

**VILLAGE PRESIDENT**  
Ray Danford

**VILLAGE CLERK**  
Jerry Menard

**VILLAGE TRUSTEES**  
Corby Valentine  
Steve Smith  
Tony Miller  
Rita Baker  
Seth Speiser  
Charlie Mattern

# 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](http://www.freeburg.com)

**VILLAGE ADMINISTRATOR**  
Dennis Herzog

**VILLAGE TREASURER**  
Bryan A. Vogel

**PUBLIC WORKS DIRECTOR**  
Ronald Dintelmann

**POLICE CHIEF**  
Melvin E. Woodruff, Jr.

**VILLAGE ATTORNEY**  
Stephen R. Wigginton

February 1, 2010

## NOTICE

### **MEETING OF LEGAL AND ORDINANCE COMMITTEES (Annexation; Building; Zoning; Subdivision) Speiser/Baker/Mattern**

A Legal and Ordinance Committee Meeting of the Village of Freeburg will be held at the Municipal Center, Executive Board Room, **Wednesday, February 3, 2010, at 4:30 p.m.**

### **LEGAL AND ORDINANCE COMMITTEE MEETING AGENDA**

I. Items to be Discussed:

A. Old Business

1. Approval of January 6, 2010 Minutes
2. Community Improvement Board/Material Requirements on Commercial Buildings/Nuisance Abatement Code/Building Code application
3. Status of Public Hazard Homes
4. TIF Litigation
5. Stumpf Lawnmower business
6. Ordinance on reflective clothing while walking

B. New Business

1. FOIA Ordinance

C. General Concerns

D. Public Participation

E. Adjourn

F.

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) a.]; or real estate transactions [5 ILCS, 120/2 - (c)(5)].

VILLAGE PRESIDENT  
Ray Danford

VILLAGE CLERK  
Jerry Menard

VILLAGE TRUSTEES  
Corby Valentine  
Steve Smith  
Tony Miller  
Rita Baker  
Seth Speiser  
Charlie Mattern

# 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  
Dennis Herzing

VILLAGE TREASURER  
Bryan A. Vogel

PUBLIC WORKS DIRECTOR  
Ronald Dintelmann

POLICE CHIEF  
Melvin E. Woodruff, Jr.

VILLAGE ATTORNEY  
Stephen R. Wigginton

Legal and Ordinance Committee Meeting  
(Annexation; Building; Zoning; Subdivision)  
(Speiser/Baker/Mattern)  
Wednesday, February 3, 2009 at 4:30 p.m.

The meeting of the Legal and Ordinance Committee was called to order at 4:34 p.m. by Chairman Seth Speiser on Wednesday, February 3, 2010, in the Freeburg Municipal Center. Members attending were Chairman Seth Speiser, Trustee Rita Baker, Village Clerk Jerry Menard, Village Administrator Dennis Herzing and Office Manager Julie Polson. Guest present: Janet Baechle.

## A. OLD BUSINESS:

1. Approval of January 6, 2010 Minutes: *Trustee Rita Baker motioned to approve the January 6, 2010 minutes and Trustee Seth Speiser seconded the motion. All voting aye, motion carried.*

2. Community Improvement Board/Material Requirements on Commercial Buildings/Nuisance Abatement Code: With respect to the material requirements on commercial buildings, Dennis provided a draft ordinance which the committee will review and discuss at the next meeting. He included B-1, B-2 and I-1 districts in the ordinance. Once the ordinance has been agreed upon, a public hearing will have to be held before the Plan Commission. Julie will email a copy to Charlie. Rita had several corrections to the Nuisance Code and Julie will get those corrected and get the revised code to the committee for next month's meeting. Dennis said he will come up with a policy memo or guideline on the commercial remodels since we will just be following what is currently contained in the International Building Code.

3. Status of Public Hazard Homes: Phil sent a letter to Phil Sheets asking him to address several items regarding the property on N. State Street. Phil did go out and check the property and Sheets did put a cover over the well. Phil also sent a letter to Mr. Brown regarding the shape of his property on W. Phillips Street.

4. TIF litigation: Dennis met with Attorney Wigginton and gone through the agreement and will take it back to Koppeis. Dennis hasn't heard anything yet.

5. Stumpf Lawnmower Business: Seth said this can be taken off the agenda.

6. Ordinance on reflective clothing while walking: Dennis said we don't have anything in our code to address this. He talked to Mel about it and Mel said he would enforce whatever the committee decided. Mel told Dennis they tried enforcing bicyclists wearing reflective clothing but it was looked at as police harassing the bicyclists. Dennis provided information from state statute on pedestrians walking on

Legal and Ordinance Committee Meeting  
Wednesday, February 3, 2010  
Page 1 of 2

highways for the committee's information. The committee asked Dennis and Julie to look at Maryville's code to see if they addressed this issue.

**B. NEW BUSINESS:**

1. FOIA Ordinance: Julie provided a copy of the suggested ordinance from Attorney Wigginton. There are some areas that need to be updated but we wanted to get this in the committee's packet so we could get it forwarded to the board for approval. We will complete the ordinance and bring it back to next month's meeting.

**C. GENERAL CONCERNS:** Dennis received a call from Paul Anderson with some concerns about the Kellers produce stand that was in town last summer. Paul doesn't think other temporary businesses should be able to come in and compete with businesses in Freeburg that pay sales tax, property taxes, etc., and the temporary business doesn't pay any sales tax to Freeburg. He also has concerns regarding the produce and Dennis told him those should probably be taken up with the Health Department. The committee discussed creating a new class of business license that would apply in situations like this and possibly require them to report their sales tax to Freeburg. We will research other municipalities to see if they have anything in their code that would address this. This will stay on the agenda for further discussion.

**D. PUBLIC PARTICIPATION:** None.

**E. ADJOURN:** *Trustee Rita Baker motioned to adjourn the meeting at 5:18 p.m. and Trustee Seth Speiser seconded the motion. All voting aye, the motion carried.*



Julie Polson  
Office Manager

VILLAGE PRESIDENT  
Ray Danford

VILLAGE CLERK  
Jerry Menard

VILLAGE TRUSTEES  
Corby Valentine  
Steve Smith  
Tony Miller  
Rita Baker  
Seth Speiser  
Charlie Mattern

# 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  
Dennis Herzing

VILLAGE TREASURER  
Bryan A. Vogel

PUBLIC WORKS DIRECTOR  
Ronald Dintelmann

POLICE CHIEF  
Melvin E. Woodruff, Jr.

VILLAGE ATTORNEY  
Stephen R. Wigginton

Legal and Ordinance Committee Meeting  
(Annexation; Building; Zoning; Subdivision)  
(Speiser/Baker/Mattern)  
Wednesday, January 6, 2009 at 4:30 p.m.

The meeting of the Legal and Ordinance Committee was called to order at 4:35 p.m. by Chairman Seth Speiser on Wednesday, January 6, 2010, in the Freeburg Municipal Center. Members attending were Chairman Seth Speiser, Trustee Rita Baker, Trustee Charlie Mattern, Village Clerk Jerry Menard and Village Administrator Dennis Herzing.

## A. OLD BUSINESS:

1. Approval of December 2, 2009 Minutes: Trustee Rita Baker motioned to approve the December 2, 2009 minutes and Trustee Charlie Mattern seconded the motion. All voting aye, motion carried.

2. Community Improvement Board/Material Requirements on Commercial Buildings/Nuisance Abatement Code: With respect to the material requirements on commercial buildings, Charlie thinks the portion of the building visible from the highway should be done in masonry and that vinyl and steel siding should be eliminated. The committee agreed to limit this to the B-1 and B-2 zoning districts instead of just the highway. Charlie asked if we want to run this by the Economic Development Committee or Plan Commission before we present it to the full Board. Dennis will put something together in ordinance form for this committee's review before it goes to the Economic Development Committee.

Seth came up with examples that would warrant a permit from the Village on commercial remodels: any alterations or additions to existing structures, plumbing, or electric. Dennis said you would also want it to apply to mechanical and HVAC systems. He thinks that is pretty much the way the International Building Code currently reads. Dennis will also work on that.

Seth questioned the Community Improvement Board and the nuisance ordinance. The committee requested another copy and everyone would like an electronic copy.

3. Status of Public Hazard Homes: Dennis sent a letter to the County asking them if they would try to enforce the Sheets' well issue. Phil told Dennis today that he has been talking quite a bit with Mary Kinzinger about her property on Main Street. She is in the process of cleaning it out and intends to tear it down. The property on Phillips Street is still in bad shape. Seth says more stuff keeps being added to it. Phil has also been talking to Waseem at G&S Foundry and he has cleaned up some of the junk

Legal and Ordinance Committee Meeting  
Wednesday, January 6, 2010  
Page 1 of 2

from the property. Charlie asked if it is a hazardous site and Dennis suspects it is but doesn't think any sampling has been done to prove that.

4. TIF litigation: Dennis said Wigginton had a talk with Koppeis and Koppeis has sent back demands in a revised agreement. Copies were provided to the committee. Dennis will meet with Steve next Wednesday to review the revised agreement. Koppeis is requesting a number of changes and all will be reviewed with Attorney Wigginton next week. After the meeting, Attorney Wigginton will come to a board meeting to hold an executive session to explain the revised agreement.

5. Stumpf Lawnmower Business: Dennis said as far as he knows, everything is settled.

6. Bonfire Code: Dennis put together the ordinance and included it in the packet. The way the ordinance is written, a small bonfire would not require a permit.

*Trustee Rita Baker motioned to recommend the Bonfire Ordinance to the full Board and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.*

**B. NEW BUSINESS:** None.

**C. GENERAL CONCERNS:** Jerry wanted to know if we have an ordinance that requires someone wear reflective material when walking at night. Dennis thinks there may be traffic regulations for kids on bicycles and will check on it.

**D. PUBLIC PARTICIPATION:** None.

**E. ADJOURN:** *Trustee Rita Baker motioned to adjourn the meeting at 5:15 p.m. and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.*



Transcribed from tape by  
Julie Polson  
Office Manager

**DRAFT**

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING TITLE XV, CHAPTER 155 OF THE REVISED  
CODE OF THE VILLAGE OF FREEBURG, ST. CLAIR  
COUNTY, ILLINOIS (Zoning Code)

**WHEREAS**, the Plan Commission of the Village of Freeburg did, on the \_\_\_th day of \_\_\_\_\_ 2010, hold and conduct a public hearing pursuant to notice in accordance with Section 155.407 of the Revised Code of Ordinances of The Village of Freeburg, and pursuant to statute, to discuss a proposed amendment of Title XV, Chapter 155 of the Revised Code of Ordinances of The Village of Freeburg adding Section 155.311 Exterior Building Material and Design: Business, Commercial and Industrial Districts; and

**WHEREAS**, at said hearing, the Plan Commission voted to recommend approval of the proposed amendment to the Village Board of The Village of Freeburg.

NOW THEREFORE BE IT ORDAINED BY THE VILLAGE PRESIDENT AND VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF FREEBURG, ST. CLAIR COUNTY, ILLINOIS, THAT:

TITLE XV, CHAPTER 155, Section 155.311 Exterior Building Material and Design: Business, Commercial and Industrial Districts is hereby added and shall read as follows:

**155.311 EXTERIOR BUILDING MATERIAL AND DESIGN:  
BUSINESS, COMMERCIAL AND INDUSTRIAL DISTRICTS.**

Any building, as defined in the Building Code, which is located in a B-2 Highway Business, B-1 Community Business, or I-1 Light Industrial District shall have exterior finished walls and architectural design in accordance with the requirements of this Section.

**(A) Construction Materials and Exterior.**

1. All exterior walls visible from adjacent streets shall consist of masonry materials (brick, natural clay, natural stone and architectural concrete units, excluding smooth-faced block except when used as an accent) on all sides. All concrete masonry units shall be integrally colored.

2. Other materials allowed include synthetic or cast stone, glass (may not exceed **fifty percent (50%)** of any façade area) metal for detailing, copper slate and E.F.I.S.
3. Other materials may be allowed upon review by the Zoning Administrator.
4. Visible exterior construction materials specifically not allowed are: Plaster stucco; Synthetic materials (i.e., vinyl siding, vinyl wrapped details, vinyl gutters and downspouts); Plastics; Corrugated metal and steel or aluminum siding; Unfinished concrete; Wood shingles; Rough sawn or treated lumber.

Exceptions:

1. Accessory buildings if otherwise permitted by Ordinance and approved by the Zoning Administrator;
2. Buildings specifically exempt from such requirement under provisions of a variance as granted by the Zoning Board of Appeals;
3. Any buildings legally existing on or for which building permits have been legally issued prior to the effective date of this Ordinance, or any reconstruction thereof or any alterations and expansion thereof, if reviewed by the Plan Commission and approved by the Village Board.

PASSED BY THE VILLAGE BOARD OF THE VILLAGE OF FREEBURG, ILLINOIS, ST. CLAIR COUNTY, AND APPROVED BY THE VILLAGE PRESIDENT THIS

\_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.

AYES \_\_\_\_\_

NAYS \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

ABSENT \_\_\_\_\_

ABSTAIN \_\_\_\_\_

\_\_\_\_\_  
Jerry Menard, Village Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2010

\_\_\_\_\_  
Raymond S. Danford, Village President

ATTEST:

\_\_\_\_\_  
Jerry Menard, Village Clerk

Approval as to Legal Form:

\_\_\_\_\_  
Stephen R. Wigginton, Village Attorney

\_\_\_\_\_

**AN ORDINANCE OF THE VILLAGE OF FREEBURG  
SETTING FORTH PROVISIONS FOR COMPLIANCE WITH THE  
ILLINOIS FREEDOM OF INFORMATION ACT**

WHEREAS, the Freedom of Information Act took effect on July 1, 1984 (5 ILCS 140/1 *et seq.*) and was substantially amended by PA 96-0542 effective January 1, 2010; and

WHEREAS, such Act is intended to provide the public with greater access to the records of public bodies; and

WHEREAS, it is necessary for the Village of Freeburg to establish practices and procedures ensuring its full compliance with said Act, so that the public policy stated therein can be carried out effectively and efficiently with respect to the records of the Village.

BE IT ORDAINED by the President and the Board of Trustees of the Village of Freeburg, Madison County, Illinois as follows:

SECTION 1: The Village Clerk is hereby designated as the FOIA Officer to whom all initial requests for access to the records of the Village are to be referred. Such requests are to be made at the offices of the Village Clerk at 14 Southgate Center, Freeburg, Illinois, between the hours of 7:00 a.m. and 5:00 p.m., Monday through Friday. In the event that the Village Clerk is not available during the times described above, the Office Manager is designated as the Deputy FOIA Officer to whom such initial requests are to be made. Except in instances when records are furnished immediately, the FOIA Officer, or his designees, shall receive requests submitted to the Village under the Freedom of Information Act, ensure that the Village responds to requests in a timely fashion, and issue responses under the Act. The FOIA Officer shall develop a list of documents or categories of records that the Village shall immediately disclose upon request.

SECTION 2: Upon receiving a request for a public record, the FOIA Officer shall:

- (1) note the date the Village receives the written request;
- (2) compute the day on which the period for response will expire and make a notation of that date on the written request;
- (3) maintain an electronic or paper copy of a written request, including all documents submitted with the request until the request has been complied with or denied; and
- (4) create a file for the retention of the original request, a copy of the response, a record of written communications with the requester, and a copy of other communications.

SECTION 3: The FOIA Officer and Deputy FOIA Officer shall, within six (6) months after January 1, 2010, successfully complete an electronic training curriculum to be developed by the Public Access Counselor of the State of Illinois and thereafter successfully complete an annual training program. Whenever a new Freedom of Information Officer is designated by the Village, that person shall successfully complete the electronic training curriculum within 30 days after assuming the position.

SECTION 4: Any records which are the subject of a request under the Freedom of Information Act shall be retrieved from such place as they are stored, by the FOIA Officer, or by an employee of the Village acting under the direction of the FOIA Officer. In no event shall records be retrieved by the party requesting them or by any person who is not employed by the Village.

SECTION 5: If copies of records are requested, the fees for such copies, whether certified or not, shall be as determined from time to time by the FOIA Officer pursuant to Section 6(b) of the Freedom of Information Act. The Village Clerk shall maintain a written schedule of current fees in the Clerk's office. The fees so charged shall reflect the actual cost of copying the records, and the cost of certifying copies, if certification is requested.

SECTION 6: In the event that a request to inspect Village Records is denied by the FOIA Officer, the denial may be appealed to the Public Access Counselor of the State of Illinois.

SECTION 7: The Village Clerk shall prepare: (a) a Village Information Directory; (b) a block diagram of the functional Subdivisions of the Village; (c) a Village Records Directory; and (d) a Records Catalogue, all of which shall be substantially in the same form as the documents attached hereto and made a part hereof as Exhibits "A", "B", "C", and "D". This information shall also be posted on the Village's website.

SECTION 8: THIS ORDINANCE shall be in full force and effect immediately upon its passage and approval as required by law.

PASSED this \_\_\_ day of February , 2010, by the Corporate Authorities of the Village of Freeburg, County of Madison, Illinois, by a roll call vote as follows:

AYES: \_\_\_\_\_ NAYS: \_\_\_\_\_ ABSENT: \_\_\_\_\_

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2010, by the President of the Village of Freeburg, County of St. Clair, Illinois.

\_\_\_\_\_  
Village President

ATTEST:

\_\_\_\_\_  
Village Clerk

**ATTACHED EXHIBITS**

**EXHIBIT A. - MUNICIPAL INFORMATION DIRECTORY**

**EXHIBIT B. - SAMPLE BLOCK DIAGRAM OF FUNCTIONAL SUBDIVISIONS**

**EXHIBIT C. - MUNICIPAL RECORDS DIRECTORY**

**EXHIBIT D. - CATALOGING AND INDEXING OF PUBLIC RECORDS**

**EXHIBIT A.**

**MUNICIPAL INFORMATION DIRECTORY**

Village of Freeburg - a non-home rule municipality

The Village of Freeburg is a municipality incorporated and organized under the laws of the State of Illinois for the purpose of providing its residents with the following services:

- A. Police protection.
- B. Fire protection.
- C. Sewer and water service.
- D. Electric service.

The Village of Freeburg has certain functional subdivisions which are shown on Table 1 attached hereto. The approximate amount of the operating budget of the Village of Freeburg is \_\_\_\_\_. The Village's sole office is located at 14 Southgate Center in Freeburg, and the Village also has a pumping station for its water distribution system located at \_\_\_\_\_. The Village currently employs approximately 30 full and part-time employees. The members of the boards, commissions and committees of the Village are as follows:

Board: Raymond Danford, Jerry Menard, Bryan Vogel, Rita Baker, Corby Valentine, Charlie Mattern, Steve Smith, Tony Miller and Seth Speiser.

Plan Commission: Steve Woodward, Ray Walta, Dale Klohr, Mary Krieg, Sam Nold, Bill Schwartz and Bryan Vogel.

Board of Appeals: Kenneth Bald, Richard Gordon, John Dittman, Bob Koerber, Diana Kasper, Dolly Revelle and Tom Kreher.

Committees	Member	Title
Electric:	Corby Valentine	Chairman
	Tony Miller	Trustee
	Steve Smith	Trustee
Finance	Steve Smith	Chairman
	Corby Valentine	Trustee
	Seth Speiser	Trustee
Legal/Ordinance	Seth Speiser	Chairman
	Rita Baker	Trustee
	Charlie Mattern	Trustee
Personnel/Police	Rita Baker	Chairperson
	Charlie Mattern	Trustee
	Steve Smith	Trustee
Public Property	Tony Miller	Chairman
	Rita Baker	Trustee
	Corby Valentine	Trustee

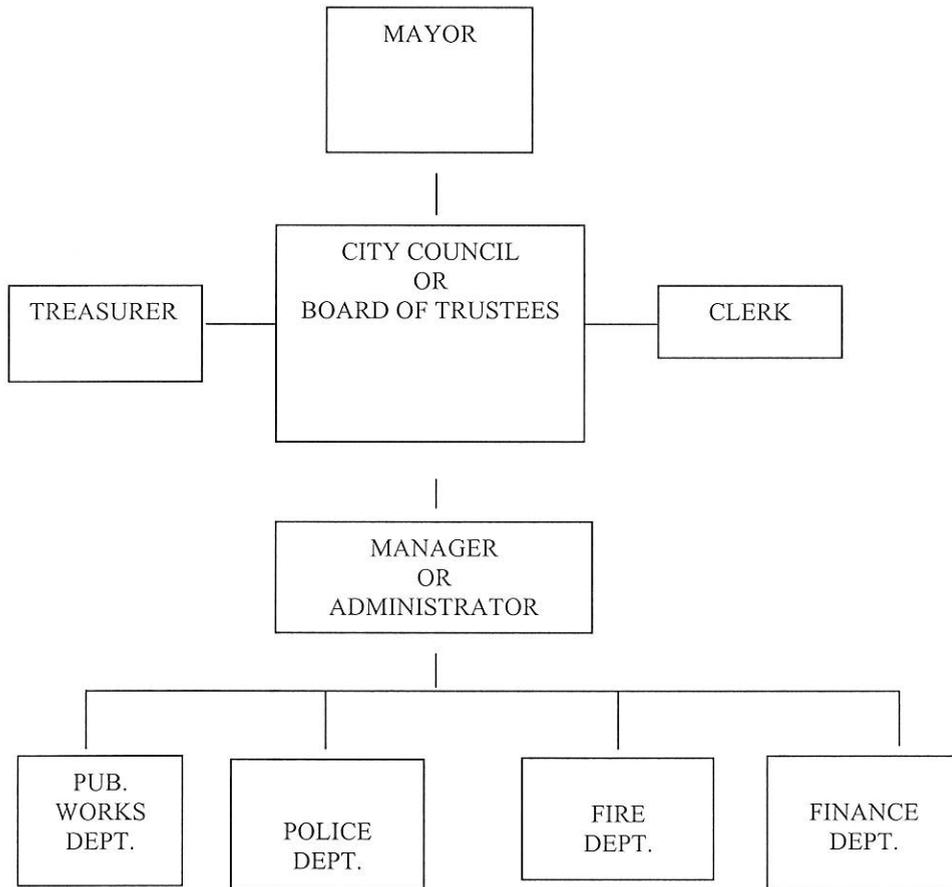
Public Works

Charlie Mattern  
Tony Miller  
Seth Speiser

Chairman  
Trustee  
Trustee

EXHIBIT B.

SAMPLE BLOCK DIAGRAM OF FUNCTIONAL SUBDIVISIONS



The Freedom of Information Officers for the Village are:

Name:

Contact Location:

Jerry Lynn Menard  
Village Clerk

14 Southgate Center  
Freeburg, IL 62243

Julie Polson  
Office Manager

14 Southgate Center  
Freeburg, IL 62243

## **EXHIBIT C.**

### **MUNICIPAL RECORDS DIRECTORY**

#### Village of Freeburg

Any person requesting records of the Village of Freeburg may make such a request either in person, orally or in writing at the Village Clerk's office located at 14 Southgate Center, Freeburg, Illinois. Such request should be made to Jerry Menard, FOIA Officer at such address and if she is not present in person, you should see Julie Polson, Deputy FOIA Officer. Another method would be by mailing, faxing or emailing a written request to either Jerry Menard or Julie Polson specifying in particular the records requested to be disclosed and copied. All written requests should be addressed to the FOIA Officer at the address of the Clerk's office. If you desire that any records be certified, you must indicate that in your request and specify which records must be certified.

The fees for any such records, if the person requesting the records wishes them to be copied, are as follows:

First 50 pages, black and white, letter or legal size copies, no cost.

Additional pages, black and white, letter or legal, actual cost to \$0.15.

Electronic records will be formatted subject to reimbursement for costs of recording medium. Color copies or copies in a size other than letter or legal shall be reimbursed to actual costs.

Costs of certifying a record will be \$1.00.

Records may be furnished without charge or at a reduced charge, as determined by the Village, if the person requesting the documents states the specific purpose for the request and indicates that a waiver or reduction of the fee is in the public interest. Waiver or reduction of the fee is in the public interest if the principal purpose of the request is to access and disseminate information regarding the health, safety and welfare or the legal rights of the general public and is not for the principal purpose of personal or commercial benefit.

## EXHIBIT D.

### CATALOGING AND INDEXING OF PUBLIC RECORDS

The Act requires that public bodies must list (catalog) all types or categories of records under their control which are prepared or received after July 1, 1984. There is some question, and perhaps it can only be resolved by litigation, whether the municipality must catalogue exempt records. The Act indicates that the purpose of the catalogued list is to aid individuals to "gain access" to public records under the Act, and since certain records are exempt from public access, the most reasonable interpretation of the Act would be that you do not have to catalogue or list exempt records. However, you may wish to maintain a separate catalogue or listing of exempt records until such time as the Attorney General or the courts clarify the extent of cataloguing required.

Please note that the Act requires the list to be by "type" or "category" of records and not listing every individual record. Suggested below are different types of categories that a public body might wish to establish to cover the records that it has under its control and which are subject to inspection under the Act. This list is by no means meant to be exhaustive and is merely for reference or descriptive purposes. Obviously, the number of types or categories will vary from municipality to municipality (e.g., some municipalities have fire departments, some do not, etc).

The "type" of records is meant to be a broad general category and the category is a sub-part of the type. For example, one type of record is a financial record.

Under "financial records" may be the following categories: (a) budget; (b) appropriation ordinance; (c) audit; (d) bills; (e) receipts for revenue; (f) vouchers; (g) cancelled checks; (h) water bills; (i) sewer bills; (j) receipts for fines; (k) sales tax receipts; (l) real estate tax receipts; (m) liquor license fees; (n) other license fees; (o) building permit fees; (p) salary schedules; (q) utility bills (e.g., telephone, gas and electric); (r) etc. This gives you examples of categories that could be listed under the general type "financial record".

Other general types could include, for example, the following: (1) building inspection reports; (2) administrative memoranda; (3) building permits; (4) board minutes; (5) board resolutions; (6) board ordinances; (7) correspondence received by municipality; (8) correspondence from municipality; (9) bidding specifications; (10) board policies; (11) administrative rules and regulations; (12) personnel code; (13) village maps; (14) comprehensive plan; (15) zoning ordinance; (16) building ordinance; (17) personnel files; (18) office equipment; (19) insurance; (20) capital equipment; (21) real estate; (22) legal notices; (23) newspaper articles; (24) consulting contracts; (25) contracts for capital equipment; (26) contracts for office supplies; (27) contracts for maintenance and repair; (28) professional consultant contracts; (29) pension fund records; (30) hospitalization records; (31) worker's compensation records; (32) training records; (33) official bonds; (34) municipal stickers; (35) village vehicles; (36) animal control records; (37) village liens; (38) police department records; (39) fire department records; (40) etc. Again, the above list is not meant to be exhaustive. While you certainly need not catalogue your records to the same degree as you list expenses in your annual appropriation ordinance or your annual budget, such may be used as a convenient starting point for determining what categories and types of records you may wish to list. Of course, you also should rely on your past experience by reviewing the records you currently have on hand and dividing them into what will appear to you to be meaningful categories. Remember, there is a great deal of latitude in determining what the categories or types of records will be and consequently what the list would contain, but keep in mind the statutory mandate being that the list must be "reasonably current" and must be "reasonably detailed" in order to assist the individual in obtaining access to public records.

any local ordinance, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian, or any person operating a bicycle or other device propelled by human power and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any obviously confused, incapacitated or intoxicated person.

P.A. 76-1586, § 11-1003.1, added by P.A. 79-857, § 2, eff. Jan. 1, 1976. Amended by P.A. 82-132, § 1, eff. Jan. 1, 1982. Formerly Ill.Rev.Stat.1991, ch. 95 ½, ¶ 11-1003.1.

#### 5/11-1004. Pedestrian with disabilities; right-of-way

§ 11-1004. Pedestrian with disabilities; right-of-way. The driver of a vehicle shall yield the right-of-way to any pedestrian with clearly visible disabilities.

P.A. 76-1586, § 11-1004, eff. July 1, 1970. Amended by P.A. 79-857, § 1, eff. Jan. 1, 1976; P.A. 82-222, § 5, eff. Jan. 1, 1982; P.A. 83-93, § 5, eff. Jan. 1, 1984; P.A. 88-685, § 5, eff. Jan. 24, 1995.

Formerly Ill.Rev.Stat.1991, ch. 95 ½, ¶ 11-1004.

#### 5/11-1004.1. Motorized wheelchairs

§ 11-1004.1. Motorized wheelchairs. Every person operating a motorized wheelchair upon a sidewalk or roadway shall be granted all the rights and shall be subject to all the duties applicable to a pedestrian.

P.A. 76-1586, § 11-1004.1, added by P.A. 84-672, § 1, eff. Sept. 20, 1985.

Formerly Ill.Rev.Stat.1991, ch. 95 ½, ¶ 11-1004.1.

#### 5/11-1005. Pedestrians to use right half of crosswalks

§ 11-1005. Pedestrians to use right half of crosswalks. Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

P.A. 76-1586, § 11-1005, eff. July 1, 1970.

Formerly Ill.Rev.Stat.1991, ch. 95 ½, ¶ 11-1005.

#### 5/11-1005.1. Electric personal assistive mobility devices

§ 11-1005.1. Electric personal assistive mobility devices. Every person operating an electric personal assistive mobility device upon a sidewalk or roadway has all the rights and is subject to all the duties applicable to a pedestrian. Nothing in this Section shall be deemed to limit or preempt the authority of any home rule or non-home rule unit of local government from regulating or prohibiting the use of electric personal assistive mobility devices.

P.A. 76-1586, § 11-1005.1, added by P.A. 92-868, § 5, eff. June 1, 2003.

#### 5/11-1006. Pedestrians soliciting rides or business

§ 11-1006. Pedestrians soliciting rides or business. (a) No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any vehicle.

(b) No person shall stand on a highway for the purpose of soliciting employment or business from the occupant of any vehicle.

(c) No person shall stand on a highway for the purpose of soliciting contributions from the occupant of any vehicle except within a municipality when expressly permitted by municipal ordinance. The local municipality, city, village, or

other local governmental entity in which the solicitation takes place shall determine by ordinance where and when solicitations may take place based on the safety of the solicitors and the safety of motorists. The decision shall also take into account the orderly flow of traffic and may not allow interference with the operation of official traffic control devices. The soliciting agency shall be:

1. registered with the Attorney General as a charitable organization as provided by "An Act to regulate solicitation and collection of funds for charitable purposes, providing for violations thereof, and making an appropriation therefor", approved July 26, 1963, as amended;<sup>1</sup>

2. engaged in a Statewide fund raising activity; and

3. liable for any injuries to any person or property during the solicitation which is causally related to an act of ordinary negligence of the soliciting agent.

Any person engaged in the act of solicitation shall be 16 years of age or more and shall be wearing a high visibility vest.

(d) No person shall stand on or in the proximity of a highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a highway.

(e) Every person who is convicted of a violation of this Section shall be guilty of a Class A misdemeanor.

P.A. 76-1586, § 11-1006, eff. July 1, 1970. Amended by P.A. 76-1734, § 1; P.A. 79-857, § 1, eff. Jan. 1, 1976; P.A. 80-911, § 1, eff. Oct. 1, 1977; P.A. 81-29, § 1, eff. Jan. 1, 1980; P.A. 88-589, § 10, eff. Aug. 14, 1994.

Formerly Ill.Rev.Stat.1991, ch. 95 ½, ¶ 11-1006.

<sup>1</sup> 225 ILCS 460/1 et seq.

#### 5/11-1007. Pedestrians walking on highways

§ 11-1007. Pedestrians walking on highways. (a) Where a sidewalk is provided and its use is practicable, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

(b) Where a sidewalk is not available, any pedestrian walking along and upon a highway shall walk only on a shoulder, as far as practicable from the edge of the roadway.

(c) Where neither a sidewalk nor a shoulder is available, any pedestrian walking along and upon a highway shall walk as near as practicable to an outside edge of a roadway, and, if on a two-way roadway, shall walk only on the left side of the roadway.

(d) Except as otherwise provided in this Chapter, any pedestrian upon a roadway shall yield the right-of-way to all vehicles upon the roadway.

P.A. 76-1586, § 11-1007, eff. July 1, 1970. Amended by P.A. 79-857, § 1, eff. Jan. 1, 1976.

Formerly Ill.Rev.Stat.1991, ch. 95 ½, ¶ 11-1007.

#### 5/11-1007.1. § 11-1007.1. Repealed by P.A. 77-329, § 2, eff. Jan. 1, 1972

#### 5/11-1008. Right-of-way on sidewalks

§ 11-1008. Right-of-way on sidewalks. The driver of a vehicle shall yield the right-of-way to any pedestrian on a sidewalk.

P.A. 76-1586, § 11-1008, added by P.A. 79-857, § 2, eff. Jan. 1, 1976.

Formerly Ill.Rev.Stat.1991, ch. 95 ½, ¶ 11-1008.