

TITLE 2

ADMINISTRATION, PERSONNEL, BOARDS AND COMMISSIONS

Chapters:

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2.02	Officers' Salaries
2.03	Plan Commission
2.04	Cemetery Board of Managers
2.05	Wage Rates for Employees on Public Works Projects
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Chapter 2.01

Manner of Holding Public Meetings

Sections:

- 2.01.01 Regular and Adjourned Meetings
- 2.01.02 Special Meetings
- 2.01.03 Meetings to be Public
- 2.01.04 Commencement of Terms

§2.01.01 Regular and Adjourned Meetings. The Board of Trustees shall hold regular meetings on the second Wednesday in each calendar month at the hour of 7:00 P.M., provided, however, that when the day fixed for any such regular meeting falls upon a day designed by law as a legal or national holiday such meeting shall be held at the same hour on the preceding day not a holiday. All meetings of the Board shall be held in the Village Hall, Dunlap, Illinois. An adjourned meeting may be held for the purpose of completing the unfinished business of a regular meeting at such time as may be determined by the Board. (Ord. No. 69-2, 5-13-69; Ord. 09-6, 6-10-09 §1)

§2.01.02 Special Meetings. Special meetings may be called by the President or by any three Trustees in writing stating the purpose of such meeting to be filed with the Village Clerk. At least twenty-four (24) hours' written notice of such special meeting shall be given by the Village Clerk, which notice shall specify the time and purpose of such meeting and shall be delivered to each Trustee personally if he can be found and if not then by leaving a copy of such notice at the residence of such Trustee in the presence of an adult member of his family. Special meetings may be held without such notice when all Trustees are present in person or when they consent in writing beforehand to the holding of such meeting and such written consent is filed with the Village Clerk prior to the beginning of the meeting. Any special meeting attended by all of the members of the Board of Trustees shall be deemed a regular meeting for the transaction of any business that may come before such meeting. (Ord. No. 69-2, 5-13-69)

§2.01.03 Meetings to be Public. All meetings of the Board of Trustees shall be open to the public and proper notice thereof shall always be given in accordance with the laws of the State of Illinois from time to time in force. (Ord. No. 69-2, 5-13-69)

§2.01.04 Commencement of Terms. The terms of elected Village Officials shall commence at the first regular Village Board meeting in the month of May following the consolidated election held as provided under the Illinois Election Code upon receipt of the official election results from the Peoria County Clerk. The inauguration of the newly elected Village Officials shall occur at this first regular Village Board meeting in the month of May following the consolidated election. (Ord. 09-6, 6-10-09 §2)

Chapter 2.02

Officers' Salaries

Sections:

2.02.01	Village President
2.02.02	Village Trustee
2.02.03	Village Clerk
2.02.04	Village Treasurer
2.02.05	Village Collector

§2.02.01 Village President. The salary of the Village President is hereby established at \$4,800.00 per annum, payable in monthly installments, effective May 1, 2013. (Ord. No. 77-1, 3-8-77; Ord. No. 09-6, 6-10-09 §3; Ord. 12-9, 10-10-12)

§2.02.02 Village Trustee. The salary of each Village Trustee is hereby established at the rate of \$40.00 for each meeting attended by him, effective May 1, 2007. (Ord. No. 77-1, 3-8-77; Ord. No. 09-6, 6-10-09 §3)

§2.02.03 Village Clerk. The salary of the Village Clerk is hereby established at \$3,000.00 per annum, payable in monthly installments, effective May 1, 2007. (Ord. No. 77-1, 3-8-77; Ord. No. 09-6, 6-10-09 §3)

§2.02.04 Village Treasurer. The salary of the Village Treasurer is hereby established at \$7,020.00 per annum, payable in monthly installments, effective May 1, 2007. (Ord. No. 77-1, 3-8-77; Ord. No. 09-6, 6-10-09 §3)

§2.02.05 Village Collector.

- A. Appointment: There is hereby created the office of Village Collector, an executive office of the Village. The Village Collector shall be appointed by the Village President, with the consent of the Board of Trustees, and may be removed by the Village President in accordance with the provisions of the Illinois Municipal Code.
- B. Clerk as Village Collector: The board of trustees may designate and appoint the Village clerk as the Village Collector as allowed by statute, or the board may appoint any other eligible and qualified person deemed appropriate as the Village Collector.
- C. Duties:
 - 1. The Village Collector shall collect and receive all money due to the Village that is not by law paid directly to the Village Treasurer,

including the collection of special assessments and special taxes, and to keep such records pertaining to the collection and receipt of these funds, providing copies of such records to the Village Treasurer as may be required by statute or Village ordinance. Further, the Village Collector shall prepare and send billing invoices on behalf of the Village for any such monies or funds owing to the Village for water and sewer services and any other service or debts due to the Village.

2. The Village Collector shall record upon a register an entry of all monies and funds received on behalf of the Village, describing them and showing date received, amount, number, and account of deposit if applicable. A copy of such register shall be provided to the Village Treasurer on a monthly basis, or more often if required by the Board of Trustees.
3. The Village Collector shall deliver all monies and funds collected or received on behalf of the Village to the Village Treasurer at least once each week, or more often if required by the Board of Trustees, and receive a receipt of such deposit, and will make a monthly report to the Board showing what money has been received. The Village Collector may deposit said monies and funds collected or received on behalf of the Village into designated depositories, providing receipt of such action to the Village Treasurer, as a means to fulfill this obligation to the Village Treasurer.
4. The Village Collector shall also make an annual report during the last month of the fiscal year showing all the activities of the office.
5. The Village Collector shall keep all books, vouchers, and papers pertaining to the office of Collector open for the inspection by the Village President, Village Trustees, the Village Clerk, or any committee of the Village Board.

- D. Salary: The salary of the Village Collector shall be \$200.00 per month. This salary may be changed or adjusted from time to time by passage of proper ordinance.

(Ord. No. 09-1, 3-11-09)

Chapter 2.03

Plan Commission

Sections:

- 2.03.01 Creation of Plan Commission
- 2.03.02 Term of Members
- 2.03.03 Powers of Commission

§2.03.01 Creation of Plan Commission. There is hereby created a Plan Commission in and for the Village of Dunlap to consist of five (5) members who shall be appointed by the President of the Village Board subject to confirmation by the corporate authorities. (Ord. No. 79-3, 4-10-79)

§2.03.02 Term of Members. Members of the Plan Commission shall serve for a term of three (3) years beginning May 1 and they shall elect a Chairman from their membership to serve on an annual basis from May 1. (Ord. No. 79-3, 4-10-79)

§2.03.03 Powers of Commission. Said Plan Commission shall have the general powers enumerated in Division 12 of Article 11 of the Municipal Code of 1961, being Illinois Revised Statutes Ch. 24, Article 11-12-4 et seq. (Ord. No. 79-3, 4-10-79)

Chapter 2.04

Cemetery Board of Managers

Sections:

2.04.01	Receipt and Acceptance of Prospect Cemetery
2.04.02	Management of Cemetery by Board of Managers
2.04.03	Name of Cemetery
2.04.04	Authorized Investments by Board of Managers

§2.04.01 Receipt and Acceptance of Prospect Cemetery. The Village of Dunlap hereby receives and accepts from Prospect Methodist Church, Prospect Presbyterian Church of Dunlap, both of Dunlap, Illinois and from Presbytery of Peoria of the United Presbyterian Church of the United States of America, a corporation, all property and assets, both real and personal, of the former Prospect Cemetery. (Ord. No. 66-3, 12-13-66)

§2.04.02 Management of Cemetery by Board of Managers. Said cemetery property and assets shall be held, managed and controlled by a Cemetery Board of Managers, pursuant to and in accordance with the provisions of Division 52.1 of the Illinois Municipal Code (65 ILCS 5/11-52.1-1 through 11-52.1-4). (Ord. No. 66-3, 12-13-66; Ord. 13-1, 2-13-13)

§2.04.03 Name of Cemetery. The name of said Cemetery shall be and henceforth it shall be known as "Prospect Municipal Cemetery". (Ord. No. 66-3, 12-13-66)

§2.04.04 Authorized Investments by Board of Managers. The Board of Managers of said Cemetery is hereby authorized to invest in the following types of property:

- A. United States Government obligations;
- B. Savings deposits or shares of either State chartered or Federal chartered savings and loan associations to the extent they are insured by the Federal Savings and Loan Insurance Corporation;
- C. Direct obligations of any State, County, City, Town, Village, School District or other municipality located within the State of Illinois;
- D. Real estate located in the State of Illinois;

- E. Preferred and common shares of any corporation organized under the laws of any State if:
1. As to preferred shares the corporation has earned a net profit in eight (8) of the preceding ten (10) fiscal years and has paid dividends in the specified amounts upon all of its preferred shares during each of the preceding ten (10) fiscal years and has no dividend arrearages on its preferred shares outstanding, all as reflected by said corporation's statements;
 2. As to common shares the issuing corporation has earned a net profit in twelve (12) of the preceding sixteen (16) fiscal years and has paid dividends upon all of its preferred shares during each of the preceding sixteen (16) fiscal years and has paid dividends in some amount upon all of its common shares in at least twelve (12) of the preceding sixteen (16) fiscal years, all as reflected by its financial statements;
 3. As to any shares they shall be fully listed and registered upon an exchange registered with the Securities and Exchange Commission as a national securities exchange;
- F. Savings and time deposit certificate of any State or national bank doing business in Illinois to the extent that such deposits are insured by the Federal Deposit Insurance Corporation.

(Ord. No. 66-3, 12-13-66)

Chapter 2.05

Wage Rates for Employees on Public Works Projects

Sections:

2.05.01	Determination of Wage Rates
2.05.02	Application of Ordinance
2.05.03	Public Notice of Wage Rates
2.05.04	Copies to Interested Parties

§2.05.01 Determination of Wage Rates. To the extent and as required by "an Act regulating wages of laborers, mechanics and other workmen employed in any public works by the State, county, city or any public body or any political subdivision or by any one under contract for public works," Illinois Revised Statutes Ch. 48, Section 39s-1 et seq., the general prevailing rate of wages in this locality for laborers, mechanics and other workmen engaged in the construction of public works coming under the jurisdiction of this Village is hereby ascertained to be the same as the prevailing rate of wages for construction work in Peoria County, as determined by the Department of Labor of the State of Illinois as of June of the current year. The definition of any terms appearing in this ordinance which are also used in the aforesaid Act shall be the same as in said Act. (Ord. No. 78-4, 6-19-78)

§2.05.02 Application of Ordinance. Nothing herein contained shall be construed to apply said general prevailing rate of wages as herein ascertained to any work or employment of this Village except to public works construction as otherwise required by law. (Ord. No. 78-4, 6-19-78)

§2.05.03 Public Notice of Wage Rates. The Village Clerk shall publicly post or keep available for inspection by any interested party in the Village Hall this determination of such prevailing rate of wages. (Ord. No. 78-4, 6-19-78)

§2.05.04 Copies to Interested Parties. The Village Clerk shall mail a copy of this determination to any employer, and to any association of employers and to any person or association of employees who have filed, or file their names and addresses, requesting copies of any determination stating the particular rates and the particular class of workmen whose wages will be affected by such rates. (Ord. No. 78-4, 6-19-78)

Chapter 2.06

Ethical Conduct

Sections:

2.06.01	Definitions
2.06.02	Prohibited Political Activities
2.06.03	Gift Ban
2.06.04	Discipline or Discharge

§2.06.01 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 Dunlap, 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 Dunlap, 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.

§2.06.02: 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 Dunlap 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.

2.06.03: 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 2.06.03(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.

§2.06.04: PENALTIES: An officer or employee who violates any provision of Section 2.06.02 or Section 2.06.03 of this Code is subject to the following penalty provisions:

(A) **Penalties.** A person who intentionally violates any provision of Section 2.06.02 of this Code may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.

(B) A person who intentionally violates any provision of Section 2.60.03 of this Code is subject to a fine in an amount of not less than \$1,001 and not more than \$5,000.

(C) Any person who intentionally makes a false report alleging a violation of any provision of Section 2.06.02 or Section 2.06.03 of this Code to the local enforcement authorities, the State's Attorney, or any other law enforcement official may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.

(D) A violation of Section 2.06.02 of this Code shall be prosecuted as a criminal offense by an attorney for the Village of Dunlap by filing an information or sworn complaint charging such offense in Peoria County Circuit Court. The prosecution shall be under and conform to the rules of criminal procedure. Conviction shall require the establishment of the guilty of the defendant beyond a reasonable doubt.

A violation of Section 2.06.03 of this Code shall be prosecuted as a quasi-criminal (ordinance) offense by an attorney for the Village of Dunlap.

(E) In addition to any other penalty that may be applicable, whether criminal or civil, an officer or employee who intentionally violates any provision of Section 2.06.02 or Section 2.06.03 of this Code may also be subject to discipline or discharge.

(Ord. 09-4, 5-14-09)

Chapter 2.07

Aggregation of Electric Load

Sections:

2.07.01	Definitions
2.07.02	Aggregation of Electrical Load
2.07.03	Adoption and Amendment of Plan of Governance and Operation
2.07.04	Solicitation and Acceptance of Proposals

§2.07.01 Definitions:

The following definitions shall apply in the construction and interpretation of this Chapter unless the use or context clearly indicates that another meaning is intended:

Act means the Illinois Power Agency Act found at 20 ILCS 3855/1-1 *et seq.*, as amended from time to time.

Aggregation Program means a program for the aggregation of residential and small commercial retail electrical loads in accordance with the Act.

Plan of Operation and Governance means the Plan of Operation and Governance for the Aggregation Program as adopted pursuant to Ordinance No. 13-24, as such plan is amended from time to time.

§2.07.02 Aggregation of Electrical Load.

A. The Village Board may operate an Aggregation Program in the manner provided by the Act.

B. The Aggregation Program shall be operated pursuant to an opt-out procedure in accordance with the Act.

§2.07.03 Adoption and Amendment of Plan of Governance and Operation.

The Aggregation Program shall be operated in accordance with the Plan of Operation and Governance. The Village Board may from time to time amend the Plan of Operation and Governance by resolution approving such amendment.

§2.07.04 Solicitation and Acceptance of Proposals. The Village shall solicit and accept and/or reject proposals for the supply of electricity in accordance with the terms and conditions of the Act and in accordance with the Plan of Operation and Governance.

(Ord. 13-24, 12-11-13)

Chapter 2.08

Emergency Services and Disaster Agency

Sections:

2.08.01	Establishment
2.08.02	Coordinator
2.08.03	Functions
2.08.04	Service as Mobile Support Team
2.08.05	Agreements with Other Political Subdivisions
2.08.06	Emergency Action
2.08.07	Compensation
2.08.08	Reimbursement by State
2.08.09	Purchases and Expenditures
2.08.10	Oath
2.08.11	Office
2.08.12	Appropriation; Levy of Taxes.

§2.08.01 Establishment.

A. There is hereby created the Village of Dunlap 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. (Ord. No. 16-05, 7-13-16, §1)

§2.08.02 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. (Ord. No. 16-05, 7-13-16, §1)

§2.08.03 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. (Ord. No. 16-05, 7-13-16, §1)

§2.08.04 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. (Ord. No. 16-05, 7-13-16, §1)

§2.08.05 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. (Ord. No. 16-05, 7-13-16, §1)

§2.08.06 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. (Ord. No. 16-05, 7-13-16, §1)

§2.08.07 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. (Ord. No. 16-05, 7-13-16, §1)

§2.08.08 Reimbursement by State. The State 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. (Ord. No. 16-05, 7-13-16, §1)

§2.08.09 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.

§2.08.10 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 Dunlap 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.” (Ord. No. 16-05, 7-13-16, §1)

§2.08.11 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. (Ord. No. 16-05, 7-13-16, §1)

§2.08.12 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. No. 16-05, 7-13-16, §1)