCUPATION TAX 3-2-2
BUSINESS MANAGER
 Gas Bill Dispute Hearings Held By 8-2-16(C),(G)
 Residency of Employees 12-3-15
BUSINESS SIGNS (See Also ZONING, MORTON ZONING ORDINANCE, Sign Regulations) 10-9

C

C CLASS LIQUOR LICENSE 3-8-3
CABLE/VIDEO SERVICE PROVIDER FEES 3-27
CANNABIS 6-2-3
 Cannabis Control Act (See Also PARAPHERNALIA) 6-2-8
 Transportation of 9-4-55
CATS (See Also ANIMALS) 6-3
CATS, RABIES INOCULATION TAG 6-3-2
CERTIFICATES OF ACCREDITATION, POLICEMEN 6-1-2
CERTIFICATES OF OCCUPANCY, ZONING 4-1-2(B), 10-10-2(B)
CESSPOOLS 8-3-8
CHARGES, RECONNECTION OF WATER 8-15-10
CHARGES, STORM WATER SERVICE 8-5-5
CHECKS, INSUFFICIENT, PENALTY 1-4-6
CHIEF OF POLICE 6-1-4
 Bicycles 9-8-4
 Issue Dog Tag 6-3-2
 Keeper Of Village Jail 1-15-2
 Supervise Fireworks Displays 5-2-2
CHILD CARE, HOME OCCUPATION PROVISIONS 10-13-10
CISTERN OVERFLOW PIPES 8-3-8.3
CIVIL DEFENSE ORGANIZATION, MORTON ESDA
 Appropriation 2-6-12
 Compensation For Time Spent 2-6-8
 Cooperate With State 2-6-7
 Director 2-6-3
 Duties 2-6-4
 Members 2-6-2
 Mobile Support Team; Compensation 2-6-6
 Mutual Aid Agreements 2-6-5
 Oath 2-6-10
 Office Of Organization 2-6-11
 Organization Created 2-6-1
 Purchases 2-6-9
CLASSIFICATION, SEWER USERS 8-3-9.2

CLERK, VILLAGE

- Accounts 1-7-5
- Appointed Village Collector 1-12-1
- Bond 1-7-2
- Election; Compensation 1-7-1
- Money Collected 1-7-4
- Records 1-7-6
- Seal 1-7-7
- Signatures 1-7-3
- Subdivision Responsibilities 11-2-1(E)
- To Sign Licenses And Permits 3-1-3

CLIMBING UTILITY POLES 6-2-4

CLOSING HOURS OF LIQUOR ESTABLISHMENTS 3-8-4

CLUBS, LIQUOR LICENSE 3-8-3(A)4

CODES

- Building 4-1
- Electrical 4-4-1
- Fire Prevention 5-3
- Fuel Gas Code 4-2-1
- Housing 4-3-1
- Plumbing 4-2-1
- Village 1-1
- Violations And Penalties, Building Regulations 4-5-1

COLLECTOR, VILLAGE

- Appointment 1-12-1
- Bond 1-12-2
- Compensation 1-12-5
- General Duties 1-12-3
- Records 1-12-4

COMMERCIAL DEVELOPMENTS, PLANNED 10-4-10

COMMISSIONS

- Board Of Police Commissioners, Created 2-4-1
- Liquor Control 3-8-1
- Plan 2-2

COMPENSATION

- Board Of Trustees 1-5-2
- Emergency Services And Disaster Agency 2-6-7
- Firefighter 5-1-7
- Officers Of Fire Department 5-1-2

CONDEMNATION PROCEEDINGS, DUTY OF CORPORATION COUNSEL 1-9-6

CONDUCT

- Disorderly 6-2-6

CONNECTIONS TO STORM DRAINS 8-7-1

CONSTRUCTION

- Litter At Sites 7-2-30
- Plans, Subdivisions 11-3-4
- Words 1-1-4

CONTRACT (AND BIDDING) PROCEDURES 1-24

CONTROLLED SUBSTANCES ACT (See PARAPHERNALIA) 6-2-8

COORDINATOR, EMERGENCY SERVICES AND DISASTER AGENCY 2-6-2

CORPORATE SEAL 1-16-1