

Additional Ordinances

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#19-88

AN ORDINANCE REGULATING DEVELOPMENT
IN SPECIAL FLOOD HAZARD AREAS

Be it ordained by the Board of Trustees of the Village of Arthur, Illinois, as follows:

Section 1. Purpose. This ordinance is enacted pursuant to the police powers granted to this Village by Illinois Revised Statutes, Chapter 24, Sections 1-2-1, 11-12-12, 11-30-2, 11-30-8, and 11-31-2 in order to accomplish the following purposes:

- a. to prevent unwise developments from increasing flood or drainage hazards to others;
- b. to protect new buildings and major improvements to buildings from flood damage;
- c. to protect human life and health from the hazards of flooding;
- d. to lessen the burden on the taxpayer for flood control projects, repairs to flood-damaged public facilities and utilities, and flood rescue and relief operations;
- e. to maintain property values and a stable tax base by minimizing the potential for creating flood blighted areas; and
- f. to make federally subsidized flood insurance available for property in the Village by fulfilling the requirements of the National Flood Insurance Program.

Section 2. Definitions. For the purposes of this ordinance, the following definitions are adopted:

- a. "Flood" means: a general and temporary condition of inundation of normally dry land areas from the overflow, the unusual and rapid accumulation, or the runoff of surface waters from any source.
- b. "Base Flood" means: the flood having a one-percent probability of being equalled or exceeded in any given year. The base flood is also known as the 100 year flood. The base flood elevation at any location is as defined in Section 4 of this ordinance.
- c. "SFHA" or "Special Flood Hazard Area" means: those lands within the jurisdiction of the Village that are subject to inundation by the base flood. The SFHAs of the Village are generally identified as such on the Flood Insurance Rate Map of the Village prepared by the Federal Emergency Management Agency and dated 12-2-88. The SFHAs of those parts of unincorporated Moultrie and Douglas County that are within the extraterritorial jurisdiction of the Village or that may be annexed into the Village are generally identified as such on the Flood Insurance Rate Map prepared for Moultrie County dated 8-5-85 and Douglas County dated 3-4-85 by the Federal Emergency Management Agency.

- d. "Riverine SFHA" means: any SFHA subject to flooding from a river, creek, intermittent stream, ditch, or any other identified channel. This term does not include areas subject to flooding from lakes (except public bodies of water), ponding areas, areas of sheet flow, or other areas not subject to overbank flooding.
- e. "Floodway" means: that portion of the SFHA required to store and convey the base flood. The floodway for the SFHAs of the Village shall be delineated according to the best data available to the Illinois State Water Survey.
- f. "FPE" or "Flood Protection Elevation" means: the elevation of the base flood plus one foot at any given location in the SFHA.
- g. "Development" means: any man-made change to real estate, including
 - (i) construction, reconstruction, or placement of a building or any addition to a building valued at more than \$1,000;
 - (ii) installing a manufactured home on a site, preparing a site for a manufactured home or installing a travel trailer on a site for more than 180 days;
 - (iii) installing utilities, construction of roads, or similar projects;
 - (iv) construction or erection of levees, walls, fences, bridges or culverts;
 - (v) drilling, mining, filling, dredging, grading, excavating, or other nonagricultural alterations of the ground surface;
 - (vi) storage of materials; or
 - (vii) any other activity that might change the direction, height, or velocity of flood or surface waters.

"Development" does not include maintenance of existing buildings and facilities such as re-roofing; re-surfacing roads; or gardening plowing, and similar agricultural practices that do not involve filling, grading, or construction of levees.

- h. "Building" means: a structure that is principally above ground and is enclosed by walls and a roof. The term includes a gas or liquid storage tank, a manufactured home, or a prefabricated building. The term also includes recreational vehicles and travel trailers to be installed on a site for more than 180 days.

Section 3. Duties of the Building Official. The Building Official shall be responsible for the general administration and enforcement of this ordinance, including but not limited to the following duties:

- a. Ensure that all development activities within the SFHAs of the jurisdiction of the Village meet the requirements of this ordinance.

- b. Provide information and assistance to citizens upon request about permit procedures and floodplain construction techniques.
- c. Ensure that construction authorization has been granted by the Illinois Department of Transportation, Division of Water Resources for all development projects subject to Section 6 of this ordinance and maintain a record of such authorization.
- d. Maintain a record of the "as built" elevation of the lowest floor (including basement) of all buildings subject to Section 7 of this ordinance.
- e. Maintain a record of the engineer's certificate and the "as built" floodproofed elevation of all buildings subject to Section 7.d of this ordinance.
- f. Inspect all development projects to ensure they comply with the provisions of this ordinance.
- g. Cooperate with state and federal floodplain management agencies to improve base flood and floodway data and to improve the administration of this ordinance. Submit reports as required for the National Flood Insurance Program.
- h. Maintain for public inspection and furnish upon request base flood data, SFHA maps, copies of federal or state permit documents and "as built" elevation and floodproofing data for all buildings constructed subject to this ordinance.

Section 4. Base Flood Elevation. This ordinance's protection standard is the base flood. The best available base flood data are listed below. Whenever a party disagrees with the best available data, the party may finance the detailed engineering study needed to replace existing data with better data and submit it to the State Water Survey and the Federal Emergency Management Agency.

- a. The base flood elevation for the SFHAs of the West Fork Kaskaskia River and Kaskaskia River Tributary shall be as delineated on the 100 year flood profiles in the Flood Insurance Study of the Village prepared by the Federal Emergency Management Agency and dated 12-2-88.
- b. The base flood elevation for each SFHA delineated as an "AH Zone" or "AO Zone" shall be that elevation (or depth) delineated on the Flood Insurance Rate Map of the Village.
- c. The base flood elevation for each of the remaining SFHAs delineated as an "A Zone" on the Flood Insurance Rate Map of the Village shall be according to the best data available to the Illinois State Water Survey Floodplain Information Repository. When no base flood elevation exists, the base flood elevation shall be the 100 year flood depth calculated according to the formulas presented in Depth & Frequency of Floods in Illinois published by the U.S. Geological Survey, 1976.

- d. The base flood elevation for the SFHAs of those parts of unincorporated Douglas County that are within the extraterritorial jurisdiction of the Village or that may be annexed into the Village shall be as delineated on the 100 year flood profiles in the Flood Insurance Study of Douglas County prepared by the Federal Emergency Management Agency and dated 9-4-84.

The base flood elevation for the SFHAs of Moultrie County to be annexed into the Village or within the Village's extraterritorial jurisdiction shall be according to the best data available to the Illinois State Water Survey. When no base flood elevation exists, the base flood elevation shall be the 100 year flood depth calculated according to the formulas presented in Depth and Frequency of Floods in Illinois published by the U.S. Geological Survey, 1976.

Section 5. Development Permit. No person, firm, corporation, or governmental body not exempted by state law shall commence any development in the SFHA without first obtaining a development permit from the Building Official. The Building Official shall not issue a development permit if the proposed development does not meet the requirements of this ordinance.

- a. The application for a development permit shall be accompanied by drawings of the site, drawn to scale showing property line dimensions; existing grade elevations and all changes in grade resulting from excavation or filling; the location and dimensions of all buildings and additions to buildings; and the elevation of the lowest floor (including basement) of all proposed buildings subject to the requirements of Section 7 of this ordinance.
- b. Upon receipt of an application for a development permit, the Building Official shall compare the elevation of the site to the base flood elevation. Any development located on land that can be shown to have been higher than the base flood elevation as of the date of the site's first Flood Insurance Rate Map identification is not located in the SFHA and therefore not subject to the requirements of this ordinance. The Building Official shall maintain documentation of the existing ground elevation at the development site and certification that this ground elevation existed prior to the date of the site's first Flood Insurance Rate Map identification.
- c. The Building Official shall inform the applicant of any and all other local, state, and federal permits that may be required for this type of development activity. The Building Official shall not issue the development permit unless all required federal and state permits have been obtained.

Section 6. Preventing Increased Damages. No development in the SFHA shall create a damaging or potentially damaging increase in flood heights or velocity or threat to public health and safety.

- a. Within all riverine SFHAs, the following standards shall apply:
- (i) In addition to the other requirements of this ordinance, a development permit for a site located in a floodway (or in a riverine SFHA where no floodway has been identified) shall not be issued unless the applicant first obtains a permit or written documentation that a permit is not required from the Illinois Department of Transportation, Division of Water Resources, issued pursuant to Illinois Revised Statutes, Chapter 19, Sections 52 et. seq.
 - (ii) The following activities may be constructed without the individual permit required in subsection 6.b.(i) in accordance with Statewide Permits issued by the Illinois Department of Transportation, Division of Water Resources provided the activities do not involve placement of fill, change of grade, or construction in the normal channel. Such activities must still meet the other requirements of this ordinance:
 - (a) The construction of wells, septic tanks, and underground utility lines not crossing a lake or stream;
 - (b) The construction of light poles, sign posts and similar structures;
 - (c) The construction of sidewalks, driveways, athletic fields (excluding fences), patios and similar surfaces which are built at grade;
 - (d) The construction of properly anchored, unwallled, open structures such as playground equipment, pavilions, and carports;
 - (e) The placement of properly anchored buildings not exceeding seventy (70) square feet in size, nor ten (10) feet in any dimension (e.g. animal shelters and tool sheds); and
 - (f) The construction of additions to existing buildings which do not increase the first floor area by more than twenty (20) percent, which are located on the upstream or downstream side of the existing building, and which do not extend beyond the sides of the existing building that are parallel to the flow of flood waters.
 - (iii) The total cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the base flood elevation more than 1.0 foot for the affected hydraulic reach of the stream and will not increase flood damages or potential flood damages;
- b. Public health standards in all SFHAs.

- (i) No development in the SFHA shall include locating or storing chemicals, explosives, bouyant materials, flammable liquids, pollutants, or other hazardous or toxic materials below the FPE unless such materials are stored in a storage tank or floodproofed building constructed according to the requirements of subsection 7.d of this ordinance.
- (ii) New and replacement sanitary sewer lines and on-site waste disposal systems may be permitted provided all manholes or other above ground openings located below the FPE are watertight.

Section 7. Protecting Buildings. In addition to the damage prevention requirements of Section 6, all buildings to be located in the SFHA shall be protected from flood damage below the FPE. This building protection requirement applies to the following situations:

- (i) construction or placement of a new building valued at more than \$1,000;
- (ii) structural alterations made to an existing building that increase the floor area by more than 20%, or the market value of the building by more than 50%;
- (iii) reconstruction or repairs made to a damaged building that are valued at or more than 50% of the market value of the building before the damage occurred;
- (iv) installing a manufactured home on a new site or a new manufactured home on an existing site. This ordinance does not apply to returning a manufactured home to the same site it lawfully occupied before it was removed to avoid flood damage; and
- (v) installing a travel trailer on a site for more than 180 days.

This building protection requirement may be met by one of the following methods. The Building Official shall maintain a record of compliance with these building protection requirements as required in Section 3 of this ordinance.

- a. A residential or nonresidential building may be constructed on permanent land fill in accordance with the following:
 - (i) The fill shall be placed in layers no greater than 1 foot deep before compaction.
 - (ii) The lowest floor (including basement) shall be at or above the FPE. The fill should extend at least ten feet beyond the foundation of the building before sloping below the FPE.

- (iii) The fill shall be protected against erosion and scour during flooding by vegetative cover, rip rap, or bulkheading. If vegetative cover is used, the slopes shall be no steeper than 3 horizontal to 1 vertical.
 - (iv) The fill shall not adversely affect the flow of surface drainage from or onto neighboring properties.
- b. A residential or nonresidential building may be elevated in accordance with the following:
- (i) The building or improvements shall be elevated on crawl space, walls, stilts, piles, or other foundation provided:
 - (a) the walls have permanent openings no more than one foot above grade; and
 - (b) the walls and floor are not subject to damage by hydrostatic pressures associated with the base flood.
 - (ii) The foundation and supporting members shall be anchored and aligned in relation to flood flows and adjoining structures so as to minimize exposure to known hydrodynamic forces such as current, waves, ice, and floating debris.
 - (iii) All areas below the FPE shall be constructed of materials resistant to flood damage. The lowest floor (including basement) and all electrical, heating, ventilating, plumbing, and air conditioning equipment and utility meters shall be located at or above the FPE. Water and sewer pipes, electrical and telephone lines, submersible pumps, and other waterproofed service facilities may be located below the FPE.
- c. Manufactured homes and travel trailers to be installed on a site for more than 180 days shall be:
- (i) elevated at or above the FPE in accordance with Section 7.(a) or (b) and
 - (ii) anchored to resist floatation, collapse, or lateral movement by being tied down in accordance with the Rules and Regulations for the Illinois Mobile Home Tie-Down Act issued pursuant to Illinois Revised Statutes, Chapter 111 1/2, Sections 4401-4406.
- d. Only a non-residential building may be floodproofed in accordance with the following:

- (i) A Registered Professional Engineer shall certify that the building has been designed so that below the FPE, the structure and attendant utility facilities are watertight and capable of resisting the affects of the base flood. The building design shall take into account flood velocities, duration, rate of rise, hydrostatic and hydrodynamic forces, the effects of bouyancy, and impacts from debris or ice.
- (ii) Floodproofing measures shall be operable without human intervention and without an outside source of electricity.

Section 8. Other Development Requirements. The Board of Trustees shall take into account flood hazards, to the extent that they are known, in all official actions related to land management, use and development.

- a. New subdivisions, manufactured home parks, travel trailer parks annexation agreements, planned unit developments (PUDs) and additions to manufactured home parks and subdivisions shall meet the requirements of Sections 6 and 7 of this ordinance. Plats or plans for new subdivisions, manufactured home parks, and planned unit developments (PUDs) shall include a signed statement by a Registered Professional Engineer that the plat or plan accounts for changes in the drainage of surface waters in accordance with the Plat Act (Illinois Revised Statutes, Chapter 109, Section 2).
- b. Proposals for new subdivisions, manufactured home parks, travel trailer parks, planned unit developments (PUDs) and additions to manufactured home parks and subdivisions shall include base flood elevation data and floodway delineations. Where this information is not available from an existing study filed with the Illinois State Water Survey, the applicant shall be responsible for calculating the base flood elevation and the floodway delineation and submitting it to the State Water Survey for review and approval as best available regulatory data.

Section 9. Variances. Whenever the standards of this ordinance place undue hardship on a specific development proposal, the applicant may apply to the Zoning Board of Appeals for a variance. The Zoning Board of Appeals shall review the applicant's request for a variance and shall submit its recommendation to the Board of Trustees. The Board of Trustees may attach such conditions to granting of a variance as it deems necessary to further the intent of this ordinance.

- a. No variance shall be granted unless the applicant demonstrates that:
 - (i) the development activity cannot be located outside the SFHA;
 - (ii) an exceptional hardship would result if the variance were not granted;

- (iii) the relief requested is the minimum necessary;
 - (iv) there will be no additional threat to public health or safety or creation of a nuisance;
 - (v) there will be no additional public expense for flood protection, rescue or relief operations, policing, or repairs to roads, utilities, or other public facilities; and
 - (vi) the provisions of subsection 5.c of this ordinance are met; and
 - (vii) the provisions of subsection 6.a of this ordinance are met.
- b. The Zoning Board of Appeals shall notify an applicant in writing that a variance from the requirements of Section 7 that would lessen the degree of protection to a building will:
- (i) result in increased premium rates for flood insurance up to amounts that may be as high as \$25 for \$100 of insurance coverage;
 - (ii) increase the risks to life and property; and
 - (iii) require that the applicant proceed with knowledge of these risks and that the applicant acknowledge in writing the assumption of the risk and liability.
- c. Variances to the building protection requirements of Section 7 of this ordinance requested in connection with the reconstruction, repair or alteration of a site or building included on the National Register of Historic Places or the Illinois Register of Historic Places may be granted using criteria more permissive than the requirements of Subsection 9.a(i)-(v).

Section 10. Disclaimer of Liability. The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods may occur or flood heights may be increased by man-made or natural causes. This ordinance does not imply that development either inside or outside of the SFHA will be free from flooding or damage. This ordinance does not create liability on the part of the Village or any officer or employee thereof for any flood damage that results from reliance on this ordinance or any administrative decision made lawfully thereunder.

Section 11. Penalty. Failure to obtain a permit for development in the SFHA or failure to comply with the requirements of a permit or conditions of a variance resolution shall be deemed to be a violation of this ordinance. Upon due investigation the Village Attorney may determine that a violation of the minimum standards of this ordinance exist. The Village Attorney shall notify the owner in writing of such violation.

- a. If such owner fails after ten days notice to correct the violation:
- (i) The Village may make application to the circuit court for an injunction requiring conformance with this ordinance or make such other order as the court deems necessary to secure compliance with the ordinance.
 - (ii) Any person who violates this ordinance shall upon conviction thereof be fined not less than twenty-five dollars (\$25.00) nor more than two-hundred dollars (\$200.00).
 - (iii) A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.
- b. The Village Attorney shall inform the owner that any such violation is considered a willful act to increase flood damages and therefore may cause coverage by a Standard Flood Insurance Policy to be suspended.
- c. Nothing herein shall prevent the Village from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible.

Section 12. Abrogation and Greater Restrictions. This ordinance repeals and replaces other ordinances adopted by the Board of Trustees to fulfill the requirements of the National Flood Insurance Program including: None passed by Village after passage of Resolution of Intent on 8-4-74. However, this ordinance does not repeal the original resolution or ordinance adopted to achieve eligibility in the Program. Nor does this ordinance repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. Where this ordinance and other ordinance easements, covenants, or deed restrictions conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

Section 13. Separability. The provisions and sections of this ordinance shall be deemed separate and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

Section 14. Effective Date. This ordinance shall be in full force and effect from and after its passage and approval and publication, as required by law.

PASSED by the Board of Trustees of the Village of Arthur, Illinois, this 21st day of November, 1988.

Clerk

Be it ordained by the President and Board of Trustees of the Village of Arthur, Illinois:

WHEREAS, the President and Board of Trustees of the Village of Arthur, Illinois, have determined that it is in the best interest of the residents of the Village of Arthur, Illinois that water services provided by the Village of Arthur be restricted to property located within the Village of Arthur, Illinois;

NOW, THEREFORE, be it ordained by the President and Board of Trustees of the Village of Arthur, Illinois that no Village of Arthur water service shall be established subsequent to the passage of this ordinance to any property which has not been annexed into the Village of Arthur, Illinois.

This Ordinance shall be in full force and effect from and after its passage and approval as required by law.

PASSED by the President and Village Board of the Village of Arthur, Illinois on the 1st day of November, 1993.

AYES:

NAYS:

ABSENT:

Shirley Leone
Village Clerk of the Village of Arthur, Illinois

APPROVED by the President of the Village of Arthur, Illinois this 1st day of November, 1993.

Guy V. Gordon
Pro-Tem President of the Village of Arthur, Illinois

ATTESTED:

Shirley Leone
Village Clerk of the Village of Arthur, Illinois

CERTIFICATE

I, SHIRLEY STONE, Village Clerk of the Village of Arthur, Counties of Moultrie and Douglas, in the State of Illinois, DO HEREBY CERTIFY that the attached Ordinance No. 13-93 is a true and correct copy of the original Ordinance passed by the President and Board of Trustees of the Village of Arthur, Illinois on the 1st day of November, 1993.

I further certify that the original Ordinance is a part of the official records of the said Village of Arthur, Illinois.

Given under my hand and seal this 1st day of November, 1993.

Shirley Stone

Village Clerk of the Village of Arthur, Counties of Moultrie and Douglas, State of Illinois



DOUGLAS COUNTY
Filed for Record
Date Dec 20, 1993
Hour of 8:30 O'clock AM
Recorded in book 311 of
Records page 37

James A. Ingram

RECORDER

BOOK **311** PAGE **38**

197256

ORDINANCE NO. 2-94

AN ORDINANCE REGULATING HORSE DRAWN VEHICLE
BUSINESSES IN THE VILLAGE OF ARTHUR, ILLINOIS

Be it ordained by the President and the Board of Trustees of
the Village of Arthur, Illinois;

WHEREAS, the President and Board of Trustees have determined
after due consideration and investigation that for the convenience
and safety of the residents of the Village of Arthur, it is necessary
to have an ordinance regulating horse drawn vehicle businesses within
the Village of Arthur, Illinois;

NOW, therefore, let it be ordained by the President and the
Board of Trustees of the Village of Arthur, Illinois, that the
ordinance regulating horse drawn vehicle businesses within the
Village of Arthur, Illinois, shall read as follows:

SECTION ONE: HORSE DRAWN VEHICLE OPERATOR'S LICENSE AND
REGISTRATION REQUIRED.

(A) No person shall operate a horse drawn vehicle business
for the purpose of transporting persons for hire, for donations or
as a contractual service without first having obtained a horse drawn
vehicle operator's license from the office of the Village Clerk.

(B) Any person licensed as an operator shall register each
horse drawn vehicle used to conduct the horse drawn vehicle business.

(C) The Approving Authority shall be the Chief of Police
or in his absence, the Village President.

(D) Any business licensed under this ordinance shall be considered to be engaged in business in the Village of Arthur, Illinois for purposes of any Federal, State or local taxes.

SECTION TWO: LICENSE AND REGISTRATION FEE.

(A) The horse drawn vehicle operator's license fee shall be One Hundred Fifty Dollars (\$150.00) per calendar year.

(B) The horse drawn vehicle registration fee shall be Twenty-five Dollars (\$25.00) per horse drawn vehicle per calendar year.

SECTION THREE: EMBLEMS FOR REGISTERED HORSE DRAWN VEHICLES.

(A) The Village Clerk shall issue to each license horse drawn vehicle operator an emblem for each registered horse drawn vehicle. This emblem shall indicate the horse drawn vehicle registration number and the year of issue.

(B) The emblem shall be securely fastened to the registered horse drawn vehicle in a manner as to be readily discernible.

SECTION FOUR: APPLICATION FOR HORSE DRAWN VEHICLE OPERATOR'S LICENSE.

In addition to information required in the general licensing provisions, the application for a horse drawn vehicle operator's license shall contain the following:

(A) The number of carriages to be operated pursuant to the horse drawn vehicle operator's license.

(B) The seating capacity of each carriage.

(C) The applicant's name, date of birth, address, Social Security number, and State tax number.

(D) Proof of a health exam for each horse to be used in the horse drawn vehicle operation by a veterinarian of equine medicine who is licensed by the State of Illinois. This proof of health exam shall be required annually or at renewal of the license or at the discretion of the licensing authority in the event that any horse appears to be in poor health, malnourished, or neglected.

(E) Proof of age for each horse to be used in the horse drawn vehicle operation, the minimum age being four (4) years.

(F) A route and operations schedule which shall contain the following and be subject to approval of the Approving Authority:

(1) A map of the proposed primary route or routes on which the vehicles will normally operate.

(2) The location of the proposed site or sites to be used for off-street storage, stabling and loading of carriages and horses.

(3) The location of proposed area to be designated as stands for regular pickup and discharge of passengers.

(G) An insurance policy issued by a company currently authorized to do business in the State of Illinois, insuring the applicant against liability. This policy shall give a description of each horse drawn vehicle, the manufacturer's name and model number and the registration number. The public liability insurance policy may cover one or more horse drawn vehicles, but each horse drawn vehicle shall be insured for at least \$50,000.00 for property damage and \$100,000.00 for injuries to or death of any one person, and each horse drawn vehicle having seating capacity for not more than seven

(7) adult passengers shall be insured for the sum of at least \$300,000.00 for injuries to or death of more than one person at any one accident. The Village of Arthur shall be named as an additional insured on said policy.

SECTION FIVE: OFFICE AND TELEPHONE SERVICE.

This Paragraph reserved.

SECTION SIX: VEHICLES.

No horse drawn vehicle shall be operated unless it is equipped with the following:

(A) Taillights and turn signals on the rear of the vehicle. (Brakes and brake lights are recommended but not required.)

(B) Front lights on both sides which shall emit light to the front side and which shall be visible from a distance of 500 feet.

(C) An approved first aid kit.

SECTION SEVEN: VALID ILLINOIS MOTOR VEHICLE DRIVER'S LICENSE REQUIRED.

No person shall drive a horse drawn vehicle carrying persons for hire or by contract, unless such person is the holder of a valid Illinois motor vehicle driver's license.

SECTION EIGHT: APPLICATION FOR HORSE DRAWN VEHICLE DRIVER'S LICENSE.

In addition to information required in the general licensing provision, an application for a horse drawn vehicle driver's license shall include the following:

(A) The applicant's license number from his or her valid Illinois Motor Vehicle Driver's License.

(B) Written evidence that the applicant has experience in driving a horse drawn vehicle or successful completion of a course in such driving and shall upon request by the Approving Authority, demonstrate the ability to drive a horse drawn vehicle to the satisfaction of the licensing authority.

(C) A verification by the applicant that he or she has good eyesight and is not subject to any infirmity of body or mind which might render him or her unfit for the safe operation of a horse drawn vehicle.

(D) Age, height, weight, color of eyes, color of hair.

(E) Any prior felony convictions.

(F) Any prior licenses as a driver or chauffeur whether any licenses have ever been revoked, and if so, the reasons therefor.

(G) Whether the applicant has ever been convicted of a moving violation within the five (5) years prior to applying and, if so, the details thereof.

(H) Whether the applicant has ever been convicted of driving while intoxicated and if so, the details thereof.

(I) The annual horse drawn vehicle driver's license fee shall be Five Dollars (\$5.00), plus a one-time non-refundable fee of Five Dollars (\$5.00) to cover expenses in connection with the investigation to verify the application, for a total of Ten Dollars (\$10.00).

(J) The Approving Authority shall be the Chief of Police or in his absence, the Village President.

SECTION NINE: ISSUANCE AND DISPLAY OF HORSE DRAWN VEHICLE DRIVER'S LICENSE.

(A) On certification of the qualifications of the applicant and the payment of the license fee, the horse drawn vehicle driver's license shall be issued in a form so as to contain the year for which the license is valid, the name of the driver, the number of the license and the name of the horse drawn vehicle company.

(B) The Chief of Police shall deliver to each driver a plastic-coated identification card. The identification card shall display a driver's license number. The identification card, under penalty of revocation of license, shall be constantly and conspicuously displayed on the outside of the driver's coat or outer garment while he or she is engaged in his or her employment, or otherwise affixed on the vehicle's interior in plain view of the passenger area. No driver shall loan or permit the use of this card by any other person. On termination of employment, the driver must return his or her identification card to the Police Department.

SECTION TEN: DENIAL OF APPLICATION, REVOCATION OF LICENSE, HEARING FOR DENIAL OR REVOCATION.

The following procedures on a denial or revocation and hearings thereon as set forth shall apply:

(A) Application for a horse drawn vehicle driver's or operator's license shall be denied or may be revoked if, after due consideration, the Approving Authority determines that the provisions

of this code have not been satisfied. The Approving Authority shall notify the applicant and the Village Clerk, in writing, that the application has not been approved and the reasons therefor.

(B) Within ten (10) days from service of the Approving Authority's notice of denial or revocation, the horse drawn vehicle driver applicant may request, in writing, to the Approving Authority, a hearing before the Village Board, at which time the applicant may explain why the application should be approved.

(C) If a horse drawn vehicle driver is convicted of reckless or drunken driving or is convicted of a felony, while holding said license, said license shall be revoked.

SECTION ELEVEN: FARES POSTED IN PUBLIC VIEW.

(A) A schedule of fares shall be affixed to the horse drawn vehicle in a prominent location so as to advise all customers of the charges for services rendered.

(B) It shall be the duty of the horse drawn vehicle driver to inform any person hiring the horse drawn vehicle of all charges before any service is rendered.

(C) Fares shall also be posted on any temporary or permanent sign advertising the service.

SECTION TWELVE: OPERATION OF HORSE DRAWN VEHICLES.

(A) Horse drawn vehicle drivers or operators shall not solicit patronage in a loud tone of voice or in any manner to annoy or obstruct the peace or movement of persons, or follow any person for the purpose of soliciting patronage.

(B) Horse drawn vehicle drivers or operators are prohibited from smoking while carrying passengers.

(C) Horse drawn vehicle drivers or operators shall not allow the occupancy of the vehicle to exceed the rated seating capacity.

(D) Horse drawn vehicle drivers or operators shall not stop, stand or park at any location, other than those designated by the Approving Authority of the Village of Arthur, for the purpose of picking up or discharging passengers; however, nothing shall prohibit a person from requesting said Approving Authority to consider certain locations as horse drawn vehicle parking stands.

(E) It shall be the responsibility of the horse drawn vehicle drivers or operators to keep the stand area clean.

(F) Horse drawn vehicle drivers shall comply with all provisions of the State of Illinois Motor Vehicle Code, as well as all applicable local traffic laws, ordinances and regulations.

(G) No animal shall be left unattended for any length of time without being secured, anchored or tethered.

SECTION TWELVE: PASSENGERS.

(A) No passenger shall be allowed to ride on any part of the vehicle while in motion, except while seated inside the vehicle.

(B) Passengers shall not be allowed to drink alcoholic beverages, be intoxicated or demonstrate disorderly conduct.

SECTION THIRTEEN: ROUTES AND SCHEDULES.

(A) Vehicles regulated under these provisions shall

operate only upon designated routes and schedules approved by the Traffic Engineer of the Village of Arthur.

(B) A special designated route different from Paragraph (A) above may be granted by the Approving Authority of the Village of Arthur, provided that such request is received in writing not less than five (5) days prior to the use of the special designated route.

SECTION FOURTEEN: ANIMAL CARE AND CONTROL.

(A) Horse drawn vehicle drivers or operators shall have control of the vehicle and carriage animals at all times.

(B) Horse drawn vehicle operators shall maintain their horses in good health abiding by the rules of good animal husbandry. This shall include an annual health examination of each animal by a veterinarian of equine medicine licensed by the State of Illinois. A copy of said examination shall be submitted to the Village Clerk with a new and each renewal application. Proof of age for each horse to be used must also be provided with a minimum age of four (4) years.

(C) No animal shall be permitted to pull any vehicle for hire if the animal has open sores or wounds, is lame, it is found to have any ailment.

(D) All animals used to pull a vehicle for hire must be groomed daily and not have fungus, a dirty coat, or show symptoms of illness or irritations.

SECTION FIFTEEN: ADVERTISING.

Within the designated stand area, a portable folding sign not to exceed two feet (2') wide by four feet (4') tall per side and two feet

(2') in depth may be stationed indicating the name of the business at the rate of fares during business hours only.

SECTION SIXTEEN: PENALTY.

Any person violating any of the provisions of this Ordinance shall be deemed guilty of a Class C misdemeanor as defined by Illinois Statutes, and upon conviction thereof, shall be fined in an amount not exceeding Five Hundred Dollars (\$500.00). Each such violation shall constitute a separate offense and shall be punished as such hereunder.

This Ordinance shall be in full force and effect ten (10) days after its passage and approval and publication as required by law.

PASSED by the President and Village Board of the Village of Arthur, Illinois on the 18 day of April, 1994.

AYES

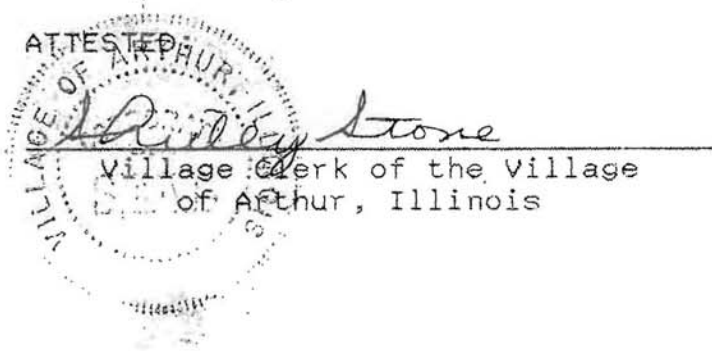
NAYS

ABSENT

Riley Stone
Village Clerk of the Village
of Arthur, Illinois

APPROVED by the President of the Village of Arthur, Illinois this 21 day of April, 1994.

Phillip W. Fletcher
President of the Village of
Arthur, Illinois



BOOK **321** PAGE **239**

CERTIFICATION OF PUBLICATION

I, SHIRLEY STONE, Village Clerk, Village of Arthur, Counties of Moultrie and Douglas, State of Illinois, do hereby certify that I caused the above Ordinance to be duly published in pamphlet form on the 21 day of April, 1994, and a Certificate of Publication is attached hereto.

Shirley Stone
Village Clerk of the Village of
Arthur, Counties of Moultrie and
Douglas, State of Illinois

CERTIFICATE

I, SHIRLEY STONE, Village Clerk of the Village of Arthur, Counties of Moultrie and Douglas, in the State of Illinois, DO HEREBY CERTIFY that the attached Ordinance No. ____-94 is a true and correct copy of the original Ordinance passed by the President and Board of Trustees of the Village of Arthur, Illinois on the 18 day of April, 1994.

I further certify that the original Ordinance of a part of the official records of the said Village of Arthur, Illinois.

Given under my hand and seal this 25 day of April, 1994.

Shirley Stone
Village Clerk of the Village of Arthur, Counties of Moultrie and Douglas, State of Illinois



BOOK **321** PAGE **241**

DOUGLAS COUNTY
Filed for Record
Date April 26, 1994
Hour of 8:30 O'clock AM
Recorded in book 321 of
Records page 230

James L. Johnson
RECORDER

197457

ORDINANCE NO. 3-94

AN ORDINANCE REGULATING HORSE DRAWN VEHICLE
BUSINESSES IN THE VILLAGE OF ARTHUR, ILLINOIS

Be it ordained by the President and the Board of Trustees of
the Village of Arthur, Illinois;

WHEREAS, the President and Board of Trustees have determined
after due consideration and investigation that for the convenience
and safety of the residents of the Village of Arthur, it is necessary
to have an ordinance regulating horse drawn vehicle businesses within
the Village of Arthur, Illinois;

NOW, therefore, let it be ordained by the President and the
Board of Trustees of the Village of Arthur, Illinois, that the
ordinance regulating horse drawn vehicle businesses within the
Village of Arthur, Illinois, shall read as follows:

SECTION ONE: HORSE DRAWN VEHICLE OPERATOR'S LICENSE AND
REGISTRATION REQUIRED.

(A) No person shall operate a horse drawn vehicle business
for the purpose of transporting persons for hire, for donations or
as a contractual service without first having obtained a horse drawn
vehicle operator's license from the office of the Village Clerk.

(B) Any person licensed as an operator shall register each
horse drawn vehicle used to conduct the horse drawn vehicle business.

(C) The Approving Authority shall be the Chief of Police
or in his absence, the Village President.

(D) Any business licensed under this ordinance shall be considered to be engaged in business in the Village of Arthur, Illinois for purposes of any Federal, State or local taxes.

SECTION TWO: LICENSE AND REGISTRATION FEE.

(A) The horse drawn vehicle operator's license fee shall be One Hundred Fifty Dollars (\$150.00) per calendar year.

(B) The horse drawn vehicle registration fee shall be Twenty-five Dollars (\$25.00) per horse drawn vehicle per calendar year.

SECTION THREE: EMBLEMS FOR REGISTERED HORSE DRAWN VEHICLES.

(A) The Village Clerk shall issue to each licensees horse drawn vehicle operator an emblem for each registered horse drawn vehicle. This emblem shall indicate the horse drawn vehicle registration number and the year of issue.

(B) The emblem shall be securely fastened to the registered horse drawn vehicle in a manner as to be readily discernible.

SECTION FOUR: APPLICATION FOR HORSE DRAWN VEHICLE OPERATOR'S LICENSE.

In addition to information required in the general licensing provisions, the application for a horse drawn vehicle operator's license shall contain the following:

(A) The number of carriages to be operated pursuant to the horse drawn vehicle operator's license.

(B) The seating capacity of each carriage.

(C) The applicant's name, date of birth, address, Social Security number, and State tax number.

(D) Proof of a health exam for each horse to be used in the horse drawn vehicle operation by a veterinarian of equine medicine who is licensed by the State of Illinois. This proof of health exam shall be required annually or at renewal of the license or at the discretion of the licensing authority in the event that any horse appears to be in poor health, malnourished, or neglected.

(E) Proof of age for each horse to be used in the horse drawn vehicle operation, the minimum age being three (3) years.

(F) A route and operations schedule which shall contain the following and be subject to approval of the Approving Authority:

(1) A map of the proposed primary route or routes on which the vehicles will normally operate.

(2) The location of the proposed site or sites to be used for off-street storage, stabling and loading of carriages and horses.

(3) The location of proposed area to be designated as stands for regular pickup and discharge of passengers.

(G) An insurance policy issued by a company currently authorized to do business in the State of Illinois, insuring the applicant against liability. This policy shall give a description of each horse drawn vehicle, the manufacturer's name and model number and the registration number. The public liability insurance policy may cover one or more horse drawn vehicles, but each horse drawn vehicle shall be insured for at least \$500,000.00 for property damage and for injuries to or death of any one person, and each horse drawn

vehicle having seating capacity for not more than seven (7) adult passengers shall be insured for the sum of at least \$1,000,000.00 for injuries to or death of more than one person at any one accident. The Village of Arthur shall be named as an additional insured on said policy.

SECTION FIVE: OFFICE AND TELEPHONE SERVICE.

This Paragraph reserved.

SECTION SIX: VEHICLES.

No horse drawn vehicle shall be operated unless it is equipped with the following:

(A) All equipment required by Illinois Revised Statutes Chapter 95 1/2, Paragraph 12-100 et seq (1991).

(B) An approved first aid kit.

SECTION SEVEN: VALID ILLINOIS MOTOR VEHICLE DRIVER'S LICENSE REQUIRED.

No person shall drive a horse drawn vehicle carrying persons for hire or by contract, unless such person is the holder of a valid Illinois motor vehicle driver's license.

SECTION EIGHT: APPLICATION FOR HORSE DRAWN VEHICLE DRIVER'S LICENSE.

In addition to information required in the general licensing provision, an application for a horse drawn vehicle driver's license shall include the following:

(A) The applicant's license number from his or her valid Illinois Motor Vehicle Driver's License.

(B) Written evidence that the applicant has experience in driving a horse drawn vehicle or successful completion of a course in such driving and shall upon request by the Approving Authority, demonstrate the ability to drive a horse drawn vehicle to the satisfaction of the licensing authority.

(C) A verification by the applicant that he or she has good eyesight and is not subject to any infirmity of body or mind which might render him or her unfit for the safe operation of a horse drawn vehicle.

(D) Age, height, weight, color of eyes, color of hair.

(E) Any prior felony convictions.

(F) Any prior licenses as a driver or chauffeur whether any licenses have ever been revoked, and if so, the reasons therefor.

(G) Whether the applicant has ever been convicted of a moving violation within the five (5) years prior to applying and, if so, the details thereof.

(H) Whether the applicant has ever been convicted of driving while intoxicated and if so, the details thereof.

(I) The annual horse drawn vehicle driver's license fee shall be Five Dollars (\$5.00), plus a one-time non-refundable fee of Five Dollars (\$5.00) to cover expenses in connection with the investigation to verify the application, for a total of Ten Dollars (\$10.00).

(J) The Approving Authority shall be the Chief of Police or in his absence, the Village President.

SECTION NINE: ISSUANCE AND DISPLAY OF HORSE DRAWN VEHICLE
DRIVER'S LICENSE.

(A) On certification of the qualifications of the applicant and the payment of the license fee, the horse drawn vehicle driver's license shall be issued in a form so as to contain the year for which the license is valid, the name of the driver, the number of the license and the name of the horse drawn vehicle company.

(B) The Chief of Police shall deliver to each driver a plastic-coated identification card. The identification card shall display a driver's license number. The identification card, under penalty of revocation of license, shall be constantly and conspicuously displayed on the outside of the driver's coat or outer garment while he or she is engaged in his or her employment, or otherwise affixed on the vehicle's interior in plain view of the passenger area. No driver shall loan or permit the use of this card by any other person. On termination of employment, the driver must return his or her identification card to the Police Department.

SECTION TEN: DENIAL OF APPLICATION, REVOCATION OF LICENSE,
HEARING FOR DENIAL OR REVOCATION.

The following procedures on a denial or revocation and hearings thereon as set forth shall apply:

(A) Application for a horse drawn vehicle driver's or operator's license shall be denied or may be revoked if, after due consideration, the Approving Authority determines that the provisions of this code have not been satisfied. The Approving Authority shall

notify the applicant and the Village Clerk, in writing, that the application has not been approved and the reasons therefor.

(B) Within ten (10) days from service of the Approving Authority's notice of denial or revocation, the horse drawn vehicle driver applicant may request, in writing, to the Approving Authority, a hearing before the Village Board, at which time the applicant may explain why the application should be approved.

(C) If a horse drawn vehicle driver is convicted of reckless or drunken driving or is convicted of a felony, while holding said license, said license shall be revoked.

SECTION ELEVEN: FARES POSTED IN PUBLIC VIEW.

(A) A schedule of fares shall be affixed to the horse drawn vehicle in a prominent location so as to advise all customers of the charges for services rendered.

(B) It shall be the duty of the horse drawn vehicle driver to inform any person hiring the horse drawn vehicle of all charges before any service is rendered.

(C) Fares shall also be posted on any temporary or permanent sign advertising the service.

SECTION TWELVE: OPERATION OF HORSE DRAWN VEHICLES.

(A) Horse drawn vehicle drivers or operators shall not solicit patronage in a loud tone of voice or in any manner to annoy or obstruct the peace or movement of persons, or follow any person for the purpose of soliciting patronage.

(B) Horse drawn vehicle drivers or operators are prohibited from smoking while carrying passengers.

(B) A special designated route different from Paragraph (A) above may be granted by the Approving Authority of the Village of Arthur, provided that such request is received in writing not less than five (5) days prior to the use of the special designated route.

SECTION FIFTEEN: ANIMAL CARE AND CONTROL.

(A) Horse drawn vehicle drivers or operators shall have control of the vehicle and carriage animals at all times.

(B) Horse drawn vehicle operators shall maintain their horses in good health abiding by the rules of good animal husbandry. This shall include an annual health examination of each animal by a veterinarian of equine medicine licensed by the State of Illinois. A copy of said examination shall be submitted to the Village Clerk with a new and each renewal application. Proof of age for each horse to be used must also be provided with a minimum age of three (3) years.

(C) No animal shall be permitted to pull any vehicle for hire if the animal has open sores or wounds, is lame, it is found to have any ailment.

(D) All animals used to pull a vehicle for hire must be groomed daily and not have fungus, a dirty coat, or show symptoms of illness or irritations.

SECTION SIXTEEN: ADVERTISING.

Within the designated stand area, a portable folding sign not to exceed two feet (2') wide by four feet (4') tall per side and two feet (2') in depth may be stationed indicating the name of the business and the rate of fares during business hours only.

(C) Horse drawn vehicle drivers or operators shall not allow the occupancy of the vehicle to exceed the rated seating capacity.

(D) Horse drawn vehicle drivers or operators shall not stop, stand or park at any location, other than those designated by the Approving Authority of the Village of Arthur, for the purpose of picking up or discharging passengers; however, nothing shall prohibit a person from requesting said Approving Authority to consider certain locations as horse drawn vehicle parking stands.

(E) It shall be the responsibility of the horse drawn vehicle drivers or operators to keep the stand area clean.

(F) Horse drawn vehicle drivers shall comply with all provisions of the State of Illinois Motor Vehicle Code, as well as all applicable local traffic laws, ordinances and regulations.

(G) No animal shall be left unattended for any length of time without being secured, anchored or tethered.

SECTION THIRTEEN: PASSENGERS.

(A) No passenger shall be allowed to ride on any part of the vehicle while in motion, except while seated inside the vehicle.

(B) Passengers shall not be allowed to drink alcoholic beverages, be intoxicated or demonstrate disorderly conduct.

SECTION FOURTEEN: ROUTES AND SCHEDULES.

(A) Vehicles regulated under these provisions shall operate only upon designated routes and schedules approved by the Traffic Engineer of the Village of Arthur.

SECTION SEVENTEEN: PENALTY.

Any person violating any of the provisions of this Ordinance shall be deemed guilty of a Class C misdemeanor as defined by Illinois Statutes, and upon conviction thereof, shall be fined in an amount not exceeding Five Hundred Dollars (\$500.00). Each such violation shall constitute a separate offense and shall be punished as such hereunder.

This Ordinance shall be in full force and effect ten (10) days after its passage and approval and publication as required by law.

PASSED by the President and Village Board of the Village of Arthur, Illinois on the 22 day of May, 1994.

AYES

NAYS

ABSENT

Shirley Stone
Village Clerk of the Village
of Arthur, Illinois

APPROVED by the President of the Village of Arthur, Illinois this 22nd day of May, 1994.

Philip A. Fletcher
President of the Village of
Arthur, Illinois

ATTESTED:

Shirley Stone
Village Clerk of the Village
of Arthur, Illinois

CERTIFICATION OF PUBLICATION

I, SHIRLEY STONE, Village Clerk, Village of Arthur, Counties of Moultrie and Douglas, State of Illinois, do hereby certify that I caused the above Ordinance to be duly published in pamphlet form on the 6th day of May, 1994, and a Certificate of Publication is attached hereto.

Shirley Stone
Village Clerk of the Village of
Arthur, Counties of Moultrie and
Douglas, State of Illinois

CERTIFICATE

I, SHIRLEY STONE, Village Clerk of the Village of Arthur, Counties of Moultrie and Douglas, in the State of Illinois, DO HEREBY CERTIFY that the attached Ordinance No. 3-94 is a true and correct copy of the original Ordinance passed by the President and Board of Trustees of the Village of Arthur, Illinois on the 22 day of May, 1994.

I further certify that the original Ordinance of a part of the official records of the said Village of Arthur, Illinois.

Given under my hand and seal this 6th day of May, 1994.



Shirley Stone
Village Clerk of the Village of Arthur, Counties of Moultrie and Douglas, State of Illinois

BOOK **323** PAGE **75**

DOUGLAS COUNTY
Filed for Record
Date May 11, 1994
Hour of 8:30 O'clock A
Recorded in book 323 of
Records page 64

James A. Ingram
RECORDER

204048

ORDINANCE NO. 3-4a-96

AN ORDINANCE RESTRICTING PARKING IN THE
BUSINESS DISTRICT OF ARTHUR, ILLINOIS

Be it ordained by the President and the Board of Trustees of
the Village of Arthur, Illinois:

WHEREAS, the President and Board of Trustees have determined
after due consideration and investigation that for the convenience
and safety of the residents of the Village of Arthur, Illinois that
parking should be restricted between the hours of 1:00 A.M. and 5:00
A.M. on Monday, Wednesday and Friday of each week for the purposes
of allowing street sweeping.

NOW, THEREFORE, let it be ordained by the President and Board
of Trustees of the Village of Arthur, Illinois, that no parking shall
be allowed between the hours of 1:00 A.M. and 5:00 A.M. on Monday,
Wednesday and Friday of each week on the following streets:

A. Vine Street from the intersection of Luke Street to the
intersection of Second Street;

B. Walnut Street from the intersection of Park Street to the
intersection of Progress Street;

C. South Hickory Street from the intersection of Park Street to the intersection of Progress Street;

D. Park Street from the intersection of Walnut Street to the intersection of Hickory Street;

E. Illinois Street from the intersection of Walnut Street to the intersection of Hickory Street;

F. Progress Street from the intersection of Walnut Street to the intersection of Hickory Street.

Be it further ordained that any person convicted of a violation of the foregoing Ordinance shall be deemed guilty of a petty offense, and shall be subject to a fine in an amount not to exceed Five Hundred Dollars (\$500.00). This penalty section shall supersede any penalty provisions contained elsewhere in this Village Code. A first offense of the foregoing Ordinance may be paid at the office of the Chief of Police, Arthur, Illinois, in the amount of Five Dollars (\$5.00), if paid timely pursuant to the instruction on said violation notice within twenty-four (24) hours of the time such alleged offense occurred. Upon failure to pay said violation within twenty-four (24) hours, the ticket may be prosecuted by the Village of Arthur and any fine imposed shall include the actual costs of prosecution thereof in an amount not exceeding Five Hundred Dollars (\$500.00).

This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

This Ordinance shall be printed and published in book or pamphlet form by order of the President and Trustees.

PASSED by the President and Village Board of the Village of Arthur, Illinois, on the 4th day of March, 1996.

Shirley Stone
Village Clerk of the Village
of Arthur, Illinois

11th APPROVED by the President of the Village of Arthur, Illinois this
day of March, 1996.

Phillip L. Fether
President of the Village
of Arthur, Illinois



Shirley Stone
Village Clerk of the Village
of Arthur, Illinois

CERTIFICATE

I, SHIRLEY A. STONE, Village Clerk of the Village of Arthur, Counties of Moultrie and Douglas, in the State of Illinois, DO HEREBY CERTIFY that the attached Ordinance No. 3-4a-96 is a true and correct copy of the original Ordinance passed by the President and Board of Trustees of the Village of Arthur, Illinois on the 4th day of March, 1996.

I further certify that the original Ordinance is a part of the official records of the said Village of Arthur, Illinois.

Given under my hand and seal this 11th day of March, 1996.



Shirley Stone

Village Clerk of the Village of Arthur, Counties of Moultrie and Douglas, State of Illinois

Filed for Record
Hour of 6:30 o'clock A M

BOOK **383** PAGE **172**

MAR 18 1996
Recorded in book 383 of
Records 1169 page
James A. Ingram
RECORDER DOUGLAS CO.

Date 4-3-96

Hour 2:00 o'clock P.M.

Doc. # 243776

Recorded on Card 96MS-48

of Misc.

Arlene Aschermann,
Recorder

Arlene Aschermann

204109

ORDINANCE NO. 3-189-96

AN ORDINANCE REGULATING TRAFFIC
BY BARRICADE RESTRICTION

Be it ordained by the President and the Board of Trustees of
the Village of Arthur, Illinois:

WHEREAS, the President and Board of Trustees have determined
after due consideration and investigation that for the convenience
and safety of the residents of the Village of Arthur, Illinois and
the general public that certain restrictions should be enforced
regarding closure of streets in order to avoid endangering pedestrian
traffic.

NOW, THEREFORE, let it be ordained by the President and Board
of Trustees of the Village of Arthur, Illinois, that:

A. When authorized by resolution of the Board of Trustees of
the Village of Arthur, Illinois, barricades may be erected for the
purpose of prohibiting traffic on certain streets within the Village
of Arthur, Illinois;

B. When said barricades have been erected pursuant to
resolution, it shall be unlawful for any vehicle or horse drawn
apparatus or bicycle to be driven or ridden past the barricade
unless said vehicle is an emergency vehicle responding to an

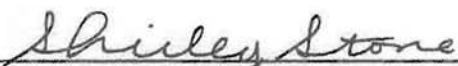
emergency call, or unless consent from an official of the Village of Arthur Police Department has been received authorizing said vehicle to cross the barricade.

Be it further ordained that any person convicted of a violation of the foregoing Ordinance shall be deemed guilty of a petty offense, and shall be subject to a fine in an amount not to exceed Five Hundred Dollars (\$500.00). This penalty section shall supersede any penalty provisions contained elsewhere in this Village Code. The ticket may be prosecuted by the Village of Arthur and any fine imposed shall include the actual costs of prosecution thereof in an amount not exceeding Five Hundred Dollars (\$500.00).

This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

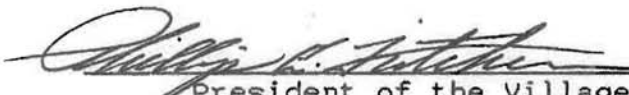
This Ordinance shall be printed and published in book or pamphlet form by order of the President and Trustees.

PASSED by the President and Village Board of the Village of Arthur, Illinois, on the 18th day of March, 1996.



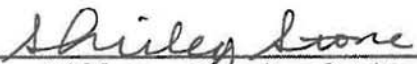
Village Clerk of the Village
of Arthur, Illinois

APPROVED by the President of the Village of Arthur, Illinois this
18 day of March, 1996.



President of the Village
of Arthur, Illinois

ATTESTED:



Village Clerk of the Village
of Arthur, Illinois

BOOK **384** PAGE **46**

CERTIFICATE

I, SHIRLEY A. STONE, Village Clerk of the Village of Arthur, Counties of Moultrie and Douglas, in the State of Illinois, DO HEREBY CERTIFY that the attached Ordinance No. 3-18__-96 is a true and correct copy of the original Ordinance passed by the President and Board of Trustees of the Village of Arthur, Illinois on the 18th day of March, 1996.

I further certify that the original Ordinance is a part of the official records of the said Village of Arthur, Illinois.

Given under my hand and seal this 18 day of March, 1996.

Shirley Stone
Village Clerk of the Village of Arthur, Counties of Moultrie and Douglas, State of Illinois



Filed for Record
Hour of 2:30 o'clock A. M

BOOK 384 PAGE 47

MAR 25 1996
Recorded in book 384 of
Records page 45
James A. Ingram
RECORDER DOUGLAS CO.

ORDINANCE NO. 12-218-98

AN ORDINANCE PROHIBITING AND MAKING UNLAWFUL DISCRIMINATION
IN HOUSING AND/OR REAL PROPERTY BECAUSE OF RACE, COLOR,
RELIGION, CREED, NATIONAL ORIGIN, ANCESTRY, SEX, OR PHYSICAL OR
MENTAL HANDICAP

WHEREAS, the Village of Arthur, Illinois, desires to assure equal opportunity to all residents, regardless of race, color, religion, creed, national origin or ancestry, sex, or physical or mental handicap, to live in decent, sanitary, and healthful living quarters; and,

WHEREAS, the 1970 Constitution of the State of Illinois provides as follows in Article I " . . . no person shall be denied any civil or political right, privilege or capacity on account of his religious opinions . . ." (Section 3); " . . . All persons shall have the right to be free from discrimination on the basis of race, color, creed, national ancestry and sex in . . . the sale or rental of property . . ." (Section 17); "The equal protection of the laws shall not be denied or abridged on account of sex by the State or its units of local government and school districts." (Section 18); "All persons with a physical or mental handicap shall be free from discrimination in the sale or rental of property . . ." (Section 19); and,

WHEREAS, the Congress of the United States has provided that "it is the policy of the United States to provide, within constitutional limitations, for fair housing throughout the United States" and has established by law the following provisions:

". . . it shall be unlawful:

(a) To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make available or deny, a dwelling to any person because of race, color, religion, sex, or national origin.

(b) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith because of race, color, religion, sex, or national origin . . ."

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD
OF TRUSTEES OF THE VILLAGE OF ARTHUR, ILLINOIS, AS FOLLOWS:

SECTION 1. DECLARATION OF POLICY:

(a) In furthering the policy of the State of Illinois as expressed in its Constitution and other Laws; in order that the safety and general welfare, peace and health of all the inhabitants of the Village may be ensured, it is hereby declared the policy of the Village of Arthur, Illinois, to assure equal opportunity to all resident, regardless of race, color, religion, national origin or ancestry, sex, creed, or physical or mental handicap to live in decent, sanitary, healthful, standard living quarters.

(b) It is the policy of the Village of Arthur that no owner, lessee, sub-lessee, assignee, managing agent, or other person, firm or corporation having the right to sell, rent, lease (or otherwise control) any housing accommodation and/or real property with the Village, or any agent of these shall refuse to sell, rent, lease, or otherwise deny to or withhold from any person or group of persons such housing accommodations and/or real property because of race, color, religion, national origin or ancestry, sex, creed, or physical or mental handicap of such person or persons or discriminate against any person or persons because of race, color, religion, national origin or ancestry, sex, creed or physical or mental handicap in the conditions, terms, privileges of the sale, rental or lease of any housing accommodation and/or real property or in the furnishing of facilities and/or services in connection therewith.

(c) Relocation shall be carried out in a manner that will promote maximum choice within the community's total housing supply; lessen racial, ethnic, and economic concentrations; and facilitate desegregation and racially inclusive patterns of occupancy and use of public and private facilities.

SECTION 2. DEFINITIONS:

Unless a different meaning clearly appears from the context, the following terms shall have the meaning ascribed in this SECTION and as used in this Ordinance.

(a) **DISCRIMINATE** - The terms "discriminate" or "discrimination" means any difference expressed in any way toward a person or persons in the terms of the sale, exchange, lease, rental or financing for, housing accommodation and/or real property in regard to such sale, exchange, rental, lease or finance because of race, color, religion, national origin or ancestry, sex, creed, or physical or mental handicap of such person.

(b) **HOUSING ACCOMMODATION** - The term "housing accommodation" includes any building, structure, or portion thereof which is used or occupied, maintained, arranged or designed to be used or occupied as a home, residence or sleeping place of one or more human beings, or any real estate so used, designed or intended for such use.

(c) REAL PROPERTY - The term "real property" means any real estate, vacant land, building, structure or housing accommodations within the corporate limits of the Village of Arthur, Illinois.

(d) REAL ESTATE BROKER - The term "real estate broker" means any person, partnership, association, corporation and/or agent thereof, who for a fee or other valuable consideration offers sells, purchases, exchanges or rents, or negotiates, for the sale, purchase, exchange or rental of a housing accommodation and/or real property of another, or collects rental for the use of a housing accommodation and/or real property of another.

(e) FINANCIAL INSTITUTION - The term "financial institution" means any person, institution or business entity of any kind which loans money to persons and receives as security for said loans a secured interest of any kind in the real property of the borrower.

(f) OWNER - An "owner" means any person/persons who hold legal or equitable title to, or owns any beneficial interest in any real property or who hold legal or equitable title to shares of, or hold any beneficial interest in any real estate cooperative which owns any real property and/or housing accommodations.

(g) DECENT, SANITARY, HEALTHFUL STANDARD LIVING QUARTERS
"Decent, sanitary, healthful standard living quarters" is housing which is in sound, clean, and weathertight condition in conformance with applicable local, state, and national codes.

SECTION 3. PROHIBITED ACTS:

It shall be unlawful for any owner of real estate, lessee, sub-lessee, real estate broker or salesman, financial institution or employee of the financial institution, advertiser, or agent of any or all of the foregoing, to discriminate against any person or persons because of their race, color, religion, national origin or ancestry, sex, creed, or physical or mental handicap with regard to the sale, exchange or rental, or any dealing concerning any housing accommodation and/or real property.

In addition to the foregoing, it shall also be unlawful for any real estate broker or employee thereof, owner or other person, or financial institution dealing with housing or real property in the Village of Arthur, Illinois:

(a) To discriminate against any person in the availability of or the price, terms, conditions, or privileges of any kind relating to the sale, rental, lease, or occupancy of any housing accommodation or real property in the Village or in furnishing of any facilities or services in connection therewith.

(b) To publish or circulate, or cause to be published or circulated, any notice, statement or advertisement, or to announce a policy, or to use any form of application, for the purchase, lease, rental or financing of real property, or to make any record of inquiry in connection with the prospective purchase, rental or lease of such real estate, which expresses directly or indirectly any discrimination as to race, color, religion, national origin or ancestry, sex, creed or physical or mental handicap of any person.

(c) To discriminate in connection with lending money, guaranteeing loans, accepting mortgages or otherwise obtaining or making available funds for the purchase, acquisition, construction, rehabilitation, repair or maintenance of any housing accommodation and/or real property.

(d) To solicit for sale, lease, or listing for the sale or lease, of any housing accommodation and/or real property on the ground of loss of value because of the present or prospective entry into any neighborhood of any person or persons of any particular race, color, religion, national origin or ancestry, sex, creed, or physical or mental handicap.

(e) To distribute or cause to be distributed, written material or statements designed to induce any owner or any housing accommodation and/or real property to sell or lease his or her property because of any present or prospective change in the race, color, religion, national origin or ancestry, sex, creed, or physical or mental handicap of persons in the neighborhood.

(f) To make any misrepresentations concerning the listing for sale or the anticipated listing for sale or the sale of any housing accommodation and/or real property for the purpose of inducing or attempting to induce the sale or listing for sale of any housing accommodation and/or real property by representing that the presence or anticipated presence of persons of any particular race, color, religion, national origin or ancestry, sex, creed, or physical or mental handicap in the area will or may result in the lowering of property values in the block, neighborhood or area in which the property is located.

(g) For an owner to solicit any real estate broker to sell, rent or otherwise deal with such owner's housing accommodations and/or real property with any limitation on its sale based on race, color, religion, national origin or ancestry, sex, creed, physical or mental handicap.

(h) For an owner to refuse to sell, rent, or otherwise deal with any housing accommodation and/or real property because of race, color, religion, national origin or ancestry, sex, creed, or physical or mental handicap of the proposed buyer or tenant.

SECTION 4. PENALTY:

Any person convicted of violating any of the provisions of this Ordinance shall be punished by a fine of not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00). Each day a violation continues shall constitute a separate violation. This Section shall in no way abrogate or impair the right of the Village of Arthur, Illinois, to specifically enforce, by any legal means, any of the provisions of this Ordinance.

SECTION 5:

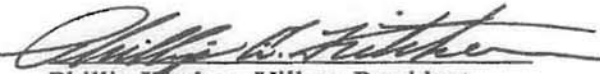
That all Ordinances and parts thereof in conflict herewith are expressly repealed and are of no other force and effect.

SECTION 6:

That it is the intention of the Village Board of the Village of Arthur, Illinois that this Ordinance and every provision thereof shall be considered separable, and the invalidity of any section, clause, or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

SECTION 7:

That this Ordinance shall be known as Ordinance No. 12-216-78 of the Village of Arthur, Illinois, and shall be in full force and effect from and after its passage, approval, recording, and publication in pamphlet form in accordance with law.


Phillip Kitchen, Village President


Dianne Conner, Village Clerk

(SEAL)