

ANYONE WISHING TO ADDRESS THE BOARD ON ANY OF THE FOLLOWING AGENDA ITEMS SHOULD CONTACT THE MAYOR PRIOR TO THE START OF TONIGHT'S MEETING AT 8:00 P.M. See "Citizen's Guide" on last page.

**VILLAGE OF BOLINGBROOK
REGULAR MEETING
AGENDA FOR DECEMBER 17, 2019**

ROGER C. CLAAR
Mayor

CAROL S. PENNING
Village Clerk

JAMES S. BOAN
Village Attorney

TRUSTEES
MICHAEL T. LAWLER
MARY S. ALEXANDER-BASTA
MICHAEL J. CARPANZANO
ROBERT M. JASKIEWICZ
SHELDON L. WATTS
MARIA A. ZARATE

PLEDGE OF ALLEGIANCE:

WE WILL BE ENTERTAINED TONIGHT WITH A FEW HOLIDAY CAROLS SUNG BY STUDENTS FROM BOLINGBROOK HIGH SCHOOL

- A. ROLL CALL:**
- B. APPROVAL OF MINUTES:**
 - 1. Regular Meeting of November 26, 2019**
- C. APPROVAL OF AGENDA:**
- D. APPROVAL OF APPOINTMENTS – BOARDS AND COMMISSIONS:**
- E. REPORTS OF OFFICERS:**
 - 1. Mayor**
 - a. Presentation**
 - 1. 2019 Halloween Decoration Winner Awards**
 - 2. Public Comments Regarding Items Before the Board this Evening**

3. Staff

a. Bill Approval

- | | | |
|----|---------------------|------------------------|
| 1. | Bill Listing A - \$ | 2,809,675.16 |
| 2. | Bill Listing B - \$ | <u>818,228.66</u> |
| | Total | \$ 3,627,903.82 |

F. MOTIONS

1. **Motion to Allow Mayor and Director of Public Services to Enter Into Contract for Gas Supply**

G. RESOLUTIONS

1. **Resolution (19R-062) of Support for the Village of Bolingbrook to Reclassify Kings Road as a Federal Collector Route**
 - Newly constructed road – from Hassert Boulevard to Rodeo Drive
 - Classifies Kings Road as a “Major Collector”
 - Designation qualifies for Federal and State funding

H. ORDINANCES

- 1. Ordinance (19-092) Abating Taxes Heretofore Levied to Pay Interest and Principal on \$35,795,000 Special Areas Numbers 2001-1, 2001-2, 2001-3 and 2002-1 Special Taxes Refunding Bonds, Series 2018**

- 2. Ordinance (19-093) Amending Chapters 2, 13 and 19 of the Municipal Code Regarding Administration of the Executive Department (For Discussion)**

- 3. Ordinance (19-094) Amending Chapter 19 – Public Safety, Morals, and Welfare of the Municipal Code of the Village of Bolingbrook to Comply with the Cannabis Regulation and Tax Act**

- 4. Ordinance (19-095) Amending Personnel Manual of the Village Regarding Compliance with the Cannabis Regulation and Tax Act**

- 5. Ordinance (19-096) Amending Chapter 13 of the Municipal Code Decreasing Class “D-6” from One (1) to Zero (0) McQ’s - 730 N. Bolingbrook Drive**

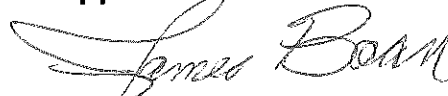
- 6. Ordinance (19-097) Amending Certain Provisions of Chapter 13 of the Village of Bolingbrook Municipal Code Re Elimination of the OTB Liquor License**

- 7. Ordinance (19-098) Amending Chapter 13 of the Municipal Code Increasing Class “D-2” from Nineteen (19) to Twenty (20) and Increasing Class “D-1” from Twenty-Four (24) to Twenty-Five (25) – Danny’s Pizza & Burger Bar II (639 E. Boughton Rd #105)**

**8. Ordinance (19-099) Amending Chapter 13 of the Municipal Code
Decreasing Class "C" from Ten (10) to Nine (9) Family Square – 372 S.
Bolingbrook Drive**

- I. QUESTIONS FROM AUDIENCE/PRESS:****
- J. TRUSTEES' COMMENTS AND REPORTS:**
- K. EXECUTIVE SESSION:**
- L. ADJOURNMENT:**

Approval for Submission:

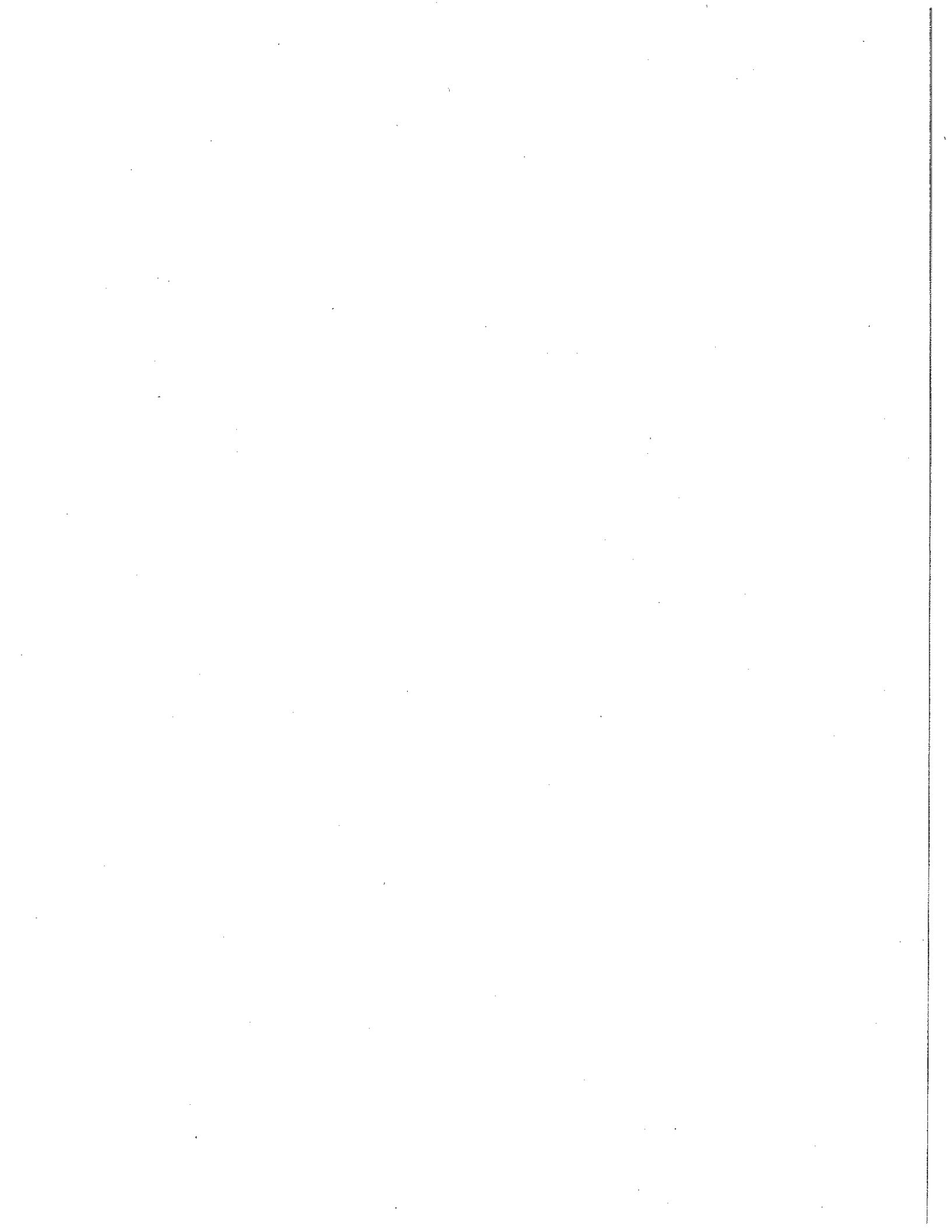


**James S. Boan
Village Attorney**

**** CITIZEN'S GUIDE TO ADDRESSING THE VILLAGE BOARD**

Anyone wishing to speak under agenda "Section I—Public Comments" must adhere to the following guidelines:

- 1) Please announce your name and address before commenting – all comments under PUBLIC COMMENTS are limited to three (3) minutes and each citizen will only be permitted to speak once.
- 2) Questions must be submitted in writing and responses will be provided prior to the next meeting.
- 3) At the Village Board meeting, all speakers must address their comments to the Mayor. The Mayor may request that the appropriate member of the Board or Staff respond to the comment.
- 4) Please do not repeat comments that have already been made by others.



MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF BOLINGBROOK – NOVEMBER 26, 2019

CALL TO ORDER:

The Regular Meeting of the Mayor and Board of Trustees of the Village of Bolingbrook was called to order at the hour of 8:00 p.m., November 26, 2019, in Bolingbrook, Illinois, by Mayor Roger C. Claar.

PLEDGE OF ALLEGIANCE:

Mayor Roger C. Claar requested his five-year old granddaughter Samantha Joy Smith, assisted by his daughter Lindsey, to lead the pledge to the Flag.

ROLL CALL:

Village Clerk, Carol S. Penning, called the roll:

Present were: Mayor Roger C. Claar, Trustees Maria A. Zarate, Michael T. Lawler, Mary Alexander Basta, Michael J. Carpanzano, Sheldon L. Watts, and Robert M. Jaskiewicz

Also present were:

Village Clerk – Carol S. Penning, Village Attorney - James Boan, Public Safety Director – Ken Teppel, Finance Director – Rosa Cojulun, Director of Public Services & Development - Lucas Rickelman, Deputy Police Chief – Michael Rompa

Absent: None

Representing the press: No press attended the meeting.

Mayor Claar commented that this evening is a special night in the history of Bolingbrook for several reasons. Jim Boan will be retiring at the end of this month after 22 years of service to the Village of Bolingbrook. He has done an outstanding job and he would share more about Jim's retirement later. Mayor Claar mentioned that he has served as mayor for 33 years as of November 25th. This will be his 34th year representing the Village of Bolingbrook. Thanksgiving is on Thursday, November 26th. This is also his birthday.

Mayor Claar shared that his granddaughter, Samantha Joy, made a special present for him which she made all by herself. He showed to everyone the miniature Eagle that she painted. She chose to use the colors blue and green matching the Village flag colors. He added that what made it really special is that on the bottom she wrote "to Papa". Thanks Samantha Joy. Tomorrow they are going to see the movie Frozen 2.

Mayor Claar mentioned that he had oral surgery last week and had a tremendous amount of bruising. He explained that it is not a result of a fistfight or anything. It was a part of the surgical process and he hoped the bruising would go away soon.

Mayor Claar cited, that for the past several years, people have mentioned to him that the Christmas decorations in the front of Village Hall needed to be updated. Perhaps they are not as nice as what it could be. This year, he asked Trustee Mary Basta, if she would work with Public Services, Lucas Rickelman and Ken Enda to improve the decorations. He thanked Mary Basta for her efforts along with Public Services and stated that they have done a magnificent job. This is probably the best Village grounds have looked for the past 15 or 20 years.

Mayor Claar shared that while Jim Boan is retiring, he will not be completely gone, as he is going to help the Village out on several projects that are in progress. He is part of our current law firm and will be available for consulting. Mayor Claar stated that Jim Boan is one of first people he met when came to the Bolingbrook area back in 1975. At that time, Jim was the Director of the Bolingbrook Park District. Mayor Claar added they were both members of the Bolingbrook Rotary for 20 or 30 years and they did many things together socially.

Later, Jim moved out to Kendall County because he and his wife liked horses and they bought a horse farm out in that area. Jim was a practicing attorney and got involved in County government serving two terms on the Kendall County Board. The Kendall County Board saw his leadership ability and made him County Board Chairman for five years. After that time, he chose to come back to Bolingbrook. He has always loved the community. He was part of the Bolingbrook Law Firm Kusta and Boan.

When Bolingbrook lost our Village Administrator who accepted a position in Missouri, Jim Boan was hired without even a second thought. Jim Boan's knowledge of County, Park and Village Government is unmatched by anyone. He is excellent working with people. Jim will be staying in the area and we look forward to seeing him socially and professionally.

Mayor Claar added that Jim Boan was all dressed up for his last meeting sitting at the dais. He invited those in attendance, and those watching the meeting, to stop over at Ashbury's and wished Jim well in his retirement. Jim and I have been partners at Village Hall for the past 22 years and we will miss him. He is one of one of the nicest, most intelligent, caring and sincere people you will ever meet.

Mayor Claar commented on the Tree Lighting Ceremony at the Promenade Bolingbrook that was held a few weeks ago. The lighting of the tree was videotaped when "Sammy" Samantha Yelenosky, a 7th grade student at Humphrey Middle School, turned on the lights. He posted it on his Facebook page and it already has received about 5,400 views in about a week. The event went well. It was a beautiful evening, and we had bigger crowds than ever before.

JOURNAL OF PROCEEDINGS:

Motion Lawler, second Basta to approve the minutes of the regular meeting of November 12, 2019 as submitted by the Village Clerk.

Voice vote. Motion carried.

APPROVAL OF AGENDA/ADDITIONS:

Jim Boan, Village Attorney indicated that he had no additions or deletions for the agenda.

Motion Watts, second Carpanzano to approve the agenda as presented.

Voice vote. Motion carried.

APPROVAL OF APPOINTMENTS – BOARDS AND COMMISSIONS: None

REPORTS OF OFFICERS:

MAYOR CLaar

PROCLAMATIONS:

AMERICAN LEGION POST 1288 GIFTS TO YANKS WHO GAVE – HOSPITALIZED VETERANS TAG DAYS, November 26, 2019: Mayor Claar proclaimed November 26th, 2019 as GIFTS TO YANKS WHO GAVE – HOSPITALIZED VETERANS TAG DAYS in the Village. The Hospitalized Veterans Tag Days program has enjoyed the co-operation of the American Legion Posts, Auxiliary Units and the public throughout the entire State of Illinois. Retired service members Herschel Nelson, Army; Greg Palmer, Navy; John Davin, Army; and Larry Shaver, Marines accepted the proclamation.

Herschel Nelson said a few words regarding the tag days and then the members collected donations from those that were in attendance.

PRESENTATIONS: None

PROMOTIONS/SWEARING IN: None

PUBLIC COMMENTS REGARDING ITEMS BEFORE THE BOARD THIS EVENING: None

BILL APPROVAL:

Motion Jaskiewicz, second Basta to approve expenditures submitted as Bill Listing A - Payables in the amount of \$1,728,646.63 and Bill Listing B - Pre-Paid in the amount of \$359,499.68 totaling \$2,088,146.31. (Copies were made available in the Finance Department and the Village Clerk's Office.)

ROLL CALL:	Yea	6	Zarate, Lawler, Basta, Watts, Carpanzano, Jaskiewicz
	Nay	0	None
	Absent	0	None

Motion carried.

TAX RECEIPTS:

August 2019 State Income Tax - \$778,857.04 (August 2018 State Income Tax - \$699,804.34) – 11.30% Increase

September 2019 Sales Tax - \$2,993,791.65 (September 2018 Sales Tax - \$2,889,33.23) – 3.6% Increase

September 2019 Motor Fuel Tax - \$265,002.57 (September 2018 Motor Fuel Tax - \$175,768.89) – 50.8% Increase

September 2019 State Administrative Fee - \$23,500.74

MOTIONS:

MOTION TO CONTINUE ORDINANCE (19-068) AUTHORIZING NOTICE OF CONTEMPLATED INVOLUNTARY ANNEXATION OF CERTAIN UNINCORPORATED TERRITORY (ED JAMES ANNEXATION) TO THE TUESDAY, DECEMBER 17, 2019 VILLAGE BOARD MEETING

Motion Lawler, second Zarate to accept a motion to continue Ordinance (19-068) authorizing notice of contemplated involuntary annexation of certain unincorporated territory (Ed James Annexation) to the Tuesday, December 17, 2019 Village Board Meeting.

The Circuit Court in Will County put a “stay” on proceeding with this Ordinance. That decision has been appealed. Before continuing with consideration of the Ordinance, the Village is waiting for a ruling from the Third District Appellate Court.

ROLL CALL: Yea 6 Zarate, Lawler, Basta, Watts, Carpanzano, Jaskiewicz
 Nay 0 None
 Absent 0 None

Motion carried.

RESOLUTIONS:

RESOLUTION 19R-059
APPROVING PROPOSAL FOR RENEWAL OF WORKERS’ COMPENSATION INSURANCE WITH ILLINOIS COUNTIES RISK MANAGEMENT TRUST (ICRMT):

Motion Jaskiewicz, second Watts to adopt a resolution approving the proposal for Renewal of Workers’ Compensation Insurance with Illinois Counties Risk Management Trust (ICRMT).

This Resolution renews the Village’s Workmans’ Compensation policy with the Illinois Counties Risk Management Trust (ICRMT). The Village is self-insured for the first \$100,000.00 of each claim. After which, the ICRMT “umbrella” kicks in. This year’s premium is increasing by 10.3%. \$1,024,716.00 to \$1,130,496.00 based on claim loss experience. The budgeted amount is \$2,114,941.00. The difference between the premium and the budget is funds used to cover self-insured retainage (SIR). The Finance Committee has reviewed and recommends acceptance.

ROLL CALL: Yea 6 Zarate, Lawler, Basta, Watts, Carpanzano, Jaskiewicz
 Nay 0 None
 Absent 0 None

Motion carried.

RESOLUTION 19R-060
APPROVING PROPOSALS FROM ALLIANT/MESIROW INSURANCE SERVICES FOR RENEWAL OF INSURANCE AND ADMINISTRATIVE CONTRACTS:

Motion Carpanzano, second Watts to adopt a resolution approving proposals from Alliant/Mesirow Insurance Services for renewal of insurance and administrative contracts.

This Resolution accepts a renewal proposal from Blue Cross/Blue Shield for the Village's Employee Group Health and Life benefits. The Village is self-insured (SIR) for the first \$90,000.00 per claim. All current policies expire on December 31, 2019. The total fixed annual Health Insurance cost is \$1,201,492.68 which is a 1.1% reduction from the current cost. The annual anticipated claim liability is \$7,657,988.40 which includes the SIR. This would be a 1.5% reduction over the current year. The annual fixed cost of the Dental Program is \$19,785.60 and the expected annual claim liability including the SIR is \$388,152.00 which would be a 1.3% increase. Fort Dearborn Life will continue to provide life, disability and accidental death and disability insurance coverages. The annual estimated premium is \$97,625.91 which is a 3.9% increase over the current year. Total anticipated cost of the employee benefit program is \$9,280,044.59. The Finance Committee has reviewed and recommends acceptance.

ROLL CALL: Yea 6 Zarate, Lawler, Basta, Watts, Carpanzano, Jaskiewicz
 Nay 0 None
 Absent 0 None

Motion carried.

RESOLUTION 19R-061
APPROVING PURCHASE OF THREE (3) REPLACEMENT TRUCKS FROM CURRIE MOTORS UNDER THE SUBURBAN PURCHASING COOPERATIVE:

Motion Jaskiewicz, second Basta to adopt a resolution approving purchase of three (3) replacement trucks from Currie Motors under the suburban purchasing cooperative.

This Resolution approves the purchase of three (3) replacement trucks from Currie Motors through the Suburban Purchasing Cooperative. All three (3) vehicles are 2020 Ford F-250XL, 4 X2 pickup trucks. The base cost for each vehicle is \$29,731.00. One (1) unit will have a snowplow package added for \$5,914.00. Total cost is \$65,376.00 which is \$17,690.00 under the budgeted amount of \$83,066.00. The Public Services Committee has reviewed and recommends approval.

ROLL CALL: Yea 6 Zarate, Lawler, Basta, Watts, Carpanzano, Jaskiewicz
 Nay 0 None
 Absent 0 None

Motion carried.

ORDINANCES:

PC 19.35
APPROVAL OF A OF A SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT, SPECTRUM NURSES TRAINING, 354 N. SCHMIDT ROAD, BERKO OWUSU; APPLICANT

Motion Carpanzano, second Zarate to accept a Plan Commission Report PC 19.35 for approval of a of a Special Use Permit for a Planned Development Spectrum Nurses Training, 354 N. Schmidt Road, Berko Owusu; Applicant.

Voice vote. Motion carried.

ORDINANCE 19-088

APPROVING SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT (SPECTRUM NURSES TRAINING) – 354 N. SCHMIDT ROAD:

Motion Lawler, second Zarate to pass an ordinance approving a Special Use Permit for a Planned Development (Spectrum Nurses Training) – 354 N. Schmidt Road.

Berko Owusu is seeking approval for a Special Use Permit to allow a professional office in 1,200 sq. ft. of tenant space at 354 N. Schmidt Road. The business would offer training to become a certified nursing assistant. The space is located in the Riverwoods Plaza which is zoned B-2 Community Retail. Non-sales tax generating businesses are required to obtain a SUP to operate in business zoned districts. The Plan Commission has reviewed and recommends approval.

ROLL CALL: Yea 6 Zarate, Lawler, Basta, Watts, Carpanzano, Jaskiewicz
 Nay 0 None
 Absent 0 None

Motion carried.

PC.19.36
APPROVAL OF A SPECIAL USE PERMIT FOR COMMERCIAL RECREATION FACILITY, THE KRAV GYM, 485 W. BOUGHTON ROAD, MICHAEL JOZWIAK; APPLICANT

Motion Basta, Second Carpanzano to accept a Special Use Permit for commercial recreation facility, The Krav Gym, 485 W. Boughton Road, Michael Jozwiak; Applicant.

Applicant Michael Jozwiak gave a brief presentation regarding The Krav Gym and his teaching credentials.

Voice vote. Motion carried.

ORDINANCE 19-089
APPROVING SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT FOR A COMMERCIAL RECREATION FACILITY (THE KRAV GYM) – 485 W. BOUGHTON ROAD:

Motion Lawler, second Zarate to pass an ordinance approving Special Use Permit for a Planned Development for a commercial recreation facility (The Krav Gym) – 485 W. Boughton Road.

Michael Jozwiak, D/B/A The Kray Gym, is seeking approval of a Special Use Permit to open a fitness center in 4,000 sq. ft. of tenant space at 485 W. Boughton Road (Riverwood Plaza). The retail center is zoned B-2 Community Retail. To locate a non-sales tax business in business zoned districts requires a SUP. The Plan Commission has reviewed and recommends approval.

ROLL CALL: Yea 6 Zarate, Lawler, Basta, Watts, Carpanzano, Jaskiewicz
 Nay 0 None
 Absent 0 None

Motion carried.

ORDINANCE 19-090

LEVYING TAXES FOR CORPORATE PURPOSES OF THE VILLAGE OF BOLINGBROOK FOR THE CURRENT FISCAL YEAR COMMENCING ON MAY 1, 2019 AND ENDING ON APRIL 30, 2020:

Motion Watts, second Zarate to pass an ordinance Levying Taxes for corporate purposes of the Village of Bolingbrook for the current fiscal year commencing on May 1, 2019 and ending on April 30, 2020.

This Ordinance approves the Village's 2019 Property Tax Levy. The proposed levy maintains the same tax rate as the 2018 levy. The total levy is \$21,626,048.00. The property tax levy only covers public safety, pensions and debt service. The proposed levy will not cover the actual costs of these two items. The Village will use \$1,590,282.00 of the existing fund balance (surplus) to pay the full cost. This levy will be a 4.2% increase from 2018 which will allow the Village to "pick up" taxes from new construction. The average home (\$212,535.00 estimate) will pay the Village \$664.69 for the year. The levy increase is under 5% so no truth in taxation public hearing is required.

ROLL CALL: Yea 6 Zarate, Lawler, Basta, Watts, Carpanzano, Jaskiewicz
 Nay 0 None
 Absent 0 None

Motion carried.

ORDINANCE 19-091
AMENDING CHAPTER 13 OF THE MUNICIPAL CODE AND DECREASING CLASS "B-1" (RETAIL ESTABLISHMENT THAT CONTAINS A LICENSED PHARMACY) FROM TWO (2) TO ONE (1) – WALGREENS #09919:

Motion Basta, second Zarate to pass an ordinance amending Chapter 13 of the Municipal Code and decreasing Class "B-1" (Retail establishment that contains a licensed pharmacy) from two (2) to one (1) – Walgreens #09919.

Walgreens at the corner of Whitewater Drive and Boughton Road has closed. This Ordinance reduces the number of Class "B-1" liquor licenses from two (2) to one (1).

ROLL CALL: Yea 6 Zarate, Lawler, Basta, Watts, Carpanzano, Jaskiewicz
 Nay 0 None
 Absent 0 None

Motion carried.

QUESTIONS FROM AUDIENCE/PRESS:

Jackie Traynere commented that turkeys were delivered to those less fortunate. Some were shut-ins at Greenleaf Apartments and individuals with lower incomes. Also passing out turkeys were members of the Bolingbrook Rotary Club and the Bolingbrook Police and Fire Departments. She commented on the Levy. It is expensive to the homeowners when they are looking at a 40% increase to live here in Bolingbrook on their village taxes.

Mayor Claar responded to the above comments. He does not know where she came up with that number and does not even know if she could provide us with how she arrived at that percentage, but it is not true. There is no garbage tax. I know it sounds good. It is a great political message

that she throws out there, but there is no garbage tax. The garbage used to be on property taxes and never to lower our levy. We took garbage off the levy for one year. We did not even collect for garbage. It came out of our surplus this past year and it was done by a unanimous vote of this board. Garbage went to direct billing, which is equitable across the board for Bolingbrook residents. When it is on the levy, if you have a half a million-dollar home, you would be paying five times more for garbage than a person that lives in a \$100,000 home. By taking it off the taxes and doing direct billing, everybody pays the same. The direct billing cost is approximately \$20 a month. In addition, we have one of the best garbage programs, which includes pick up of yard waste, recycling, large appliances, electronics and of course refuse collection. Please quit using the term garbage tax, as it is absolutely not correct.

Mayor Claar shared that he met with Pulte Homes. They are building Liberty Green on Essington Road. The project came to town to build 153 homes for seniors, a restricted age housing development. They are absolutely thrilled with building in Bolingbrook. They have sold 53 homes, averaging over \$400,000 each. People are coming to Bolingbrook and a significant number of the people buying those homes now live in Naperville, but they are coming here to be next to the beautiful Bolingbrook Golf Club. He added that some of the homes paid \$100,000 premium to have a lot on the golf course. It is a very successful project and people are flocking to move into Bolingbrook.

TRUSTEE COMMENTS AND REPORTS:

All Trustees thanked Jim Boan for his 22 years of service to the Village and wished Mayor Claar a Happy Birthday.

Trustee Zarate

Reminded residents that Village Hall will be closed on Thursday, November 28th and Friday, November 29th for Thanksgiving. She wished Bolingbrook residents a happy and safe holiday.

Trustee Lawler

Provided details on the Thanksgiving dinner to be held at the Bolingbrook Golf Club and on the free concert provided by the Bolingbrook Community Chorus, which will be held at the Bolingbrook Community Center. All donations will go to Operation Christmas. He wished everyone a Happy Thanksgiving.

Trustee Basta

Thanked Public Services for all their help and patience with the holiday Christmas lights for the Village Hall grounds. She provided details on the upcoming events to spend time with Santa. There will be activities at Ashbury's at Boughton Ridge and at the Bolingbrook Golf Club. She wished a Happy Thanksgiving to everyone.

Trustee Watts

Provided details on the Community Mobile Pantry for December at New Hope Baptist Church. Mentioned that the Bolingbrook Christian clergy hosted their annual community Thanksgiving service and a good crowd was in attendance. Shared information that independent snowplow drivers are wanted by the Village of Bolingbrook. It pays \$95 an hour. For additional information, you can go to the Village's website, call (630) 226-8800 or email publicworks@bolingbrook.com.

Trustee Carpanzano

Announced "Coffee with the Chiefs". This month it will be held at Charlie's Restaurant at Bolingbrook Clow's International airport. December 5th through the 21st are the official Operation Christmas dates. Operation Christmas has several drop off locations throughout the village. If you see an Operation Christmas box, please feel free to donate personal items, toys, sports equipment, electronics, clothing, gloves, hats, etc. He added that one of the leaders of Operation Christmas is celebrating a very big day. Congratulations to Lee Bush, Jr. and Jackie Bush. Thomas James Bush was born today at 1:58 p.m. He was 20 inches and 8.5 pounds. He encouraged us to support small businesses. They are out there working incredibly hard. They are the backbone of our local economy.

Trustee Jaskiewicz

Announced that the Bolingbrook Chamber of Commerce is hosting the 2nd Charity Challenge. Last year's event was held at Tailgaters and was very successful. There are bartenders from local establishments that participate. There is a \$30 fee to attend the event. There will be appetizers. It is a great way to raise money for a charity during the holidays. Each bartender gets to choose their own charity within the Village of Bolingbrook. He wished everybody a safe and happy Thanksgiving,

Mayor Claar acknowledged individuals that who were there to wish Jim Boan a happy retirement. Former Trustees Joe Morelli, Sandy Swinkunas and Margaret J. Peggy Danhof were in attendance. Peggy is the current President of the Board for the Fountaindale Public Library. He introduced his wife Pat who was sitting with their daughter Lindsey and granddaughter Samantha Joy. He added that these are the three women in my life. It is hard to get a word in edgewise as they are very aggressive, strong women.

EXECUTIVE SESSION: None

ADJOURNMENT:

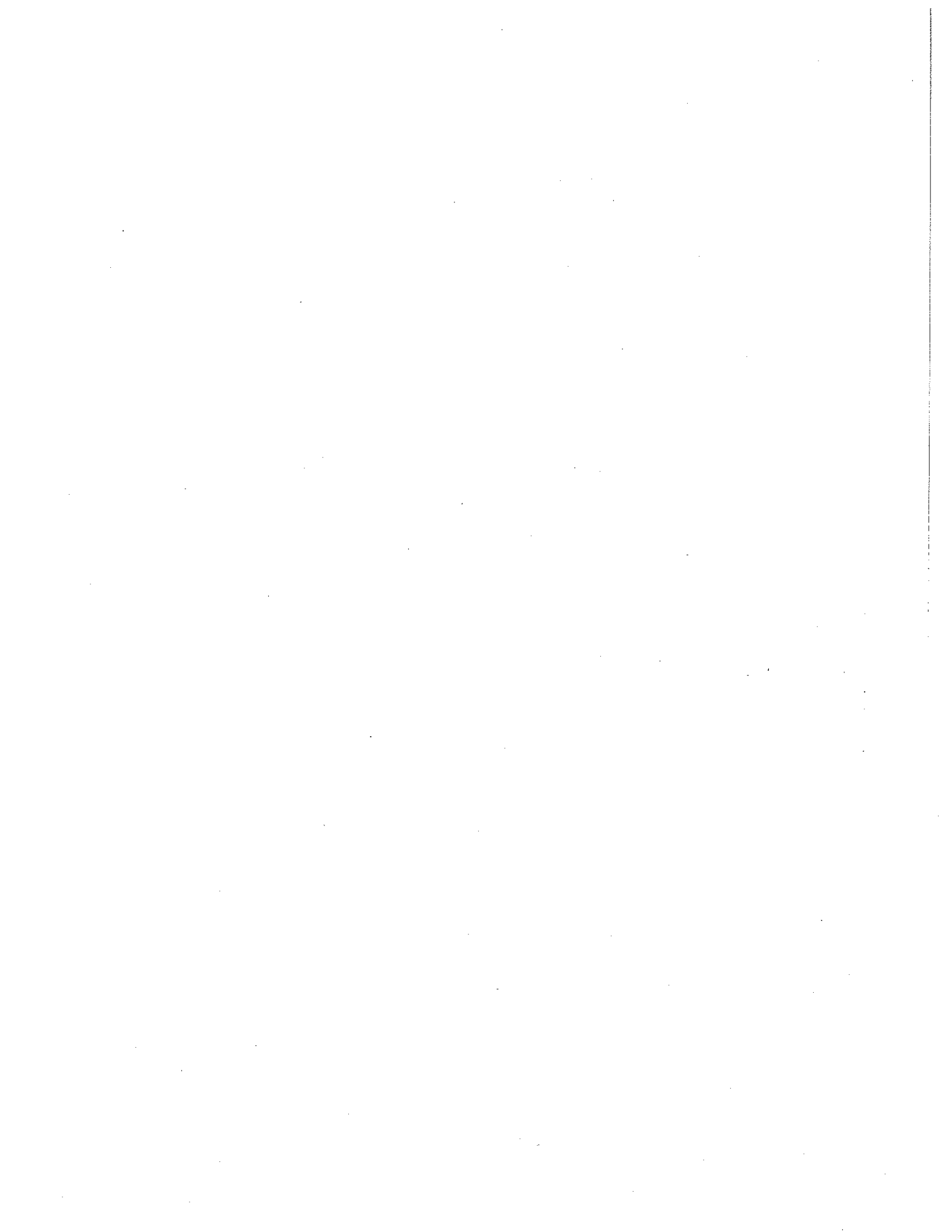
Motion Basta, second Zarate to adjourn the meeting.

Voice vote. Motion carried and meeting adjourned at 9:07 p.m.

Roger C. Claar
MAYOR

ATTEST:

Carol S. Penning, CMC
VILLAGE CLERK



RESOLUTION 19R-

RESOLUTION OF SUPPORT FOR THE VILLAGE OF BOLINGBROOK TO RECLASSIFY KINGS ROAD AS A MAJOR COLLECTOR

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois provides that any municipality which has a population of more than 25,000 is a home rule unit, and the Village of Bolingbrook, Will and DuPage counties, Illinois, with a population in excess of 25,000 is, therefore, a home rule unit and, pursuant to the provisions of said Section 6(a) of Article VII, may exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt; and

WHEREAS, it is the policy of the Village of Bolingbrook that existing vehicular traffic be maintained and, where necessary, be rehabilitated to enhance the value of all properties and means of ingress and egress within the Village of Bolingbrook; and

WHEREAS, in furtherance of said policy the Mayor and Board of Trustees of the Village of Bolingbrook deem it appropriate to request to reclassify Kings Road, from Hassert Boulevard to Remington Boulevard, as Major Collector Route; and

WHEREAS, the Village understands the importance of Major Collector Routes as many state and federal grants are only available to streets with Federal Functional Classification; and

WHEREAS, the Village understand that Major Collector designation would not impact the Village of Bolingbrook's ability to control traffic, vehicles, signals or speed on Essington Road and Kings Road as it would remain a local road; and

WHEREAS, the appropriate Village officials have considered and reviewed the functional classification revision requests attached as Exhibit 1 and find the same to be in the best interest of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF BOLINGBROOK, WILL AND DU PAGE COUNTIES, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, AS FOLLOWS:

SECTION ONE: The terms and conditions as shown in the Agreement attached as Exhibit 1 to this Resolution are hereby approved.

SECTION TWO: The Mayor and Board of Trustees of the Village of Bolingbrook further authorize the Mayor to execute any and all documentation that may be necessary to carry out the intent of this Resolution. The officers, employees, and/or agents of the Village shall take all action necessary or reasonably required by the Village to carry out, give effect to, and consummate the intent of this Resolution.

SECTION THREE: This resolution shall be in full force and effect from and after its passage and approval by 2/3 of the Trustees in the manner provided by law.

PASSED THIS 17TH DAY OF DECEMBER 2019.

AYES:

NAYS:

ABSTENSIONS:

ABSENT:

APPROVED THIS 17TH DAY OF DECEMBER, 2019.

MAYOR

ATTEST:

VILLAGE CLERK

PUBLISHED BY THE VILLAGE CLERK, IN PAMPHLET FORM, BY AUTHORITY OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF BOLINGBROOK ON DECEMBER ____, 2019.

Appendix A

Functional Classification Revision Request Template

1. Name(s) of proposed roadway to be reclassified:
Kings Road
2. Name of agency requesting revision (roadway jurisdiction):
Village of Bolingbrook
3. Contact information (name, title, address, phone and email):
LUCAS J. RICEKLMAN, P.E. DIRECTOR PUBLIC SERVICES & DEVELOPMENT
375 W. BRIARCLIFF RD, BOLINGBROOK, IL 60440 630-226-8805 LRICKELM@BOLINGBROOK.COM
4. Council(s) of Mayors:
Will County Governmental League
5. County(ies) of proposed roadway to be reclassified:
Will County
6. Township(s) of proposed roadway to be reclassified:
DuPage Township and Wheatland Township
7. Additional roadway jurisdiction(s), if any, of the proposed roadway to be reclassified:
N/A
8. Current functional classification for this roadway:
Not classified (local road).
9. Proposed functional classification for this roadway:
Major Collector.
10. The IDOT key route designation number for this roadway: **Route number not shown on IDOT map**
(This number is available on the IDOT [Getting Around Illinois](#) website. The key route designation number is the Key Route Type, a hyphen, and the Key Route Number off the map.)
11. Endpoints of proposed roadway to be reclassified
 - North or East endpoint: Hassert Boulevard
 - North or East endpoint road's functional classification:
Minor Arterial
 - South or West endpoint: Remington Boulevard
 - South or West endpoint road's functional classification:
Major Collector



12. Length of proposed roadway to be reclassified:
2.0 miles

13. Current Average Annual Daily Traffic (AADT):
KINGS ROAD FROM HASSERT BLVD TO RODEO DR. IS A NEW ROADWAY. THUS THE CURRENT ADT IS ZERO. KINGS ROAD FROM RODEO DRIVE TO REMINGTON IS TEMPORARILY CLOSED DUE TO CONSTRUCTION ON RODEO DRIVE. WE ESTIMATE THE NORMAL ADT TO BE 900.

(Provide multiple AADTs by segment if the AADT is not consistent along the entire route. Indicate the source and year of the AADTs. Some AADTs are available on the IDOT [Getting Around Illinois](#) website. If the AADTs are not from a published source, supply raw field data and provide the date(s), the day(s) of week, the hours of collection, and the type of equipment used to collect the traffic data. HI-STAR or equivalent technology is preferred.)

14. Spacing:

- Provide the name of and distance to the next adjacent roadway (to the north or east) with the same classification as the subject road's proposed functional classification:

Three miles to the east is Schmidt Road.

- Provide the name of and distance to the next adjacent roadway (to the south or west) with the same classification as the subject road's proposed functional classification:

Two miles to the west is Book Road.

15. Indicate if you are proposing to change (downgrade) the functional classification of any adjacent roadways to accommodate the spacing requirements for your primary proposed functional classification revision:

No.

(Provide key route designation number and endpoints as well as road name and proposed change.)

16. Provide current and planned Traffic Signalization along proposed route:

(Mark locations on the map with a rectangle with three circles inside it, or similar; use the same symbol and write "future" by the planned signals.)

A traffic signal is proposed on Kings Road & Hassert Boulevard.

17. Provide current and planned Stop Sign Control on proposed route and on the cross-streets:

(Mark locations on the map with an octagon or similar; use the same symbols and write "future" by the planned signs.)

A stop sign is proposed on Kings Road & Remington Boulevard.

18. Major Traffic Generators along the proposed reclassified route:

The Bolingbrook Golf Club is on the west side of the road just south of Rodeo Drive.



19. Justification for the proposed revision based on definitions, characteristics and spacing guidance provided:

Kings Road is part of a grid system of streets that collects and routes traffic both a local and reg

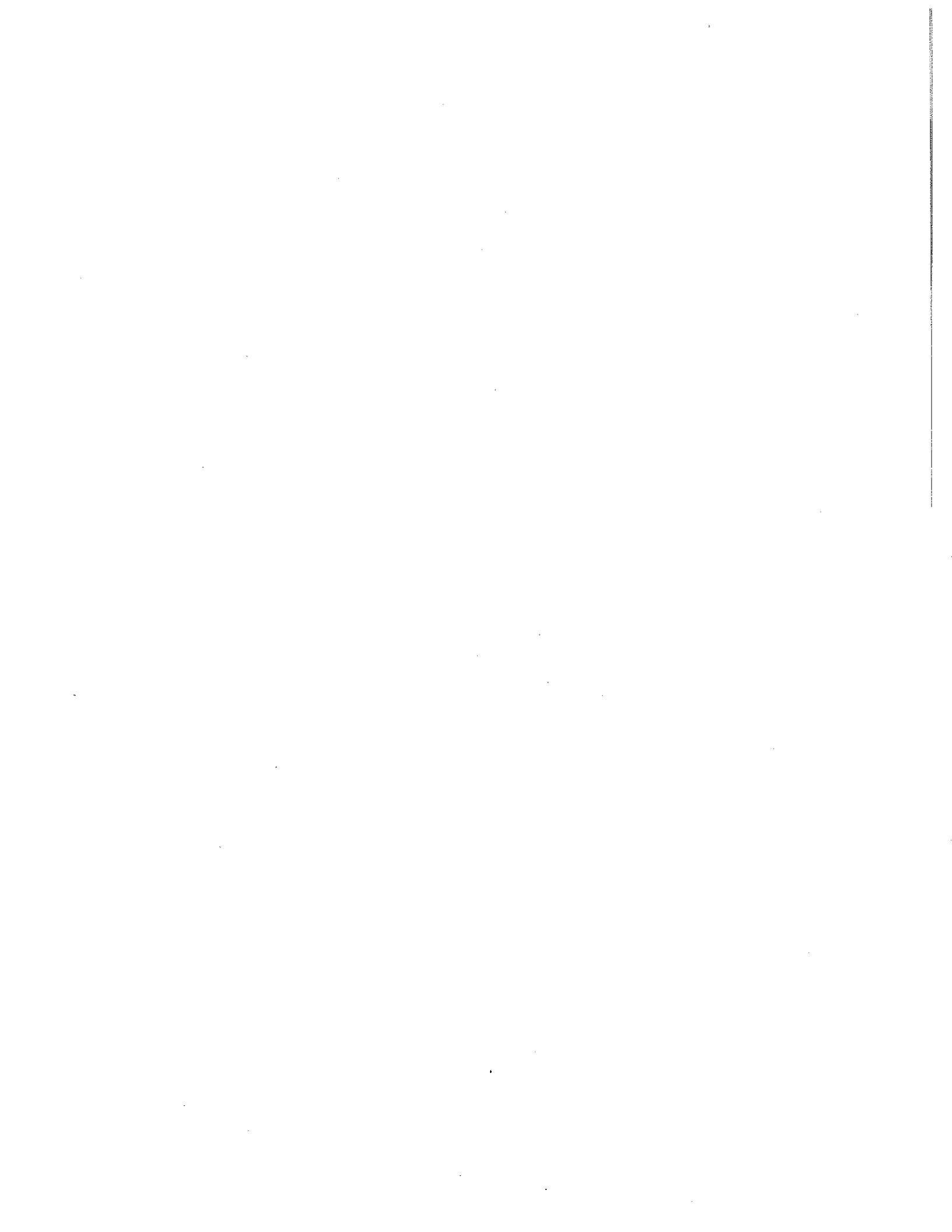
("To establish federal funding eligibility" is NOT a justification.)

20. Provide any additional (optional) information or justification:

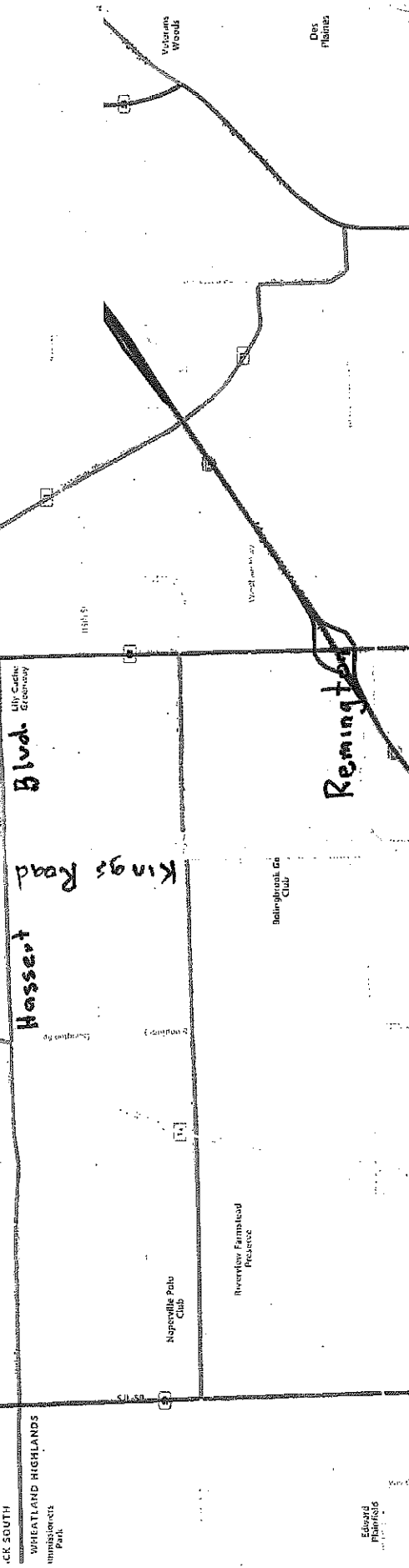
21. Attach Support Resolutions & Letters:

1. Local Council of Mayors or Councils of Mayors resolution(s) of support (required)
2. Affected neighboring jurisdictions' letters of support (required)
3. Requesting municipality's resolution of request (optional)





Legend
Functional Class
 Interstate
 Freeway or Expressway
 Other Principal Arterial
 Minor Arterial
 Major Collector
 Minor Collector
 Local Road or Street



Kings Road location

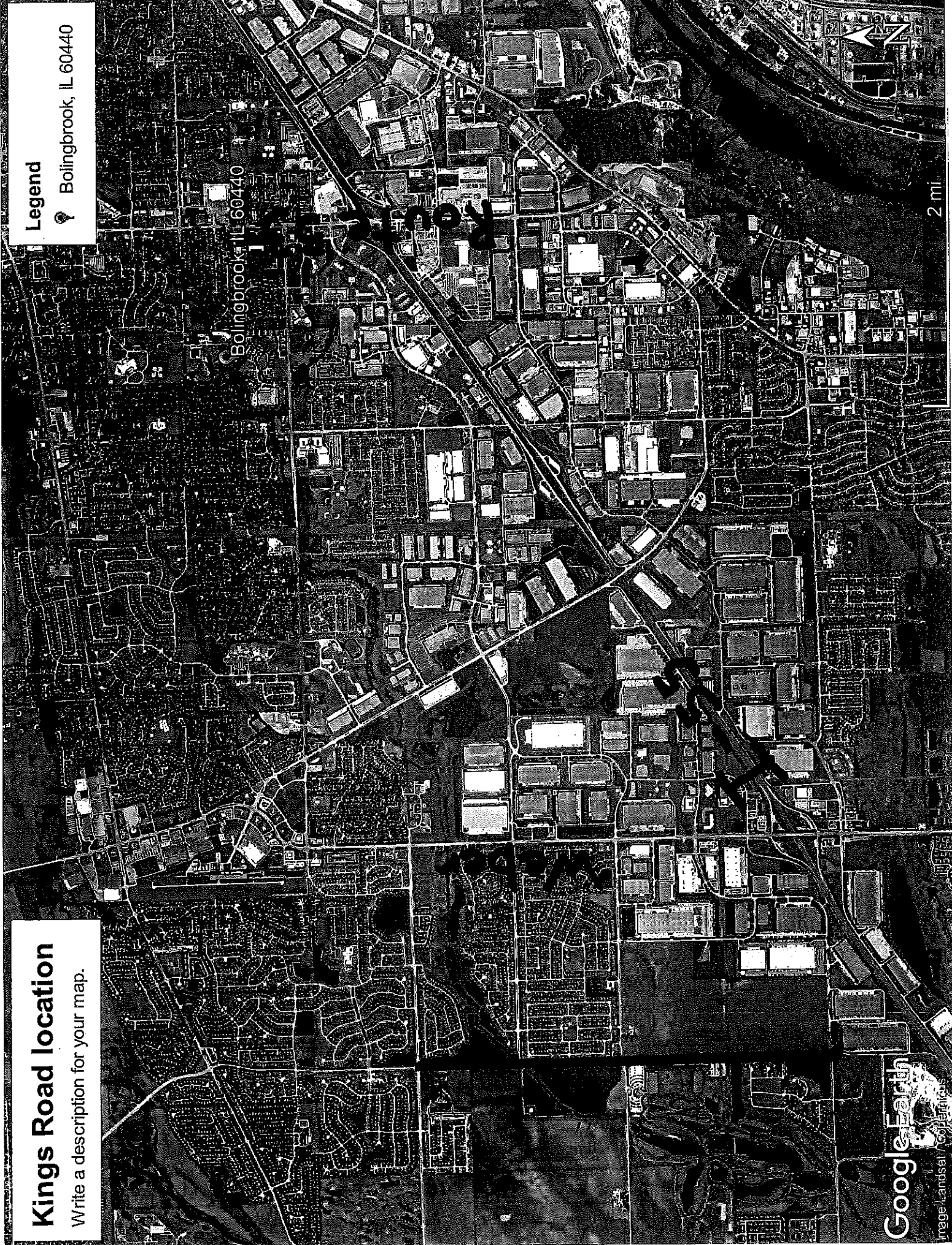
Write a description for your map.

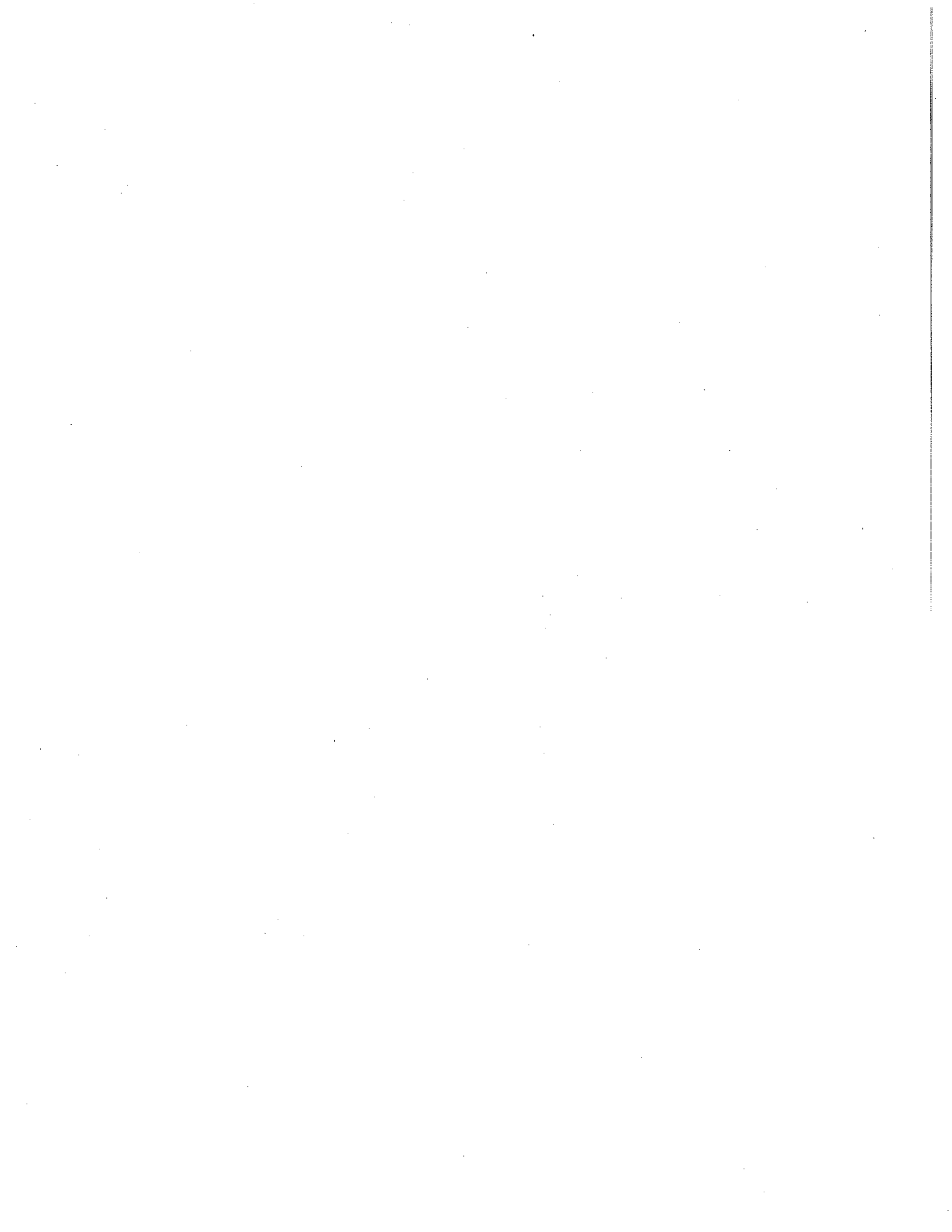
Legend



Bolingbrook, IL 60440

Bolingbrook, IL 60440





ORDINANCE NO. _____

**ORDINANCE ABATING TAXES HERETOFORE LEVIED TO PAY
INTEREST AND PRINCIPAL ON \$35,795,000 SPECIAL SERVICE AREAS
NUMBERS 2001-1, 2001-2, 2001-3 AND 2002-1
SPECIAL TAXES REFUNDING BONDS, SERIES 2018**

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois provides that any municipality which has a population of more than 25,000 is, therefore, a home rule unit and the Village of Bolingbrook, Will and DuPage Counties, Illinois, with a population in excess of 25,000 is, therefore, a home rule unit and, pursuant to the provisions of Section 6(a) of Article VII, may exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt; and

WHEREAS, the Mayor and Board of Trustees of the Village of Bolingbrook, Will and DuPage Counties, Illinois, did on the 22nd day of May, 2018 adopt Ordinance No. 18-034 entitled:

AN ORDINANCE PROVIDING FOR ISSUANCE OF NOT TO EXCEED \$41,700,000 VILLAGE OF BOLINGBROOK, WILL AND DUPAGE COUNTIES, ILLINOIS SPECIAL SERVICE AREAS NUMBERS 2001-1, 2001-2, 2001-3 AND 2002-1 SPECIAL TAXES REFUNDING BONDS, SERIES 2018, AND AUTHORIZING THE EXECUTION OF A BOND ORDER

(the "*Bond Ordinance*"). The Bond Ordinance, as supplemented by a Bond Order dated July 17, 2018, authorized the issuance of \$35,795,000 Special Service Areas Numbers 2001-1, 2001-2, 2001-3 and 2002-1 Special Taxes Refunding Bonds, Series 2018 (the "*Bonds*"), of the Village of Bolingbrook, Illinois with respect to Special Service Areas Numbers 2001-1, 2001-2, 2001-3 and 2002-1 (collectively, the "*Special Service Areas*"), and was duly published (pamphlet form) and is now in full force and effect; and

WHEREAS, by the terms of said Bond Ordinance, the Bonds were designated "Village of Bolingbrook, Counties of Will and DuPage, Illinois Special Service Areas Numbers 2001-1,

2001-2, 2001-3, and 2002-1 Special Taxes Refunding Bonds, Series 2018.” In addition to all other taxes, there was levied upon the taxable property in Special Service Area Number 2001-1 in the Village, in each of the years 2018 through 2029, a direct annual special tax sufficient for the purpose of paying interest and principal on the Bonds and to pay administrative expenses of Special Service Area Number 2001-1, as follows:

<u>Year of Levy</u>	<u>An Amount Sufficient to Produce the Sum of:</u>	<u>Year of Levy</u>	<u>An Amount Sufficient to Produce the Sum of:</u>
2018	\$695,437	2024	\$760,421
2019	\$705,869	2025	\$771,828
2020	\$716,457	2026	\$783,405
2021	\$727,204	2027	\$795,156
2022	\$738,112	2028	\$807,083
2023	\$749,184	2029	\$819,190

WHEREAS, by the terms of said Bond Ordinance, there was levied upon the taxable property in Special Service Area Number 2001-2 in the Village, in each of the years 2018 through 2029, a direct annual special tax sufficient for the purpose of paying interest and principal on the Bonds and to pay administrative expenses of Special Service Area Number 2001-2 as follows:

<u>Year of Levy</u>	<u>An Amount Sufficient to Produce the Sum of:</u>	<u>Year of Levy</u>	<u>An Amount Sufficient to Produce the Sum of:</u>
2018	\$903,040	2024	\$1,016,970
2019	\$921,101	2025	\$1,037,309
2020	\$939,523	2026	\$1,058,055
2021	\$958,313	2027	\$1,079,217
2022	\$977,480	2028	\$1,100,801
2023	\$997,029	2029	\$1,122,817

WHEREAS, by the terms of said Bond Ordinance, there was levied upon the taxable property in Special Service Area Number 2001-3 in the Village, in each of the years 2018 through 2029, a direct annual special tax sufficient for the purpose of paying interest and

principal on the Bonds and to pay administrative expenses of Special Service Area Number 2001-3, as follows:

<u>Year of Levy</u>	<u>An Amount Sufficient to Produce the Sum of:</u>	<u>Year of Levy</u>	<u>An Amount Sufficient to Produce the Sum of:</u>
2018	\$1,171,004	2024	\$1,280,426
2019	\$1,188,569	2025	\$1,299,632
2020	\$1,206,397	2026	\$1,319,127
2021	\$1,224,493	2027	\$1,338,914
2022	\$1,242,861	2028	\$1,358,998
2023	\$1,261,504	2029	\$1,379,383

WHEREAS, by the terms of said Bond Ordinance, there was levied upon the taxable property in Special Service Area Number 2002-1 in the Village, in each of the years 2018 through 2030, a direct annual special tax sufficient for the purpose of paying interest and principal on the Bonds and to pay administrative expenses of Special Service Area Number 2002-1, as follows:

<u>Year of Levy</u>	<u>An Amount Sufficient to Produce the Sum of:</u>	<u>Year of Levy</u>	<u>An Amount Sufficient to Produce the Sum of:</u>
2018	\$1,766,648	2025	\$1,960,706
2019	\$1,793,148	2026	\$1,990,116
2020	\$1,820,045	2027	\$2,019,968
2021	\$1,847,346	2028	\$2,050,267
2022	\$1,875,056	2029	\$2,081,021
2023	\$1,903,182	2030	\$2,112,237
2024	\$1,931,730		

WHEREAS, the Mayor and the Board of Trustees of the Village have determined, after taking into account the prepayment of Special Tax by property owners in the Special Service Areas, that the Village has \$1,038,540 on deposit and unencumbered in the Bond and Interest Fund at September 30, 2019, and that said amounts with earnings to be received thereto and the projected earnings on the Reserve Fund prior to March 1, 2020 amounting to \$0.00 are expected

to be insufficient for the purpose of paying principal and interest maturing on the Bonds and administrative expenses of the Special Service Areas to and including March 1, 2020; and

WHEREAS, the Mayor and the Board of Trustees of the Village of Bolingbrook have determined that it is advisable and in the best interest of said Village that the annual direct special tax heretofore levied by said Bond Ordinance for the 2019 levy year on the taxable property in the Special Service Areas for the purpose of paying interest and principal on the Bonds and making a deposit in the Administrative Expense Fund be abated in the aggregate amount of \$1,338,292.09, producing an aggregate net levy in the amount of \$3,270,394.71 for 2019, which equals the Special Tax Requirement within the meaning of Section 6.2(b) of the Indenture under which the Bonds were issued, which abatement shall be allocated to each Special Service Area as follows: (a) \$200,351.20 shall be abated in Special Service Area Number 2001-1, producing a net levy in such Special Service Area in the amount of \$505,517.60 for 2019; (b) \$270,139.82 shall be abated in Special Service Area Number 2001-2, producing a net levy in such Special Service Area in the amount of \$650,961.18 for 2019; (c) \$340,953.00 shall be abated in Special Service Area Number 2001-3, producing a net levy in such Special Service Area in the amount of \$847,616.00 for 2019; and (d) \$526,848.07 shall be abated in Special Service Area Number 2002-1, producing a net levy in such Special Service Area in the amount of \$1,266,299.93 for 2019.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE BOARD OF TRUSTEES OF THE VILLAGE OF BOLINGBROOK, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, AS FOLLOWS:

SECTION ONE: That the direct annual special tax heretofore levied on all taxable property in the Special Service Areas for the year 2019 by the Bond Ordinance to pay the

principal and interest on the Bonds authorized to be issued under the said Bond Ordinance and to pay Administrative Expenses of the Special Service Areas be abated in the amount of \$1,338,292.09, thereby producing a net levy in the amount of \$3,270,394.71 for 2019, which is approved as the Special Tax Requirement for the Bonds.

SECTION TWO: That forthwith upon the passage of this Ordinance, a copy hereof duly certified by the Clerk of said Village shall be filed with the County Clerk of Will County, Illinois.

SECTION THREE: That this Ordinance shall be in full force and effect from and after its passage, approval and publication, in pamphlet form, in the manner provided by law.

PASSED THIS ____ DAY OF DECEMBER, 2019.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED THIS ____ DAY OF DECEMBER, 2019.

Roger C. Claar
Mayor

ATTEST:

Carol S. Penning
Village Clerk

PUBLISHED BY THE VILLAGE CLERK, IN PAMPHLET FORM, BY THE AUTHORITY OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF BOLINGBROOK, ON DECEMBER __, 2019.

PUBLISHED IN PAMPHLET FORM FOR THE FOLLOWING:

ORDINANCE NO. 19-

TITLED:

AMENDING CHAPTERS 2.13 AND 19 OF THE MUNICIPAL CODE REGARDING
ADMINISTRATION OF THE EXECUTIVE DEPARTMENT

VILLAGE CLERK
VILLAGE OF BOLINGBROOK



ORDINANCE NO. 19-

**ORDINANCE AMENDING CHAPTERS 2, 13 AND 19 OF THE MUNICIPAL CODE
REGARDING ADMINISTRATION OF THE EXECUTIVE DEPARTMENT**

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois provides that any municipality which has a population of more than 25,000 is a home rule unit, and the Village of Bolingbrook, Will and DuPage counties, Illinois, with a population in excess of 25,000 is, therefore, a home rule unit and, pursuant to the provisions of said Section 6(a) of Article VII, may exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt; and

WHEREAS, the Mayor and Board of Trustees believe and hereby declare that it is in the best interests of the Village to amend the provisions of the Municipal Code relating to administration of the Executive Department.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF BOLINGBROOK, WILL AND DU PAGE COUNTIES, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, AS FOLLOWS:

SECTION ONE: The foregoing recitals are hereby incorporated in this Section One as if said recitals were fully set forth herein.

SECTION TWO: Section 2-105 of Chapter 2, Article 1, of the Municipal Code of the Village of Bolingbrook shall be and is hereby amended in its entirety to read as follows:

Section 2-105. SALARY AND BENEFITS. 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) Thirty-five thousand (\$35,000) commencing April 13th, 2021, commencing May 1, 2021 and every May 1st thereafter the shall be by amount of price under (CPI) as established by the U.S. Bureau of Labor Statistics for the prior calendar year.

(B) The Mayor's salary shall be specified annually in the Village budget and shall be due and payable biweekly, along with other Village employees unless otherwise especially provided by Village ordinance.

SECTION THREE: Section 2-202 of Chapter 2, Article 2, of the Municipal Code of the Village of Bolingbrook shall be and is hereby amended in its entirety to read as follows:

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 2021, shall receive as compensation the sum of \$16,625 per year. Beginning on April 13, 2021 and on each May 1 thereafter, the annual salary of the Trustees shall be increased by CPI as established by the U.S. Bureau of Labor Statistics, as a cost of living allowance, from the prior year's annual salary.

SECTION FOUR: Section 2-301 of Chapter 2, Article 3, of the Municipal Code of the Village of Bolingbrook shall be and is hereby amended in its entirety to read as follows:

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 2021, the Village Clerk shall receive \$23,969.00 per year. Beginning on April 13, 2021 and on each May 1st thereafter, the annual salary of the Village Clerk shall be increased by CPI as established by the U.S. Bureau of Labor Statistics, 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.

SECTION FIVE: Section 13-102 of Chapter 13, Article 1, of the Municipal Code of the Village of Bolingbrook shall be and is hereby amended in its entirety to read as follows:

Section 13-102. LOCAL LIQUOR CONTROL COMMISSIONER. The Mayor is hereby authorized and designated to be the Local Liquor Control Commissioner and shall be charged with the administration of the applicable provisions of the Illinois Liquor Control Act and the provisions of this Chapter 13, as well as such ordinances and resolutions relating to alcoholic liquor as may be enacted. The Local Liquor Control Commissioner may establish rules and regulations herewith to aid in the administration of this Chapter 13 and to effectuate the purposes established herein.

The Mayor may appoint a person or persons, or any committee or other agency, to assist him in the exercise of the powers and the performance of the duties provided for Local Liquor Control Commissioner.

There shall be no additional compensation or salary for the Liquor Control Commissioner, these duties shall be included in the duties of the Mayor.

SECTION SIX: Subsection (M) of Section 19-901 of Chapter 19, Article 9, of the Municipal Code of the Village of Bolingbrook shall be and is hereby in its entirety to read as follows:

(M) Tobacco Commissioner

The Mayor or his designee is hereby authorized and designated to be the Tobacco Commissioner and shall be charged with the administration of the applicable provisions of this Chapter 19 and of Chapter 9, Article 3, as well as such ordinances and resolutions relating to tobacco as may be enacted. The Tobacco Commissioner may establish rules and regulations herewith to aid in the administration of the applicable provisions of this Chapter 19 and to effectuate the purposes established herein.

There shall be no additional compensation or salary of for the Tobacco Commissioner, these duties shall be included in those of the Mayor.

SECTION SEVEN: All other terms and conditions in Chapters 2, 13 and 19 of the Municipal Code of the Village of Bolingbrook which are not specifically amended by this Ordinance are hereby ratified and affirmed and shall remain in full force and effect.

SECTION EIGHT: All ordinances or resolutions, or parts thereof, which conflict with the provisions of this Ordinance are, to the extent of such conflict, expressly repealed.

SECTION NINE: This ordinance shall take effect after its approval in the manner provided by law and shall be implemented effective April 13, 2021. The executive compensation set by Ordinance No. 04-127 shall remain in effect through April 12, 2021.

ADOPTED THIS 17th day of December, 2019.

AYES:

NAYS:

ABSENT:

ABSTENTIONS:

APPROVED THIS 17th day of December 2019

PUBLISHED BY THE VILLAGE CLERK, IN PAMPHLET FORM, BY AUTHORITY OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF BOLINGBROOK ON DECEMBER __ 2019.

PUBLISHED IN PAMPHLET FORM FOR THE FOLLOWING:

ORDINANCE 19-

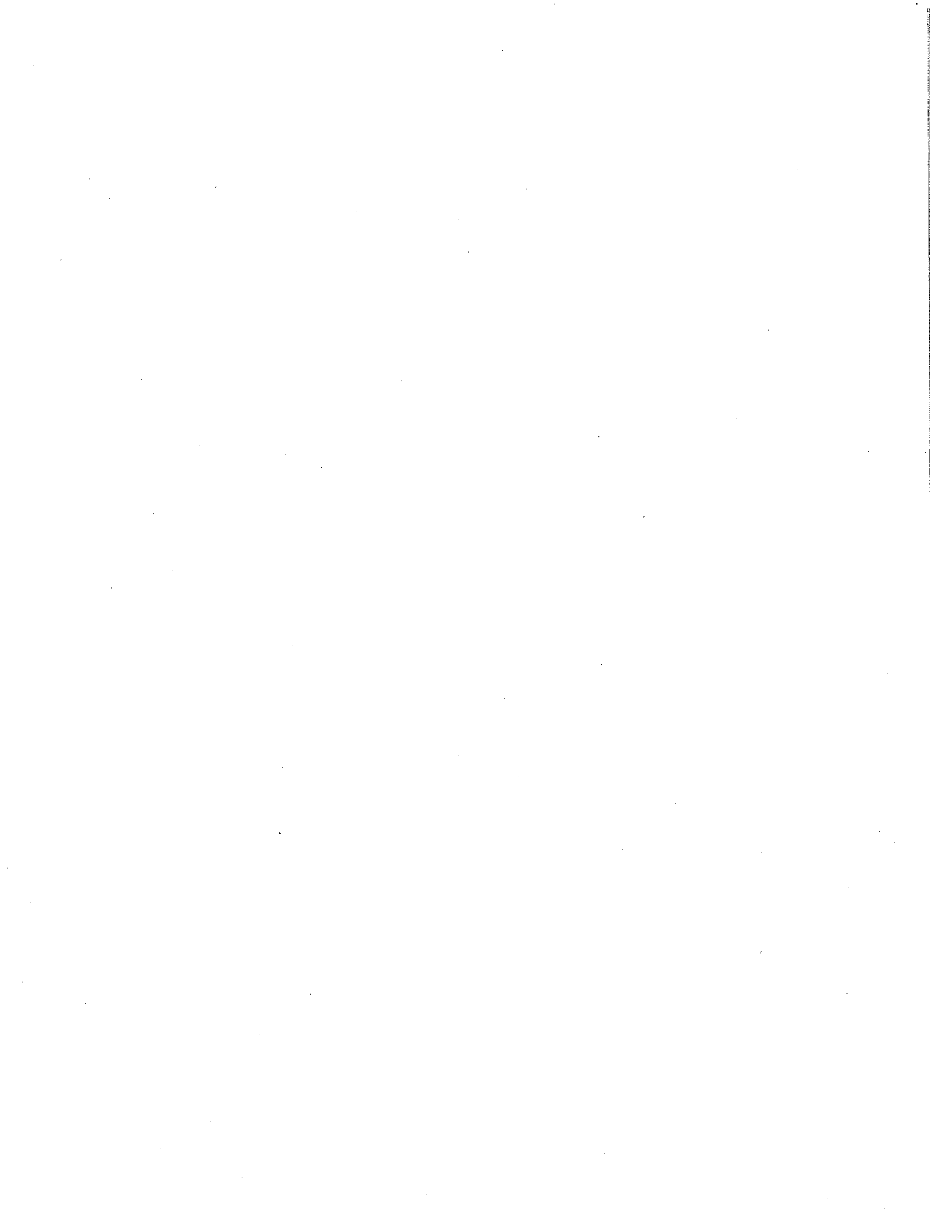
TITLED:

ORDINANCE AMENDING CHAPTER 19 PUBLIC SAFETY, MORALS, AND
WELFARE OF THE MUNICIPAL CODE OF THE VILLAGE OF BOLINGBROOK TO
COMPLY WITH THE CANNABIS REGULATION AND TAX ACT

VILLAGE CLERK
VILLAGE OF BOLINGBROOK

PREPARED BY & MAIL TO:

VILLAGE CLERK'S OFFICE
VILLAGE OF BOLINGBROOK
375 W. BRIARCLIFF RD.
BOLINGBROOK, IL 60440



ORDINANCE NO. _____

ORDINANCE AMENDING CHAPTER 19 PUBLIC SAFETY, MORALS, AND WELFARE OF THE MUNICIPAL CODE OF THE VILLAGE OF BOLINGBROOK TO COMPLY WITH THE CANNABIS REGULATION AND TAX ACT

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois provides that any municipality which has a population of more than 25,000 is a home rule unit, and the Village of Bolingbrook, Will and DuPage counties, Illinois, with a population in excess of 25,000 is, therefore, a home rule unit and, pursuant to the provisions of said Section 6(a) of Article VII, may exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations [that pertain to its government and affairs and] that protect the public health, safety and welfare of its citizens; and

WHEREAS, this Ordinance is adopted pursuant to the provisions of the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/1 et. seq., which has amended the State laws regarding the possession and use of cannabis; and

WHEREAS, the Mayor and Village Board of Trustees find it to be in the best interest of the health, safety, and welfare of the Village to enact regulations regarding the possession and use of cannabis.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Bolingbrook, by and through its home rule powers, as follows:

SECTION ONE: Recitals. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

SECTION TWO: Section 19-902: "POSSESSION OF CANNABIS" of ARTICLE 9: "CANNABIS, SMOKING MATERIALS AND ALCOHOL" is hereby amended by eliminating the stricken language and adding the following new underlined language to read, as follows:

Section 19-902. POSSESSION AND USE OF CANNABIS. ~~(Amended in its entirety by Ordinance 16-080, 09.13.16)~~

~~(A) It is unlawful for any person knowingly to possess cannabis.~~

~~(B) As used in this Article, unless the context otherwise requires, cannabis is defined as and includes the following:~~

~~Marijuana, hashish, and other substances which are identified as including any~~

~~parts of the plant Cannabis Sativa, whether growing or not, the seeds thereof, the resin extracted from any part of the plant; and any compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, or resin, including tetrahydrocannabinol (THC) and all other cannabinol derivatives, including its naturally occurring or synthetically produced ingredients, whether produced directly or indirectly by extraction, or independently by means of chemical synthesis or by a combination of the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom) fiber, oil or cake, or the sterilized seed of such plant which is incapable of germination.~~

(A) DEFINITIONS

ADVERTISE: To engage in promotional activities including, but not limited to, newspaper, radio, internet and electronic media, and television advertising, the distribution of fliers and circulars, billboard advertising, and the display of window and interior signs.

CANNABIS: Marijuana, hashish, and other substances that are identified as including any parts of the plant Cannabis sativa and including derivatives or subspecies, such as indica, of all strains of cannabis, whether growing or not; the seeds thereof, the resin extracted from any part of the plant; and any compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin, including tetrahydrocannabinol (THC) and all other naturally produced cannabinol derivatives, whether produced directly or indirectly by extraction; however, "cannabis" does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted from it), fiber, oil, or cake, or the sterilized seed of the plant that is incapable of germination. "Cannabis" does not include industrial hemp as defined and authorized under the Industrial Hemp Act. "Cannabis" also means cannabis flower, concentrate and cannabis infused products.

CANNABIS CONCENTRATE: A product derived from cannabis that is produced by extracting cannabinoids, including tetrahydrocannabinol (THC) from the plant through the use of propylene glycol, glycerin, butter, olive oil or other typical cooking fats; water, ice, or dry ice; or butane, propane, CO2, ethanol, or isopropanol and with the intended use of smoking or making a cannabis-infused product. The use of any other solvent is expressly prohibited unless and until it is approved by the Department of Agriculture.

CANNABIS CONTAINER: A sealed, traceable, container, or package used for the purpose of containment of cannabis or cannabis-infused product during transportation.

CANNABIS FLOWER: Marijuana, hashish, and other substances that are identified as including any parts of the plant Cannabis sativa and including derivatives or subspecies, such as indica, of all strains of cannabis; including raw kief, leaves, and buds, but not resin that has been extracted from any part of such plant; nor any compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, or resin.

CANNABIS-INFUSED PRODUCT: A beverage, food, oil, ointment, tincture, topical formulation, or another product containing cannabis that is not intended to be smoked.

CANNABIS PARAPHERNALIA: Equipment, products and materials which are intended to be used for planting, propagating, cultivating, growing, harvesting, manufacturing, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, ingesting, or otherwise introducing cannabis into the human body.

ENCLOSED, LOCKED SPACE: A closet, room, greenhouse, building, or other enclosed area equipped with locks or other security devices that permit access only by authorized individuals under this Act. "Enclosed, locked space" may include:

- (1) A space within a residential building that is the primary residence of the individual cultivating 5 or fewer cannabis plants that are more than 5 inches tall and includes sleeping quarters and indoor plumbing and is only accessible by a key or code that is different from any key or code that can be used to access the residential building from the exterior; or
- (2) A structure, such as a shed or greenhouse, that lies on the same plot of land as a residential building that includes sleeping quarters and indoor plumbing and is used as a primary residence by the person cultivating 5 or fewer cannabis plants that are more than 5 inches tall. The structure must remain locked when it is unoccupied by people.

MINOR: Any individual under the age of twenty-one (21) years old.

PERSON: A natural individual, firm, partnership, association, joint stock company, joint venture, public or private corporation, limited liability company, or a receiver, executor, trustee, guardian, or other representative appointed by order of any court.

PUBLIC PLACE: Any place where a person could reasonably be expected to be observed by others. "Public Place" includes all parts of buildings, parks, recreation areas, wildlife areas, or playgrounds owned in whole or in part, leased, or managed by the State or a unit of local government. Public Place does not include a private

residence unless the private residence is used to provide licensed child care, foster care, or other similar social service care on the premises.

(B) POSSESSION LIMITS

- (1) It shall be unlawful for an Illinois resident over the age of 21 to possess any amount greater than:
 - i. 30 grams of cannabis flower;
 - ii. 5 grams of cannabis concentrate;
 - iii. 500 milligrams of THC contained in cannabis-infused products

- (2) It shall be unlawful for a non-resident over the age of 21 to possess any amount greater than:
 - i. 15 grams of cannabis flower;
 - ii. 2.5 grams of cannabis concentrate;
 - iii. 250 milligrams of THC contained in a cannabis infused product.

- (3) It shall be unlawful for any person to knowingly obtain, seek to obtain, or possess an amount of cannabis from a dispensing organization or craft grower that would cause him or her to exceed the possession limit under this Section, including cannabis that is cultivated by a person under this Act or obtained under the compassionate use of medical cannabis act.

(C) Possession with Intent. It shall be unlawful for any person not licensed by the State of Illinois to knowingly manufacture, deliver, or possess with the intent to deliver or manufacture, any amount of cannabis.

(D) Possession of Cannabis by a Minor. It shall be unlawful for a person who is under 21 years of age to possess any amount of cannabis, unless he or she is a qualified patient under the Compassionate Use of Medical Cannabis Act.

(E) Possession of Cannabis Paraphernalia by a Minor. It shall be unlawful for a person who is under 21 years of age to possess cannabis paraphernalia, unless he or she is a qualified patient under the Compassionate Use of Medical Cannabis Act.

(F) Transfer to Minor. It shall be unlawful for any person to facilitate a minor in purchasing, possessing, using, processing, transporting, growing, or consuming cannabis or cannabis paraphernalia except where authorized by the Compassionate Use of Medical Cannabis Act or by the Community College Cannabis Vocational Pilot Program.

(G) Unlawful Possession and Use of Cannabis. It shall be unlawful for any person to possess or use cannabis in the following places:

- (1) A school bus, unless permitted for a qualifying patient or caregiver pursuant to the compassionate use of medical cannabis program act.
- (2) On the grounds of any preschool or primary or secondary school, unless permitted for a qualifying patient or caregiver pursuant to the compassionate use of medical cannabis program act.
- (3) In any correctional facility.
- (4) In a private residence that is used at any time to provide licensed child care, or other similar social service care on the premises.

(H) Unlawful Use of Cannabis- Motor Vehicle. It shall be unlawful for any person to use cannabis within the passenger area of any motor vehicle upon a highway of this State.

(I) Unlawful Possession of Cannabis- Motor Vehicle. It shall be unlawful for any person to possess cannabis within any area of any motor vehicle upon a highway in this State, except in a sealed, odor-proof, child-resistant cannabis container which is reasonably inaccessible while the vehicle is moving.

(J) Unlawful Use of Cannabis- Public Place. It shall be unlawful for any person to use cannabis in any public place.

(K) Unlawful Use of Cannabis- Near Minor. It shall be unlawful for any person to use cannabis while he or she is knowingly in close physical proximity to anyone under 21 years of age who is not a registered medical cannabis patient under the Compassionate Use of Medical Cannabis Act.

(L) Unlawful Use of Cannabis- Private Property. It shall be unlawful for a person, guest, client, lessee, customer, or visitor to use cannabis on any property, including on land owned in whole or in part or managed in whole or in part by the Village or the State, and including areas where motor vehicles are parked, without the permission of the business or lawful possessor of the property.

(M) Unlawful Smoking of Cannabis. It shall be unlawful for any person to smoke cannabis in a place where smoking is prohibited under the Smoke Free Illinois Act.

(N) Cannabis Cultivation Restrictions. It shall be unlawful for an individual to cultivate cannabis plants unless they are licensed by the State or a registered qualifying patient over of the Compassionate Use of Medical Cannabis Act.

(O) Cannabis Home-Grow Restrictions. It shall be unlawful for a registered qualifying patient of the Compassionate Use of Medical Cannabis Act to cultivate cannabis plants:

- (1) Outside an enclosed locked space.
- (2) That are not for personal use.
- (3) If the individual is under the age of twenty-one (21) years old.
- (4) In excess of five (5) plants that are more than five (5) inches tall.
- (5) In a location where they are subject to ordinary public view.
- (6) On nonresidential property.
- (7) Without the consent of the lawful owner of the property.

(P) Cannabis Home-Grow Sales Prohibited. It shall be unlawful for a registered qualifying patient under the Compassionate Use of Medical Cannabis Act to sell, transfer, or gift any home-grown cannabis as authorized under this section and the Act.

(Q) Advertising Restrictions.

- (1) It shall be unlawful for any person or entity to engage in advertising that is false or misleading, promotes overconsumption of cannabis or cannabis products, depicts the actual consumption of cannabis or cannabis products, depicts a person under 21 years of age consuming cannabis, makes any health, medicinal, or therapeutic claims about cannabis or cannabis infused products, includes the image of a cannabis leaf or bud, includes any image designed or likely to appeal to minors, including cartoons, toys, animals, or children or any other likeness to images, characters, or phrases that is designed in any manner to be appealing to or encourage consumption by persons under 21 years of age.
- (2) It shall be unlawful for or any person or entity to place or maintain an advertisement of cannabis or a cannabis infused product in any form or through any medium:

- i. Within 1000 feet of the perimeter of school grounds, a playground, a recreation center or facility, a child care center, a public park or public library, or a game arcade.
- ii. On or in a public transit vehicle or public transit shelter.
- iii. On or in publicly owned or publicly operated property.

(R) Any person convicted of a violation of any of the provisions of this ordinance shall be fined ~~Seven Hundred and Fifty Dollars (\$750.00)~~ Two Hundred and Fifty Dollars (\$250.00) as a civil penalty for each offense. Upon satisfaction of the penalty, records relating to the violation shall be expunged in the manner provided by law.

(S) Penalty for Violation by a Minor. For violations of this Section 19-902 by a minor, the penalty shall be a fine of ~~Seven Hundred and Fifty Dollars (\$750.00)~~ Two Hundred and Fifty Dollars (\$250.00) and may further include either (i) successful completion of the Village of Bolingbrook Impact Program or (ii) a period of community service of not less than thirty (30) hours. The penalty for this offense shall be a civil penalty and, upon satisfaction of the penalty, records relating to the violation shall be expunged in the manner provided by law.

SECTION THREE: ARTICLE 14: "DRUG PARAPHERNALIA" is hereby amended by eliminating the stricken language and adding the underlined language as follows:

ARTICLE 14 -- DRUG PARAPHERNALIA (~~Enacted by Ordinance 96-108, 08.27.96~~)

SECTION 19-1401. Definitions. For the purpose of this Article, the following terms and phrases shall have the meanings hereinafter ascribed to them:

(A) CANNABIS shall have the meaning ascribed to it in Section 3 of the "~~Cannabis Control Act,~~ 19-902(A) of this Code as now existing or hereafter amended, as if that definition were fully set forth herein.

(B) CONTROLLED SUBSTANCE shall have the meaning ascribed to it in Section 102 of the Illinois Controlled Substance Act, as now existing or hereafter amended, as if that definition were fully set forth herein.

(C) DELIVER or DELIVERY shall mean the actual, constructive or attempted transfer of possession, with or without consideration, whether or not there is an agency relationship.

(D) DRUG PARAPHERNALIA means all equipment, products and materials of any kind which are peculiar to and marketed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing,

preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body ~~cannabis or a~~ controlled substance in violation of the "~~Cannabis Control Act~~" or the "Illinois Controlled Substances Act," as now existing or hereafter amended. It includes but is not limited to:

- (1) Kits peculiar to and marketed for use in manufacturing, compounding, converting, producing, processing or preparing ~~cannabis or a~~ controlled substance;
- (2) Isomerization devices peculiar to and marketed for use in increasing the potency of any species of plant which is ~~cannabis or a~~ controlled substance;
- (3) Testing equipment peculiar to and marketed for private home use in identifying or analyzing the strength, effectiveness or purity of ~~cannabis or a~~ controlled substance;
- (4) Diluents and adulterants peculiar to and marketed for cutting ~~cannabis or a~~ controlled substance by private persons;
- (5) Objects peculiar to and marketed for use in ingesting, inhaling, or otherwise producing ~~cannabis, cocaine hashish, or hashish oil~~ into the human body, including, where applicable, the following items:
 - (a) ~~water pipes;~~
 - (b) ~~carburetion tubes and devices;~~
 - (c) ~~smoking and carburetion masks;~~
 - (d) miniature cocaine spoons and cocaine vials;
 - (e) ~~carburetor pipes;~~
 - (f) ~~electric pipes;~~
 - (g) ~~air-driven pipes;~~
 - (h) ~~chillums;~~
 - (i) ~~bongs;~~
 - (j) ~~ice pipes or chillers;~~
- (6) Any item whose purpose, as announced or described by the seller, is for use in violation of this Article.

In determining whether or not a particular item is drug paraphernalia under this subsection, the trier of fact should consider, in addition to all other logically relevant factors, the following:

- (1) The general, usual, customary, and historical use to which the item involved has

been put;

- (2) Expert evidence concerning the ordinary or customary use of the item and the effect of any peculiarity in the design or engineering of the device upon its functioning;
- (3) Any written instructions accompanying the delivery of the item concerning the purposes or uses to which the item can or may be put;
- (4) Any oral instructions provided by the seller of the item at the time and place of sale or commercial delivery;
- (5) Any national or local advertising, concerning the design, purpose or use of the item involved, and the entire context in which such advertising occurs;
- (6) The manner, place and circumstances in which the item was displayed for sale, as well as any item or items displayed for sale or otherwise exhibited upon the premises where the sale was made;
- (7) Whether the owner or anyone in control of the object is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products;
- (8) The existence and scope of legitimate uses for the object in the community.

SECTION 19-1402. UNLAWFUL POSSESSION OR SALE OF ILLEGAL DRUG PARAPHERNALIA.

(Changed in its entirety by Ordinance 16-080, 09.13.16)

- (A) It shall be unlawful for any person to knowingly possess an item of illegal drug paraphernalia with the intent to use it ingesting, or otherwise introducing ~~cannabis~~ or a controlled substance into the human body, or in preparing ~~cannabis~~ or a controlled substance purpose. In determining intent under this subsection, the trier of fact may take into consideration the proximity of the ~~cannabis~~ or controlled substance to drug paraphernalia or the presence of ~~cannabis~~ or a controlled substance on the drug paraphernalia.
- (B) A person who violates any provision or provisions of this Ordinance, upon conviction, shall be fined seven hundred and fifty dollars (\$750.00) as a civil penalty. Each day of the violation shall be considered a separate offense. Upon satisfaction of the penalty, records relating to the violation shall be expunged in the manner provided by law.
- (C) It shall be unlawful for any person to keep for sale, offer for sale, sell, or deliver for commercial consideration any item of illegal drug paraphernalia. The penalty for violation of this subsection shall be one thousand dollars (\$1,000.00) for each such offense.

SECTION 19-1403. EXEMPTIONS. This Article shall not apply to:

- (A) Items marketed for use in the preparation, compounding, packaging, labeling,

or other use of cannabis or a controlled substance as an incident to lawful research, teaching, or chemical analysis and not for sale; or

(B) Items marketed for, or historically and customarily used in connection with the planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, or inhaling of tobacco or any other lawful substances. Items exempt under this subsection include, but are not limited to, garden hoes, rakes, sickles, baggies, tobacco pipes, and cigarette rolling papers.

(C) Items listed in Section 19-1401(D) of this Article which are marketed for decorative purposes, when such items have been rendered completely inoperable or incapable or being used for any illicit purpose prohibited by this Article.

(D) Items that are cannabis paraphernalia, as defined in 19-902(A) above, if possessed or used by an individual over the age of twenty-one (21) years old.

SECTION FIVE: Severability. If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Ordinance.

SECTION SIX: Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

ADOPTED THIS _____ day of December, 2019.

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

APPROVED THIS _____ day of December, 2019.

Mayor

ATTEST:

Village Clerk

PUBLISHED IN PAMPHLET FORM FOR THE FOLLOWING:

ORDINANCE 19-

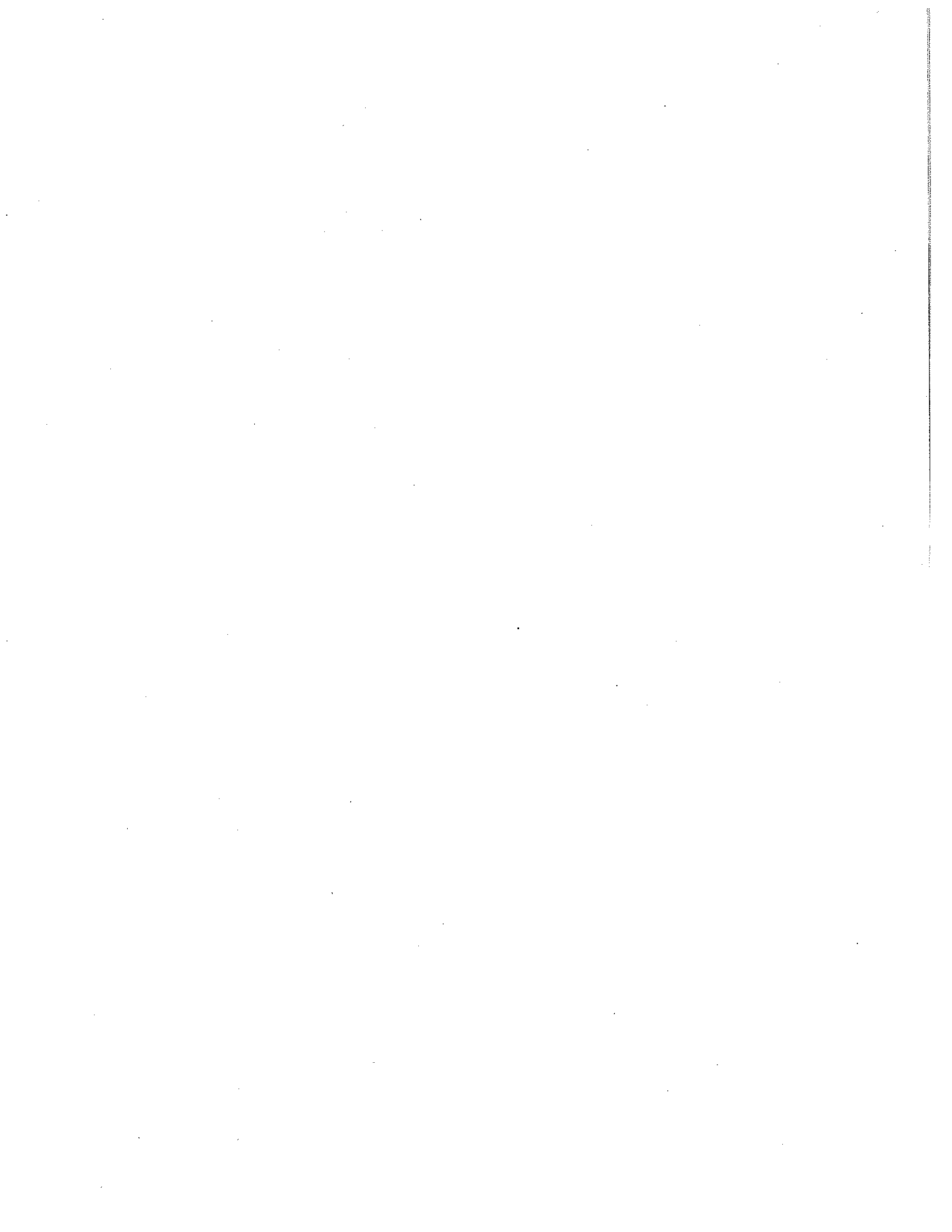
TITLED:

AMENDING PERSONNEL MANUAL OF THE VILLAGE REGARDING COMPLIANCE
WITH THE CANNABIS REGULATION AND TAX ACT

VILLAGE CLERK
VILLAGE OF BOLINGBROOK

PREPARED BY & MAIL TO:

VILLAGE CLERK'S OFFICE
VILLAGE OF BOLINGBROOK
375 W. BRIARCLIFF RD.
BOLINGBROOK, IL 60440



ORDINANCE NO. 19-

**AMENDING PERSONNEL MANUAL OF THE VILLAGE REGARDING COMPLIANCE
WITH THE CANNABIS REGULATION AND TAX ACT**

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois provides that any municipality which has a population of more than 25,000 is a home rule unit, and the Village of Bolingbrook, Will and DuPage counties, Illinois, with a population in excess of 25,000 is, therefore, a home rule unit and, pursuant to the provisions of said Section 6(a) of Article VII, may exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt; and

WHEREAS, the Mayor and Board of Trustees believe and hereby declare that it is in the best interest of the Village to amend the Personnel Manual of the Village as it relates to compliance with the Cannabis Regulation and Tax Act; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Bolingbrook as follows:

SECTION ONE. The foregoing recitals are hereby incorporated in this Section One as if said recitals were fully set forth herein.

SECTION TWO. Chapter 3, page 11 and Chapter 5, page 35 of the Personnel Manual of the Village of Bolingbrook shall be and is hereby amended by deleting the stricken language and adding the new highlighted language as set forth in Exhibit 1, which is attached hereto and made a part hereof.

SECTION THREE. All other terms and conditions in Chapters 3 and 5 of the Personnel Manual which are not specifically amended by this Ordinance are hereby ratified and affirmed and shall remain in full force and effect.

SECTION FOUR. All ordinances or resolutions, or parts thereof, in conflict with the provisions of this Ordinance and the policies adopted hereby are, to the extent of such conflict, expressly repealed.

SECTION FIVE. This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

ADOPTED THIS 17TH DAY OF DECEMBER, 2019.

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

APPROVED THIS 17TH DAY OF DECEMBER, 2019.

Mayor

ATTEST:

Village Clerk

PUBLISHED BY THE VILLAGE CLERK, IN PAMPHLET FORM, BY AUTHORITY OF
THE CORPORATE AUTHORITIES OF THE VILLAGE OF BOLINGBROOK ON
DECEMBER _____, 2019.

JOB POSTINGS

Notice of budgeted position vacancies shall be posted on bulletin boards at Village Hall for not less than seven (7) calendar days. Such notice shall state the position, classification and the rate of pay for the job.

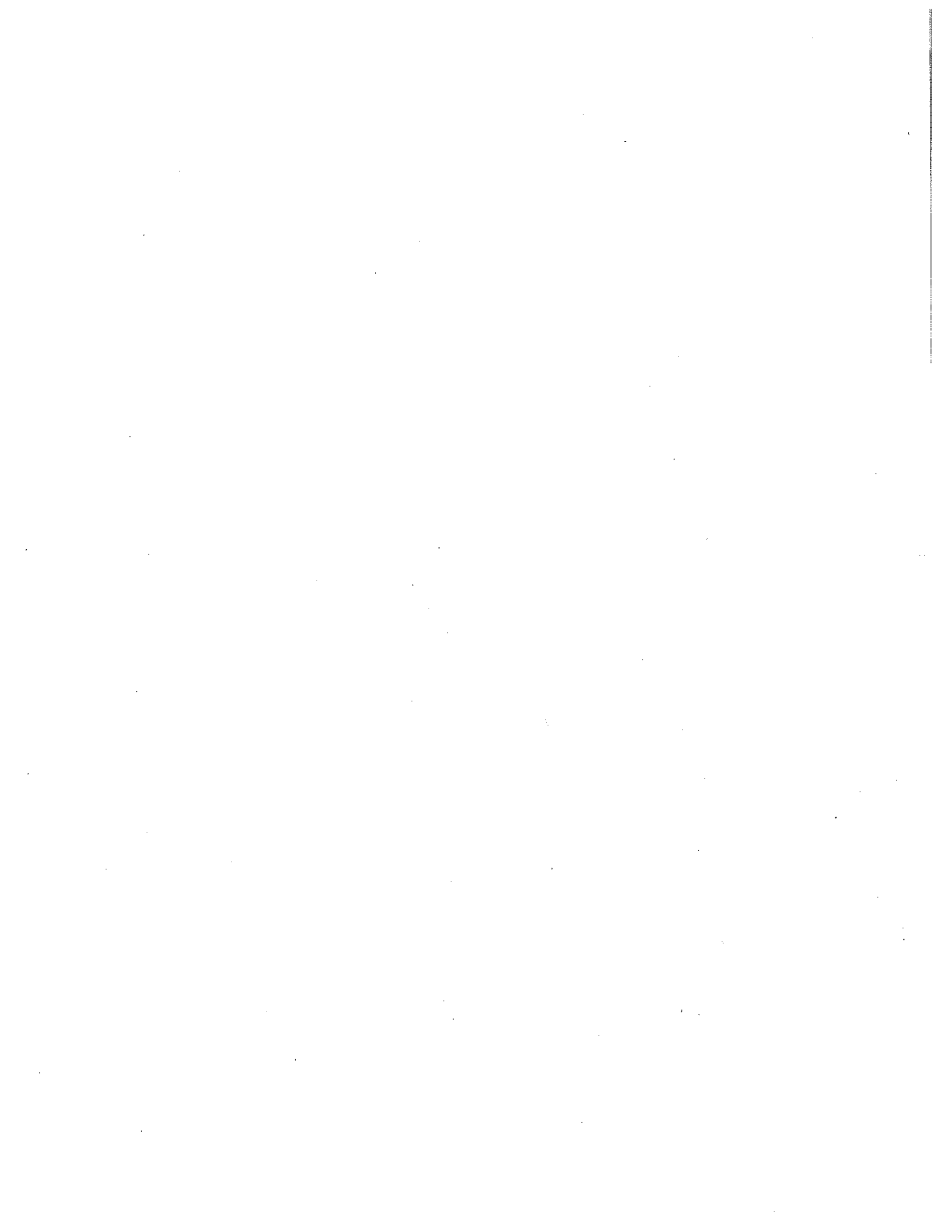
Any employee may apply for such a posted position. If no qualified employee applies for such a position within seven (7) calendar days, the Village may advertise for outside applicants. If a qualified employee submits an application, an employee will be selected over an outside applicant, unless such applicant possesses demonstrably greater skill and ability.

HIRING PROCEDURES

General Employees

The following hiring procedure shall be utilized to assure the hiring of qualified personnel:

1. All budgeted positions will be posted for not less than seven (7) calendar days. Any employee may apply for the position within the seven days. If no qualified employee applies, the Village may advertise for outside applicants.
2. Applications - All candidates for employment must complete the standard application form and furnish complete information relative to residence, training, experience, references, and other pertinent information as required. The application shall be the initial test of applicant qualifications and may serve as a sufficient basis for rejection.
3. Evaluation - All applications will be evaluated to determine completeness and accuracy. Any application that is incomplete, inaccurate, or falsely misrepresents the qualifications of the applicant may be rejected by the appointment authority.
4. Testing - Applicants determined to be initially acceptable for further consideration may be scheduled for employment tests. (Applicants may be required to take a drug, polygraph and/or psychological exam to qualify for Village employment.)
5. Interviews - Applicants satisfactorily completing the testing procedure will be interviewed in person by the Department Director or his designee. Emphasis at this step of the selection procedure is placed on personal qualities such as personality, tact, disposition, attitudes, oral or written communication skills, and other pertinent characteristics and skills not revealed or evidenced in preceding steps.
6. Background Check - All applicants will be subjected to a background investigation including checking of references and previous places of employment.
7. Appointment - Prior to extending an offer of appointment, the Department Director must have the prior written approval of the Mayor.
8. Physical Standards - Applicants for employment may be given a physical test or medical examination, at the Village's expense, to determine that they meet the



DRUG FREE WORKPLACE POLICY

The Village of Bolingbrook has a strong commitment to its employees to provide a safe work environment. The Village of Bolingbrook expects all employees to report for work in the proper condition to perform their duties. The presence of drugs or alcohol on the job, and the influence of these substances on employees during working hours, is inconsistent with these objectives. The Village's policy with respect to drugs and alcohol is as follows:

1. The illegal use, sale, or possession of narcotics, drugs or controlled substances, including but not limited to, marijuana, cocaine, PCP, heroin, LSD, amphetamines, and barbiturates, while on the job or on Village of Bolingbrook property is a dischargeable offense. Any illegal substances may be turned over to the appropriate law enforcement agency and result in criminal prosecution. †
2. The possession, distribution or use of alcoholic beverages by Village employees is prohibited during their working hours. Individuals so found using alcohol will be subject to disciplinary action up to and including discharge.
3. Employees will not be permitted to work while under the influence of drugs or alcohol. Drinking alcoholic beverages during a business lunch is unacceptable conduct. Individuals who appear to be unfit for duty will be relieved from duty and may be requested to take a physical examination at a designated medical facility. Refusal to comply with a physical examination may result in disciplinary action, up to and including discharge.
4. Off-the-job illegal drug use which could adversely affect an employee's job performance, or which could jeopardize the safety of other employees, the public or Village facilities, or where such usage adversely affects the public trust in the ability of the Village of Bolingbrook to carry out its responsibilities, is also cause for disciplinary action, up to and including discharge.
5. Employees who are arrested for off-the-job drug activity may be considered in violation of this policy. In deciding what action to take, the Village of Bolingbrook will take into consideration the nature of the charges, the employee's present assignment, record with the Village and the impact of the employee's arrest on the conduct of the Village's business. The employee must notify the Village within five (5) days of any drug-related criminal conviction.
6. Employees are encouraged to request assistance from the Village of Bolingbrook's Employee Assistance Program (EAP) in dealing with a personal alcohol or drug-related problem. Their employment will not be jeopardized, so long as an approved treatment program is successfully completed and they continue to observe Village policy regarding drugs and alcohol. Contact EAP at (630) 759-9494 or (815) 886-5000.
7. Employees who wish to report drug or alcohol use in violation of this policy should contact the Village Attorney directly. The Village of Bolingbrook will make every effort to protect the anonymity, and such information will be treated in confidence.



ORDINANCE 19-

**ORDINANCE AMENDING CHAPTER 13 OF THE MUNICIPAL CODE
DECREASING CLASS "D-6" FROM ONE (1) TO ZERO (0)
McQ'S – 730 N. BOLINGBROOK DR.**

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois provides that any municipality which has a population of more than 25,000 is a home rule unit, and the Village of Bolingbrook, Will and DuPage Counties, Illinois, with a population in excess of 25,000 is, therefore, a home rule unit and, pursuant to the provisions of said Section 6(a) of Article VII, may exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF BOLINGBROOK, WILL AND DUPAGE COUNTIES, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, AS FOLLOWS:

SECTION ONE: That Section 13-207(p) of Chapter 13 of the Municipal Code of the Village of Bolingbrook is amended by decreasing the number of Class "D-6" licenses from one (1) to zero (0) so that Section 13-207(p) shall hereafter be and read as follows:

Section 13-207. NUMBER OF LICENSES.

- (p) The total number of all Class "D-6" licenses issued and in force at any one time shall not exceed zero (0) such licenses, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "D-6" license shall be issued and in force at any time for each additional 4,500 inhabitants.

SECTION TWO: That this Ordinance shall be in full force and effective immediately upon execution, from and after its passage, approval and publication in pamphlet form, as provided by law.

PASSED THIS 17TH DAY OF DECEMBER, 2019.

AYES:
NAYS:
ABSENT:

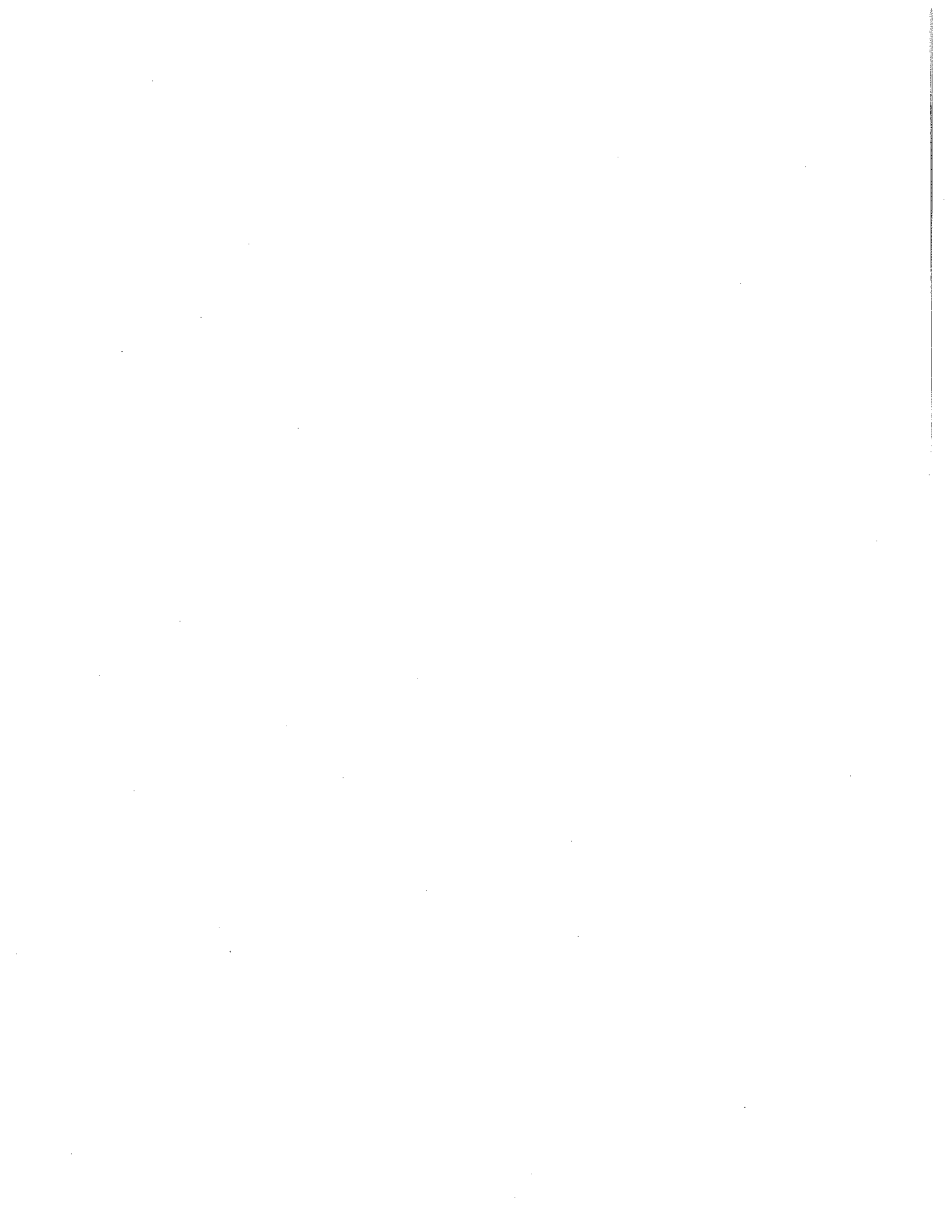
APPROVED THIS 17TH DAY OF DECEMBER, 2019.

ATTEST:

Roger C. Claar
MAYOR

Carol S. Penning, CMC
VILLAGE CLERK

PUBLISHED BY THE VILLAGE CLERK, IN PAMPHLET FORM, BY AUTHORITY OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF BOLINGBROOK ON DECEMBER 18, 2019.



ORDINANCE. 19-

**ORDINANCE AMENDING CERTAIN PROVISIONS OF CHAPTER 13
OF THE VILLAGE OF BOLINGBROOK MUNICIPAL CODE RE
ELIMINATION OF THE OTB LIQUOR LICENSE**

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois provides that any municipality which has a population of more than 25,000 is a home rule unit, and the Village of Bolingbrook, Will and DuPage counties, Illinois, with a population in excess of 25,000 is, therefore, a home rule unit and, pursuant to the provisions of said Section 6(a) of Article VII, may exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt; and

WHEREAS, the Mayor and Board of Trustees believe and hereby declare that it is in the best interest of the Village to amend the provisions of Chapter 13 the Municipal Code with regard to liquor licenses;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF BOLINGBROOK, WILL AND DU PAGE COUNTIES, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, AS FOLLOWS:

SECTION ONE: The foregoing recitals are hereby incorporated in this Section One as if said recitals were fully set forth herein.

SECTION TWO: Section 13-206 of Article 2, of Chapter 13 of the Village of Bolingbrook Municipal Code, shall be and is hereby amended in its entirety and shall hereafter be and read as follows:

SECTION 13-206. CLASSIFICATION AND FEES. A nonrefundable fee of \$300.00 shall apply to each initial application for Class A, B, B-1, C, C-1, C-3, C-4, C-5, C-8, D, D-2, D-4, D-5, D-7, D-8, and F-6 licenses. Liquor licenses shall be and are hereby divided into the following classes with the respective annual fees as indicated:

The initial license fee shall be prorated on a monthly basis if the term of the initial license is for less than one year.

CLASS "A" LICENSES, which shall authorize the retail sale on the premises specified of alcoholic liquor only for consumption on the premises. The annual fee for such license shall be \$4,250.00.

CLASS "B" LICENSES, which shall authorize the retail sale of alcoholic liquor, but not for consumption on the premises where sold. The annual fee for such license shall be \$4,000.00.

CLASS "B-1" LICENSES, which shall authorize the sale of alcoholic liquor only for consumption off the premises at a retail establishment that contains a licensed pharmacy provided that the retail display of alcoholic liquor at the establishment shall be restricted as follows:

- (1) Shelf space shall not exceed 13 feet and shall be located on one side of a single aisle;
- (2) Cooler space shall not exceed 5 feet in width;
- (3) There shall not be more than one regular aisle "end cap", which "end cap" shall not exceed 4 feet in width;
- (4) There shall not be more than one specials aisle "end cap", which "end cap" shall not exceed 2 feet in width;
- (5) Holiday displays shall be allowed outside of the liquor aisle but shall not utilize more than a 4 foot by 4 foot area of floor space in the establishment. The term "holiday displays" shall mean, and be limited to, temporary displays of any alcoholic liquor for a period of time beginning on the weekend before a legal holiday, as recognized by the Village of Bolingbrook, and ending on the day following the legal holiday; and
- (6) The location of alcoholic liquor shelf space, cooler space, regular end cap space, specials end cap space and holiday display space shall further be limited to designated areas as shown on a floor plan of the establishment, which has been approved by the Liquor Commissioner. The annual fee for such license shall be \$3,500.00.

CLASS "C" LICENSES, which shall authorize the retail sale of beer and wine only for consumption on premises. The annual fee for such license shall be \$1,800.00.

CLASS "C-1" LICENSES, which shall authorize the retail sale of beer and wine only for consumption off the premises. The floor area of the portion of the establishment devoted to the sale of beer and wine shall not exceed 15 percent of the total floor area of the retail sales space in such establishment. The annual fee for such license shall be \$2,000.00.

CLASS "C-2" LICENSES, which shall be issued only in addition to and in conjunction with a Class C license and which shall authorize the retail sale of beer and wine only for consumption on the premises of an outdoor cafe where sold and only as a service which is incidental to or accessory to the principal use of the premises for purveying of food. Establishments holding Class "C-2" licenses shall have reduced hours of operation as outlined in Section 13-307 of this Chapter 13 and shall be open only from April 1 through September 30. The annual fee for such license shall be \$1,000.00, which fee shall be in addition to the fee paid for a Class C license.

CLASS "C-3" LICENSES, which shall authorize the retail sale of imported beer and imported wine only for consumption off the licensed premises where sold. As used herein, the terms "imported beer" and "imported wine" mean beer or wine produced by companies whose manufacturing facilities are primarily located outside the United States, i.e., at least 51% of the manufacturing capacity of the producing company is located outside the United States. The annual fee for such license shall be \$1,500.00.

CLASS "C-4" LICENSES, Shall authorize the sale of wine bottles in a restaurant only for consumption off premises, except that wine tasting shall be allowed during normal hours of operation. A price may be set for such tasting. Taxes shall be collected and paid on all revenue realized from wine tasting. It shall be lawful to sell or offer for sale or at retail during the hours that adjoining restaurant is operating. Annual fee: \$1,500

CLASS "C-5" LICENSES, which shall authorize the retail sale of beer and wine for consumption either on the licensed premises or on hotel premises which are immediately adjacent to the licensed premises. The floor area of the portion of the licensed establishment devoted to the sale of beer and wine shall not exceed 25 percent of the total floor area of the retail sales space in such establishment, and no sale of beer or wine shall occur between the hours of 10:00 p.m. and 8:00 a.m. on Sunday through Thursday and between the hours of 11:00 p.m. and 8:00 a.m. on Friday and Saturday. The annual fee for such license shall be \$750.00.

CLASS "C-7" LICENSES, which shall authorize the retail sale of packaged beer and wine only at a Village sanctioned Farmer's Market from June 1 through September 30 in any given year. Sales may only take place no more than once a week for a period of no more than five (5) consecutive hours at one time. The vendor selling beer and/or wine must have a current Illinois State Liquor License and payment of applicable taxes must be made to the State and local liquor authorities. The four (4) month fee for such license shall be \$250.00.

CLASS "C-8" LICENSES, which shall authorize the retail sale in certain specified restaurants of beer and wine only for consumption on the licensed premises where sold. No such license may be granted to or retained by any establishment (a) in which the facilities for food preparation and service are not primarily those of a restaurant and (b) in which not less than 60% of the gross sales receipts are attributable to the sale of food on the licensed premises. Beer and wine may be sold in a restaurant holding a Class "C-8" license only during the period when patrons of the licensee are offered a complete meal. The annual fee for such license shall be \$1,800.00.

CLASS "D" LICENSES, which shall authorize the retail sale of alcoholic beverages only for consumption on the premises where sold and only as a service which is incidental or accessory to the principal use of the premises as a restaurant. The annual fee for such license shall be \$4,000.00.

CLASS "D-1" LICENSES, which shall be issued only in addition to and in conjunction with a Class D license and which shall authorize the retail sale of alcoholic liquor for

consumption on the premises of an outdoor cafe where sold and only as a service which is incidental to or accessory to the principal use of the premises as a restaurant. The annual fee for such license shall be \$1,250.00.

CLASS "D-2" LICENSES, which shall authorize the retail sale in certain specified restaurants of alcoholic liquor only for consumption on the licensed premises where sold. No such license may be granted to or retained by any establishment (a) in which the facilities for food preparation and service are not primarily those of a restaurant and (b) in which not less than 60% of the gross sales receipts are attributable to the sale of food on the licensed premises. Alcoholic liquor may be sold in a restaurant holding a Class D-2 license only during the period when patrons of the licensee are offered a complete meal. The annual fee for such license shall be \$4,000.00.

CLASS "D-4" LICENSES, which shall authorize the retail sale of alcoholic liquor for consumption on the licensed premises as an adjunct to meals served. The licensee shall also be permitted to maintain facilities on premises for the manufacture of beer, to make sales of the beer manufactured on the premises to importing distributors, distributors and to non-licensees for use and consumption, to store the manufactured beer upon the premises, and to sell and offer beer for sale at retail from the licensed premises for consumption either on or off the premises; provided, however, that such licensee shall not sell for off-premises consumption more than fifty thousand (50,000) gallons per year. The licensee shall obtain and maintain in good standing a State of Illinois brew pub license as authorized under 235 ILCS 5/5-1(n). In addition to all records required to be kept by the terms and conditions of the state brew pub license, licensee shall maintain accurate records as to the total gallonage of beer manufactured on premises and the total gallonage of beer manufactured on the premises and sold for consumption off the premises. That portion of the licensed premises dedicated to the brewing of beer shall be segregated from the remainder of the premises and shall not be generally accessible to the public. The annual fee for such license shall be \$4,500.00.

CLASS "D-5" LICENSES, which shall authorize the retail sale of alcoholic liquor for consumption on the licensed premises, which premises are a cinema or theater entertainment venue, consisting of a single or multi-screen operation in conjunction with the purveying of food for consumption on the premises, and further provided that the sale of food and alcoholic beverages shall be accessory to the operation of the premises as a cinema or theater entertainment venue. The annual fee for such license shall be \$3,000.00.

CLASS "D-7" LICENSES, which shall authorize the retail sale of alcoholic liquor for consumption on the licensed premises, which premises are a comedy club. Alcoholic liquor may be provided without the purveying of food for consumption on the premises. The sale of food and/or alcoholic liquor shall be accessory to the operation as a comedy club. The annual fee for such license shall be \$3,000.00.

CLASS "D-8" LICENSES, which shall authorize the retail sale of alcoholic liquor for consumption on the licensed premises, which premises are a bingo parlor. Alcoholic liquor may be provided without the purveying of food for consumption on the premises. The sale of alcoholic liquor shall be accessory to the operation as a bingo parlor. Bingo games shall only be conducted by non-for-profit organizations who have obtained, and maintain in good standing, a current bingo license, issued under the Bingo License and Tax Act of the State of Illinois. Any license issued under this Article shall only be valid when held in conjunction with a licensed bingo activity. The annual fee for such license shall be \$3,000.00.

CLASS "F" LICENSES, There may be a special license issued for the sale of beer only, on a daily fee basis of \$10.00 per day not to exceed five (5) days, for picnics, carnivals and outings conducted by an educational, fraternal, political, civic, religious or not-for-profit organization that does not have a current Illinois Retailer's Liquor License. Said sale and possession thereof shall be in accordance with other provisions and restrictions of this chapter.

CLASS "F-1" LICENSES, There may be a special license issued for the sale of alcoholic liquor, on a daily fee basis of \$10.00 per day not to exceed five (5) days, for special events conducted by an educational, fraternal, political, civic, religious or not-for-profit organization that does not have a current Illinois Retailer's Liquor License, provided that such sale takes place within a permanent structure on specified premises, and further provided that no more than two (2) such special licenses shall be issued to any one (1) such organization during the period of one (1) calendar year.

CLASS "F-3" LICENSES, which shall authorize the retail sale of alcoholic beverages only for consumption on the premises where sold, which premises are a golf course owned and operated by a governmental body. There shall be no fee for such license.

CLASS "F-4" LICENSES, There may be a special license issued for the sale of alcoholic liquor only for consumption on the premises where sold and only when served accessory to the principal use of the premises for a banquet in a building owned and operated by a township. The number of such banquets during which alcoholic liquor may be served shall be limited to eight (8) banquets per month, provided that said number may be increased during any month upon written approval of the Liquor Commissioner. The annual fee for such license shall be \$3,500.00.

CLASS "F-5" LICENSES, which shall authorize the retail sale of alcoholic beverages only for consumption on the premises where sold, in the immediate vicinity of the Performing Arts Center operated by the Village. There shall be no fee for such license.

CLASS "F-6" LICENSES, which shall authorize the retail sale of prepackaged individual servings of alcoholic beverages only for consumption in a guest room or individual servings of alcoholic beverages only for consumption in a designated hospitality area of a hotel, which hospitality area has been approved by the Liquor Commissioner, and which alcoholic beverages shall be dispensed only from a mini-bar or served by a hotel

employee from a cooler or service bar located in such hotel guest room or hospitality area. The term "hotel" shall mean a business as defined in Article 16 of Chapter 8 of this Code. The annual fee for such license shall be one thousand dollars (\$1,000.00).

CLASS "F-7" LICENSES, which shall authorize the retail sale of beer and wine only, containing twenty percent (20%) or less alcohol by volume, only in conjunction with beer and wine tasting special events to be held on the premises of a public golf course, as specified on the license. No more than twelve one-day beer or wine tasting events shall be conducted on the premises during any calendar year. The annual fee for such license shall be five hundred dollars (\$500.00).

CLASS "F-9" LICENSES, There may be a special one-day license issued for the carrying in, storage and consumption of alcoholic liquor for a fee of one hundred dollars (\$100.00) for special events conducted on a premise that is zoned or is authorized for use as a commercial business or place of public accommodation in which social interaction takes place (social club) that does not have a current Illinois Retailer's Liquor License, provided that such sale takes place within a permanent structure on specified premises. F-9 licensees are subject to the following limitations:

1. The alcoholic liquor must be brought on site unopened.
2. No more than one bottle of wine/spirits not exceeding seven hundred fifty milliliters (750 ml) and no more than a 6-pack of beer per patron may be on site.
3. At the licensee's discretion, the licensee may require the beer, wine or spirits to be opened and served by the licensee.
4. Proof of host liability insurance policy in the amount of One Million Dollars (\$1,000,000.00) must be provided by the venue or licensee and the licensee must provide a copy of a Certificate of Insurance naming the licensee and the Village as additionally named insured at the time of application.
5. Licensees shall be liable for violations of this chapter in the same manner as the holder of any other classification of liquor license, including, but not limited to, violations for service to minors and the over serving of patrons.
6. In addition, the owner or manager of the license should comply with the provisions of Chapter 13, including but not limited to posting of the \$1,000 surety bond required by Sec. 13-210 and submission to a background check with fingerprints.
7. The license shall be valid from 10:00 a.m. on the date specified until 2:00 a.m. the following day.

8. The license must be prominently displayed on the premises and a copy produced upon the demand of a police officer.

SECTION THREE: Section 13-207 of Article 2, of Chapter 13 of the Village of Bolingbrook Municipal Code, shall be and is hereby amended in its entirety and shall hereafter be and read as follows:

SECTION 13-207. NUMBER OF LICENSES

- (a) The total number of all Class "A" licenses issued and in force at any one time shall not exceed three (3) such licenses, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "A" license shall be issued and in force at any time for each additional 4,500 inhabitants.
- (b) The total number of all Class "B" licenses issued and in force at any one time shall not exceed eleven (11) such licenses, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "B" license shall be issued and in force at any time for each additional 4,500 inhabitants.
- (c) The total number of all Class "B-1" licenses issued and in force at any one time shall not exceed one (1) such licenses, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "B-1" license shall be issued and in force at any time for each additional 4,500 inhabitants.
- (d) The total number of all Class "C" licenses issued and in force at any one time shall not exceed nine (9) such licenses, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "C" license shall be issued and in force at any time for each additional 4,500 inhabitants.
- (e) The total number of all Class "C-1" licenses issued and in force at any one time shall not exceed five (5) such licenses, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "C-1" license shall be issued and in force at any time for each additional 4,500 inhabitants.
- (f) The total number of all Class "C-2" licenses issued and in force at any one time shall not exceed five (5) such licenses, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "C-2" license shall be issued and in force at any time for each additional 4,500 inhabitants.
- (g) The total number of all Class "C-3" licenses issued and in force at any one time shall not exceed one (1) such license, unless and until the population

of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "C-3" license shall be issued and in force at any time for each additional 4,500 inhabitants.

- (h) The total number of all Class "C-5" licenses issued and in force at any one time shall not exceed two (2) such license, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "C-5" license shall be issued and in force at any time for each additional 4,500 inhabitants.
- (i) The total number of Class "C-7" licenses issued and in force at any one time shall not exceed one (1) such license, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "C-7" license shall be issued and in force at any time for each additional 4,500 inhabitants.
- (j) The total number of all Class "C-8" licenses issued and in force at any one time shall not exceed three (3) such license, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "C-8" license shall be issued and in force at any time for each additional 4,500 inhabitants.
- (k) The total number of all Class "D" licenses issued and in force at any one time shall not exceed seventeen (17) such licenses, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "D" license shall be issued and in force at any time for each additional 4,500 inhabitants.
- (l) The total number of all Class "D-1" licenses issued and in force at any one time shall not exceed twenty-four (24) such licenses, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "D-1" license shall be issued and in force at any time for each additional 4,500 inhabitants.
- (m) The total number of all Class "D-2" licenses issued and in force at any one time shall not exceed nineteen (19) such licenses, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "D-2" license shall be issued and in force at any time for each additional 4,500 inhabitants.
- (n) The total number of all Class "D-4" licenses issued and in force at any one time shall not exceed one (1) such license, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "D-4" license shall be issued and in force at any time for each additional 4,500 inhabitants.

- (o) The total number of all Class "D-5" licenses issued and in force at any one time shall not exceed one (1) such license, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "D-5" license shall be issued and in force at any time for each additional 4,500 inhabitants.
- (p) The total number of all Class "F" licenses issued and in force at any one time shall not exceed two (2) such licenses.
- (q) The total number of all Class "F-1" licenses issued and in force at any one time shall not exceed two (2) such licenses.
- (r) The total number of all Class "F-3" licenses issued and in force at any one time shall not exceed two (2) such licenses, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "F-3" license shall be issued and in force at any time for each additional 4,500 inhabitants.
- (s) The total number of all Class "F-4" licenses issued and in force at any one time shall not exceed one (1) such license.
- (t) The total number of Class "F-5" licenses issued and in force at any one time shall not exceed one (1) such license.
- (u) The total number of Class "F-6" licenses issued and in force at any one time shall not exceed one (1) such license, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "F-6" license shall be issued and in force at any time for each additional 4,500 inhabitants.
- (v) The total number of all Class "F-7" licenses issued and in force at any one time shall not exceed one (1) such license, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "F-7" license shall be issued and in force at any one time for each additional 4,500 inhabitants.
- (w) The total number of all Class "D-7" licenses issued and in force at any one time shall not exceed one (1) such license, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one Class "D-7" license shall be issued and in force at any time for each additional 4,500 inhabitants.
- (x) The total number of all Class "C-4" licenses issued and in force at any one time shall not exceed one (1) such licenses, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "C-4" license shall

be issued and in force at any time for each additional 4,500 inhabitants.

- (y) The total number of all Class "D-8" licenses issued and in force at any one time shall not exceed one (1) such licenses, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "D-8" license shall be issued and in force at any time for each additional 4,500 inhabitants.

SECTION FOUR: Section 13-307 of Article 2, of Chapter 13 of the Village of Bolingbrook Municipal Code, shall be and is hereby amended in its entirety and shall hereafter be and read as follows:

SECTION 13-307. HOURS.

(a) It shall be unlawful to sell or offer for sale at retail any alcoholic liquor in the Village between the hours of 2:00 A.M. and 8:00 A.M., except for the following:

- (1) In establishments holding Class "B" licenses, it shall be lawful to sell or offer for sale at retail any alcoholic liquor only between the hours of 8:00 a.m. and 12:00 midnight.
- (2) In establishments holding Class "B-1" licenses, it shall be lawful to sell or offer for sale at retail any alcoholic liquor only between the hours of 8:00 a.m. and 12:00 midnight.
- (3) In establishments holding Class "C-1" licenses it shall be lawful to sell or offer for sale at retail any beer or wine only between the hours of 8:00 a.m. and 11:00 p.m.
- (4) In establishments holding Class "C-3" licenses, it shall be lawful to sell or offer for sale at retail any beer or wine only between the hours of 9:00 a.m. and 10:00 p.m.
- (5) In establishments holding Class "C-8" licenses it shall be lawful to sell or offer for sale at retail any beer or wine only between the hours of 8:00 a.m. and 3:00 p.m.
- (6) In establishments holding Class "D-2" licenses it shall be lawful to sell or offer for sale at retail any alcoholic liquor only between the hours of 8:00 a.m. and 12:00 midnight Sunday through Thursday and between the hours of 8:00 a.m. and 2:00 a.m. on Friday and Saturday (late closing Friday and Saturday nights).
- (7) In establishments holding Class "D-4" licenses, it shall be lawful to sell or offer for sale at retail alcoholic liquor, including beer brewed on the premises, only between the hours of 9:00 a.m. until 12:00 midnight on Sundays through Thursdays and from 9:00 a.m. until

2:00 a.m. on Friday and Saturday (late closing Friday and Saturday nights).

- (8) In guest rooms of hotels having a Class "F-6" license.
- (9) Establishments holding a D-2 or D-4 liquor license classification shall be allowed to remain open until 2:00 a.m. on New Year's Eve of each year (December 31-January 1).
- (10) In establishments holding a Class "D-7" license, it shall be lawful to sell or offer for sale at retail any alcoholic liquor only between the hours of 6:00 p.m. and 11:00 p.m. Sunday through Thursday and between the hours of 6:00 p.m. and 12:00 midnight on Friday and Saturday.
- (11) In establishments holding a Class "D-8" license, it shall be lawful to sell or offer for sale at retail any alcoholic liquor only between the hours of 4:00 p.m. and 10:00 p.m.

(b) All customers must be off the premises of the licensee between the hours of 2:30 a.m. and 8:00 a.m., except in establishments holding Class "C-2" licenses all customers must be off the premises of the licensee between the hours of 11:30 p.m. and 1:00 a.m.; and

It shall be unlawful to admit the public to any premises in or on which alcoholic liquor is sold at retail during the hours within which the sale of liquor is prohibited; provided, however, except with respect to Class "D-3" licensed premises, in the case of restaurants, clubs and hotels, such establishments may be kept open during such hours but no alcoholic liquor may be sold to or consumed by the public during such hours.

(c) All opening and closing times shall be in accordance with the prevailing local time.

(d) A restaurant with a Class "C-2", "C-4", "C-8", "D", "D-1", or "D-2", liquor license shall sell or serve alcoholic liquor only during hours of food service and for thirty (30) minutes thereafter.

(e) The penalty for violation of this Section 13-307 shall be one hundred dollars (\$100.00), and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

SECTION FIVE: All ordinances or resolutions, or parts thereof, which conflict with the provisions of this Ordinance, are hereby expressly repealed to the extent of such conflict.

SECTION SIX: This ordinance shall be in full force and effect from and after its passage, approval and recording as provide by law.

PASSED THIS 17TH DAY OF DECEMBER, 2019.

AYES:
NAYS:
ABSENT:

APPROVED THIS 17TH DAY OF DECEMBER, 2019.

MAYOR

ATTEST:

VILLAGE CLERK

PUBLISHED BY THE VILLAGE CLERK, IN PAMPHLET FORM, BY AUTHORITY OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF BOLINGBROOK ON DECEMBER 18, 2019.

ORDINANCE 19-

**AMENDING CHAPTER 13 OF THE MUNICIPAL CODE INCREASING
CLASS "D-2" FROM NINETEEN (19) TO TWENTY (20) AND INCREASING
CLASS "D-1" FROM TWENTY-FOUR (24) TO TWENTY-FIVE (25) – DANNY'S PIZZA &
BURGER BAR II (639 E. BOUGHTON RD #105)**

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois provides that any municipality which has a population of more than 25,000 is a home rule unit, and the Village of Bolingbrook, Will and DuPage Counties, Illinois, with a population in excess of 25,000 is, therefore, a home rule unit and, pursuant to the provisions of said Section 6(a) of Article VII, may exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF BOLINGBROOK, WILL AND DUPAGE COUNTIES, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, AS FOLLOWS:

SECTION ONE: That Section 13-207(m) of Chapter 13 of the Municipal Code of the Village of Bolingbrook is amended by increasing the number of Class "D-2" licenses from nineteen (19) to twenty (20) so that Section 13-207(m) shall hereafter be and read as follows:

Section 13-207. NUMBER OF LICENSES.

- (m) The total number of all Class "D-2" licenses issued and in force at any one time shall not exceed twenty (20) such licenses, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "D-2" license shall be issued and in force at any time for each additional 4,500 inhabitants.

SECTION TWO: That Section 13-207(l) of Chapter 13 of the Municipal Code of the Village of Bolingbrook is amended by increasing the number of Class "D-1" licenses (outdoor) from twenty-four (24) to twenty-five (25) so that Section 13-207(l) shall hereafter be and read as follows:

Section 13-207. NUMBER OF LICENSES.

- (l) The total number of all Class "D-1" licenses issued and in force at any one time shall not exceed twenty-five (25) such licenses, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "D-1" license shall be issued and in force at any time for each additional 4,500 inhabitants.

SECTION THREE: That this Ordinance shall be in full force and effective immediately upon execution, from and after its passage, approval and publication in pamphlet form, as provided by law.

PASSED THIS 17TH DAY OF DECEMBER, 2019.

AYES:

NAYS:

ABSENT:

APPROVED THIS 17TH DAY OF DECEMBER, 2019.

ATTEST:

Roger C. Claar
MAYOR

Carol S. Penning, CMC
VILLAGE CLERK

PUBLISHED BY THE VILLAGE CLERK, IN PAMPHLET FORM, BY AUTHORITY OF THE CORPORATE
AUTHORITIES OF THE VILLAGE OF BOLINGBROOK ON DECEMBER 18, 2019.

ORDINANCE NO. 19-

**ORDINANCE AMENDING CHAPTER 13 OF THE MUNICIPAL CODE
DECREASING CLASS "C" FROM TEN (10) TO NINE (9)
FAMILY SQUARE – 372 S. BOLINGBROOK DR.**

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois provides that any municipality which has a population of more than 25,000 is a home rule unit, and the Village of Bolingbrook, Will and DuPage Counties, Illinois, with a population in excess of 25,000 is, therefore, a home rule unit and, pursuant to the provisions of said Section 6(a) of Article VII, may exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF BOLINGBROOK, WILL AND DUPAGE COUNTIES, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, AS FOLLOWS:

SECTION ONE: That Section 13-207(d) of Chapter 13 of the Municipal Code of the Village of Bolingbrook is amended by decreasing the number of Class "C" licenses from ten (10) to nine (9) so that Section 13-207(d) shall hereafter be and read as follows:

Section 13-207. NUMBER OF LICENSES.

- (d) The total number of all Class "C" licenses issued and in force at any one time shall not exceed nine (9) such licenses, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "C" license shall be issued and in force at any time for each additional 4,500 inhabitants.

SECTION TWO: That this Ordinance shall be in full force and effective immediately upon execution, from and after its passage, approval and publication in pamphlet form, as provided by law.

PASSED THIS 17th DAY OF DECEMBER, 2019.

AYES:
NAYS:
ABSENT:

APPROVED THIS 17th DAY OF DECEMBER, 2019.

ATTEST:

Roger C. Claar
MAYOR

Carol S. Penning, CMC
VILLAGE CLERK

PUBLISHED BY THE VILLAGE CLERK, IN PAMPHLET FORM, BY AUTHORITY OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF BOLINGBROOK ON DECEMBER 18, 2019.

