

# TITLE 1

## ADMINISTRATIVE

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**CHAPTER 1**  
**OFFICIAL CODE**

**SECTION:**

- 1-1-1: Title
- 1-1-2: Acceptance
- 1-1-3: Amendments
- 1-1-4: Interpretations
- 1-1-5: Code Alteration

**1-1-1: TITLE:** Upon adoption by the Board of Trustees this Village Code is hereby declared to be and shall hereafter constitute the official Village Code of the Village of Arthur. This Village Code of Ordinances shall be known and cited as the Arthur Municipal Code, and it is hereby published by authority of the Board of Trustees and shall be kept up to date as provided in Section 1-1-3 under the direction of the Village Attorney, acting for said Village Board of Trustees. Any reference to the number of any Section contained herein shall be understood to refer to the position of the same number, its appropriate Chapter and Title heading, and to the general penalty clause relating thereto, as well as to the Section itself, when reference is made to this Village Code by title in any legal document.

**1-1-2: ACCEPTANCE:** This Village Code, as hereby presented in printed form, shall hereafter be received without further proof in all courts and in all administrative tribunals of this State as the ordinances of the Village of general and permanent effect, except the excluded ordinances enumerated in Section 1-2-1.

**1-1-3: AMENDMENTS:** Any ordinance amending this Village Code shall set forth the Title, Chapter and Section number of the Section or Sections to be amended, and this shall constitute a sufficient compliance with any statutory requirement pertaining to the amendment or revision by ordinance of any part of this Village Code. All such amendments or revisions by ordinance shall be immediately forwarded to the codifiers and the said ordinance material shall be prepared for insertion in its proper place in each copy of this Village Code. Each such replacement page shall be properly identified and shall be inserted in each

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individual copy of the Village Code within thirty (30) days from the date of its final passage.

**1-1-4: INTERPRETATIONS:** In the determination of the provisions of each Section of this Code the following rule shall be observed:

Intent to Defraud: Whenever an intent to defraud is required in order to constitute an offense, it shall be sufficient if an intent appears to defraud any person.

**1-1-5: CODE ALTERATION:** It shall be deemed unlawful for any person to alter, change, replace or deface in any way any Section or page of this Village Code in such a manner that the meaning of any phrase or order may be changed or omitted. Replacement pages may be inserted according to the official instructions when so authorized by the Village Board. The Clerk shall see that the replacement pages are properly inserted in the official copies maintained in the office of the Clerk.

Any person having in his custody an official copy of this Village Code shall make every effort to maintain said Code in an up to date and efficient manner. He shall see to the immediate insertion of new or replacement pages when such are delivered to him or made available to him through the office of the Village Clerk. Said Code Books, while in actual possession of officials and other interested persons, shall be and remain the property of the Village and shall be returned to the office of the Clerk when directed so to do by order of the Village Board.

## CHAPTER 2

### SAVINGS CLAUSE

#### SECTION:

- 1-2-1: Repeal of General Ordinances
- 1-2-2: Public Utility Ordinances
- 1-2-3: Abatement of Action

**1-2-1: REPEAL OF GENERAL ORDINANCES:** All general ordinances of the Village passed prior to the adoption of this Village Code are hereby repealed, except such as are referred to herein as being still in force or are by necessary implication herein reserved from repeal (subject to the saving clauses contained in the following Section), from which are excluded the following ordinances which are not hereby repealed: Tax levy ordinances; appropriation ordinances; ordinances relating to boundaries and annexations; franchise ordinances and other ordinances granting special rights to persons or corporations; contract ordinances and ordinances authorizing the execution of a contract or the issuance of warrants; salary ordinances; ordinances establishing, naming or vacating streets, alleys, or other public places; improvement ordinances; bond ordinances; ordinances relating to elections; ordinances relating to the transfer or acceptance of real estate by or from the Village; and all special ordinances, bond ordinances and sewer and water ordinances.

**1-2-2: PUBLIC UTILITY ORDINANCES:** No ordinance relating to railroads or railroad crossings with streets and other public ways, or relating to the conduct, duties, service or rates of public utilities shall be repealed by virtue of the adoption of this Village Code or by virtue of the preceding Section, excepting as this Village Code may contain provisions for such matters, in which case this Village Code shall be considered as amending such ordinance or ordinances in respect to such provisions only.

**1-2-3: ABATEMENT OF ACTION:** Nothing contained in this Chapter shall be construed as abating any action now pending under or by virtue of any general ordinance of the Village herein repealed and the provisions of all general ordinances contained in this Code shall be deemed to be continuing provisions and not a new enactment of the same

provision; nor shall this Chapter be deemed as discontinuing, abating, modifying or altering any penalty accrued or to accrue, or as affecting the liability of any person, firm or corporation, or as waiving any right of the Village under any ordinance or provision thereof in force at the time of the adoption of this Village Code.

## CHAPTER 3

### DEFINITIONS

#### SECTION:

- 1-3-1: Construction of Words
- 1-3-2: Definitions
- 1-3-3: Catchlines

**1-3-1: CONSTRUCTION OF WORDS:** Whenever any word in any Section of this Village Code importing the plural number is used in describing or referring to any matters, parties or persons, any single matter, party or person shall be deemed to be included, although distributive words may not have been used.

When any subject matter, party or person is referred to in this Village Code by words importing the singular number only, or the masculine gender, several matters, parties or persons and females as well as males and bodies corporate shall be deemed to be included; provided, that these rules of construction shall not be applied to any Section of this Village Code which contains any express provision excluding such construction or where the subject matter or content may be repugnant thereto.

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

**AGENT:** The word "agent" as used in this Code shall mean a person acting on behalf of another.

**BOARD:** The word "Board", unless otherwise indicated, shall mean the Board of Trustees of the Village.

**CODE:** The word "Code" shall mean the Municipal Code of Arthur and amendments thereto.

**EMPLOYEES:** Whenever reference is made in this Code to a Village employee by title only, this shall be construed as though followed by the words "of the Village of Arthur".

**FEE:** The word "fee" as used in this Code shall mean a sum of money charged by the Village for the carrying on of a business, profession or occupation.

**KNOWINGLY:** The word "knowingly" imports only a knowledge that the facts exist which bring the act or omission within the provisions of this Code. It does not require any knowledge of the unlawfulness of such act or omission.

**LICENSE:** The word "license" as used in this Code shall mean the permission granted for the carrying on of a business, profession or occupation.

**MISDEMEANOR:** The word "misdemeanor" shall mean any offense deemed a violation of the provisions of this Code which is a lesser offense than a felony as defined by State law.

**NEGLIGENT:** The word "negligent", as well as "neglect", "negligence" and "negligently" imports a want of such attention to the nature of probable consequences of the act or omission as a prudent man ordinarily bestows in acting in his own concerns.

**NUISANCE:** The word "nuisance" shall mean anything offensive physically to the senses and thereby making life uncomfortable to the inhabitants of the Village; or are such as result from the violation of public rights, and will exclude intangible injuries from all public exhibitions the natural tendency of which is to pander to vicious tastes, and to draw together the vicious and disorderly members of society.

**OCCUPANT:** The word "occupant" applied to a building or land shall include any person who occupies the whole or any part of such building or land whether alone or with others.

**OFFENSE:** The word "offense" shall mean any act forbidden by any provisions of this Code or the omission of any act required by the provisions of this Code.

**OFFICERS:** Whenever reference is made in this Code to a Village officer by title only, this shall be construed as though followed by the words "of the Village of Arthur".

**OPERATOR:** The word "operator" as used in this Code shall mean the person who is in charge of any operation, business or profession.

**OWNER:** The word "owner" applied to a building or land shall include any part owner, joint owner, tenant in common, joint tenant or lessee of the whole or of a part of such building or land.

**PERSON:** The word "person" shall mean any natural individual, firm, trust, partnership, association or corporation in his or its own capacity or as administrator, conservator, executor, trustee, receiver or other representative appointed by the court. Whenever the word "person" is used in any Section of this Code prescribing a penalty or fine as applied to partnerships or associations, the word, subject to State law, shall include the partners or members thereof, and such word as applied to corporations shall include the officers, agents or employees thereof who are responsible for any violation of said Section.

**PERSONAL PROPERTY:** The term "personal property" shall include every description of money, goods, chattels, effects, evidence of rights in action and all written instruments by which any pecuniary obligation, right or title to property is created, acknowledged, transferred, increased, defeated, discharged or diminished and every right or interest therein.

**RETAILER:** The word "retailer" as used in this Code, unless otherwise specifically defined shall be understood to relate to the sale of goods, merchandise, articles or things in small quantities direct to the consumer.

**STATE:** The word "State", unless otherwise indicated, shall mean the State of Illinois.

**STREET:** The word "street" shall include alleys, boulevards, highways, public ways and sidewalks.

**TENANT:** The word "tenant" applied to a building or land shall include any person who occupies the whole or any part of such building or land whether alone or with others under arrangement with the owner or owners.

**VILLAGE:** The word "Village" shall mean the Village of Arthur, Counties of Douglas and Moultrie, State of Illinois.

**WILLFULLY:** The word "willfully" when applied to the intent with which an act is done or omitted, implies, subject to State law, simply a purpose or willingness to commit the act or make the omission referred to. It does not require any intent to violate law, or to injure another, or to acquire an advantage.

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

**1-3-3: CATCHLINES:** The catchlines of the several Sections of this Village Code are intended as mere catchwords to indicate the content of the Section and shall not be deemed or taken to be titles of such Sections, nor as any part of the Section, nor unless expressly so provided, shall they be so deemed when any of such Sections, including the catchlines, are amended or re-enacted.

## CHAPTER 4

### GENERAL PENALTY

#### SECTION:

- 1-4-1: Application
- 1-4-2: Liability of Officers

**1-4-1: APPLICATION:** The penalty provided by State law shall be applicable to every Section of this Village Code the same as though it were a part of each and every separate Section. Any person convicted of a violation of any Section of this Village Code where any duty is prescribed or obligation imposed, or where any act which is of a continuing nature or declared to be unlawful, shall be deemed guilty of a misdemeanor. A separate offense shall be deemed committed upon each day such duty or obligation remains unperformed or such act continues, unless otherwise specifically provided in this Village Code.

In all cases where the same offense is made punishable or is created by different clauses or Sections of this Village Code the prosecuting officer may elect under which to proceed; but not more than one (1) recovery shall be had against the same person for the same offense; provided, that the revocation of a license or permit shall not be considered a recovery or penalty so as to bar any other penalty being enforced.

Whenever the doing of any act or the omission to do any act constitutes a breach of any Section or provision of this Village Code and there shall be no fine or penalty specifically declared for such breach, the provisions of this Chapter shall apply and a separate offense shall be deemed committed upon each day during or on which a breach or violation occurs or continues.

**1-4-2: LIABILITY OF OFFICERS:** No provision of this Village Code designating the duties of any officer or employee shall be so construed as to make such officer or employee liable for any fine or penalty provided for a failure to perform such duty, unless the intention of the Board of Trustees to impose such fine or penalty on such officer or employee is specifically and clearly expressed in the Section creating the duty.

**CHAPTER 5****OFFICERS****SECTION:**

- 1-5-1: Offices Created
- 1-5-2: Appointments, When Made
- 1-5-3: Oath, Bond
- 1-5-4: Salaries; Appointive Officers
- 1-5-5: Removal
- 1-5-6: Fill Vacancies
- 1-5-7: Temporary Policemen
- 1-5-8: Other Officers' Duties

**1-5-1: OFFICES CREATED:** In addition to the President and Board of Trustees and Village Clerk, provided for by Statute, and in addition to the offices of Water Superintendent and Village Collector heretofore created by ordinance, there be, and there is hereby created the following designated officers, namely:

The office of Village Attorney,

The office of Village Comptroller.

**1-5-2: APPOINTMENTS, WHEN MADE:** The President and Board of Trustees shall, at the first meeting thereof in May, 1935, and biennially thereafter appoint in addition to a Water Superintendent and Village Collector, a Village Attorney and a Village Comptroller, which officers so appointed shall hold their offices for a period of one (1) year or until their respective successors shall be appointed and qualified, unless sooner removed from office.

**1-5-3: OATH, BOND:** All officers of the Village whether elected or appointed shall, before entering upon the duties of their respective offices, submit a written acceptance of the oath of office prescribed by Statute and the provisions of this Code, which oath or affirmation, so subscribed shall be filed in the office of the Village Clerk.

All such officers, except the Village Trustees shall, before entering upon the duties of their respective offices, execute a bond with surety to be

approved by the President and Board of Trustees, payable to the Village, in such penal sum as may be required by resolution or ordinance, conditioned for the faithful performance of the duties of the office and the payment of all moneys received by such officer, according to law and the provisions of this Code. Provided, that in no case shall the bond of the Village President be less than one thousand dollars (\$1,000.00), nor the bond of any officer be less than five hundred dollars (\$500.00). The amount of the several bonds shall be fixed at the time of appointment as to all appointive officers, by the Board of Trustees. The bond of the Village Clerk shall be in the sum of one thousand dollars (\$1,000.00).

**1-5-4: SALARIES; APPOINTIVE OFFICERS:** The salary or compensation to be paid to appointive officers shall, at the time of appointment, be fixed by the Board of Trustees by resolution making the appointment, where such compensation is not otherwise fixed by ordinance.

**1-5-5: REMOVAL:** The President of the Board of Trustees shall have the power to remove any officer so appointed whenever, in his opinion, the interest of the Village requires such removal. He shall report such removal, with his reasons therefore, to the Board of Trustees at its next regular meeting; and if the Board of Trustees by a two-thirds (2/3) vote of all its members authorized by law to be elected, by yeas and nays, to be entered upon its record, disapprove of such removal, such officer shall thereby be restored to the office from which he was removed, but he shall give a new bond and take a new oath of office, and shall not be entitled to pay from the time of such removal until he shall have given a new bond and retaken the oath of office.

**1-5-6: FILL VACANCIES:** The President of the Board of Trustees may appoint any suitable person to discharge the duties of the office from which he shall have removed any officer until his successor is appointed and qualified, or such officer is restored to office in the manner aforesaid who shall be entitled to the same pay as the officer removed.

**1-5-7: TEMPORARY POLICEMEN:** Whenever the President of the Board of Trustees shall deem it necessary to temporarily increase the number of Marshals or the police force, he may appoint, in writing under the Corporate Seal, a suitable number of reputable and discreet citizens of the Village as temporary watchmen or policemen, who

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shall take and subscribe the same oath, and may be required to execute bond to the Village.

**1-5-8: OTHER OFFICERS' DUTIES:**

- (A) The Village Attorney shall perform the duties required of him by law and the provisions of this Code, and as he may be directed to perform by the President and Board of Trustees.
- (B) The Village Comptroller shall perform the duties required of him by law and the provisions of this Code, and as he may be directed to perform by the President and Board of Trustees.
- (C) The Village policemen shall have the power and authority, within the corporate limits of the Village to serve and execute warrants, or other process for the apprehension and commitment of persons charged with, or held for the commission of any crime or misdemeanor, or the violation of any State law or any provision of the Village Code, and while serving or executing or assisting in the service or execution of any such warrants, or other legal process.

**CHAPTER 6**  
**BOARD OF TRUSTEES**

**SECTION:**

- 1-6-1: Regular Meetings
- 1-6-2: Special Meetings
- 1-6-3: Quorum
- 1-6-4: Vote Required
- 1-6-5: Yeas and Nays
- 1-6-6: Passing Over Veto
- 1-6-7: Attach Documents to Reports
- 1-6-8: Committee Reports
- 1-6-9: Municipal, Fiscal Year
- 1-6-10: Rules and Regulations

**1-6-1: REGULAR MEETINGS:** The regular stated meetings of the Board of Trustees of the Village shall be held in the Chamber of the President and Board of Trustees at the Village Hall on the first and third Mondays of each and every month at seven o'clock (7:00) P.M., except when said meetings shall happen to be on a public holiday, in which case the Board of Trustees shall meet at the same hour on the next day following; and adjourned meetings may be held for the purpose of completing the unfinished business of the regular meetings at such time or times as may be determined by the Board of Trustees.

**1-6-2: SPECIAL MEETINGS:** Special meeting of the Board of Trustees may be called by the President or any three (3) Trustees, whenever in their discretion they may deem it necessary, in which event such meeting shall be called in the following manner: The President or three (3) Trustees, whenever in their discretion they may deem it necessary, shall file in the Village Clerk's office a statement in writing setting forth the object and purpose of such special meeting and directing the Village Clerk to give notice of the same. Upon the filing of such statement the Village Clerk shall cause to be served personally upon each member of the Board of Trustees or at his usual place of residence, a notice of such special meeting, setting forth the object and purpose thereof and the time of holding the meeting. No business other than that mentioned in the call shall be transacted at any such special meeting unless three-fourths (3/4) of all the members shall be present and vote.

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**1-6-3: QUORUM:** A majority of the Trustees shall constitute a quorum to do business, but a smaller number may adjourn from time to time, and may compel the attendance of absentees under the provisions provided in this Code and State law.

**1-6-4: VOTE REQUIRED:** Every member of the Board of Trustees shall vote upon all questions in which they are not directly and personally interested, which may be brought before the Board of Trustees for its action in such manner as to require a vote to be taken thereon.

**1-6-5: YEAS AND NAYS:** The yeas and nays shall be taken upon the passage of all ordinances and on all propositions to create any liability against the Village or for the expenditure or appropriation of its money, and in all other cases at the request of any member which shall be entered on the journal of the proceedings; and a concurrence of a majority of all the members elected in the Board of Trustees shall be necessary to the passage of any such ordinance or proposition.

**1-6-6: PASSING OVER VETO:** No vote of the Board of Trustees shall be reconsidered or rescinded at any special meeting thereof unless at such special meeting there shall be present as many Trustees as were present when such vote was taken.

**1-6-7: ATTACH DOCUMENTS TO REPORTS:** Every committee of the Board of Trustees, in reporting upon any subject referred to it, shall attach to their report all papers or documents in the possession of the committee relative to the matter so referred.

**1-6-8: COMMITTEE REPORTS DEFERRED:** Any report of a committee of the Board of Trustees may be deferred for final action thereon to the next regular meeting of the same after the report is made, upon the request of any two (2) Trustees present.

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**1-6-9: MUNICIPAL, FISCAL YEAR:**

- (A) Municipal Year: The municipal year of the Village shall commence on May 1 in each and every year.
- (B) Fiscal Year: The fiscal year of the Village shall commence on May 1 in each and every year.

**1-6-10: RULES AND REGULATIONS:**

Rule 1. The President shall take the chair at the hour appointed to meet, and immediately call the members to order. In case of a non-attendance of the President at any meeting of the Board of Trustees, such Board shall appoint one of their own number Chairman Pro Tem who shall preside at the meeting.

Rule 2. The order of business at regular or special meetings shall be as follows:

First, calling the roll.

Second, reading and adopting the minutes of the previous meeting.

Third, reports of officers and communications, which will always be in writing.

Fourth, reports of standing committees.

Fifth, reports of special committees.

Sixth, unfinished business.

Seventh, new business.

Eighth, miscellaneous business.

Ninth, presentation of claims.

Tenth, adjournment.

**CHAPTER 7****VILLAGE CLERK****SECTION:**

- 1-7-1: Election; Duties
- 1-7-2: Bond
- 1-7-3: Salary

**1-7-1: ELECTION; DUTIES:** The duties of the Village Clerk upon his election and certification shall be as follows:

- (A) To attend all meetings of the Board of Trustees of the Village and to keep a Record of Proceedings showing the date of each meeting, whether it is regular, special or an adjourned meeting, and the members of the governing body who are present. Said Journal shall state clearly every formal action taken and the vote on all measures presented. All ordinances and resolutions passed by said Board should be a part of said Record of Proceedings.
- (B) To retain all documents concerning the activities of the Municipality, and to carry on such correspondence of the Village as the President or Board of Trustees shall direct; and to serve as custodian of the Municipal Seal and all papers and documents belonging to the Village which are not specifically turned over to another officer for custody.
- (C) To keep a separate book of ordinances including all ordinances now passed, or hereinafter enacted by the Village, in a separate ordinance book designated for said purpose.
- (D) To publish or post all notices of election as required by law; to prepare the ballots and obtain all other election supplies and see that they are delivered to the proper election officials; to keep a file with the nomination petitions and petitions calling special elections; to serve as a member of the canvassing board in the event of a Municipal primary; to issue and receive all absentee ballots in the manner prescribed by law.
- (E) To file all oaths and bonds of duly elected officials.

- (F) To prepare certified copies of all ordinances or other documentary entries requested to do so by any person or persons.
- (G) To keep a true and correct list of all outstanding bonds and other indebtedness of the Municipality showing the number and amount of each in form, and to whom said bonds or evidences of indebtedness were issued. The records should indicate if said bonds were purchased or cancelled, and the powers therein are subject to a specific provision of the specific bond ordinances.
- (H) To prepare on or before May 15 of each and every year the annual appropriation ordinance, said ordinance to reflect the amount of money estimated to be needed to defray expenses of the Municipality occurring during the current fiscal year.
- (I) To prepare, with the assistance of the Village Attorney and other designated officials, the annual tax levy ordinance for the Village, to be filed in the offices of the County Clerks of Moultrie and Douglas Counties.
- (J) To sign all warrants for the payment of money with the Village President, and to attest the signature of the President on all bonds, vouchers, or other places where attestation is needed.
- (K) To publish the annual report of the Treasurer within the time limits prescribed by Statute.
- (L) To cause the publication of all ordinances wherein required by Statute.
- (M) To exercise any and all general powers now or hereinafter granted to the Village Clerk by the laws of the State of Illinois, including the duties of Registrar of Vital Statistics, and the power to issue fishing and hunting licenses.

**1-7-2: BOND:** The Village Clerk shall before entering upon the duties of his office, execute a bond to the corporation with two (2) sufficient sureties to be approved by the President and Board of Trustees, and deposited in the office of the Village Treasurer, in the penal sum of one thousand dollars (\$1,000.00), conditioned for the faithful performance of the duties of his office and the payment of all moneys received by him according to law and the provisions of this Code.

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**1-7-3: SALARY:** The Village Clerk shall receive such salary as shall be determined from time to time by the President and Board of Trustees.

## CHAPTER 8

### VILLAGE COMPTROLLER

#### SECTION:

1-8-1:	Office Created
1-8-2:	Appointment
1-8-3:	Duties
1-8-4:	Report of Money Received
1-8-5:	Accounts Kept
1-8-6:	Monthly Reports
1-8-7:	Annual Reports
1-8-8:	Salary
1-8-9:	To Be Consistent
1-8-10:	Nonconflict Provision

**1-8-1: OFFICE CREATED:** There is hereby created the office of Village Comptroller. He shall hold his office for the term of one (1) year and until his successor shall be appointed and qualified.

**1-8-2: APPOINTMENT:** The Village Comptroller shall be appointed annually at the regular meeting in May of each year or as soon thereafter as may be, and he shall before entering upon the duties of his office, take the oath prescribed by the Village officers, and shall execute a bond to the Village which shall be an amount of money that is not less than three (3) times the latest Federal census population or any subsequent census figure used for Motor Fuel Tax purposes.

**1-8-3: DUTIES:**

- (A) The Village Comptroller shall keep a separate account of each fund or appropriation, and debits and credits belonging thereto. He shall give to every person paying money into the Village Treasury a receipt therefore specifying the date of the payment, and upon what account paid, and he shall file copies of such receipts with the Village Clerk at the date of his monthly report.
- (B) The Village Comptroller shall keep an accurate register of all warrants redeemed and paid showing the number, dates and amount of each, the fund from which paid and the name of the

person to whom and when paid and he shall cancel all warrants as soon as redeemed by him.

**1-8-4: REPORT OF MONEY RECEIVED:** It shall be the duty of the Village Comptroller to report to the Village Clerk any officer authorized to receive money for the use of the Village who may fail to make a return of the money by him at the time required by law or by the provisions of this Code.

**1-8-5: ACCOUNTS KEPT:** The Village Comptroller shall keep his books and accounts in such manner as to show with entire accuracy all moneys received and disbursed for the Village, stating from whom and from what account received, and to whom and on what account paid out, and in such way that said books and accounts will exhibit the true financial condition of the Village, and in such manner as may be readily investigated and understood, and the same together with all files and papers of said office shall be at all times open to examination to the President, the Village Clerk, Finance Committee or any member of the Board of Trustees.

**1-8-6: MONTHLY REPORTS:** The Village Comptroller shall at the first regular meeting of each month render an account under oath showing the state of the Treasury at the date of such account, the condition of each appropriation and the balance of money in the Treasury. He shall also accompany such accounts with statements of all moneys received into the Treasury, and on what account, together with all warrants with any and all vouchers held by him, which shall be delivered to the Village Clerk and filed with said account in the Village Clerk's office upon the day of settlement. He shall return all warrants paid by him, stamped or marked "paid". He shall keep a register of all warrants.

**1-8-7: ANNUAL REPORTS:** The Village Comptroller shall annually, between the municipal and fiscal year make out and file with the Village Clerk a full and detailed account of all the receipts and expenditures of the Village, and of all his transactions as such Comptroller during the preceding fiscal year, which statement shall exhibit under separate and appropriate headings the several accounts with the several funds or appropriations. It shall be the duty of the Clerk to submit his counter financial report together with an annual report of the Treasury aforesaid to the President and Finance Committee of the Board of

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Trustees, and if the President and said Committee shall be satisfied with said Comptroller's report and it properly exhibits the true financial condition of the Village, they shall return the same to the Village Clerk who shall cause such report of the Comptroller to be published in some newspaper published in the Village, and if no newspaper is published in the Village, then a copy thereof shall be posted in some public place in the Village.

**1-8-8: SALARY:** The Comptroller of the Village shall receive a salary as shall be determined from time to time by the President and Board of Trustees.

**1-8-9: TO BE CONSISTENT:** Wherever reference to the Village Treasurer occurs in existing ordinances, the term shall be construed to mean the Village Comptroller.

**1-8-10: NONCONFLICT PROVISION:** Nothing contained herein shall prohibit any Village Officer, Employee or Agent from additionally being appointed to the position of Comptroller as a position separate thereto.

## CHAPTER 9

### VILLAGE ATTORNEY

**SECTION:**

- 1-9-1: Office Created
- 1-9-2: Appointment
- 1-9-3: Draw Ordinances
- 1-9-4: Legal Advisor
- 1-9-5: Attend Meetings
- 1-9-6: Compensation

**1-9-1: OFFICE CREATED:** There shall be and hereby is created and established the office of Village Attorney.

**1-9-2: APPOINTMENT:** The President, with the approval of the Board of Trustees, shall appoint a competent person to fill the office hereby created.

**1-9-3: DRAW ORDINANCES:** He shall draw such ordinances as may be required of him by the Board of Trustees or by any committees thereof. He shall draw all contracts and other legal documents for the Village when so required by the Board of Trustees, or by any committee thereof.

**1-9-4: LEGAL ADVISOR:** It shall be the duty of the Village Attorney to act as legal advisor in the Board of Trustees, of all the Village officers and the Board of Trustees and any Village officer may require his opinion in writing upon any question in law arising in connection with the Village affairs, or upon any suit claimed or demanded in which the Village is or may become interested, and in any such case he shall comply with such request as soon as may be by filing his opinion in the office of the Clerk or presenting the same to the Board of Trustees while in session.

**1-9-5: ATTEND MEETINGS:** It shall be the duty of the Village Attorney to attend all meetings of the Board of Trustees when requested by the President or Board of Trustees so to do and to perform such of the duties properly pertaining to his office as to the Board of

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Trustees may from time to time require of him, to act as counsel for the Village in every action to which the Village is or may be a party, in all courts or places in the State or United States.

**1-9-6: COMPENSATION:** The Village Attorney shall receive such compensation for his services as shall be agreed upon by him and the Board of Trustees of the Village.

**CHAPTER 10****VILLAGE COLLECTOR****SECTION:**

- 1-10-1: Office Created
- 1-10-2: Appointment, Oath, Bond
- 1-10-3: Duties
- 1-10-4: Personal Use of Moneys
- 1-10-5: Notice of Collections
- 1-10-6: Compensation

**1-10-1: OFFICE CREATED:** There is hereby created the office of Village Collector who shall hold his office for one (1) year or until his successor is appointed and qualified.

**1-10-2: APPOINTMENT, OATH, BOND:** The Village Collector shall be appointed by the President of the Board by and with the approval of a majority of the members of said Board, and shall before entering upon the duties of his office take and subscribe the oath prescribed for other Village officers, and shall execute a bond to the Village in the penal sum of double the amount liable to come into his hands, as such Collector, with at least two (2) good and sufficient sureties to be approved by the President and Board of Trustees, conditioned for the faithful performance of his duties as such Collector, and the payment of all moneys which may come into his hands by virtue of his office in accordance with the laws of the State of Illinois and the provisions of this Code.

**1-10-3: DUTIES:** It shall be the duty of the Collector to preserve all warrants which are returned into his hands, and he shall keep such books and his accounts in such manner as the Board of Trustees may prescribe. Such warrants, books, and all other papers pertaining to his office shall at all times be open to the inspection of and subject to the examination of the President, Village Clerk, any member of the Board of Trustees or any committee thereof. He shall weekly and more often if required by the Board of Trustees, pay over to the Comptroller all moneys collected by him from any source whatever, taking such Comptroller's receipt therefore, which receipt he shall immediately file with the Village Clerk; but the Village Clerk shall at the time, or on demand give such Collector a copy of any such receipt so filed. He shall make out a report in

writing to the President and Board of Trustees or any officer designated by them, of all moneys collected by him, the account whereon collected, or of any other matter in connection with his office, when required by the Board of Trustees or by ordinance of the Village. He shall also, annually, between the first (1<sup>st</sup>) and tenth (10<sup>th</sup>) of April, file with the Clerk a statement of all the moneys collected by him during the year, the particular warrant, special assessment or account on which collected, the balance of moneys uncollected on all warrants in his hands and the balance remaining uncollected at the time of the return on all warrants which he shall have returned, during the preceding year, to the Village Clerk. The Village Clerk shall publish or post the same as now provided to be done in regard to the annual report of the Comptroller.

**1-10-4: PERSONAL USE OF MONEYS:** The Collector is hereby expressly prohibited from keeping the moneys of the Village in his hands or in the hands of any person or corporation, to his use, beyond the time which may be prescribed for the payment of the same to the Comptroller, and any violation of this Section will subject him to immediate removal from office.

**1-10-5: NOTICE OF COLLECTIONS:** It shall be the duty of the Collector to give the proper notice for the collection of all special assessments or special taxes, levied for any public local improvement, as required by the Statute, make the demands required by the Statute, collect such special assessment or special tax, and pay the same over to the Comptroller when collected as herein required, with a statement showing from which installment or installments the same has been collected, and the particular assessment to which it belongs.

**1-10-6: COMPENSATION:** The Collector shall receive such compensation for his services as shall be agreed upon by him and the Board of Trustees of the Village, provided that such compensation shall not exceed one and one-half percent (1 ½%) of the amount by him collected. Such compensation shall be paid by orders drawn upon the Comptroller, upon bills for service rendered at the regular meeting in April of each year.

**CHAPTER 11****REGISTRAR OF VITAL STATISTICS****SECTION:**

- 1-11-1: Clerk as Registrar
- 1-11-2: Reports
- 1-11-3: Records
- 1-11-4: Perform Acts

**1-11-1: CLERK AS REGISTRAR:** The Village Clerk shall be Registrar of Vital Statistics for the Municipality.

**1-11-2: REPORTS:** A report of all births, stillbirths and deaths shall be made to the local Registrar of Vital Statistics, which report shall contain all information required by the "Act to provide for the registration of all births, stillbirths and deaths in the State of Illinois, and to repeal an act herein named", approved June 22, 1915 as amended.

**1-11-3: RECORDS:** The local Registrar shall keep a record showing all births, stillbirths and deaths occurring within the Municipality, which record shall include all information required to be kept by the Act hereinabove described.

**1-11-4: PERFORM ACTS:** The Registrar of Vital Statistics shall do and perform all acts required by State law.

## CHAPTER 12

### CONTRACTS

#### SECTION:

- 1-12-1: Contracts, When Made
- 1-12-2: Advertisement
- 1-12-3: Bond
- 1-12-4: Subject to State Statutes

**1-12-1: CONTRACTS, WHEN MADE:** All contracts for the making of any public improvement to be paid for, in whole or in part, by special assessment, and any work or other improvement, when the expense thereof shall exceed five thousand dollars (\$5,000.00), shall be let to the lowest responsible bidder and approved by the President and the Board or Trustees or in any other manner as may be authorized by State Statutes.

**1-12-2: ADVERTISEMENT:** Whenever any such public improvement shall be ordered, the Village Clerk shall cause an advertisement to be made for bids for such improvement for ten (10) days in some newspaper published in the Village. All proposals to be by sealed bids, in accordance with the specifications prepared and on file in the Village Clerk's office. All bids shall be deposited with the Village Clerk and opened in the presence of the Board of Trustees at the next regular meeting after the expiration of the ten (10) days described in the advertisement. The Board of Trustees reserves the right to accept any bid or to reject any or all bids.

**1-12-3: BOND:** The party to whom any contract is awarded shall enter into a contract in writing, and shall give bond to the Village in double the amount of his contract, conditioned for the faithful performance of his contract, and to save the Village harmless from any loss or damages from the wrongful acts of such contractor or his servants.

**1-12-4: SUBJECT TO STATE STATUTES:** All contracts for public improvements shall be subject to any requirements of the State Statutes.

**CHAPTER 13**  
**CORPORATE SEAL**

**SECTION:**

1-13-1: Corporate Seal

**1-13-1: CORPORATE SEAL:** There shall be a seal of the Village which shall be called the Corporate Seal, and shall be kept by the Village Clerk and used by him officially as directed by law. Said Seal shall have engraved upon it the words "Village of Arthur, Illinois" encircling the words "Corporate Seal".

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## CHAPTER 14

### ILLINOIS MUNICIPAL RETIREMENT FUND

#### SECTION:

1-14-1: Participation in Retirement Fund

**1-14-1: PARTICIPATION IN RETIREMENT FUND:** The Village does hereby elect to participate in the Illinois Municipal Retirement Fund, effective January 1, 1971.