

ORDINANCE NO. 943

AN ORDINANCE AMENDING THE VILLAGE OF MACKINAW MUNICIPAL CODE
SAID MUNICIPAL CODE BEING ORDINANCE NO. 513 OF THE VILLAGE OF
MACKINAW TO PROVIDE AMENDMENTS REGARDING RESPONSIBILITIES OF THE
POSITION OF DEPUTY CHIEF OF POLICE

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE
OF MACKINAW:

SECTION 1: §34.51(C) of the Village Code of the Village of Mackinaw is hereby amended by deleting the phrase "Deputy Police Chief" as it may appear and inserting in its place "Public Safety Director".

SECTION 2: §79.07 of the Village Code of the Village of Mackinaw is hereby amended by deleting the phrase "Deputy Police Chief" as it may appear and inserting in its place "Public Safety Director".

SECTION 3: §79.08 of the Village Code of the Village of Mackinaw is hereby amended by deleting the phrase "Deputy Police Chief" as it may appear and inserting in its place "Public Safety Director".

SECTION 4: §113.081 of the Village Code of the Village of Mackinaw is hereby amended by deleting the phrase "Deputy Police Chief" as it may appear and inserting in its place "Public Safety Director".

SECTION 5: This Ordinance shall take effect 10 days after publication thereof as provided by law.

SECTION 6: Ordinance No. 513 of the Village of Mackinaw, as amended by this Ordinance, shall remain in full force and effect and all previous amendments to Ordinance No. 513 shall remain in force and effect except as modified by this Ordinance.

PASSED in due form on a roll call vote by the Board of Trustees of the Village of Mackinaw at a duly held meeting on the 26th day of June, 2017.

APPROVED:



President of the Board of Trustees of
The Village of Mackinaw

ATTEST:

 _____

Village Clerk

| | |
|---------|----------|
| AYES: | <u>6</u> |
| NAYS: | <u>0</u> |
| ABSENT: | <u>0</u> |

SPENDING POLICY**' 34.50 TITLE.**

The subchapter of the Village Code shall be known as and may be cited as the Spending Policy of the Village of Mackinaw.
(Ord. 877, passed 3-10-14)

' 34.51 DELEGATION OF SPENDING AUTHORITY.

The Board of Trustees has delegated spending authority to the following village officers according to the terms and conditions of this subchapter:

(A) *Public Works Manager.* The Public Works Manager shall have discretionary authority to spend up to \$2,000 per vendor per month without advanced approval by the Board of Trustees. It is understood and acknowledged that in the course of performing the daily and necessary operations of the public works department, purchases in excess of \$2,000 may be made as a matter of routine practice including but not limited to the purchase of routine and necessary chemicals for the operation of the water treatment plant. The Public Works Manager is authorized to make routine purchases in excess of \$2,000 without the necessity of advanced approval from the Board of Trustees.

(B) *Police Chief.* The Police Chief of the Village of Mackinaw shall have discretionary authority to spend up to \$1,000 per vendor per month without the necessity of advanced approval by the Board of Trustees.

(C) *Deputy Chief.* The Deputy Chief of the Village of Mackinaw shall have discretionary authority to spend up to \$1,000 per vendor per month without the necessity of advanced approval by the Board of Trustees.

(D) *ESDA Coordinator.* The ESDA Coordinator of the Village of Mackinaw shall have discretionary authority to spend up to \$1,000 per vendor per month without the necessity of advanced approval by the Board of Trustees.

(E) *Village Clerk.* The Village Clerk of the Village of Mackinaw shall have discretionary authority to spend up to \$1,000 per vendor per month without the necessity of advanced approval by the Board of Trustees.

(F) *Village President.* The Village President of the Village of Mackinaw shall have discretionary authority to spend up to \$1,000 per vendor per month without the necessity of advanced approval by the Board of Trustees.
(Ord. 877, passed 3-10-14)

' 34.52 EMERGENCY PURCHASES.

In case of any apparent emergency that requires immediate work or immediate purchase of supplies, materials or services and for which the spending authority granted in ' 34.51 is insufficient, the officer seeking to make the emergency purchase shall present a request for approval to the committee chairperson of the appropriate committee and at least one other member of the Board of Trustees or the Village President. In the event the officer seeking to make the emergency purchase receives the approval of the appropriate committee chairperson and one other member of the Board of Trustees or the Village

' 79.04 EQUIPMENT REQUIREMENT.

A golf cart that is operated on the village streets must have brakes, a steering apparatus, tires, rearview mirror, red reflectorized warning devices in the front and rear, a slow moving emblem on the rear of the vehicle, a headlight that emits a white light visible from a distance of 500 feet to the front, a tail lamp that emits a red light visible from at least 100 feet from the rear, brake lights, and turn signals. When operated on village streets a golf cart must have its headlight and tail lamps lighted.
(Ord. 773, passed 10-13-08) Penalty, see ' 10.99

' 79.05 OPERATION RESTRICTIONS.

A golf cart operated on the village streets may not travel a speed in excess of 25 miles per hour. A golf cart operated on the village streets shall obey all traffic laws of the State of Illinois. Operation of a golf cart on the village streets by a person who is under the influence of alcohol may be prosecuted for driving while under the influence of alcohol as provided by Illinois law.
(Ord. 773, passed 10-13-08) Penalty, see ' 10.99

' 79.06 REGISTRATION.

Any person that operates a golf cart on the village streets shall register the vehicle prior to operation of the vehicle on village streets and shall pay a registration fee of \$35.00. Proof of liability insurance shall be presented when the vehicle is registered. Registrations shall be effective for a period of one year from the date of issuance and shall be renewed annually in the same manner as the original registration. Registrations shall not be transferable in the event of change of ownership.
(Ord. 773, passed 10-13-08) Penalty, see ' 10.99

' 79.07 REVOCATION OF REGISTRATION.

Registrations shall be subject to revocation by the Chief of Police or Deputy Police Chief in the event of a violation of the requirements of ILCS 625, Act 5, ' 11-1426.1 or any of the provisions of this chapter. A revocation shall be made in writing and shall set forth the provisions of statute or ordinance found to be violated. Revocations may be appealed in writing to the Village Board 14 days from the issuance of the revocation, and if appealed the Village Board shall hold a public hearing at which the affected owner may appear, present witnesses and evidence, and be represented by an attorney. The Village Board shall uphold the revocation if it determines by a preponderance of the evidence presented at the hearing that the violation which was the basis for the revocation occurred. During the appeal process, the revocation shall remain in full force and effect.
(Ord. 773, passed 10-13-08)

' 79.08 REINSTATEMENT OF REGISTRATION.

In the event a registration is revoked due to a failure to maintain the required liability insurance or a failure to maintain the condition of the neighborhood electric vehicle in compliance this chapter, including but not limited to maintaining the required safety systems, the Chief of Police or Deputy Police Chief, in his or her discretion, may reinstate the registration upon documentation of reinstatement of the required insurance or of the repair or modification of the neighborhood electric vehicle necessary to cure any deficiencies, as applicable, if the Chief of Police or Deputy Police Chief determines that the violation was not intentional and is not likely to recur.
(Ord. 773, passed 10-13-08)

§ 113.081 SPECIAL RESTRICTIONS AND GUIDELINES FOR CLASS G LICENSE.

If the applicant is approved for a Class G license, the Liquor Commissioner shall promptly notify the Chief of Police and Deputy Chief of Police of the approval of the issuance of the Class G license. The Chief of Police, Deputy Chief of Police and the Liquor Commissioner shall determine, set and establish restrictions and guidelines, if any, for the Class G license with the advice of the Local Liquor Control Commission and the Village Board. The restrictions and guidelines shall be reasonably calculated to protect public order and safety in light of the particular circumstances of the special event. The Local Liquor Control Commissioner shall provide written notice of the terms and conditions on the issuance of the Class G license to the applicant. The applicant shall be required to attest in writing that the applicant received the terms and conditions on the issuance of the license and agrees to be bound thereby. After the applicant has signed such attestation, the Liquor Commissioner shall issue the Class G license. (Ord. 891, passed 12-8-14)

§ 113.082 SEPARATION FROM SERVICE OF AN APPLYING MANAGER FROM A LICENSED CORPORATION.

If a license is held by a corporation under this chapter and the representative who signed for and was examined under § 113.090 is a manager for the corporation, the separation from employment of the manager, either voluntarily or for cause, shall require the following action.

(A) Within 72 hours of said separation from service, a temporary manager who meets the qualifications of this chapter except for residence must be named by the corporate officials. The name, address, phone number, and other contact information for this person shall be provided in writing to the Liquor Commissioner and the Village Clerk. This temporary manager shall serve as manager for the corporation for up to 30 days. At the end of 30 days from the date of separation, the temporary manager may petition the Liquor Commissioner for an extension of up to 30 additional days. However, if the 30 day extension would extend beyond the term of the license, the extension shall end not later than the expiration date of the license.

(B) During the 30 days or any extension of thereof a new manager shall be named and complete the application for license and provide the information required under § 113.090 of this chapter along with the current fee for such examination.

(C) If the current license shall expire during the original 30 days, no extension shall be granted and all sales of alcohol shall cease upon the expiration of the license. Any existing inventory may be stored out of sight of retail customers for up to 60 days pending the award of the new license. Any application by a new manager shall be considered a new license application.

(D) The Local Liquor Commission shall have the right to hold any hearings deemed necessary to enforce this section. Any hearings under this section shall comply with the guidelines of the Illinois State Liquor Commission.

(Ord. 853, passed 9-24-12)

§ 113.083 SPECIAL RESTRICTIONS AND GUIDELINES FOR CLASS H AND I LICENSES.

(A) To be eligible to receive a Class H or Class I license, the applicant must be operating a public accommodation facility as that term is defined herein. Conducting or hosting events where alcoholic liquor is made available for consumption on the premises of the public accommodation facility shall not be the principal business for the public accommodation facility. The public accommodation facility must have some other principal business purpose and must derive not less than 75% of its revenue from a business purpose unrelated to the consumption of alcoholic liquor on the premises of such facility.