

TITLE 2

ADMINISTRATION AND PERSONNEL

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Chapter 2.04

Village President

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2.04.010	Election – Term of Office
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§2.04.010 Election – Term of Office. The Village President shall be elected for a term of four (4) years, and he/she shall be the President of the Board of Trustees, as is provided by statute.

§2.04.020 Duties. The Village President shall be the Chief Executive Officer of the Village, and shall perform all such duties as may be required of him/her by statute or ordinance. He/she shall have supervision over all the executive officers of the Village, and over all the employees of the Village. He/she shall have the power and authority to inspect all books and records kept by any Village Officer or employee at any reasonable time.

§2.04.030 Designation of Duties. Whenever there is a question as to the respective powers or duties of any appointed officer of the Village, this shall be settled by the President who shall have the power to delegate to any such officer any duty which is to be performed when no specific officer has been directed to perform that duty.

§2.04.040 Bond – Oath – Salary. Before entering upon the duties of his/her office, the President shall give a bond with sureties to be approved by the Board of Trustees conditioned upon the faithful performance of his/her duties, in the sum of Three Thousand Dollars (\$3,000.00). The President shall take the oath of office as prescribed by statute, and effective May 1, 2021, shall receive a salary of Six Thousand Two Hundred Fifty Dollars (\$6,250.00) per annum payable in semi-annual installments. Should the Village President attend less than seventy-five percent (75%) of the regularly scheduled Village Board meetings during any given semi-annual salary payment period, the salary paid the Village President as provided herein for that semi-annual salary payment period shall be reduced pro rata for each meeting that is missed over the twenty-five percent (25%) threshold amount.

(Ord. 2020-01-03, §1, 1-21-20)

§2.04.050 President Pro Tem. During a temporary absence or disability of the Village President, the Board of Trustees shall elect one of its number to act as President

Pro Tem, who during the absence or disability of the President shall perform the duties pertaining to the office.

Chapter 2.08

Village Board of Trustees

Sections:

2.08.010	Election – Functions
2.08.020	Oath – Salary
2.08.030	Meetings
2.08.040	President
2.08.050	Order of Business
2.08.060	Rescinded Action
2.08.070	Resolutions
2.08.080	Addressing Meetings
2.08.090	Suspension of Rules
2.08.100	Robert’s Rules of Order
2.08.110	Quorum
2.08.120	Committees
2.08.130	Disturbing Meetings
2.08.140	Electronic Participation at Village Board Meetings

§2.08.010 Election – Functions. The Board of Trustees, consisting of six (6) members, shall be elected to office for a four-year term, according to the method provided by statute. This Board shall be the legislative department of the Village government, and shall perform such duties and have such powers as may be delegated by statute to it.

§2.08.020 Oath – Salary. The members of the Board of Trustees shall take the oath of office prescribed by statute, and effective May 1, 2021, shall receive a salary of Four Thousand Two Hundred Dollars (\$4,200.00) per annum payable in semi-annual installments. Should a Village Trustee attend less than seventy-five percent (75%) of the regularly scheduled Village Board meetings during any given semi-annual salary payment period, the salary paid that Village Trustee as provided herein for that semi-annual salary payment period shall be reduced pro rata for each meeting that is missed over the twenty-five percent (25%) threshold amount.

(Ord. 2020-01-03, §2, 1-21-20)

§2.08.030 Meetings.

- A. The regular meetings of the Board of Trustees shall be held on the first Monday and the third Tuesday following the first Monday of each month at seven o’clock (7:00) p.m., and notice of such regular meetings shall be

provided as required under the Illinois Open Meetings Act, as amended from time to time.

- B. The meeting place of the Board shall be at the Village Hall, unless otherwise ordered by the Board and posted in the meeting notice as required under the Illinois Open Meetings Act, as amended from time to time.
- C. Special meetings may be called by the President of the Village or any three (3) Trustees upon at least forty-eight (48) hours' notice to all members and the President as required under the Illinois Open Meetings Act, as amended from time to time.

(Ord. 2020-12-02, 12-22-20)

§2.08.040 President. The Village President shall be the presiding officer of all regular and special meetings of the Board of Trustees and at all times when the Board meets as a committee of the whole.

§2.08.050 Order of Business. The order of business of the Board of Trustees of Princeville shall be as follows:

- A. Roll call;
- B. Minutes of the preceding meeting;
- C. Communication;
- D. Reports of officers;
- E. Reports of committees;
- F. Other business.

§2.08.060 Rescinded Action. No vote or action of the Board of Trustees shall be rescinded at any special meeting unless there be present at such meeting as many members of the Board of Trustees as were present at the meeting when such vote or action was taken, as provided by statute.

§2.08.070 Resolutions. Any resolutions submitted to the Board of Trustees shall be reduced to writing before being voted upon, on request of any two (2) members of the Board.

§2.08.080 Addressing Meetings. No person other than the President or a member of the Board shall address the Board at any regular or special meeting except as permitted by the Village President, upon consent of a majority of the members present, or as otherwise provided by law.

However, a public comment period will be provided at the beginning of all regular and special Village Board meetings. Each person addressing the Village Board during the public comment period will state his or her name. Each speaker shall confine comments to five (5) minutes or less, restrict remarks to matters relevant to the governance of the Village and avoid repetitious statements. If the Village President, or his designee, concludes that a speaker has unnecessarily exceeded the five (5) minute limitation, is addressing areas not relevant to the governance of the Village or has been needlessly repetitious, the speaker shall conclude his or her comments. The Village President may grant additional time to a speaker upon the request of any member of the Village Board or the speaker.

§2.08.090 Suspension of Rules. The rules of order, other than those prescribed by statute, may be suspended at any time by the consent of a majority of the members present at any meeting.

§2.08.100 Robert's Rules of Order. Robert's Rules of Order shall govern the deliberations of the Board of Trustees except when in conflict with any of the foregoing rules.

§2.08.110 Quorum. A majority of the entire Board, including both the President and all Trustees, shall constitute a quorum to do business. No ordinance shall be passed except upon a favorable vote of a majority of the elected members, except as otherwise specifically provided by statute.

§2.08.120 Committees.

- A. The following shall be the standing committees of the Board of Trustees:
 - 1. Building;
 - 2. Finance;
 - 3. License;
 - 4. Streets and alleys;
 - 5. Water and sewer;
 - 6. Police;
 - 7. Health.
- B. Special committees shall be created from time to time as directed by the Board.

- C. All standing and special committees shall consist of three (3) members, including the chairperson, unless the Board shall direct otherwise. All committees shall be appointed by the Village President.

§2.08.130 Disturbing Meetings. It is unlawful for any person to disturb any meeting of the Board of Trustees or of any committee thereof.

§2.08.140 Electronic Participation at Village Board Meetings.

- A. Subject to the provisions of this section, a Village Board member may electronically attend any open or closed meeting of the Village Board via telephone, video, internet connection, or other electronic technology which allows effective audio interaction with the Board member from a remote location. Except as otherwise provided in Part G of this section, a Board member may electronically attend a meeting of the Village Board only under the following conditions:
1. The Board member must notify the Village Clerk (or designee) as soon as practicable before the meeting of the Board member's request to electronically attend the meeting so that necessary communications equipment can be made available.
 2. The Board member must assert one or more of the following reasons why the Board member is unable to physically attend the Village Board meeting and explain to the Village Clerk (or designee) the factual basis for that assertion:
 - a) The Board member cannot attend due to the Board member's illness or disability; or
 - b) The Board member cannot attend because of conflicting obligations to the Board member's employer or is engaged in business on behalf of the Village; or
 - c) The Board member cannot attend because of a family or other emergency.
 3. Any Board member participating electronically and those members of the Village Board who are physically present at the site of the meeting must have the capability during the meeting to effectively and instantaneously engage in interactive communication with each other. During open meetings, members of the audience must have the capability to hear all audio interactions among all the members of the Village Board who are present either physically or electronically at the open Board meeting.

- B. Upon receiving a request from a Village Trustee to electronically attend a Village Board meeting, the Village Clerk (or designee) shall promptly inform the Village President of that request prior to the Board meeting. Upon receiving a request from the Village President to electronically attend a Village Board meeting, the Village Clerk (or designee) shall promptly inform the most senior Village Trustee who will be attending the Board meeting.
- C. A quorum of the Village Board must be physically present at the scheduled meeting location in order to take the necessary action to allow a Board member to electronically attend that Village Board meeting.
- D. After taking roll call at the Board meeting at which the Board member requests to electronically attend and before any action is taken by the Village Board, the request to electronically attend a Village Board meeting shall be the first order of business to be considered by the Board members physically present at the Board meeting in accordance with the following procedures:
 - 1. After establishing that a quorum is physically present at the Board meeting at which the Board member desires to electronically attend and establishing that the communications equipment necessary to permit electronic participation is functioning properly, the Village President, or the presiding officer if the Village President is not present, shall state that:
 - a) a Board member has requested permission to electronically attend the meeting, and
 - b) the Board member will be authorized to electronically attend the meeting unless a motion objecting to the member's electronic attendance is made, seconded, and adopted by a two-thirds majority of the members of the Village Board physically present at the meeting.
 - 2. If a motion objecting to the Board member's participation is made and approved by a two-thirds majority of the members of the Village Board physically present at the meeting, the member making the request may not electronically attend the meeting. If no such motion is made and seconded or if any such motion is made and seconded but not approved by a two-thirds majority of the members of the Village Board physically present at the meeting, then the request by the member to electronically attend the meeting shall be deemed approved by the Village Board, and the Village President or other presiding officer shall declare that the requesting member is present at the Board meeting. After such declaration by the Village President or presiding officer, the ability of the Board member to electronically participate in that Board meeting may not be withdrawn for the remainder of that meeting.

3. As an alternative to the procedure under parts 1 and 2 of this subsection D of Section 2.08.140, a simple majority vote of the members of the Village Board physically present at the Village Board meeting to allow attendance by the non-physically present Board member will authorize the electronic attendance of this Board member at that Village Board meeting under the terms and conditions otherwise set forth herein.
- E. The minutes of any meeting during which a Board member electronically attends shall identify any such member as attending by electronic means.
 - F. A Board member permitted to electronically attend a Village Board meeting shall have the authority to participate in the meeting to the same extent as those members physically present, subject to the same limitations applicable to those members physically present. A Board member attending electronically may leave a meeting and return to the same extent and under the same conditions as members who are physically present, provided the member attending electronically shall announce when leaving and returning to the meeting.
 - G. The Village Board may electronically hold any open or closed meeting via telephone, video, internet connection, or other electronic technology which allows for effective audio or video conferencing between the Board members from remote locations when the Governor or the Director of the Illinois Department of Public Health has issued a disaster declaration related to public health concerns that covers the Village of Princeville and that limits attendance at public meetings, and all of the following additional conditions have been met:
 1. The Village President has issued a declaration that in-person public meetings are not practical or prudent because of the declared disaster;
 2. All members of the Village Board participating in the meeting can hear each other and can hear all discussion and testimony during the meeting;
 3. All members of the public can contemporaneously hear all discussion, discussion, testimony, and votes taken during the open portion of the meeting;
 4. At least one member of the Village Board or the Village Clerk or the Village Attorney is present at the regular meeting location unless not feasible because of the declared disaster;

5. Notice is provided to the public that the meeting will be held by electronic means, including information on how the public can electronically attend the open portion of the meeting;
6. All votes of the Village Board are taken by roll call vote;
7. The Village has complied with all meeting notice requirements under the Open Meetings Act while also posting such meeting notices on the Village's website; and
8. A verbatim record of all portions of the meeting is maintained by the Village in an audio or video recording.

(Ord. 2021-06-02, 6-7-21)

Chapter 2.12

Village Clerk

Sections:

2.12.010	Election – Term
2.12.020	Bond – Salary
2.12.030	Signatures
2.12.040	Money Collected
2.12.050	Accounts
2.12.060	Records
2.12.070	Seal
2.12.080	Documents
2.12.090	Index
2.12.100	Additional Duties
2.12.110	Vacancies
2.12.120	Collector

§2.12.010 Election – Term. The Village Clerk shall be elected and serve for a four-year term and until his/her successor is elected and qualified, as is provided by statute.

§2.12.020 Bond – Salary. Before entering upon his/her duties of office, the Village Clerk shall execute a bond in such amount and with such sureties as is provided by statute, conditioned upon the faithful performance of his/her duties. Effective May 1, 2021, the Village Clerk shall receive a salary of Five Thousand Dollars (\$5,000.00) per annum payable in semi-annual installments. Should the Village Clerk attend less than seventy-five percent (75%) of the regularly scheduled Village Board meetings during any given semi-annual salary payment period, the salary paid the Village Clerk as provided herein for that semi-annual salary payment period shall be reduced pro rata for each meeting that is missed over the twenty-five percent (25%) threshold amount.

(Ord. 2020-01-03, §3, 1-21-20)

§2.12.030 Signatures. The Clerk shall seal and attest all contracts of the Village and all licenses, permits, and such other documents as shall require this formality.

§2.12.040 Money Collected. The Clerk shall turn over all money received by him/her on behalf of the Village to the Village Treasurer promptly upon receipt of the same; and with such money he/she shall give a statement as to the source thereof.

§2.12.050 Accounts. The Clerk shall keep accounts showing all money received by him/her and the source and disposition thereof; and such other accounts as may be required by statute or ordinance.

§2.12.060 Records. In addition to the record of ordinances and other records which the Clerk is required by statute to keep, he/she shall keep a register of all licenses and permits issued, and the payments thereon; a record showing all of the officers and regular employees of the Village; and such other records as may be required by the Board of Trustees.

§2.12.070 Seal. The Clerk shall be the custodian of the Village seal, and shall affix its impression on documents whenever this is required.

§2.12.080 Documents. The Clerk shall be the custodian of all documents belonging to the Village which are not assigned to the custody of some other officer.

§2.12.090 Index. The Clerk shall keep and maintain a proper index to all documents and records kept by him/her, so that ready access thereto and use thereof may be had.

§2.12.100 Additional Duties. In addition to the duties herein provided the Clerk shall perform such other duties and functions as may be required by statute or ordinance.

§2.12.110 Vacancies. In case the office of the Village Clerk shall become vacant for any reason, a successor shall be appointed by the Village President or elected as provided by statute.

§2.12.120 Collector. The Clerk shall also act as Village Collector unless and until a separate Village Collector is appointed as provided by law.

Chapter 2.16

Village Treasurer

Sections:

2.16.010	Appointment
2.16.020	Bond
2.16.030	General Duties
2.16.040	Deposit of Funds
2.16.050	Records
2.16.060	Accounting

§2.16.010 Appointment. There is created the office of Village Treasurer, who shall be appointed by the President and Board of Trustees as provided by statute. He/she shall serve for one (1) year.

§2.16.020 Bond. The Treasurer shall give a bond, before entering upon the duties of his/her office, in the sum required by the Board of Trustees, but such amount shall not be less than required by statute. This bond shall be conditioned upon the faithful performance of his/her duties by the Treasurer, and shall be conditioned to indemnify the Village for any loss by reason of any neglect of duty or any act of the Treasurer.

§2.16.030 General Duties. The Treasurer shall perform such duties as may be prescribed for him/her by statute or ordinance. He/she shall receive all money paid into the Village, whether directly from the person paying the money or from the hand of such other officer or employee as may receive it, and he/she shall pay out money only on vouchers or orders properly signed by the President and Clerk.

§2.16.040 Deposit of Funds. The Treasurer shall deposit the Village funds in such depositories as may be selected from time to time as provided by law; and he/she shall keep the deposit of the Village money separate and distinct from his/her own money, and shall not make private or personal use of any Village money.

§2.16.050 Records. The Treasurer shall keep records showing all money received by him/her, showing the source from which it is received and the purpose for which it is paid, and he/she shall keep records at all times showing the financial status of the Village.

§2.16.060 Accounting. The Treasurer shall keep such books and accounts as may be required by statute or ordinance, and he/she shall keep them in the manner required by the Board of Trustees.

Chapter 2.20

Village Attorney

Sections:

2.20.010	Creation of Office – Appointment
2.20.020	Special Counsel
2.20.030	Suits and Action
2.20.040	Judgments
2.20.050	Advice
2.20.060	Special Assessments

§2.20.010 Creation of Office – Appointment. There is created the office of Village Attorney, an executive office of the Village. The Attorney shall be appointed by the President and Board of Trustees.

§2.20.020 Special Counsel. The President, with the consent of the Board of Trustees, may from time to time retain an Attorney to represent or advise the Village on legal matters if no Village Attorney has been appointed; and he/she may likewise retain special counsel to advise or represent the Village on special matters or to assist the Village Attorney.

§2.20.030 Suits and Action. The Attorney shall prosecute or defend any and all suits or actions at law or equity to which the Village may be a party, or in which it may be interested, or which may be brought against or by any officer of the Village on behalf of the Village or in the capacity or such person as an officer of the Village.

§2.20.040 Judgments. It shall be the duty of the Attorney to see to the full enforcement of all judgments or decrees entered in favor of the Village, and of all similar interlocutory orders.

§2.20.050 Advice. The Attorney shall be the legal advisor of the Village and shall render advice on all legal questions affecting it, whenever requested to do so by any Village official. Upon request by the President or the Board, he/she shall reduce any such opinion to writing.

§2.20.060 Special Assessments. It shall be the duty of the Attorney to see to the completion of all special assessment proceedings and condemnation proceedings.

Chapter 2.24

Building Inspector

Sections:

2.24.010	Appointment
2.24.020	Duties
2.24.030	Ex Officio Plumbing Inspector
2.24.040	Ex Officio Electrical Inspector
2.24.050	Stop Order
2.24.060	Violation of Stop Order

§2.24.010 Appointment. There is created the position of Building Inspector, who shall be appointed by the President and Board of Trustees.

§2.24.020 Duties. It shall be the duty of the Building Inspector to see to the enforcement of all ordinance provisions relating to buildings or zoning and to inspect all buildings or structures being erected or altered, as frequently as may be necessary to ensure compliance with the Village ordinances.

§2.24.030 Ex Officio Plumbing Inspector. The Building Inspector shall act as ex officio Plumbing Inspector and shall have all the powers and perform all the duties connected with that office.

§2.24.040 Ex Officio Electrical Inspector. The Building Inspector shall act as ex officio Electrical Inspector and shall have all the powers and perform all the duties connected with that office.

§2.24.050 Stop Order. The Building Inspector shall have the power to order all work stopped on construction, alteration or repair of buildings in the Village when such work is being done in violation of any provision of any ordinance relating thereto, or in violation of the zoning ordinance. Work shall not be resumed after the issuance of such an order except on the written permission of the Inspector, provided, that if the stop order is an oral one, it shall be followed by a written stop order within an hour. Such written stop order may be served by any police officer.

§2.24.060 Violation of Stop Order. It is unlawful for any person, firm or corporation to continue work in violation of a stop order of the Building Inspector.

Chapter 2.28

Public Works Superintendent

Sections:

2.28.010	Office Created
2.28.020	Streets
2.28.030	Water and Sewers
2.28.040	Lighting
2.28.050	Employees
2.28.060	Property

§2.28.010 Office Created. There is created the office of Superintendent of Public Works, an executive office of the Village. The Superintendent of Public Works shall be appointed by the President and the Board of Trustees.

§2.28.020 Streets. The Superintendent of Public Works shall have charge of the construction and care of all public streets, alleys and sidewalks in the Village, and with keeping the same clean. He/she shall see to it that all gutters and drains therein function properly and that the same are kept free from defects.

§2.28.030 Water and Sewers.

- A. The Superintendent of Public Works shall be charged with the construction, repair, maintenance and operation of all water and sewer lines, machinery and other parts of the combined water and sewerage system. No water from the Village water supply shall be turned on for service into any premises by any person other than the Superintendent of Public Works or his designee.
- B. The Superintendent of Public Works shall have charge and custody of sanitary and storm sewer systems of the Village, and shall see to it that the same are kept in good repair and that they function properly.
- C. The Superintendent of Public Works shall have charge of the care, functioning and maintenance of the Village waterworks and water distribution system.

§2.28.040 Lighting. The Superintendent of Public Works shall supervise the lighting of the public streets and alleys, and shall keep the lighting system in efficient operation and good repair.

§2.28.050 Employees. All officers and employees assigned to the Department of Public Works shall perform their duties subject to the orders and under the supervision of the Superintendent of Public Works.

§2.28.060 Property. The Superintendent of Public Works shall be the custodian of all property of the Village which is not assigned to the care or custody of any other officer.

Chapter 2.32

Officers and Employees Generally

Sections:

2.32.010	Surety Bonds
2.32.020	Elections
2.32.030	Effect
2.32.040	Appointment
2.32.050	Term of Office – Vacancies
2.32.060	Moneys Received
2.32.070	Oath
2.32.080	Salaries
2.32.090	Assignment of Duties
2.32.100	Records
2.32.110	Bond
2.32.120	Arrests
2.32.130	Termination of Office – Delivery of Books and Records
2.32.140	Impersonation
2.32.150	Interfering with Officers

§2.32.010 Surety Bonds.

- A. Whenever a surety bond to indemnify the Village is required as prerequisite to exercising the duties of any office or position, or to the issuance of a license or permit or for the exercise of any special privilege, the surety on such bond shall be a corporation licensed and authorized to do business in this state as a surety company, in the absence of specific provision to the contrary by ordinance.
- B. Whenever in its opinion additional sureties or an additional surety may be needed on any bond to indemnify the Village against loss or liability because of the insolvency of the existing surety or sureties or for any other reason, the Village may order a new surety or sureties to be secured for such bond. If such new surety or sureties are not procedure within ten (10) days from the time such order is transmitted to the principal on the bond, or his/her assignee, the Board shall declare the bond to be void, and thereupon such principal or assignee, shall be deemed to have surrendered the privilege or position as condition of which the bond was required.

§2.32.020 Elections. Elections for municipal offices shall be held as provided by statute, and at the time prescribed by statute.

§2.32.030 Effect. The provisions of Sections 2.32.040 through 2.32.150 shall apply alike to all officers and employees of the Village, regardless of the time of the creation of the office or position or the time of the appointment of the officers or employee.

§2.32.040 Appointment. All officers other than elective officers shall be appointed by the President and the Board of Trustees, as is provided by statute; provided that all employees shall, in the absence of any provision to the contrary, be appointed or selected by the Village President. Officers shall serve for one (1) year.

§2.32.050 Term of Office – Vacancies. Every appointive officer of the Village shall hold office for a term of one (1) year or until his/her successor is appointed and qualified, unless it is otherwise provided by ordinance. In case of a vacancy in any such place, it shall be filled in the same manner as which appointments or selections are made in the absence of provision to the contrary.

§2.32.060 Moneys Received. Every officer of the Village shall at least once each month turn over all money received by him/her in his/her official capacity, to the Treasurer with a statement showing the source from which the same was received.

§2.32.070 Oath. Every officer of the Village shall, before entering upon his/her duties take the oath prescribed by statute.

§2.32.080 Salaries. All officers and employees of the Village shall receive such salary as may be from time to time provided by ordinance.

§2.32.090 Assignment of Duties. The Board of Trustees shall have the power to assign to any appointive officer any duty which is not assigned by ordinance to some other specific officer; and shall determine disputes or questions relating to the respective powers or duties of officers.

§2.32.100 Records. All records kept by any officer of the Village shall be open to inspection by the President, or any member of the Board of Trustees at all reasonable times, whether or not such records are required to be kept by statute or ordinance.

§2.32.110 Bond. Every officer and employee, shall, if required by the Board of Trustees, upon entering the duties of his/her office, give a bond in such amount and with such sureties as may be determined by the Board, conditioned upon the faithful performance of the duties of his/her office or position.

§2.32.120 Arrests. The Village President, members of the Board of Trustees, as well as every member of the Police Department, are declared to be conservators of the peace by statute.

§2.32.130 Termination of Office – Delivery of Books and Records. Every officer and employee of the Village upon expiration of his/her term for any cause

whatsoever, shall deliver to his/her successor all books and records which may be the property of the Village, and if no successor has been appointed within one (1) week after the expiration of his/her term such property shall be delivered either to the Village Clerk or Village Treasurer within one (1) week after he/she ceases performance of his/her duties as an officer or employee.

§2.32.140 Impersonation. It is unlawful for any person to impersonate without lawful authority any Village officer or employee.

§2.32.150 Interfering with Officers. It is unlawful to interfere with or hinder any officer or employee of the Village while engaged in the duties of his/her office or employment.

Chapter 2.36
Police Department
[REPEALED]

Chapter 2.40

Playground and Recreation Board

Sections:

- 2.40.010 Established – Power
- 2.40.020 Membership – Number – Appointment
- 2.40.030 Membership – Term

§2.40.010 Established – Power. A Playground and Recreation Board is established in the Village, with power to establish, conduct and maintain a recreation system in land and buildings owned by the Village and heretofore or hereafter set apart for use as a playground or recreation center.

§2.40.020 Membership – Number – Appointment. The Playground and Recreation Board shall consist of three (3) persons to be appointed by the Village President with the consent of the Village Board to serve without compensation.

§2.40.030 Membership – Term. Each member shall be appointed for a term of three (3) years.

Chapter 2.44

Code of Ethical Conduct

Sections:

2.44.010	Definitions
2.44.020	Prohibited Political Activities
2.44.030	Gift Ban
2.44.040	Discipline or Discharge

§2.44.010 Definitions.

“Campaign For Elective Office” means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, State, or local public office or office in a political organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official duties.

“Candidate” means a person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election, as defined in section 1-3 of the Election Code (10 ILCS 5/1-3).

“Collective Bargaining” has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act (5 ILCS 315/3).

“Compensated Time” means, with respect to an employee, any time worked by or credited to the employee that counts toward any minimum work time requirement imposed as a condition of his or her employment, but for purposes of this Ordinance, does not include any designated holidays, vacation periods, personal time, compensatory time off or any period when the employee is on a leave of absence. With respect to officers or employees whose hours are not fixed, "compensated time" includes any period of time when the officer is on premises under the control of the employer and any other time when the officer or employee is executing his or her official duties, regardless of location.

“Compensatory Time Off” means authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of his or her employment.

“Contribution” has the same meaning as that term is defined in section 9-1.4 of the Election Code (10 ILCS 5/9-1.4).

“Employee” means a person employed by the Village of Princeville, Peoria County, Illinois, whether on a fulltime or part-time basis or pursuant to a contract, whose duties are subject to the direction and control of an employer with regard to the material details of how the work is to be performed, but does not include an independent contractor.

“Employer” means the Village of Princeville, Peoria County, Illinois.

“Gift” means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an officer or employee.

“Leave of Absence” means any period during which an employee does not receive (i) compensation for employment, (ii) service credit towards pension benefits, and (iii) health insurance benefits paid for by the employer.

“Officer” means a person who holds, by election or appointment, an office created by statute or ordinance, regardless of whether the officer is compensated for service in his or her official capacity.

“Political Activity” means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official duties.

“Political Organization” means a party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a county clerk under Section 9-3 of the Election Code (10 ILCS 5/9-3), but only with regard to those activities that require filing with the State Board of Elections or a county clerk.

“Prohibited Political Activity” means:

1. Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
2. Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
3. Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.

4. Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
5. Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
6. Assisting at the polls on election day on behalf of any political organization or candidate for elective office or for or against any referendum question.
7. Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.
8. Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
9. Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
10. Preparing or reviewing responses to candidate questionnaires.
11. Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
12. Campaigning for any elective office or for or against any referendum question.
13. Managing or working on a campaign for elective office or for or against any referendum question.
14. Serving as a delegate, alternate, or proxy to a political party convention.
15. Participating in any recount or challenge to the outcome of any election.

Prohibited Source means any person or entity who:

1. is seeking official action (i) by an officer or (ii) by an employee, or by the officer or another employee directing that employee;

2. does business or seeks to do business (i) with the officer or (ii) with an employee, or with the officer or another employee directing that employee;
3. conducts activities regulated (i) by the officer or (ii) by an employee, or by the officer or another employee directing that employee; or
4. has interests that may be substantially affected by the performance or non-performance of the official duties of the officer or employee.

§2.44.020 Prohibited Political Activities.

- A. No officer or employee shall intentionally perform any prohibited political activity during any compensated time, as defined herein. No officer or employee shall intentionally use any property or resources of the Village of Princeville in connection with any prohibited political activity.
- B. At no time shall any officer or employee intentionally require any other officer or employee to perform any prohibited political activity (i) as part of that officer or employee's duties, (ii) as a condition of employment, or (iii) during any compensated time off (such as holidays, vacation or personal time off).
- C. No officer or employee shall be required at any time to participate in any prohibited political activity in consideration for that officer or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity.
- D. Nothing in this Section prohibits activities that are permissible for an officer or employee to engage in as part of his or her official duties, or activities that are undertaken by an officer or employee on a voluntary basis which are not prohibited by this Ordinance.
- E. No person either (i) in a position that is subject to recognized merit principles of public employment or (ii) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant-in-aid programs, shall be denied or deprived of employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club.

§2.44.030 Gift Ban.

- A. Gift Ban. Except as permitted by this Section, no officer or employee, and no spouse of or immediate family member living with any officer or employee

(collectively referred to herein as "recipients"), shall intentionally solicit or accept any gift from any prohibited source, as defined herein, or which is otherwise prohibited by law or ordinance. No prohibited source shall intentionally offer or make a gift that violates this Section.

B. Exceptions. Section 2.44.030.A is not applicable to the following:

1. Opportunities, benefits, and services that are available on the same conditions as for the general public.
2. Anything for which the officer or employee, or his or her spouse or immediate family member, pays the fair market value.
3. Any (i) contribution that is lawfully made under the Election Code or (ii) activities associated with a fundraising event in support of a political organization or candidate.
4. Educational materials and missions.
5. Travel expenses for a meeting to discuss business.
6. A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.
7. Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (ii) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iii) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time

gave the same or similar gifts to other officers or employees, or their spouses or immediate family members.

8. Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purposes of this Section, "catered" means food or refreshments that are purchased ready to consume which are delivered by any means.
9. Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee), if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee, and are customarily provided to others in similar circumstances.
10. Intra-governmental and inter-governmental gifts. For the purpose of this Act, "intragovernmental gift" means any gift given to an officer or employee from another officer or employee, and "inter-governmental gift" means any gift given to an officer or employee by an officer or employee of another governmental entity.
11. Bequests, inheritances, and other transfers at death.
12. Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.

Each of the exceptions listed in this Section is mutually exclusive and independent of every other.

- C. **Disposition of Gifts.** An officer or employee, his or her spouse or an immediate family member living with the officer or employee, does not violate this Chapter if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501 (c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

§2.44.040 Discipline or Discharge. In addition to any other penalty that may be applicable, an officer or employee who intentionally violates any provision of Section 2.44.020 or Section 2.44.030 of this Code is subject to discipline or discharge.

Chapter 2.48

Municipal Retirement Fund

Sections:

2.48.010 Participation in State Fund

§2.48.010 Participation in State Fund. The Village elects to participate in the Illinois Municipal Retirement Fund (“IMRF”).

The standard for IMRF participation shall be a position normally requiring performance of duty for six hundred (600) hours per year.

Chapter 2.52

Payment/Reimbursement for Travel Expenses

Sections:

2.52.010	Definitions
2.52.020	Authorization
2.52.030	Reimbursable, Not Reimbursable Expenses
2.52.040	Travel Expense Reimbursement Request Form
2.52.050	Maximum Allowable Reimbursement
2.52.060	Requests Exceeding Maximum Allowable Reimbursement
2.52.070	Entertainment Expenses

§2.52.010 Definitions.

“Entertainment” includes, but is not limited to, shows, amusements, theaters, circuses, sporting events, or any other place of public or private entertainment or amusement, unless ancillary to the purpose of the program or event.

“Public Business” means expenses incurred in the performance of a public purpose which is required or useful for the benefit of the Village to carry out the responsibilities of Village business.

“Travel” means any expenditure directly incident to official travel by employees and officers of the Village or by wards or charges of the Village involving reimbursement to travelers or direct payment to private agencies providing transportation or related services.

§2.52.020 Authorization. The Village shall reimburse its employees and officers, pursuant to this Chapter 2.52, for travel, meal and lodging expenses incurred by its employees and officers while conducting public business. Whenever travel for public business is reasonably foreseeable, travel expense requests shall be submitted to the Village Treasurer prior to the date of travel in order to determine whether such travel will result in a professional or Village benefit, and whether such travel is financially feasible. Whenever travel for public business is not reasonably foreseeable, travel expense requests shall be submitted to the Village Treasurer within seven (7) working days of the completion of such travel.

§2.52.030 Reimbursable, Not Reimbursable Expenses.

- A. Reimbursable Expenses. The Village shall reimburse its employees and officers for the following travel expenses:

1. Transportation. Village owned vehicles shall be used whenever possible and is the preferred form of transportation. Use of a privately owned vehicle shall be reimbursed at the IRS approved mileage rate in effect on the date of travel, and based upon the trip originating and ending at Village Hall, plus tolls and parking. Prior to the date of travel by use of a privately owned vehicle, the employee or officer must provide proof of a valid driver's license issued by the State of Illinois and automobile insurance coverage in an amount not less than that required by the Illinois Vehicle Code.

The actual cost for transportation by air or rail shall be reimbursable by the Village, including parking fees, provided that such transportation is obtained in the most economical manner and at the most economical rate available at the time the transportation reservations are made. Whenever possible, employees and officers, shall book reservations at least 30 days in advance of the date of travel.

The Village shall reimburse its employees and officers for the actual cost of transportation, plus tips, within the destination location, including but not limited to taxi fare, bus fare, and transportation network company fare (i.e. Uber and Lyft).

2. Lodging. The cost of overnight lodging shall only be reimbursed if it is 90 miles or more from the employee or officer's home. A Village employee or officer shall only be reimbursed for a single occupancy room rate, plus tips, unless a double occupancy room is of equal or lesser value or more than one employee or officer is authorized for such lodging.
3. Meals. The cost of meals shall only be reimbursed if it is 90 miles or more from the employee or officer's home. The cost of such meals shall be reimbursed at the IRS approved per diem rate(s) in effect on the date of travel, plus tips. Notwithstanding the foregoing, the Village shall reimburse its employees and officers for the cost of meal/banquet tickets for conferences, seminars, training events, or other similar events if such costs are separate from the event's registration fees and are directly related to such event.
4. Registration Fees. Registration fees, dues, and other similar expenses for conferences, seminars, meetings, and other similar events may be prepaid by the Village upon approval by the Village President. If such fees are not prepaid, the Village shall reimburse its employee or officer for the cost of such registration fees. All such expenses, either prepaid or reimbursable, shall be approved by

submitting a Travel, Meal, and Lodging Expense Reimbursement Request Form pursuant to Section 2.52.040.

5. Travel Advances. Advances for travel expenses may be provided to an employee or officer of the Village upon approval by the Village President. Such advances shall be approved by submitting a Travel, Meal, and Lodging Expense Reimbursement Request Form pursuant to Section 2.52.040.

B. Non-Reimbursable Expenses. The Village shall not reimburse its employees and officers for the following expenses:

1. The additional cost of first class seating or accommodations for air or rail transportation.
2. The additional cost of lodging above the single occupancy room rate, except as otherwise provided herein.
3. Lodging and meals eaten at the home of friends or relatives if lodging with friends or relatives.
4. Expenses of a personal nature and incurred for the amusement of the employee or officer, such as expenses movie/theater tickets, magazines, bar services, sightseeing fees/fares, hotel/motel pay per view television/movies, telephone calls and other similar personal expenses.
5. Travel insurance premiums.
6. Meal expenses for anyone other than the employee or officer.
7. The cost of alcoholic beverages.
8. Entertainment expenses.

§2.52.040 Travel Expense Reimbursement Request Form. No payment or reimbursement of travel, meal or lodging expenses incurred by a Village employee or officer shall be made unless a Travel Expense Reimbursement Request Form has been submitted and approved pursuant to this Chapter 2.52. All Reimbursement Request Forms shall be accompanied by itemized receipts or other documentation that sufficiently support the amount of the claimed expense(s) and was generated at or near the time when the travel expense was incurred, and submitted to the Village Treasurer. All documents and information submitted with the form shall be subject to disclosure under the Freedom of Information Act (5 ILCS 140/1 et seq.).

§2.52.050 Maximum Allowable Reimbursement. Any Reimbursement Request Form submitted to the Village Treasurer in accordance with Section 2.52.040 for travel, meal, and lodging expenses incurred by its employees and officers in an amount less than or equal to five hundred dollars (\$500.00) may be approved by the Village President. The costs for registration fees, dues, and other similar expenses for conferences, seminars, or meetings are not to be allocated toward this maximum allowable reimbursement amount, and shall be approved under Village procedures separate from this Chapter.

§2.52.060 Requests Exceeding Maximum Allowable Reimbursement. Expenses for travel, meals, and lodging of (1) any officer or employee of the Village which exceeds the maximum reimbursement allowed under Section 2.52.050, or (2) any member of the Board of Trustees of the Village, may only be approved by roll call vote at an open meeting of the corporate authorities of the Village. However, in the event of an emergency or other extraordinary circumstance, the Village President may approve more than the maximum allowable expenses set forth above.

§2.52.070 Entertainment Expenses. The Village shall not reimburse any of its members of the Board of Trustees, employees, or officers for any activities which would be considered entertainment. Activities which would otherwise be considered entertainment, but which are excluded from the prohibition on reimbursement due to being ancillary to the purpose of the program or event, may be reimbursed in accordance with the provisions of this Chapter.

Chapter 2.56

Expense Reimbursement Policy

Sections:

2.56.010	Purpose
2.56.020	Definitions
2.56.030	Guidelines for Necessary Expenditures
2.56.040	Pre-Approval for Authorized Expenditures
2.56.050	Reimbursement Procedure for Authorized Expenditures

§2.56.010 Purpose. It is the policy of the Village of Princeville to reimburse employees for all necessary expenditures or losses incurred by the employee within the employee's scope of employment and directly related to services performed for the Village as provided in this Chapter 2.56. It is also the policy of the Village of Princeville to reimburse Village Officials for all necessary expenditures or losses incurred by the Village Officials as provided in this Chapter 2.56. The Village is not responsible for losses due to an employee's or Village Official's own negligence, losses due to normal wear, or losses due to theft unless the theft was a result of the Village's negligence.

§2.56.020 Definitions.

"Authorized Employee" means full-time employees whose job duties regularly require:

1. considerable time outside of the employee's assigned office or work area;
2. the employee to be accessible outside of scheduled or normal working hours;
3. the employee to have wireless data and internet access;
4. frequent on-call activity;
5. immediate availability in case of an emergency; and
6. the employee to use cellular devices to enhance emergency response, employee safety, and work efficiency.

"Employee" means an employee, officer, or official of Village.

"Necessary Expenditures" means all reasonable expenditures or losses required of the employee in the discharge of employment duties and that inure to the primary benefit of the Village of Princeville, subject to the provisions of this Chapter.

§2.56.030 Guidelines for Necessary Expenditures.

- A. Village officers and officials may be subject to additional conditions or restrictions for reimbursement of expenses related to their specific offices and pursuant to state statutes or Village ordinances, in which case such other statute or ordinance shall govern. Further, the provisions of this Chapter will apply only insofar as the provisions do not conflict with any state or federal law.
- B. Employees will be reimbursed for all necessary expenditures or losses incurred by the employee directly related to services performed for the Village and within the employee's scope of employment. Authorized expenditures include, but are not limited to, tools, equipment, registration fees, training expenses, tolls and parking fees, provided the expenditures are "necessary expenditures" as provided herein.
- C. Unauthorized expenditures include, but are not limited to, home Internet service, personal cell phone expenses, alcoholic beverages and entertainment expenses, and any other expenditure that does not directly relate to services performed for the Village and within the employee's scope of employment. See Section 2.52.010 for definition of "entertainment".
- D. Any expenditure that is not requested and approved prior to purchase is deemed an unauthorized expenditure and may not be reimbursed if the employee had at least three business days prior to incurring the expenditure to submit to the Village a request for reimbursement of the expenditure on the Village's Expense Reimbursement Form.
- E. Reimbursement for cellular phone or other electronic communication device expenses shall only be authorized if the employee is an Authorized Employee. To the extent that such reimbursement is not provided by contract with the Village, such expenses shall be reimbursed in accordance pursuant to one of the following:
 - 1. If the Authorized Employee does not have an unlimited data plan, then reimbursement shall be based on the actual text, voice, and/or data costs incurred directly arising out of the employee's scope of employment upon submission of a photocopy of the bill (with personal information redacted). The Authorized Employee shall submit the bill for each month the employee seeks reimbursement within 30 days of receipt of such bill, along with the Expense Reimbursement Form. The Authorized Employee shall clearly identify which calls were made for Village business. For cellular calls when the Authorized Employee has a determined number of minutes included in their plan, the Authorized Employee shall identify the percentage of calls made for Village business and identify the actual costs accordingly; or

2. If the Authorized Employee has an unlimited data plan, then the Village shall reimburse the Authorized Employee \$60.00 per month as a reasonable cost incurred by the Authorized Employee in the discharge of his or her employment duties for the Village. The Authorized Employee shall submit the bill for each month he or she seeks reimbursement within 30 days of receipt of such bill, along with the Expense Reimbursement form. In the event the Authorized Employee incurs voice, text, or data costs that exceed \$10.00 per month, the Authorized Employee shall submit the Expense Reimbursement Form to the Village for the additional costs incurred in accordance with the reimbursement procedure as provided herein.
 3. In lieu of receiving any other reimbursement under this Part E, the Village President, the Village Clerk, the Village Treasurer, and Village's Municipal Code Officer shall receive a monthly stipend of \$60.00 as a reasonable reimbursement amount for maintaining a personal cellular phone or other electronic communication device expenses upon which the designated official conducts business on behalf of the Village.
 4. In lieu of receiving any other reimbursement under this Part E, a Village Trustee, shall receive a monthly stipend of \$20.00 as a reasonable reimbursement amount for maintaining a personal cellular phone or other electronic communication device expenses upon which the designated official conducts business on behalf of the Village.
- F. Cellular phone or other electronic communication device expenses will not be reimbursed for employees, officers, or officials who either receive a cellular device from the Village pursuant to any contract, agreement, or authorized arrangement with the Village or a designated stipend under Part E.
- G. Reimbursement of travel, meal, or lodging expenses incurred by an employee, officer, or official shall be governed by Chapter 2.52 of the Village Code pursuant to the Local Government Travel Expense Control Act, as amended from time to time.

§2.56.040 Pre-Approval for Authorized Expenditures. Whenever practicable, an employee shall submit a written request for a necessary expenditure at least three business days in advance of incurring the expense on the Village's Expense Reimbursement Form. Following approval of the expense, the employee will be reimbursed as provided herein. If the expense is not approved following a written request, the employee will not be entitled to reimbursement.

In the event that an expense is not pre-approved, reimbursement will be subject to the discretion of the Village President.

§2.56.050 Reimbursement Procedure for Authorized Expenditures. An employee shall submit an Expense Reimbursement Form in accordance with the pre-approval procedure as described herein whenever practicable. Supporting documentation must be submitted for all requests for necessary expenditures not later than 30 calendar days after incurring the expense. Where supporting documentation is non-existent, missing or lost, the employee shall submit a signed statement regarding any such receipts.

In order to receive the stipend for reimbursement of expenses related to maintaining a personal cellular phone or other electronic communication device under either Part E.3 or E.4, the Village official shall annually submit the stipend request on the Village's Expense Reimbursement Form for use of the official's personal cellular phone or device during the prior 12 months. At the termination of the Village official's service to the Village, the submission of the Expense Reimbursement Form for this stipend may be for a time period of less than 12 months.

An employee may not be entitled to reimbursement if the employee has failed to comply with the Village's expense reimbursement policy as set forth in this Chapter.

Chapter 2.60

Policy Prohibiting Sexual Harassment

Sections:

2.60.010	Prohibition on Sexual Harassment
2.60.020	Definition of Sexual Harassment
2.60.030	Procedure for Reporting an Allegation of Sexual Harassment
2.60.035	Reporting and Independent Review of an Allegation of Sexual Harassment Made Against an Elected Village Official by Another Elected Village Official
2.60.040	Prohibition on Retaliation for Reporting Sexual Harassment Allegations
2.60.050	Consequences of a Violation of the Prohibition on Sexual Harassment
2.60.060	Consequences for Knowingly Making a False Report
2.60.070	Education / Training

§2.60.010 Prohibition on Sexual Harassment. It is unlawful to harass a person because of that person's sex. The courts have determined that sexual harassment is a form of discrimination under Title VII of the U.S. Civil Rights Act of 1964, as amended in 1991. All persons have a right to work in an environment free from sexual harassment. Sexual harassment is unacceptable misconduct which affects individuals of all genders and sexual orientations. It is a policy of the Village of Princeville to prohibit harassment of any person by any elected or appointed Village officer, Village agent, Village employee or Village agency or office on the basis of sex or gender. All Village officers, agents, employees, agencies or offices are prohibited from sexually harassing any person, regardless of any employment relationship or lack thereof. For purposes of this policy, the terms "officer" and "employee" shall have the meanings set forth in 5 ILCS 430/70-5.

§2.60.020 Definition of Sexual Harassment. This policy adopts the definition of sexual harassment as stated in the Illinois Human Rights Act, which currently defines sexual harassment as:

Any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or

3. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Conduct which may constitute sexual harassment includes:

- Verbal: sexual innuendos, suggestive comments, insults, humor, and jokes about sex, anatomy or gender-specific traits, sexual propositions, threats, repeated requests for dates, or statements about other employees, even outside of their presence, of a sexual nature.
- Non-verbal: suggestive or insulting sounds (whistling), leering, obscene gestures, sexually suggestive bodily gestures, "catcalls", "smacking" or "kissing" noises.
- Visual: posters, signs, pin-ups or slogans of a sexual nature, viewing pornographic material or websites.
- Physical: touching, unwelcome hugging or kissing, pinching, brushing the body, any coerced sexual act or actual assault.
- Textual/Electronic: "sexting" (electronically sending messages with sexual content, including pictures and video), the use of sexually explicit language, harassment, cyber stalking and threats via all forms of electronic communication (e-mail, text/picture/video messages, intranet/on-line postings, blogs, instant messages and social network websites like Facebook and Twitter).

The most severe and overt forms of sexual harassment are easier to determine. On the other end of the spectrum, some sexual harassment is more subtle and depends, to some extent, on individual perception and interpretation. The Village will assess sexual harassment by a standard of what would offend a "reasonable person."

§2.60.030 Procedure for Reporting an Allegation of Sexual Harassment. An employee who either observes sexual harassment or believes herself/himself to be the object of sexual harassment should deal with the incident(s) as directly and firmly as possible by clearly communicating her/his position to the offending employee, and her/his immediate supervisor unless it is clear under the circumstances that such requests will serve no purpose or are likely to result in further unwelcome conduct. It is not necessary for sexual harassment to be directed at the person making the report.

Any employee may report conduct which is believed to be sexual harassment, including the following:

- A. Electronic/Direct Communication. If there is sexual harassing behavior in the workplace, the harassed employee should directly and clearly express

her/his objection that the conduct is unwelcome and request that the offending behavior stop. The initial message may be verbal. If subsequent messages are needed, they should be put in writing in a note or a memo.

- B. Contact with Supervisor Personnel. At the same time direct communication is undertaken, or in the event the employee feels threatened or intimidated by the situation, the problem must be promptly reported to the immediate supervisor of the person making the report, a department head, a director of human resources, an ethics officer, the Village Clerk, or the Village President. All reports will be kept confidential to the fullest extent permissible under the law. Individuals involved in the reporting and investigating of harassment reports are required to keep the information confidential to the fullest extent permissible under the law.

The employee experiencing what he or she believes to be sexual harassment must not assume that the Village is aware of the conduct. If there are no witnesses and the victim fails to notify a supervisor or other responsible officer, the Village will not be presumed to have knowledge of the harassment.

- C. Resolution Outside Village. The purpose of this policy is to establish prompt, thorough and effective procedures for responding to every report and incident so that problems can be identified and remedied by the Village. However, all Village employees have the right to contact the Illinois Department of Human Rights (IDHR) or the Equal Employment Opportunity Commission (EEOC) for information regarding filing a formal complaint with those entities. An IDHR complaint must be filed within three hundred (300) days of the alleged incident(s) unless it is a continuing offense. A complaint with the EEOC must be filed within 300 days.

Documentation of any incident may be submitted with any report (what was said or done, the date, the time and the place), including, but not limited to, written records such as letters, notes, memos and telephone messages.

All allegations, including anonymous reports, will be accepted and investigated regardless of how the matter comes to the attention of the Village. However, because of the serious implications of sexual harassment charges and the difficulties associated with their investigation, the claimant's willing cooperation is a vital component of an effective inquiry and an appropriate outcome.

§2.60.035 Reporting and Independent Review of an Allegation of Sexual Harassment Made Against an Elected Village Official by Another Elected Village Official.

- A. In addition to the methods of reporting included in this Chapter, an elected official who either observes another elected official engage in sexual

harassment or believes himself or herself to be the object of sexual harassment by another elected official may report such conduct for independent review to the Village Attorney. If the Village Attorney believes a conflict exists which prevents the Village Attorney from conducting an independent review, the Village Attorney must notify the Village President or Village Board of such conflict. Upon receiving notification of the conflict, the Village President or Village Board shall authorize the engagement of outside legal counsel to conduct the review.

- B. The Village Attorney or outside legal counsel shall conduct an independent review of the allegations and provide any findings to the Village Board. Any documents, communications or other records created pursuant to the review shall remain confidential, subject to attorney-client privilege, and will not be disclosed unless such disclosure is authorized by resolution with the concurrence of a majority of all members then holding office on the Village Board or as otherwise required by applicable State or federal law.
- C. Such records shall also be presumed as exempt from disclosure under the Freedom of Information Act, to the extent it is applicable.

(Ord. 2020-06-02, 6-16-20)

§2.60.040 Prohibition on Retaliation for Reporting Sexual Harassment Allegations. No Village officer, Village agent, Village employee or Village agency or office shall take any retaliatory action against any Village employee due to the employee's:

1. Disclosure or threatened disclosure of any violation of this policy,
2. The provision of information related to or testimony before any public body conducting an Investigation, hearing or inquiry into any violation of this policy, or
3. Assistance or participation in a proceeding to enforce the provisions of this policy.

For the purposes of this policy, retaliatory action means the reprimand, discharge, suspension, demotion, denial of promotion or transfer, or change in the terms or conditions of employment of any Village employee that is taken in retaliation for the employee's involvement in protected activity pursuant to this policy.

No individual making a report will be retaliated against even if a report made in good faith is not substantiated. In addition, any witness will be protected from retaliation.

Similar to the prohibition against retaliation contained herein, the State Officials and Employees Ethics Act (5 ILCS 430/15-10) provides whistleblower protection from retaliatory

action such as reprimand, discharge, suspension, demotion, or denial of promotion or transfer that occurs in retaliation for an employee who does any of the following:

- A. Discloses or threatens to disclose to a supervisor or to a public body an activity, policy, or practice of any officer, member, State agency, or other State employee that the State employee reasonably believes is in violation of a law, rule, or regulation,
- B. Provides information to or testifies before any public body conducting an investigation, hearing, or inquiry into any violation of a law, rule, or regulation by any officer, member, agency or other employees, or
- C. Assists or participates in a proceeding to enforce the provisions of the State Officials and Employees Ethics Act.

Pursuant to the Whistleblower Act (740 ILCS 174/15(a)), an employer may not retaliate against an employee who discloses information in a court, an administrative hearing, or before a legislative commission or committee, or in any other proceeding, where the employee has reasonable cause to believe that the information discloses a violation of a State or federal law, rule, or regulation. In addition, an employer may not retaliate against an employee for disclosing information to a government or law enforcement agency, where the employee has reasonable cause to believe that the information discloses a violation of a State or federal law, rule, or regulation. (740 ILCS 174/15(b)).

According to the Illinois Human Rights Act (775 ILCS 5/6-101), it is a civil rights violation for a person, or for two or more people to conspire, to retaliate against a person because he/she has opposed that which he/she reasonably and in good faith believes to be sexual harassment in employment, because he/she has made a charge, filed a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing under the Illinois Human Rights Act.

An employee, who is suddenly transferred to a lower paying job or passed over for a promotion after filing a complaint with IDHR (312-814-6200) or EEOC (800-669-4000), may file a retaliation charge with IDHR or EEOC – due within three hundred (300) days of the alleged retaliation.

§2.60.050 Consequences of a Violation of the Prohibition on Sexual Harassment. Disciplinary action will be taken against any employee who violates this policy, which may, but need not necessarily, include the following:

- 1. Verbal or written reprimand;
- 2. Placing the offending employee on a corrective action plan for a period of time to be identified;
- 3. Delay in pay increases or promotions;
- 4. Suspending the offending employee from work without pay;
- 5. Reassignment of the offending employee;

6. Demotion; or
7. Immediate termination.

Each violation may constitute a separate offense. Any discipline imposed by the Village shall be separate and distinct from any penalty imposed by a State ethics commission or from any fines or penalties imposed by a court of law or a State or Federal agency.

§2.60.060 Consequences for Knowingly Making a False Report. A false report is a report of sexual harassment made by an accuser using the sexual harassment report to accomplish some end other than stopping sexual harassment or retaliation for reporting sexual harassment. A false report is not a report made in good faith which cannot be proven. Given the seriousness of the consequences for the accused, a false or frivolous report is a severe offense that can itself result in disciplinary action. Any person who knowingly makes a false report alleging a violation of any provision of this policy shall be subject to discipline, up to and including discharge. Any discipline imposed pursuant to this section shall be separate and distinct from any penalty imposed by a State ethics commission or from any fines or penalties imposed by a court of law or a State or Federal agency.

§2.60.070 Education / Training.

- A. Education and training for employees at each level of the Village are critical to the success of the Village's policy against harassment and discrimination. The policy set forth in this Chapter will be distributed to current employees, recently hired employee, and all elected and appointed officials of the Village. All employees and all elected and appointed Village officials are required to read and sign a receipt of the Village's policy set forth in this Chapter. In addition, employees will receive annual training regarding this policy.
- B. The employee training shall include, at a minimum, the following: (i) the definition and a description of sexual harassment, unlawful discrimination, and harassment, including examples of each; (ii) details on how an individual can report an allegation of sexual harassment, unlawful discrimination, or harassment, including options for making a confidential report to a supervisor or the Department of Human Rights; (iii) the definition and description of retaliation for reporting sexual harassment, unlawful discrimination, or harassment allegations utilizing examples, including availability of whistleblower protections under the Workplace Transparency Act, the Whistleblower Act, and the Illinois Human Rights Act; and (iv) the consequences of a violation of the prohibition on sexual harassment, unlawful discrimination, and harassment and the consequences for knowingly making a false report. All newly hired employees and all elected and appointed Village officials will complete an initial harassment and discrimination prevention training program within 30 days after commencement of employment with the Village or becoming an elected or appointed Village.

- C. Additionally, all supervisors will participate in training sessions so that they understand their responsibilities under this policy and complaint procedure. Such training will explain the types of conduct that violate the Village's policy, the seriousness of the policy, the responsibilities of supervisors when they learn of alleged harassment or discrimination, and the prohibition against retaliation.

(Ord. 2020-06-02, 6-16-20)

Chapter 2.64

EMERGENCY SERVICES AND DISASTER AGENCY

Sections:

2.64.010	Establishment
2.64.020	Coordinator
2.64.030	Functions
2.64.040	Service as Mobile Support Team
2.64.050	Agreements with Other Political Subdivisions
2.64.060	Emergency Action
2.64.070	Compensation
2.64.080	Reimbursement by State
2.64.090	Purchases and Expenditures
2.64.100	Oath
2.64.110	Office
2.64.120	Appropriation; Levy of Taxes.

§2.64.010 Establishment.

- A. There is hereby created the Village of Princeville Emergency Services and Disaster Agency (ESDA) to prevent, minimize, repair and alleviate injury or damage resulting from disaster caused by enemy attack, sabotage, or other hostile action, or from natural or manmade disaster, in accordance with the Illinois Emergency Management Agency Act.
- B. This ESDA shall consist of the coordinator and such additional members as may be selected by the coordinator.

§2.64.020 Coordinator.

- A. The Village President shall act as coordinator of the Village ESDA until such time as the ESDA coordinator is appointed by the Village President, and an appointed coordinator shall serve until removed by the Village President.
- B. The ESDA coordinator shall have direct responsibility for the organization, administration, training and operation of the ESDA, subject to the direction and control of the Village President as provided by statute.
- C. In the event of an appointed coordinator's absence, resignation, death or inability to serve as the ESDA coordinator, the Village President, or any

person designated by the Village President, shall be and act as ESDA coordinator until a new appointment is made as provided in this chapter.

- D. The ESDA coordinator shall prepare a comprehensive plan and program for emergency management for the Village, which shall be integrated into and coordinated with the emergency management plans and programs of the state and federal governments, and which may include mutual aid arrangements and agreements with other municipalities, counties, and units of local government. However, any such mutual aid agreements must first be approved by the Village Board prior to implementation.

§2.64.030 Functions. The Village ESDA shall perform such ESDA functions within the Village as shall be prescribed in and by the State ESDA plan and program prepared by the Governor, and such orders, rules and regulations as may be promulgated by the Governor, and in addition, shall perform such duties outside the corporate limits as may be required pursuant to any mutual aid agreement with any other political subdivision, municipality or quasi-municipality entered into as provided by the Illinois Emergency Management Agency Act.

§2.64.040 Service as Mobile Support Team.

- A. All or any members of the Village organization may be designated as members of a mobile support team created by the director of the state ESDA as provided by law.
- B. The leader of such mobile support team shall be designated by the Village's ESDA coordinator.
- C. Any member of a mobile support team who is a Village employee or officer while serving on call to duty by the Governor, or the state director, shall receive the compensation and have the powers, duties, rights and immunities incident to such employment or office. Any such member who is not a paid officer or employee of the Village, while so serving, shall receive from the State reasonable compensations as provided by law.

§2.64.050 Agreements with Other Political Subdivisions. The ESDA coordinator may negotiate mutual aid agreements with other municipalities, counties or political subdivisions of the State, but no such agreement shall be effective until it has been approved by the Village Board and by the State Director of ESDA.

§2.64.060 Emergency Action. If the Governor proclaims that a disaster emergency exists in the event of actual enemy attack upon the United States or the occurrence within the State of Illinois of a major disaster resulting from enemy sabotage or other hostile action, or from manmade or natural disaster, it shall be the duty of the Village ESDA to cooperate fully with the State ESDA and with the Governor in the exercise of emergency powers as provided by law.

§2.64.070 Compensation. Members of the ESDA who are paid employees or officers of the Village, if called for training by the State Director of ESDA, shall receive for the time spent in such training the same rate of pay as is attached to the position held; members who are not such Village employees or officers shall receive for such training time such compensation as may be established by Village Board.

§2.64.080 Reimbursement by State. The Village Treasurer may receive and allocate to the appropriate fund, any reimbursement by the State to the Village for expenses incident to training members of the ESDA prescribed by the State Director of ESDA, compensation for services and expenses of members of a mobile support team while serving outside the Village in response to a call by the Governor or State Director of ESDA, as provided by law, and any other reimbursement made by the State incident to ESDA activities as provided by law.

§2.64.090 Purchases and Expenditures.

- A. The Village Board may, on recommendation of the Village ESDA coordinator, authorize any purchase or contracts necessary to place the Village in a position to combat effectively any disaster resulting from the explosion of any nuclear or other bomb or missile, and to protect the public health and safety, protect property and provide emergency assistance to victims in the case of such disaster, or from manmade or natural disaster.
- B. In the event of enemy caused or other disaster, the Village ESDA coordinator is authorized, on behalf of the Village, to procure such services, supplies, equipment or material as may be necessary for such purposes, in view of the exigency without regard to the statutory procedures or formalities normally prescribed by law pertaining to Village contracts or obligations, as authorized by the Illinois Emergency Management Agency Act, provided that if the Village Board meets at such time, the ESDA coordinator shall act subject to the directions and restrictions imposed by the Village Board.

§2.64.100 Oath. Every person appointed to serve in any capacity in the Village ESDA organization shall, before entering upon such duties, subscribe the following oath, which shall be filed with the ESDA coordinator:

“I, _____, do solemnly swear (or affirm) that I will support and defend and bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of Illinois, and the territory, institutions and facilities thereof, both public and private, against all enemies, foreign and domestic; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter. And I do further swear (or affirm) that I do not advocate, nor am I nor have I been a member of any political party or organization that advocates the overthrow of the government of the

United States or of this state by force or violence; and the during such time as I am affiliated with the Village of Princeville ESDA organization, I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this State by force or violence.”

§2.64.110 Office. The Village President is authorized to designate space in a Village building, or elsewhere, as may be provided for by the Village Board, for the Village ESDA as its office.

§2.64.120 Appropriation; Levy of Taxes. The Village Board may make an appropriation for ESDA purposes in the manner provided by law, and may levy in addition for ESDA purposes only, a tax not to exceed five cents (\$0.05) per one hundred dollars (\$100.00) of the assessed value of all taxable property in addition to all other taxes, as provided by Section 8-3-16 of the Illinois Municipal Code; however, that amount collectable under such levy shall in no event exceed twenty-five cents (\$0.25) per capita.

(Ord. 2020-08-02, §1, 8-3-20)