

**CHAPTER 2 - ORDINANCES  
ELECTED OFFICERS**

<b><u>Ordinance</u></b>		<b><u>Date Passed</u></b>
005	Providing for Organization	12.22.65
019	Publications	03.23.66
028	Salaries for Municipal Officials	06.22.66
064	Establishing Standing Committees for the Board of Trustees	05.24.67
088	Providing for regular meetings and standing Committees - DEFEATED	02.28.68
091	Village Collector	02.14.68
097	Providing for Regular Meetings of Standard Committee	03.27.68
122	Salaries Amended	12.11.68
164	Clerks Salary Amended	09.29.69
229	Committees	07.01.70
317	Change in Regular meeting Dates	02.23.72
384	Committees	09.27.72
399	Salaries President and Board	11.15.72
73-027	Committees	05.16.73
73-028	Village Collector	05.16.73
73-089	Committee Meetings	12.12.73
74-104	Deleting Village Collector	09.17.74
77-025	Salaries Amended for President and Trustees	04.12.77
79-065	Regular Meeting and Committees	10.02.79
79-066	Appointing Trustee to fill vacancy	10.02.79
81-014	Amending Article 2, Board of Trustees, Committee of the Whole Allowing for Meetings	04.21.81
82-007	Amending Chapter 2 "Elected Officers" in its Entirety	02.09.82
83-017	Amending Compensation for Elected Officials	04.26.83
83-054	Amending by Adding Sec. 2-209 - Standing Committees	11.08.83

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<b><u>Ordinance</u></b>		<b><u>Date</u></b> <b><u>Passed</u></b>
85-022	Amending Chapter 2, Article 3, Deputy Village Clerk	04.23.85
89-014	Amending Salaries of Village Officials	01.24.89
93-079	Village President is Mayor	07.27.93
94-087	With Respect to Fees and Fines	07.26.94
94-095	Repeal Section 209 - Standing Committees	08.23.94
95-008	Amending Salary of Village Trustees	01.24.95
96-119	Amending Salary of Mayor and Trustees	10.08.96
00-136	Amending 2, 3, 13 and 19 re Administration of the Executive Department	08.22.00
01-206	Amending Appointed Officers	12.18.01
04-127	Re Administration of the Executive Department	09.28.04
06-130	Electronic Meeting Attendance & Administration	11.28.06

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**CHAPTER 2 -- ELECTED OFFICERS**

**ARTICLE-1 -- VILLAGE PRESIDENT**

**Section 2-101. ELECTION - TERM - PRESIDENT OF BOARD OF TRUSTEES.** The Village President shall be elected for a term of four (4) years and he shall be the President of the Board of Trustees as is provided by statute.

**Section 2-102. DUTIES AND POWERS.** The Mayor shall have the power and authority as set forth in the Municipal Code. The Mayor shall be the chief executive officer of the Village and shall be recognized as the official head of the Village by the courts for the purposes of serving civil process and by the Governor for all legal purposes. The Mayor shall preside at all meetings of the Village Board and all ceremonial occasions. The Mayor shall have the authority to appoint and supervise administrative officers as provided for in the Municipal Code and to delegate any administrative responsibilities as may be necessary or desirable. The Mayor shall execute on behalf of the Village all contractual and legal documents approved by the Board of Trustees. The Mayor has the right to vote at all meetings, as provided by State Statute. (Ordinance 01-206, 12.18.01)

**Section 2-103. VILLAGE PRESIDENT IS MAYOR.** The Village President is the Mayor of the Village. The Village President shall be known as and may use the title of Mayor for any and all official purposes. (Ordinance No. 93-079, 07.27.93)

**Section 2-104. BOND AND OATH.** Before entering upon the duties of his office, the Mayor shall give a bond with sureties to be approved by the Board of Trustees conditioned upon the faithful performance of his duties in the sum of his salary or such higher sum as may be directed by the Board of Trustees or required by State Statute. He shall take the oath of office prescribed by statute (Ordinance No. 00-136, 08.22.00)

**Section 2-105. SALARY AND BENEFITS.** (Ordinance No. 04-127, 09.28.04) The Mayor shall devote so much of his time to the duties of his office as a faithful and efficient discharge thereof may require.

- (A) The annual salary of the Mayor shall be as follows:
- (1) Should the Mayor devote 30 hours or less per week to the performance of official duties, the Mayor's annual salary shall be \$25,000; or
  - (2) Should the Mayor devote 30 hours per week to the performance of official duties and not have full-time employment elsewhere, the Mayor's annual salary shall be \$90,000; and
  - (3) Beginning April 13, 2006 and on each April 13 thereafter, through and including April 12, 2009, the annual salary of the Mayor shall be increased by 3%, as a cost of living allowance, from the prior year's annual salary.

(B) The Mayor shall be entitled to all benefits given to Department Heads in the Village in accordance with such resolutions or ordinances as may be adopted no later than one hundred eighty (180) days prior to the beginning of any mayoral term of office.

(C) The Mayor's salary shall be specified annually in the Village budget and shall be due and payable biweekly unless otherwise especially provided by Village ordinance.

**Section 2-106. PRESIDENT PRO TEM.** During a temporary absence or disability of the Village President, the Board of Trustees shall elect one of its members to act as President Pro Tem, and such elected member shall perform the duties pertaining to the office of Village President during the absence or disability of the President.

**Section 2-107. APPOINTMENT OF A VILLAGE PRESIDENT TO FILL A VACANCY.**

(A) Whenever a vacancy in the office of Village President occurs, the vacancy may be filled by appointment provided, however, that the proposed appointee receives a two-thirds (2/3) majority vote from the Village Trustees voting jointly. If less than 28 months remain in the term or if the vacancy occurs less than 130 days before the next consolidated election, the vacancy shall be filled by appointment for the balance of the unexpired term. If more than 28 months remain in the term and the vacancy occurs more than 130 days before the next consolidated election, the vacancy shall be filled for the unexpired portion of the term by special election at that consolidated election. Until the vacant office is filled at that consolidated election, it shall be filled by interim appointment as hereinabove provided.

(B) This Section 2-106 may be amended only by a vote of a two-thirds (2/3) majority of the Village Trustees voting jointly.

## **ARTICLE 2 -- THE BOARD OF TRUSTEES**

**Section 2-201. ELECTION - TERM - DUTIES AND POWERS.** The Board of Trustees, consisting of six members, shall be elected to office for a four-year term, as is provided by statute. The Board shall be the legislative department of the Village government and shall perform such duties and have such powers as may be delegated to it by statute.

**Section 2-202. OATH; COMPENSATION.** The members of the Board of Trustees shall take the oath of office prescribed by statute and, for the term of Trustees who are elected and take office in or after April, 2005, shall receive as compensation the sum of Twelve Thousand Dollars (\$12,000.00) per year. Beginning on April 13, 2006 and on each April 13 thereafter, through and including April 12, 2009, the annual salary of the Trustees shall be increased by 3%, as a cost of living allowance, from the prior year's annual salary. (Ordinance 04-127, 09.28.04)

**Section 2-203. REGULAR MEETINGS.** The regular meeting of the Board of Trustees shall be on the second and fourth Tuesdays of each month beginning at 8:00 P.M. and no notice of such regular meetings shall be required provided that if such meeting date should fall on a legal holiday or if there is no quorum present, the meeting shall be held on the next regular meeting date. The meeting place of the Board shall be at the Village Hall unless otherwise ordered by the Board. The Board shall hold regular meetings which shall be designated work sessions on the first and third Tuesdays of each month, and such meetings shall not require additional notice.

**Section 2-204. SPECIAL MEETINGS.** Special meetings may be called by the Village President or by any three (3) Trustees upon at least twenty four (24) hours prior written notice to all members and the Village President, in accordance with the provisions of the Open Meetings Act (Ill. Rev. Stat. ch. 102, par. 41 et seq.) as may be amended from time to time.

**Section 2-205. ORDER OF BUSINESS.** The order of business at meetings of the Board of Trustees shall be as follows:

- A. ROLL CALL:
- B. APPROVAL OF MINUTES:
- C. APPROVAL OF AGENDA:
- D. PUBLIC HEARINGS:
- E. RESOLUTIONS:
- F. ORDINANCES:
- G. REPORTS OF OFFICERS:
- H. BILL APPROVAL:
- I. COMMUNICATIONS AND PETITIONS:
- J. NEW BUSINESS:
- K. MISCELLANEOUS BUSINESS:
- L. ADJOURNMENT:

**Section 2-206. RULES OF PROCEDURE.** The following rules of procedure shall govern the conduct of all meetings of the Board of Trustees, although these rules, other than those prescribed by statute, may be suspended at any time by the consent of a majority of the Trustees present at any meeting.

**Rule 1.** The Mayor shall decide all questions of order.

**Rule 2.** A Trustee discussing a question shall address the Mayor, and no Trustee has the floor until recognized by the Mayor.

**Rule 3.** A roll call vote of yeas and nays shall be taken and recorded on the journal of proceedings for all ordinances or propositions which create any liability against or obligation on the part of the Village or for the expenditure or appropriation of its money, and in all other instances where request therefore is made by any Trustee.

**Rule 4.** All resolutions and amendments shall be reduced to writing at the request of the Mayor or any Trustee and shall be handed to the Village Clerk, who shall read the same to the Board.

**Rule 5.** Committees of the Board to whom references are made, shall in all cases report in writing the state of facts with their opinion thereon.

**Rule 6.** Upon the request of any two Trustees present, any report made to the Board may be deferred for final action thereon to the next regular meeting of the Board.

**Rule 7.** The vote upon the adoption of an ordinance, motion or resolution of the Board may be reconsidered at the same meeting at which the vote was taken; or at the next regular meeting on motion of any Trustee not present at the time such ordinance, motion or resolution was adopted, or on the motion of any Trustee previously voting on the prevailing side of such ordinance, motion or resolution; but no ordinance, motion or resolution shall be rescinded except by the same number of votes which were required to pass the matter sought to be reconsidered.

**Rule 8.** When a question is before the Board, no motion shall be in order but the following: (1) to adjourn; (2) to lay on the table; (3) the previous question; (4) to postpone definitely; (5) to postpone to a certain time; or (6) to amend. These motions are privileged and have precedence in the order in which they succeed each other in this rule. Motions to adjourn, to lay on the table and for the previous question shall be decided without debate.

**Rule 9.** A motion to adjourn is always in order except: (1) When a member is in possession of the floor; (2) When the yeas and nays are being called; (3) When the members are voting; (4) When adjournment was the last preceding motion; or (5) When it has been decided that the previous question shall be taken.

**Rule 10.** 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 as were present when such vote or action was taken, as is provided by statute.

**Section 2-207. DISTURBING MEETINGS.** It shall be unlawful for any person to disturb any meeting of the Board of Trustees or of any committee thereof. Any person violating the provisions of this Section shall be fined not less than Fifty Dollars (\$50) nor more than One Hundred Dollars (\$100) for each such offense. (Ordinance No. 94-087, 07.26.94)

**Section 2-208. ELECTRONIC MEETING ATTENDANCE.** (Added in its entirety by Ordinance 06-130, 11.28.06) Members of the corporate authorities of the Village may attend regular or special meetings of the Board of Trustees by electronic means, subject to the following regulations:

A. If a quorum of the members of the Board is physically present as required by Section 2.01 of the Open Meetings Act (5 ICLS 120/2.01), the Board may allow a physically absent member of the corporate authorities to attend the meeting by other means if the member is prevented from physically attending because of: (a) personal illness or disability; (b) employment purposes or the business of the public body; of (c) a family or other emergency.

B. "Other Means," as used in these regulations, shall mean by video or audio conference.

C. If a member of the corporate authorities wishes to attend a meeting by other means, the member must notify the Village Clerk before the meeting unless advance notice is impractical.

D. Members may participate by other means at either an open meeting or a closed meeting of the Board.

E. Written minutes of all Board meetings, whether open or closed, shall include whether the members were physically present or present by means of audio or video conference.

F. As the first item of business, members of the corporate authorities who are physically in attendance at a Board meeting shall determine, by majority vote, whether a member who is not physically in attendance may participate in that meeting by other means.

**Section 2-209. APPOINTMENT OF A TRUSTEE TO FILL A VACANCY.**

(A) Whenever a vacancy in the office of Trustee occurs, the vacancy may be filled by appointment provided, however, that the proposed appointee receives a two-thirds (2/3) majority vote from the Village President and remaining Trustees voting jointly. If less than 28 months remain in the term or if the vacancy occurs less than 130 days before the next consolidated election, the vacancy shall be filled by appointment for the balance of the unexpired term. If more than 28 months remain in the term and the vacancy occurs more than 130 days before the next consolidated election, the vacancy shall be filled for the unexpired portion of the term by special election at that consolidated election. Until the vacant office is filled at that consolidated election, it shall be filled by interim appointment as hereinabove provided.

(B) This Section 2-209 may be amended only by vote of a two-thirds (2/3) majority of the Village President and Trustees voting jointly.

## **ARTICLE 3 -- THE VILLAGE CLERK**

### **Section 2-301. ELECTION - TERM - OATH - BOND - SALARY.**

The Village Clerk shall be elected for such term as may be provided by statute and shall take the oath of office prescribed by statute. The Village Clerk shall give a bond with sureties to be approved by the Board of Trustees conditioned upon the faithful performance of his duties in the sum of his salary or such higher sum as may be directed by the Board of Trustees or required by state statute. For the term of Village Clerks who are elected and take office in or after April 2005, the Village Clerk shall receive as compensation Eighteen Thousand Dollars (\$18,000.00) per year. Beginning on April 13, 2006 and on each April 13 thereafter, through and including April 12, 2009, the annual salary of the Village Clerk shall be increased by 3%, as a cost of living allowance, from the prior year's annual salary. The Village Clerk may hold a separate administrative position with the Village government if a full time position is authorized and open and the Mayor and Board of Trustees voting jointly approve full time employment for the Village Clerk. (Ordinance 04-127, 09.28.04)

**Section 2-302. DEPUTY VILLAGE CLERK.** The Village Clerk, with the advice and consent of the Board of Trustees, shall appoint a Deputy Village Clerk. The Deputy Village Clerk shall assist the Village Clerk in the performance of the duties set by applicable statutes of the State of Illinois and the ordinances of this Village. The Deputy Village Clerk may be removed by the Village Clerk with the consent of the President and Board of Trustees. (Ordinance No. 85-22, 4.23.85)

**Section 2-303. VACANCIES.** In case the office of Village Clerk shall become vacant for any reason, the Village President and Board of Trustees voting jointly shall appoint an Acting Village Clerk to fill out the unexpired term as is provided by statute. If less than 28 months remain in the term or if the vacancy occurs less than 130 days before the next consolidated election, the vacancy shall be filled by appointment for the balance of the unexpired term. If more than 28 months remain in the term and the vacancy occurs more than 130 days before the next consolidated election, the vacancy shall be filled for the unexpired portion of the term by special election at that consolidated election. Until the vacant office is filled at that consolidated election, it shall be filled by interim appointment as hereinabove provided.

### **Section 2-304. GENERAL DUTIES.**

(A) It shall be the duty of the Village Clerk to perform all duties and functions which may be required of the Village Clerk by statute or by ordinance; to attend the meetings of the Board of Trustees and to keep the records thereof; and to keep a record of all the offices of the Village with the name of the person holding each office.

(B) The Village Clerk shall be custodian of all records, papers and documents belonging to the Village which are not specifically given unto the custody of some other officer, and shall be custodian of the Village Seal.

**Section 2-305. RECORDS TO BE KEPT.** The Village Clerk shall keep the journal of all Board meetings and a record of ordinances and any other documents which may be required by statute or the Board of Trustees. He shall keep in a separate book a record of all licenses and permits issued by him and of the amount of monies received by him. He shall also keep the record of accounts between the Village Clerk's office and the office of the Director of Finance. The Village Clerk shall keep and maintain a proper index to all documents and records kept by him, so that ready access thereto may be had.

**Section 2-306. PUBLICATION OF ORDINANCES.** All ordinances imposing any fine, penalty, imprisonment or forfeiture and all ordinances making an appropriation, except those which are specifically exempt by virtue of the State of Illinois, shall be published by the Village Clerk in the manner provided by statute. When any ordinance is to be published in pamphlet form, the Village Clerk shall print or cause to be printed and made available for public inspection a minimum of five copies of such ordinance. Each ordinance published in pamphlet form shall contain thereon the following notation:

**"Published by the Village Clerk in pamphlet form by authority of the corporate authorities of the Village of Bolingbrook on \_\_\_\_\_."**

The failure of any such ordinance to contain such notation shall not affect the validity of such ordinance or its publication.