VILLAGE PRESIDENT
Seth Speiser

VILLAGE CLERK
Jerry Menard

VILLAGE TRUSTEES
Ray Matchett, Jr.
Steve Smith
Mike Blaies
Mathew Trout
Dean Pruett
Elizabeth Niebruegge

VILLAGE OF FREEBURG

FREEBURG MUNICIPAL CENTER
14 SOUTHGATE CENTER, FREEBURG, IL 62243
PHONE: (618) 539-5545 • FAX: (618) 539-5590
Web Site: www.freeburg.com

VILLAGE ADMINISTRATOR
Tony Funderburg

VILLAGE TREASURER
Bryan A. Vogel

PUBLIC WORKS DIRECTOR
John Tolan

POLICE CHIEF
Stanley Donald

VILLAGE ATTORNEY
Weilmuenster Law Group, P.C

August 25, 2014

NOTICE

MEETING OF LEGAL AND ORDINANCE COMMITTEES
Annexation; Building; Zoning; Subdivision
(Trout/Matchett/Pruett)

A Legal and Ordinance Committee Meeting of the Village of Freeburg will be held at the Municipal Center, Executive Board Room, **Wednesday, August 27, 2014, at 5:00 p.m.**

LEGAL AND ORDINANCE COMMITTEE MEETING AGENDA

I. Items to be Discussed:

A. Old Business

1. Approval of July 30, 2014 Minutes and Executive Session Minutes
2. Zoning Report/Nuisance Properties
3. Update Code Book
4. Occupancy Permit Inspections

B. New Business

C. General Concerns

D. Public Participation

E. Adjourn

At said Legal and Ordinance Meeting, the Village Trustees may vote on whether or not to hold an Executive Session to discuss the selection of a person to fill a public office [5 ILCS, 120/2 – (c)(3)], litigation [5 ILCS, 120/2 - (c)(11)] personnel [5 ILCS, 120/2 – (c)(1)]; collective negotiating matters between the public body and its employees or their representatives [5 ILCS 120/2 (C)(2) or real estate transactions [5 ILCS, 120/2 - (c)(5)].

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Legal and Ordinance Committee Meeting
(Annexation; Building; Zoning; Subdivision)
(Trout/Matchett/Pruett)
Wednesday, August 27, 2014 at 5:00 p.m.

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The meeting of the Legal and Ordinance Committee was called to order at 5:05 p.m. by Chairman Matt Trout on Wednesday, August 27, 2014, in the Freeburg Municipal Center. Members attending were Chairman Matt Trout, Trustee Ray Matchett, Trustee Dean Pruett, Mayor Seth Speiser, Village Clerk Jerry Menard, Trustee Elizabeth Niebruegge, Zoning Administrator Gary Henning, Public Works Director John Tolan, Village Administrator Tony Funderburg and Office Manager Julie Polson. Guest present: Janet Baechle.

A. OLD BUSINESS:

1. Approval of July 30, 2014 Minutes: *Trustee Ray Matchett motioned to approve the July 30, 2014 minutes and Trustee Matt Trout seconded the motion.* All voting aye, the motion carried.

2. Status of Public Hazard Homes: Village Administrator Funderburg advised the County has taken over the demolition project of the Ernst property. They have had it inspected and it will come down properly. Tony advised it is on their bid list. The owner will retain the land once the demolition is complete. Zoning Administrator Henning advised we had a limb come down for the second time at 12 N. Vine. Since the tree was dead and in a hazardous position, Gary had a tree removal service come in and get rid of the tree. Tony advised we have implemented a new procedure where Gary will write up a work order for these types of situations and have Public Works Director Tolan responsible from that point on.

3. Update Code Book: Tony advised we will need another meeting with Frank where all the changes have been incorporated into the proposed code. We will also need to conduct a hearing for any changes that fall under the review of the Plan Commission. We also received a copy of Breese's code regarding manufactured homes as well as an anti-bullying policy. We need to decide if we want to incorporate those into our code.

4. Occupancy permits inspections: Trustee Trout had several examples of occupancy permit inspection procedures from surrounding municipalities. Julie will get them copied to everyone. Both Mayor Speiser and Public Works Director Tolan have been approached by the local landlords. They would like to be able to attend upcoming meetings where the policy will be discussed and decided upon.

B. NEW BUSINESS: Trustee Trout went to the Park Board meeting last Monday night. He said no decisions are being made on any suggestions we make. He and Tony have discussed creating a park action/improvement committee to try and get things going. The committee members would represent the Village, the Park District, FCAA,

Glen Polacek/Park Concession and the Junior Midgets. Matt stated the Park District is very much in favor of the creation of this committee.

C. **GENERAL CONCERNS:** None.

D. **PUBLIC PARTICIPATION:** None.

E. **ADJOURN:** *Trustee Dean Pruett motioned to adjourn at 5:22 p.m. and Trustee Ray Matchett seconded the motion.* All voting yea, the motion carried.

Julie Polson

Julie Polson
Office Manager

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Legal and Ordinance Committee Meeting
(Annexation; Building; Zoning; Subdivision)
(Trout/Matchett/Pruett)
Wednesday, July 30, 2014 at 5:00 p.m.

The meeting of the Legal and Ordinance Committee was called to order at 5:00 p.m. by Chairman Matt Trout on Wednesday, July 30, 2014, in the Freeburg Municipal Center. Members attending were Chairman Matt Trout, Trustee Ray Matchett, Mayor Seth Speiser, Village Clerk Jerry Menard, Village Administrator Tony Funderburg, Zoning Administrator Gary Henning, Public Works Director John Tolan (5:05 p.m.) and Office Manager Julie Polson.

A. OLD BUSINESS:

1. Approval of June 25, 2014 Minutes: *Trustee Ray Matchett motioned to approve the June 25, 2014 minutes and Trustee Matt Trout seconded the motion.* All voting aye, the motion carried.

2. Status of Public Hazard Homes: Zoning Administrator Henning advised 11 S. Richland has been cleaned up by Huschle Lawn except for a large log. That will be picked up soon. The homeowner of 107 S. Pitts is making progress every week. The O'Reillys' ground breaking ceremony will be held Monday, August 4th at 9:00 a.m.

3. Update Code Book: Tony scheduled a Committee as a Whole meeting on August 6, 2014 at 5:30 p.m. and confirmed Attorney Manion will be there.

4. Occupancy permits inspections: There is nothing new to report.

B. NEW BUSINESS: Zoning Administrator Henning said he has been working with the residents to make sure Freeburg looks nice for Homecoming weekend. Tony said Cameron Reid, one of our new part-time police officers has offered to help with clean-up projects around Freeburg. He is in charge of the inmate crews that go out and help with projects like weed eating ditches or picking up trash along the highway. Tony said they only need for us to provide them with equipment. Tony will ask John to compile a list of areas where we could use their help. John advised a company from DuQuoin got the O'Reillys' bid.

C. GENERAL CONCERNS: None.

D. PUBLIC PARTICIPATION: None.

E. ADJOURN: *Trustee Ray Matchett motioned to adjourn at 5:08 p.m. and Trustee Matt Trout seconded the motion.* All voting aye, the motion carried.

Julie Polson
Office Manager

LEGAL-ORDNANCE MEETING
ZONING REPORT
August 27, 2014

Gary Henning Zoning Administrator

The Freeburg Tribune article this week will be about Bicycles, next week's article will be August Permits Issued. Four nice large demolition signs have arrived and John has posted 2 demo signs at 101 East Hill Street.

14--Courtesy calls concerning high grass in August.

8--Occupancy Permits issued in August.

6--Building Permits issued in August:
- 1-Fence
- 1-Electrical Upgrade
- 4-Signs

Nuisances Corrected in August: 16
Included Emergency removal of dead tree at 12 N. Vine Street last Thursday.

Nuisance Complaints with action to be taken:

1. The old G&S Foundry which has been vacant since 1998 is for sale-on hold at present due to owner's legal lawsuits.

2. Talked with owner about complaint on his rental property located at 107 S. Pitts—he is working on correcting the mess left by renters. He is making weekly progress.

New Businesses Working:

O'REILLY AUTO PARTS--Ground-breaking ceremony was held Monday August 4th at 9:00 am. Making good progress over the past 3 weeks.

POSSIBLE AUTO REPAIR AND PAINT SHOP: Jerry Kessler who runs and owns Kessler's Auto Body in St. Libory is presently in negotiations for various properties located within the Village to build state-of-arc building and equipment to include 6 glass door bays for business.

permanent habitation and designed to permit the occupancy thereof as a dwelling place for **one (1)** or more persons. The term "manufactured home" shall only include manufactured homes constructed after **June 30, 1976**, in accordance with the Federal "National Manufactured Housing Construction and Safety Standards Act of 1974". Compliance with this standard is indicated by a 2-inch by 4-inch metal plate attached to the exterior tail light end of the manufactured home. Provided that any such structure resting on a permanent foundation with wheels, tongue and hitch permanently removed shall not be construed as a "manufactured home", but shall be an "immobilized manufactured home". A manufactured home should not be confused with a "camping trailer" or "recreational vehicle". **(See 210 ILCS 115/2.10)**

"MANUFACTURED HOME, DEPENDENT" means a manufactured home which does not have a toilet and bath or shower facilities. **(See 210 ILCS Sec. 115/2.3)**

"MANUFACTURED HOME, DOUBLE-WIDE" consists of **two (2) mobile units** joined at the site into a single home, but kept on their separate chassis for repeated transportation to a site.

"MANUFACTURED HOME, IMMOBILIZED" means any manufactured home resting on a permanent foundation with wheels, tongue, and hitch permanently removed. The City Council establishes the following criteria to complete the immobilization of amanufactured home:

(A) The foundation shall extend into the ground below the frost line so as to attach and become a part of the real estate. Materials such as concrete, mortared concrete block, or mortared brick extending into the ground below the front line shall satisfy the requirement for a permanent foundation.

(B) As an alternative to paragraph (A) above, piers may be used, extending into the ground below the frost line and sufficient in number to properly support the manufactured home.

(C) To complete the immobilization, wheels, tongue, and hitch must be removed. Axles may be removed.

"MANUFACTURED HOME, INDEPENDENT means a manufactured home which has self-contained toilet and bath or shower facilities. **(See 210 ILCS Sec. 115/2.4)**

"MANUFACTURED HOME LOT" means a parcel of land for the placement of a manufactured home and the exclusive use of its occupants.

"MANUFACTURED HOME PAD" means that part of an individual manufactured home space or lot beneath the manufactured home, including the concrete portion of the pad.

"MANUFACTURED HOME PARK" means a tract of land or **two (2)** or more contiguous tracts of land upon which contain sites with the necessary utilities for **two (2)** or more independent manufactured homes for permanent habitation either free of charge or for revenue purposes, and shall include any building, structure, vehicle, or enclosure used or intended for use as a part of the equipment of such manufactured home park. Separate ownership of contiguous tracts of land shall not preclude the tracts of land from common licensure as a manufactured home park if they are maintained and operated jointly. Neither an immobilized manufactured home nor a motorized recreational vehicle shall be construed as being a part of a manufactured home park. **(See 210 ILCS Sec. 115/2.5)**

"MANUFACTURED HOME SALES AREA" means a parcel of land used for the display, sale and repair of new or used manufactured homes.

"MANUFACTURED HOME SPACE" means a portion of a manufactured home park designed for the use or occupancy of **one (1) manufactured home.**

"MANUFACTURED HOME STAND" means the part of a manufactured home space beneath the manufactured home that includes the concrete slab on which the home is placed and to which it is anchored.

"MANUFACTURED HOUSING UNIT" includes all forms of housing units listed in this Section and as regulated in this Code.

"MINI-WAREHOUSES" means a building, or part of one, for the storage of goods, merchandise, etc. for rent to individuals or businesses for a monthly fee.

"MOBILE OR PORTABLE MARQUEE" means a term used to describe any sign designed to be moved from place to place, including, but not limited to, signs attached to wood or metal frames designed to be self-supporting and movable; or paper, cardboard, or canvas signs wrapped around supporting poles.

"MODULAR HOME" means a factory-fabricated single-family home built in **one (1)** or more sections. The average width and/or length of the living area (excluding garages, carports, porches, or attachments) of a modular home shall not exceed a ratio of 3 to 1. All modular homes shall be placed on a full perimeter foundation, extending below the frost depth. All wheels and towing devices shall be removed. As with all residences, a modular home shall have a minimum 4/12 pitch roof with residential style siding and roofing, **six (6) inch** minimum eave overhang, and shall have a minimum living area of not less than **one thousand two hundred (1,200) square feet**. Modular homes shall have a yellow seal in the shape of the State of Illinois on the electrical panel box of the home or on the inside of the kitchen sink cabinet. Local officials may require additional items other than the minimum state requirements such as the National Manufactured Home Construction and Safety Standards (HUD Code) or the International Building Code (IBC). All structures shall be placed on a permanent foundation in order that they may be assessed as real estate.

"MOTEL OR MOTOR HOTEL" means a series of attached, semi-attached or detached sleeping or living units for the accommodation of transient guests and not customarily including individual cooking or kitchen facilities; said units having convenient access to off-street parking spaces for the exclusive use of the guests or occupants.

"NONCONFORMING": As applied to a lot, structure, or use, "nonconforming" means: (1) lawfully existing on the effective date of this Code, but (2) not in compliance with the applicable provisions thereof.

"NUISANCE" means any thing, condition, or conduct that endangers health, or unreasonably offends the senses, or obstructs the free use and comfortable enjoyment of property, or essentially interferes with the comfortable enjoyment of life. **(See Chapter 25 of the Revised Code)**

"NURSERY" means a tract of land on which trees, shrubs, and other plants are raised for transplanting and sale, and including any structure in which said activities are conducted.

"NURSING HOME" means a building used as a medical care facility for persons who need nursing care, assistance with activities of daily living, memory care and medical service, but do not require intensive hospital care.

"OFFICE" means any building or portion thereof in which the business (usually clerical and administrative affairs) of a commercial/service enterprise or professional person is transacted.

"OFFICIAL MAP" means the portion of the master plan which designates land necessary for public facilities or uses. It shall include streets, alleys, public ways, parks, playgrounds, school sites and other public grounds and ways for public service facilities within the whole area included within the official comprehensive plan. It can be one or more separate geographical or functional parts or include all or any part of the contiguous, unincorporated area under the planning jurisdiction of the City.

"OUTPATIENT SERVICES FACILITY" allows for Outpatient Services and sleep disorder studies including overnight stays for patients and hospital staff.

"OVERLAY DISTRICT" means a zoning district superimposed over one or more standard (primary) zoning districts or portions thereof for the purpose of controlling developmental problems caused by such factors as steep slopes, wet soils, flooding, etc.

"PARABOLIC OR DISH-TYPE ANTENNA" means any concave, circular or dish-shaped device designed for receiving communications or television signals.

Utility substations.
Schools.
Churches and related religious facilities
Senior Assisted Living Facilities
Group Community Residence.

DIVISION IV - "R-3" MULTI-FAMILY DISTRICTS

40-4-17 **"R-3" - MULTIPLE-FAMILY DISTRICTS.** The "R-3" Multiple-Family Residence District is established to new areas in order to accommodate all persons desiring this type of residential environment.

40-4-18 **SPECIAL RESTRICTIONS.**

(A) Manufactured homes prohibited. **(See Section 40-4-7(B).)**

(B) **Refuse containers.** All refuse generated by facilities located within this District shall be in removable, visually screened, covered containers.

(C) **Screening.** Along the side and rear lot lines of any lot abutting "R-1" or "R-2" district, screening (a wall, fence, or closely planted shrubbery, See **Section 40-6-3**) at least **six (6) foot** high shall be installed.

(D) **Parking. See Article VII.**

(E) **Signs. See Article VIII.**

(F) **Site Plan Required. (See Article X, Section 40-10-2. Exception - single-family dwelling.)**

(G) **Condominium Conversion Plans Required.** All developers of condominiums shall provide comprehensive disclosure, in the form of a property report to be prepared by the City Zoning Board of Appeals, or other zoning authority of the City. Such report shall contain information with respect to the name of the developer, the property being converted or developed, a description of the common elements, including any existing or proposed recreational facilities, the outstanding management and operating contracts with regard to the proposed conversion or development, the proposed operating budget of the condominium development, any proposed renovations or improvements, the restrictions or limitations on the use of the units, any outstanding encumbrances on the real estate, the prospective unit sale prices and closing costs, along with copies of plats, floor plans, and the proposed condominium documents. Further, all engineering reports describing the condition and useful life of the property and the common elements, including the roof, walls, structural elements, and the mechanical, electrical, plumbing, and heating systems of the proposed developments or conversions shall be supplied. All developers shall also supply proof of warranties made by the developer along with any surety bonds for the development or conversion. **(Ord. No. 976; 03-21-00)**

40-4-19 **LOT AND BUILDING REQUIREMENTS.** Every principal building in the "R-3" District shall conform to the requirements indicated below:

NOTE: Detached single-family and two-family dwellings erected in the "R-3" District shall comply with all applicable regulations of the "R-2" District. All Duplexes built in an "R-3" District must comply with Uniplex requirements as stated in 40-4-20(A), as applicable.

(A)	Minimum Lot Area:	9,000 square feet or 2,000 square feet per unit whichever is greater.
(B)	Minimum Lot Width at the established building line:	60 feet or 20 feet per unit, whichever is greater.

(C)	Minimum Lot Depth:	100 feet
(D)	Minimum Setbacks:	
	(1) From front lot line:	25 feet
	(2) From any side lot line:	8 feet
	(Note: See Section 40-3-16)	
	(3) From rear lot line:	25 feet
(E)	Maximum Building Height:	35 feet
(F)	Minimum Off-street Parking Per Dwelling Unit:	3 spaces

40-4-20 **LOT AND BUILDING REQUIREMENTS-Uniplex.** Every Uniplex constructed in the "R-3" District shall conform to the requirements indicated below("Lot" indicates the two lots on which the entire, two unit structure is located. "Unit" indicates each separately owned residence):

(A)	Minimum Lot Size	
	(1) Minimum Lot Area:	10,000 square feet per lot(5,000 square feet per unit.)
	(2) Minimum Lot Width:	100 feet per lot a at established building line (50 feet per unit)
	(3) Minimum Lot Depth:	100 feet per lot at established building line (50 feet per unit)
(B)	Minimum Setbacks:	
	(1) From front lot line:	25 feet
	(2) From any side lot line:	8 feet
	(3) From Party Wall lot line:	0 feet
	(3) From rear lot line:	25 feet
(C)	Maximum Building Height:	35 feet

(D) Each Unit shall have separate utility connections including sanitary sewer and water.

(E) The party wall at the interior side of each unit of the Uniplex shall conform to all structural and fire codes and shall be at least **twelve (12) inches** below the earth grade in the crawl space. The Party Wall shall be of concrete block or poured concrete from **twelve (12) inches** below grade to bottom of sub-floor and shall otherwise conform in all respects with the Residential Building Codes of the City of Breese for "Townhomes".

(F) A site-plan and legal description shall be required and approved prior to the issuance of a building permit for a Uniplex.

(G) A Common Wall Maintenance Agreement (Party Wall Agreement) shall be approved by the City and recorded before a building permit for a Uniplex shall be issued. A copy of such recorded agreement shall be filed with the City Clerk.

(H) Unless a variance is granted by the City, each unit of a Uniplex structure shall have, at a minimum, a two car garage and a driveway with two car capacity.

(I) An "as built" survey shall be required prior to issuance of a Certificate of Occupancy.

40-4-21 PERMITTED USES.

Use permitted in the **"R-2" District.**
Condominiums shall be a permitted use under this Section.
Dwellings, multiple-family.
Uniplex.

40-4-22 SPECIAL USES.

Any use that may be allowed by special-use permit in the "R-2" District. **(See Section 40-3-16)**
Convenience shops (e.g. small drugstore, food store, laundromat)
Nursing homes.
Quick shops as defined in this Code.
Schools.
Utility substations.

DIVISION VII - HIGHWAY COMMERCIAL

40-4-56 **"C-2" - HIGHWAY COMMERCIAL DISTRICT.** The "C-2" Commercial District encompasses those commercial areas adjacent to local highways where a wide range of goods and services are offered to the general public at retail or wholesale prices.

40-4-57 **SPECIAL RESTRICTIONS.** In accordance with **Section 40-4-47**. The lot and building requirements, Permitted Uses for the "C-2" Highway Commercial District shall be the same as the "C-1" Commercial District with the exception that all structures in the "C-2" District shall have at a minimum a **fifteen (15) foot** setback from the front lot lines.

40-4-58 **PERMITTED USES.** Provided all the use restrictions of this District are observed, the following uses are permitted:

Any use permitted in the **"C-1"** District.
Such uses as the following are especially appropriate in this District:
- bowling alleys
- furniture and appliance sales
- greenhouses
- commercial plant nurseries
- lumber and building supplies sales
- motor vehicles sales

Government uses.
Offices.
Service establishments, any type, including drive-in facilities.
Such uses as the following especially appropriate in this district:
- animal hospitals
- banks and other financial institutions
- motels
- motor vehicles services
- restaurants
- service stations

Accessory uses in accordance with **Section 40-3-14** and **40-3-15**.

40-4-59 **SPECIAL USES.** Provided all the use restrictions of this District are observed, the following special uses may be allowed by special use permit.

Bus terminals and bus transportation facilities.
Drive-in theaters.
Dwelling units, two-family or multiple-family.
Nursing Homes.
Outpatient Services Facility.
Research and development facilities not involving explosives, flammable gases or liquids, or live animals.
Senior Assisted Living Facilities.

Warehousing and wholesaling of any goods except explosives, flammable gases or liquids, or live animals.

(Ord. No. 1284; 06-18-13)

40-4-60 RESERVED.

ARTICLE VI

SUPPLEMENTARY REGULATIONS FOR SPECIFIC USES

40-6-1 **APPLICABILITY OF ARTICLE.** This Article establishes lot and structure requirements and design standards, and use limitations for specific, potentially troublesome structures and uses. These regulations apply in every zoning district where the specific structure or use is permitted or allowed by special-use permit; but if more stringent regulations are applicable in any particular district, such regulations shall prevail.

40-6-2 **AGRICULTURAL ACTIVITIES.**

(A) **Farm Animals.** No barn, stable, shed, or other structure intended to shelter farm animals (including, but not limited to, horses, cattle, hogs, and chickens) shall be erected closer than **three hundred (300) feet** to any existing dwelling, or closer than **two hundred (200) feet** to any lot line of residential property, whichever distance is greater. Similarly, fences shall be erected or other means shall be taken to prevent farm animals from approaching closer than **three hundred (300) feet** to any existing dwelling or closer than **two hundred (200) feet** to any lot line or residential property, whichever distance is greater. (Exception: Such footage requirements shall not apply to seasonal fencing used to contain livestock pastured for the purpose of salvaging crops, provided that such temporary fencing remains no longer than a period of **three (3) months.**

(B) **Farm Equipment/Commodities.** No agricultural equipment or commodities (including, but not limited to, baled crops, fertilizer, pesticides/herbicides) shall be stored outdoors closer than **three hundred (300) feet** to any existing dwelling or closer than **two hundred (200) feet** to any lot line of residential property, whichever distance is greater. If said equipment/commodities are stored within a completely enclosed structure, said structure shall be located at least **one hundred (100) feet** from any lot line of residential property.

40-6-3 **BUFFER STRIPS, FENCES, WALLS AND HEDGES.** Buffer strips, fences, walls or hedges used for any purpose shall, in all districts, conform to the following:

(A) Whenever a commercial, multi-family or industrial district abuts a residential district or is across a street, alley or similar obstacle from a residential district, a buffer strip of landscaping and/or other treatment shall be required. If a buffer strip is live landscaping, a temporary artificial screening shall be provided until such time as landscape screening reaches maturity. Width shall be **twenty (20) feet,** except that between areas zoned "I" and the designated zones, the width shall be **thirty (30) feet.**

Where an existing "R-1" abuts a district requiring a buffer, the minimum setback from the buffer in that district requiring a buffer shall be **ten (10) feet** providing that a street does not come between the districts.

(B) No new permanent barbed wire or electrically charged fence less than **eight (8) feet** in height shall be erected or maintained anywhere except in connection with agricultural uses; when the agricultural use abuts a property line or a public right-of-way, the use of such fencing shall require the issuance of a Special Use Permit.

(C) No fence, wall, or other obstruction shall be erected on or within **three (3) feet** of any alley or public right-of-way; temporary barricades shall require the written permission of the Zoning Administrator.

(D) No fence, wall, or other obstruction shall be erected in violation of the **Illinois Drainage Code. (See 70 ILCS Sec. 2-1 to 2-13)**

(E) No fence, wall or other obstruction shall exceed **eight (8) feet** in height in any district except the Industrial District (I) where the maximum height shall not exceed **ten (10) feet;** exemption, planting screen, in addition, in areas near street intersections, special height restrictions shall be applicable to fences, walls, or other obstructions. **(Section 40-3-12(B).)**

(F) No fence, wall or other obstruction shall be erected in any front yard setback area, with the exception of landscape fences specifically approved by the Zoning Administrator. **(See Landscape Fence, Section 40-2-2)**

(G) No fence, wall or other obstruction shall be erected onor within **three (3) feet** of a property line unless the Owner presents a survey to the Zoning Administrator showing the location of the property lines and the proposed fence; or Owner has demonstrated to the Zoning Administrator that he has located the survey pins or markers on Owner's property marking the previously surveyed property line and that Owner and all adjoining and abutting property owners along the proposed fence line have viewed the survey markers and approve of the location of the fence and the survey markers. An applicant for a Building Permit for a fence shall include on the application a statement to the effect that Owner has had the property surveyed and the lines located or that Owner and the adjoining and abutting owners have located the corner survey pins and agree to the boundary location and are aware of the type and proposed location of the fencer, wall or other obstruction to be erected and have given their written permission.

(H) No fence, wall or other obstruction which completely encloses a lot shall be erected without the provision of a gate or similar type of moveable barrier for accessibility.

40-6-4 **LIGHTING CONTROLS.** Any lights used for the illumination of signs, parking area, swimming pools, or any other purpose shall be arranged in such a manner as to direct the light away from neighboring residential properties and away from the vision of passing motorists.

40-6-5 **HOME OCCUPATIONS.** A "home occupation" means any business, profession, or occupation conducted for gain or support entirely within any dwelling or on any residential premises. Within this municipality every home occupation shall be considered a special use. No home occupation shall be established or conducted except in conformity with the following regulations:

(A) **Unrelated Employees.** A home occupation shall employ no more than one individual who is unrelated to the family residing on the premises.

(B) **Floor Space.** The total area used of a home occupation conducted in a dwelling shall not exceed **twenty-five percent (25%)** of the gross floor area of said dwelling, or **three hundred (300) square feet,** whichever is less.

(C) **Dwelling Alterations.** In any residential district, a dwelling shall not be altered to accommodate a home occupation in such a way as to materially change the residential character of the building.

(D) **Outdoor Storage.** Outdoor (unenclosed) storage on the premises of equipment or materials used in connection with a home occupation is prohibited.

(E) **Nuisances.** A home occupation shall not generate any offensive noise, vibration, smoke, dust, odors, heat, glare, or electrical interference noticeable at or beyond the lot lines.

(F) **Parking. See Article VII.**

(G) **Signs.** There shall be no advertising, display, or other indications of a home occupation on the premises, except as provided in**Article VIII.**

(H) Special Use Permit holders for a home occupation can be reviewed for compliance to code on an annual basis.

40-6-6 HOSPITALS, NURSING HOMES.

(A) The lot on which any hospital is situated shall have a minimum width and depth of **two hundred (200) feet,** and a minimum area of **five (5) acres.**

(B) The lot on which any nursing home or senior assisted living facility is situated shall have a minimum width and depth of **two hundred (200) feet,** and a minimum area of **two (2) acres.**

(C) The principal building of any hospital, nursing home or senior assisted living facility shall be located at least **twenty-five (25) feet** from all lot lines.

40-6-7 JUNK/SALVAGE YARDS.

(A) All vehicles, parts, and equipment shall be stored within a completely enclosed structure or within an area screened by a wall, solid fence, or closely-planted shrubbery at least **eight (8) feet** high and/or sufficient density to block the view from adjacent property.

(B) All existing junk yards located in any Residential or Commercial District shall meet the requirements of **Section 40-6-7** within **two (2) years** following the adoption of this Code.

(C) No part of any junk yard, which includes any lot on which **three (3)** or more inoperable vehicles are stored, shall be located closer than **five hundred (500) feet** to the boundary of any residential district. **(See definition "Junk Yard", Section 40-2-2.)**

40-6-8 KENNELS.

(A) The lot on which any kennel is situated shall have a minimum area of **three (3) acres.**

(B) Every kennel shall be located at least **two hundred (200) feet** from the nearest dwelling, and at least **one hundred (100) feet** from any lot line.

40-6-9 SERVICE STATION.

(A) The exterior storage of any used equipment and/or parts for more than **fourteen (14) days** shall be prohibited.

(B) The exterior storage of any flammable material shall be controlled by the **BOCA Building Code (Chapter 6)**

(C) All gasoline pumps and other service facilities setbacks shall be located according to State Law.

(D) Every access way shall be located at least **two hundred (200) feet** from the principal building of any fire station, school, public library, church, park, or playground, and at least **thirty (30) feet** from any intersection of public streets.

(E) Every device for dispensing or selling milk, ice, soft drinks, snacks, and similar products shall be located within or adjacent to the principal building.

(F) All trash receptacles, except minor receptacles adjacent to the gasoline pumps, shall be screened from view.

(G) Whenever the use of a service station has been discontinued for **twelve (12) consecutive months**, or for **eighteen (18) months** during any **three (3) year** period, the EPA and the State Fire Marshal shall order that all underground storage tanks be removed or filled with material approved by the Fire Marshal.

RECENT PROBLEM FOR TOWNS

Illinois Codification Se
PO Box 69
Freeburg, IL 62243-0069

BUILDING CODE REGULATION

General. Swimming pools shall comply with the requirements of this section and other applicable sections of this code. 2003 IBC Section 3109.1

Definition. The following word and term shall, for the purposes of this section and as used elsewhere in this code, have the meaning shown herein. 2003 IBC Section 3109.2

> **SWIMMING POOLS.** Any structure intended for swimming, recreational bathing or wading that contains water over 24 inches (610 mm) deep. This includes in-ground, above-ground and on-ground pools; hot tubs; spas and fixed-in-place wading pools.

Public swimming pools. Public swimming pools shall be completely enclosed by a fence at least 4 feet (1290 mm) in height or a screen enclosure. Openings in the fence shall not permit the passage of a 4-inch-diameter (102 mm) sphere. The fence or screen enclosure shall be equipped with self-closing and self-latching gates. 2003 IBC Section 3109.3

Residential swimming pools. Residential swimming pools shall comply with Sections 3109.4.1 through 3109.4.3. 2003 IBC Section 3109.4

> **Exception:** A swimming pool with a power safety cover or a spa with a safety cover complying with ASTM F 1346.

Barrier height and clearances. The top of the barrier shall be at least 48 inches (1219 mm) above grade measured on the side of the barrier that faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51 mm) measured on the side of the barrier that faces away from the swimming pool. Where the top of the pool structure is above grade, the barrier is authorized to be at ground level or mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm). 2003 IBC Section 3109.4.1

Openings. Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere. 2003 IBC Section 3109.4.1.1

Solid barrier surfaces. Solid barriers which do not have openings shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints. 2003 IBC Section 3109.4.1.2

Closely spaced horizontal members. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1.75 inches (44 mm) in width. Where there are decorative cutouts within vertical

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members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width. 2003 IBC Section 3109.4.1.3

Widely spaced horizontal members. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width. 2003 IBC Section 3109.4.1.4

Chain link dimensions. Maximum mesh size for chain link fences shall be a 2.25 inch square (57 mm square) unless the fence is provided with slats fastened at the top or the bottom which reduce the openings to no more than 1.75 inches (44 mm). 2003 IBC Section 3109.4.1.5

Diagonal members. Where the barrier is composed of diagonal members, the maximum opening formed by the diagonal members shall be no more than 1.75 inches (44 mm). 2003 IBC Section 3109.4.1.6

Gates. Access gates shall comply with the requirements of Sections 3109.4.1.1 through 3109.4.1.6 and shall be equipped to accommodate a locking device. Pedestrian access gates shall open out ward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from the bottom of the gate, the release mechanism shall be located on the pool side of the gate at least 3 inches (76 mm) below the top of the gate, and the gate and barrier shall have no opening greater than 0.5 inch (12.7 mm) within 18 inches (457 mm) of the release mechanism. 2003 IBC 3109.4.1.7

Dwelling wall as a barrier. Where a wall of a dwelling serves as part of the barrier, one of the following shall apply: 2003 IBC Section 3109.4.1.8

1. Doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and its screen are opened. The alarm shall sound continuously for a minimum of 30 seconds immediately after the door is opened and be capable of being heard through out the house during normal house-hold activities. The alarm shall automatically reset under all conditions. The alarm shall be equipped with a manual means to temporarily deactivate the alarm for a single opening. Such deactivation shall last no more than 15 seconds. The deactivation switch shall be located at least 54 inches (1372 mm) above the thresh old of the door.

2. The pool shall be equipped with a power safety cover which complies with ASTM F 1346.

3. Other means of protection, such as self-closing doors with self-latching devices, which are approved by the administrative authority, shall be accepted so long as the degree of protection afforded is not less than the protection afforded by Section 3109.4.1.8, Item 1 or 2.

Pool structure as barrier. Where an above - ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then the ladder or steps either shall be capable of being secured, locked or removed to prevent access, or the ladder or steps shall be surrounded by a barrier which meets the requirements of Sections 3109.4.1.1 through 3109.4.1.8. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter (102 mm) sphere. 2003 IBC Section 3109.4.1.9

Indoor swimming pools. Walls surrounding indoor swimming pools shall not be required to comply with Section 3109.4.1.8. 2003 IBC Section 3109.4.2

Prohibited locations. Barriers shall be located so as to prohibit permanent structures, equipment or similar objects from being used to climb the barriers. 2003 IBC Section 3109.4.3

Entrapment avoidance. Where the suction inlet system, such as an automatic cleaning system, is a vacuum cleaner system which has a single suction inlet, or multiple suction inlets which can be isolated by valves, each suction in let shall protect against user entrapment by an approved antivortex cover, a 12-inch by 12-inch (304 mm by 304 mm) or larger grate, or other approved means. In addition, all pools and spas shall be equipped with an alternative backup system which shall provide vacuum relief should grate covers be missing. Alternative vacuum relief devices shall include one of the following: 2003 IBC Section 3109.5

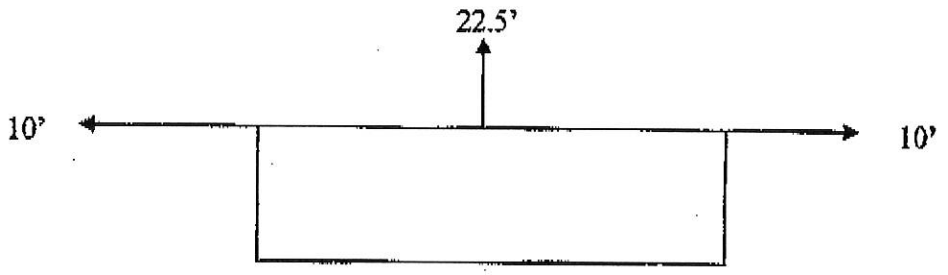
1. Approved vacuum release system.
2. Approved vent piping.
3. Other approved devices or means.

Safety Glazing. Glazing in walls and fences enclosing in door and outdoor swimming pools, hot tubs and spas where all of the following conditions are present: 2003 IBC 2406.3.9

1. The bottom edge of the glazing on the pool or spa side is less than 60 inches (1524 mm) above a walking surface on the pool or spa side of the glazing, and

2. The glazing is within 60 inches (1524 mm) horizontally of the water's edge of a swimming pool or spa.

Electrical Service. Electrical service conductors within 10′ feet from edge of water or closer shall be a minimum of 22.5′ feet from surface of water.



Electrical service conductors must have a minimum clearance of 14.5′ feet from deck, observation platform or diving platform associates with a swimming or wading pool.

Revised 04/01/09

ARTICLE XVI – ANTI-BULLYING POLICY

11-16-1 **APPLICATION OF POLICY.** The Village finds a safe work environment is beneficial for employees and promotes productivity. Workplace bullying has been linked to absenteeism, drug and alcohol use, and sexual violence. The Village considers workplace bullying unacceptable and will not tolerate it. The anti-bullying policy shall apply to all individuals who are employees, volunteers and contractors. For purposes of this policy:

(A) ***"Employee"*** is defined as an individual working for the Village for remuneration;

(B) ***"Volunteer"*** is defined as an individual who volunteers services to the Village without remuneration;

(C) ***"Contractor"*** is defined as an individual who contracts with the Village to provide services, or an individual who works for a contractor of the Village.

11-16-2 **DEFINITION.** Bullying is defined as any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a person that has or can be reasonably predicted to have the effect of one or more of the following:

(A) placing the person in reasonable fear of harm to the person or the person's property;

(B) causing a substantially detrimental effect on the person's physical or mental health;

(C) substantially interfering with the person's productivity; or

(D) substantially interfering with the person's ability to participate in or benefit from the opportunities offered by the employer.

Bullying may be intentional or unintentional. The Village considers the following types of behavior illustrative examples of bullying: harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, pushing; shoving; kicking; poking; tripping; assault, or threat of physical assault; theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying.

11-16-3 **BULLYING PROHIBITED.** Bullying on the basis of actual or perceived race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental disability, military status, sexual orientation, gender-related identity or expression, unfavorable discharge from military service, association with a person or group with one or more of the aforementioned actual or perceived characteristics, and any other distinguishing characteristic is prohibited in all places of employment, and an employer shall prevent bullying in its place of employment.

(A) No person shall be subjected to bullying:

(1) during any period of employment activity;

(2) while working, on property of the employer, or at employer-sponsored or employer-sanctioned events or activities; or

(3) through the transmission of information from an employment utilized telephone, computer, computer network, or other similar electronic employer-utilized equipment.

(B) Nothing in this policy is intended to infringe upon any right to exercise free expression or the free exercise of religion or religiously based views protected under the First Amendment of the United States Constitution.

11-16-4 DISCIPLINARY ACTION. Any employee or volunteer who is determined, after an investigation, to have engaged in bullying in violation of this policy shall be subject to disciplinary action up to and including immediate discharge. Any contractor found to be in violation of this policy may be subject to contract cancellation.

(A) **False Accusations.** False accusations regarding bullying against employees, volunteers, contractors, or elected officials shall not be tolerated, and any person knowingly making a false accusation shall be subject to disciplinary action up to and including immediate discharge.

(B) **Retaliation for Reporting Bullying.** The Village shall discipline any employee or volunteer who retaliates against any person who reports who reports alleged bullying, or who retaliates against any person who testifies, assists or participates in an investigation, a proceeding or a hearing relating to bullying complaint. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment. Contractors are likewise prohibited from retaliating.

11-16-5 REPORTING AND COMPLAINT PROCEDURE. The Village encourages all employees, volunteers or contractors to promptly report any instance of bullying behavior. Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of bullying. Therefore, while no fixed reporting period has been established, prompt reporting of complaints or concerns is encouraged so that rapid and constructive action can be taken. The Village shall make every effort to stop alleged workplace bullying before it becomes severe or pervasive, but can only do so with the cooperation of its employees.

Reports of bullying will be treated seriously, and investigated promptly and impartially. The Village further encourages all individuals to whom this policy applies to formally report any concerns of assault, battery, or other bullying behavior of a criminal nature to the Village Attorney's office. The Village Board requires any supervisor who witnesses bullying, irrespective of reporting relationship or his/her responsibility to address it, to promptly report this conduct to the Police Chief or the Mayor.

Individuals who believe they have experienced conduct that they believe violates this policy, or who have concerns about such matter, should report their complaints or concerns verbally or in writing to his or her supervisor, or the Village Attorney, before the conduct becomes severe or pervasive. If a verbal report is made, it shall be documented in writing by the official to whom it is reported. Individuals should not feel obligated to report their complaints to their immediate supervisor first before bringing the matter to the attention of one of the other designated Village representatives identified above.

The availability of this complaint procedure does not preclude individuals who believe they are being subjected to bullying conduct from promptly advising the offender that his or her behavior is unwelcome and requesting that such behavior immediately stop.

ARTICLE XVII – DOMESTIC AND SEXUAL VIOLENCE POLICY

11-17-1 **PURPOSE OF POLICY.** Domestic violence can permeate the lives and compromise the safety of employees with tragic, destructive and often fatal results. Domestic violence occurs within a wide spectrum of relationships, including married and formerly married couples, couples with children in common, couples who live together or have lived together, gay, lesbian, bisexual and transgender couples, and couples who are dating or who have dated in the past. Domestic violence represents a pattern of coercive tactics which can include physical, psychological, sexual, economic and emotional abuse perpetrated by one person against another in an intimate relationship or in the same household, with the goal of establishing and maintaining power and control over the victim. In addition to exacting a tremendous toll from the individuals it directly affects, domestic violence often spills over into the workplace, compromising the safety of both victims and co-workers and resulting in lost productivity, increased health care costs, increased absenteeism, and increased employee turnover. The Village will take appropriate actions to promote safety in the workplace and respond effectively to the needs of victims of domestic violence.

11-17-2 **DEFINITION.** For purposes of this policy and pursuant to the Illinois Victims' Economic Security and Safety Act (VESSA), the following terms are defined as follows:

(A) ***"Abuser":*** A person who perpetrates a pattern of coercive tactics which can include physical, psychological, sexual, economic, and emotional abuse against an adult intimate partner, with the goal of establishing and maintaining power and control over the victim.

(B) ***"Domestic Violence":*** Domestic violence means abuse by a family or household member, as defined by this policy pursuant to Section 103 of the Illinois Domestic Violence Act of 1986. Domestic violence includes sexual assault or stalking.

(C) ***"Employee":*** A person working for the Village for remuneration for services.

(D) ***"Family or Household Member":*** For employees with a family or household member who is a victim of domestic or sexual violence, this means spouse, parent, son, daughter, other person related by blood or by present or prior marriage, another person who shares a relationship through a son or daughter, and persons jointly residing in the same household.

(E) ***"Parent"*** means biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a son or daughter as defined herein.

(F) ***"Son or Daughter"*** means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is under **eighteen (18) years** of age, or is **eighteen (18) years** of age or older and incapable of self-care because of a mental or physical disability.

11-17-3 **VICTIMS' ECONOMIC SECURITY AND SAFETY ACT (VESSA).** The person against whom an abuser directs coercive and/or violent acts, including an employee who is a victim of domestic or sexual violence, or an employee's family or household member who is a victim of domestic or sexual violence, and whose interests are not adverse to the employee as it related to domestic or sexual violence.

11-17-4 POLICY.

(A) **Employee Awareness.** The Village shall take reasonable actions to educate employees regarding the effects of domestic violence and methods to report such violence to authorities. It is the policy of the Village that information on domestic violence and available resources shall be available to employees through the Village Board and by this written policy, which shall be disseminated to employees.

(B) **Non-Discriminatory Policy.** Non-Discriminatory and Responsive Personnel Policies for Victimized Employees of the Village shall ensure that personnel policies and procedures do not discriminate against victims of domestic violence and are responsive to the needs of victims of domestic violence.

(1) Illinois law prohibits employers from interfering with, restraining, or denying the exercise of any right provided under VESSA. This law requires employers, when given **forty-eight (48) hours** prior notification, to allow time off for employed victims of domestic or sexual violence and employees with a family or household member who is a victim of domestic or sexual violence, to take unpaid leave to seek medical help, legal assistance, counseling, safety planning, and other assistance without penalty from the employer for the employee or the family or household member who is a victim.

(2) Illinois law prohibits employers from discriminating against any employee who is a victim of domestic or sexual violence or any employee who has a family or household member who is a victim of domestic or sexual violence.

(3) An employee who is a victim of domestic or sexual violence, or has a family or household member who is a victim of domestic or sexual violence and whose interests are not adverse to the employee as it relates to domestic or sexual violence, may take unpaid leave from work to address domestic or sexual violence by:

(a) seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the victim;

(b) obtaining services from a victim services organization for the victim;

(c) obtaining psychological or other counseling for the victim;

(d) participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the victim;

(e) seeking legal assistance or remedies to ensure the health and safety of the victim, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic or sexual violence.

(4) The employee shall be entitled to a total of **twelve (12) workweeks** of leave during any **twelve (12) month** period. This policy does not create a right for an employee to take an unpaid leave that exceeds the unpaid leave time allowed under, or is in addition to, the unpaid leave time permitted by the federal Family Medical Leave Act. Leave may be taken intermittently or

on a reduced work schedule. An employee may substitute accumulated paid leave for unpaid leave; however, the paid leave will count toward the number of workweeks used for purposes of this policy. The employee shall provide at least **forty-eight (48) hours** advance notice of the employee's intention to take leave, unless providing such notice is not practicable. No action will be taken against an employee for failing to provide **forty-eight (48) hours** advance notice if the employee provides certification that leave was used for the purposes outlined in **Section 11-17-4(B)(2)** of this Section and can demonstrate that advance notice was not practicable.

(5) During a leave taken pursuant to this policy, the Village shall maintain coverage under its group health plan for the duration of such leave at the level and under the conditions coverage would have been provided if the employee had continued in employment for the duration of such leave. If the employee fails to return from leave, however, the Village may recover any premium costs it paid for such coverage if the reason for the employee not returning is other than the continuation, recurrence, or onset of domestic or sexual violence or circumstances beyond the control of the employee. Neither seniority nor leave benefits will accrue to the employee during unpaid leave.

(6) The Village, upon request, will assist the employee in determining the best use of his/her attendance and leave benefits when an employee needs to be absent as a result of being a victim of domestic violence. If an employee requests time off to care for and/or assist a family or household member who has been a victim of domestic violence, the employee's supervisor or the Village Board (or their designee) will evaluate the employee's request for leave for eligibility under existing law and collective bargaining agreements applicable to the employee and the attendance rules.

(7) The Village requires certification from an employee for leave under this policy. The employee shall certify that the leave is for one of the purposes enumerated in **Section 11-17-4(B)** of this Section. Certification shall be provided to the employer within a time period set by the employer.

(8) The Village understands that victims of domestic violence may lack the required documentation or have difficulty obtaining the required certification to justify absences without compromising their safety. Therefore, the Mayor or his designee shall consult with the employee to identify what documentation she/he might have, or be able to obtain, that will not compromise his/her safety-related needs and will satisfactorily meet the documentation requirement of the employer.

(9) All information provided to the employer pursuant to notification and certification requirements of this policy, and the purposes for which leave may be requested pursuant to this policy, shall be retained in strictest confidence by the employer, except to the

extent that disclosure is requested or consented to in writing by the employee, or otherwise required by applicable federal or State law. Reported information shall be kept private to the greatest extent possible by Federal law, State law, and Village policy; however, information may have to be disclosed pursuant to a subpoena, Illinois Supreme Court Rules, a court of law, or where otherwise required by law. Where medical information is received by the Village from an employee who is the victim of domestic violence, such medical information shall be kept confidential.

(10) Employees who are victims of domestic violence and who are legally separated from a covered spouse or civil-union partner, shall be allowed to make reasonable changes in benefits at any time during the calendar year, provided the change is requested within **thirty (30) days** of the separation and is in accordance with the Village policies, rules, and regulations.

(11) The Village will not make inquiries about a job applicant's current or past domestic violence victimization, and employment decisions will not be based on any assumptions about or knowledge of such exposure.

(C) **Accountability for Employees Who are Abusers.** The Village will hold employees, individuals who volunteer services to the Village without remuneration (hereafter "volunteers"), and individuals who contract with the Village or work for contractors of the Village (hereafter "contractors"), accountable for engaging in the following behavior: (i) using Village resources to commit an act of domestic violence; (ii) committing an act of domestic violence from or at the workplace or from any other location while on official Village business; or (iii) using their job-related authority and/or Village resources in order to negatively affect victims and/or assist perpetrators in locating a victim and/or in perpetrating an act of domestic violence.

Any physical assault or threat made by an employee, volunteer, or contractor, while on Village premises, during working hours, while representing the Village, or at a Village-sponsored event, is a serious violation of this policy. This policy applies no only to acts against employees, but to acts against all other persons. Those found to have violated this policy will be subject to corrective or disciplinary action, up to and including discharge.

(1) In cases in which the Village has found that an employee, volunteer, or contractor, has threatened, harassed, or abused an intimate partner at the workplace using Village resources such as work time, workplace telephones, facsimile machines, mail, e-mail or other means, said employee shall be subject to corrective or disciplinary action.

(2) In cases in which the Village has verification that an employee, volunteer, or contractor is responsible for a domestic violence-related offense, or is the subject of any order of protection, including temporary, final or out-of-state order, as a result of domestic violence, and said employee, volunteer or contractor has job functions that include the authority to take actions that directly impact victims of domestic violence and/or actions that may protect abusers from appropriate consequences for their behavior, the Mayor shall determine if corrective action is warranted.

(3) In cases in which any employee, volunteer, or contractor intentionally uses his/her job-related authority and/or intentionally uses Village resources in order to negatively impact a victim of domestic violence, assist an abuser in locating a victim, assist an abuser in perpetrating acts of domestic violence, or protect an abuser from appropriate consequences for his/her behavior, said individual may be subject to corrective or disciplinary action.