

CHAPTER 4

BOARDS AND COMMISSIONS

ARTICLE I – ZONING AND PLANNING COMMISSION

4-1-1 **ESTABLISHED.** A Zoning and Planning Commission is hereby created under authority of the **Illinois Compiled Statutes, Chapter 65, Sections 5/11-12-4 through 5/11-12-12.**

4-1-2 **MEMBERSHIP.** The Zoning and Planning Commission shall consist of **seven (7) members**, with said members being residents within the jurisdictional limits of the Zoning Code of the City, appointed by the Mayor on the basis of his/her particular fitness for the duty of the Zoning and Planning Commission and subject to the approval of the City Council.

4-1-3 **TERM OF OFFICE.** The members shall serve for a period of **four (4) years** or as designated by the City Council at the time of appointment, but not to exceed **four (4) years**. Vacancies shall be filled by the Mayor, subject to the approval of the City Council. All members of the Commission shall serve without compensation, unless the Council deems it advisable, they may receive such compensation as provided by the appropriation ordinance.

4-1-4 **PROCEDURE.** The Zoning and Planning Commission shall elect such officers as it may deem necessary and adopt rules and regulations of organization and procedure consistent with the City Code and State Law. The Commission shall keep written records of its proceedings. It shall be open at all times for and to the inspection of the public, and the Commission shall file an annual report with the Mayor and City Council, setting forth its transactions and recommendations.

4-1-5 **POWERS AND DUTIES.** The Zoning and Planning Commission shall have the following powers and duties:

(A) To prepare and recommend to the City Council a Comprehensive Plan for the present and future development or redevelopment of the City and contiguous unincorporated territory not more than **one and one-half (1 1/2) miles** beyond the corporate limits of the City and not included in any other municipality. Such plan may be adopted in whole or in separate geographical or functional parts, each of which, when adopted, shall be the official comprehensive plan or part thereof of the City. Such plan shall be advisory, except as to such part thereof as has been implemented by ordinances duly enacted by the City Council.

All requirements for public hearing, filing of notice of adoption with the County Recorder of Deeds, and filing of the plan and ordinances with the City Clerk shall be complied with as provided for by law. To provide for the health, safety, comfort, and convenience of the inhabitants of the City and contiguous territory, such plan or plans shall establish reasonable standards of design for subdivisions and for resubdivisions of unimproved land and of areas subject to redevelopment in respect to public improvements as herein defined and shall establish reasonable requirements governing the location, width, course, and surfacing of public streets and highways, alleys, ways for public service facilities, curbs, gutters, sidewalks, street lights, parks, playgrounds, school grounds, size of lots to be used for residential purposes, storm water drainage, water supply and distribution, sanitary sewers, and sewage collection and treatment. The requirements specified herein shall become regulatory only when adopted by law.

(B) To prepare and recommend to the City Council zoning ordinances consistent with the Comprehensive Plan adopted by the City Council.

(C) To designate land suitable for annexation to the City and the recommended zoning classification for such land upon annexation.

(D) To assist officials with the direction of projects for improvements embraced within the Comprehensive Plan or parts thereof, to further the making of such improvements and generally, to promote the realization of the Comprehensive Plan.

(E) To cooperate with other municipal or regional plan commissions and other agencies or groups to further the local planning program and to assure harmonious and integrated planning for the area subject to approval of the City Council.

(F) To exercise such other powers germane to the powers granted under authority of an act of the General Assembly of the State of Illinois, as may be conferred by the City Council.

(G) To exercise any additional duties as prescribed in **Chapter 40, Zoning, (Ord. No. 1062)** as amended, with any reference to Planning Commission and/or Zoning Board of Appeals being applicable to this **Chapter 4, Article I.**

4-1-6 **LAND SUBDIVISION OR RE-SUBDIVISION AND THE OFFICIAL MAP.** At any time or times before or after the formal adoption of the official comprehensive plan by the corporate authorities, an official map may be designated by ordinance, which may consist of the whole area included within the official comprehensive plan or one or more geographical or functional parts and may include all or any part of the contiguous unincorporated area within **one and one-half (1 1/2) miles** from the corporate limits of the City. All requirements for public hearing, filing notice of adoption with the County Recorder of Deeds and filing of the plan and ordinances, including the official map with the Clerk shall be complied with as provided for by law. No map or plat of any subdivision or re-subdivision presented for record affecting land within the corporate limits of the City or within contiguous territory which is not more than **one and one-half (1 1/2) miles** beyond the corporate limits shall be entitled to record or shall be valid unless the subdivision shown thereon provides for standards of design and standards governing streets, alleys, public ways, ways for public service facilities, street lights, public grounds, size of lots to be used for residential purposes, and distribution, sanitary sewers, and sewage collection and treatment in conformity with the applicable requirements of the Code, including the official map.

4-1-7 **IMPROVEMENTS.** The City Clerk shall furnish the Zoning and Planning Commission for its consideration, a copy of all ordinances, plans and data relative to public improvements of any nature. The Zoning and Planning Commission may report in relation thereto, if it deems a report necessary or advisable, for the consideration of the City Council.

4-1-8 **EXPENDITURES.** Expenditures of the Commission shall be at the discretion of the City Council and if the Commission shall deem it advisable to secure technical advice or services, it shall be done upon authority of the City Council and appropriations by the City Council therefor. **(65 ILCS 5/11-12-4 and 5/11-12-12)**

(Ord. No. 2016-05; 02-22-16)

ARTICLE II - BOARD OF FIRE AND POLICE COMMISSIONERS

4-2-1 **BOARD ESTABLISHED.** Pursuant to the provisions of the Illinois Compiled Statutes for municipalities of a population of at least **5,000** and not more than **250,000**, a Board of Fire and Police Commissioners consisting of **three (3) persons** is established for the City and shall hereinafter be referred to as the "**Board**". (**65 ILCS 5/10-2.1-1 et seq.**)

4-2-2 **APPOINTMENT; VACANCIES.** Within **thirty (30) days** after this article becomes effective, the Mayor shall appoint the first members of the Board. One of the members shall be appointed to serve until the end of the then current municipal year, another to serve until the end of the municipal year next ensuing, and the third to serve until the municipal year second next ensuing. Every member shall serve until his successor is appointed and has qualified. Vacancies on the Board shall be filled in the same manner as the original appointments. (**65 ILCS 5/10-2.1-2**)

4-2-3 **TERM OF OFFICE.** Subsequent appointments to the Board shall be made by the Mayor with the advice and consent of the City Council. Subsequent appointments shall be for a term of **three (3) years** and until their respective successors are appointed and have qualified. No such appointment, however, shall be made by any Mayor within **thirty (30) days** before the expiration of his term of office.

4-2-4 **CHAIRMAN ELECTED.** The members of the Board shall elect a chairman to serve during the municipal fiscal year. (**65 ILCS 5/10-2.1-2**).

4-2-5 **QUORUM.** A majority of the Board shall constitute a quorum for the conduct of all business. (**65 ILCS 5/10-2.1-2**)

4-2-6 **OATH AND BOND.** The members of the Board shall be considered officers of the City and shall file an oath and a fidelity bond in such amount as may be required by the City Council.

4-2-7 **CONFLICTING OFFICES.** No person holding an office of the City shall be a member of the Board or the secretary thereof. The acceptance of any such office by a member of the Board shall be treated as a resignation of his office as a member of the Board or the secretary thereof. No person shall be appointed a member of the board who is related, either by blood or marriage up to the degree of first cousin, to any elected official of the City. No more than **two (2) members** of the Board shall belong to the same political party existing in the City at the time of such appointments and as defined in **Section 5/10-2 of the Election Code, Illinois Compiled Statutes**. If only one or no political party exists in the City at the time of such appointments, then state or national political party affiliation shall be considered in making such appointments. Party affiliation shall be determined by affidavit of the person appointed as member of the Board. (**65 ILCS 5/10-2.1-3**)

4-2-8 **REMOVAL FROM OFFICE.** Members shall not be subject to removal, accept for cause, upon written charges and after an opportunity to be heard within **thirty (30) days** in his, her or their own defense, before a regular meeting of the City Council of the City. A majority vote of the elected members of the City Council of the City shall be required to remove any such member from office. (**65 ILCS 5/10-2.1-3**)

4-2-9 **EMPLOYMENT OF SECRETARY.** The Board may employ a secretary, or may designate one of its own members to act as secretary. The secretary (1) shall keep the minutes of the Board proceedings, (2) shall be the custodian of all records pertaining the business of the Board, (3) shall keep a record of all examinations held, (4) shall perform all other duties the Board prescribes and (5) shall be custodian of the seal of the Board, if one is adopted, and the Board is hereby authorized to adopt an official seal and to prescribe the form thereof by resolution of the Board. **(65 ILCS 5/10-2.1-20)**

4-2-10 **COMPENSATION OF SECRETARY.** The secretary may be paid a reasonable compensation for his or her services, to be fixed by the corporate authorities. The corporate authorities may also fix the compensation to be paid to the members of the Board, but until the corporate authorities make provision therefor, the members of the Board shall serve without compensation. **(65 ILCS 5/10-2.1-22)**

4-2-11 **POWERS OF BOARD.** The Board of Police Commissioners shall have the powers set forth in **Division 2.1 of Article 10 of the Illinois Compiled Statutes 65 ILCS 5/10-2.1-1 et seq.)** including the following:

- (A) to appoint all officers and members of the police and fire departments, except the Chief of Police and the Fire Chief;
- (B) to make such promotions as it deems appropriate, except with regard to the office of Chief of Police;
- (C) to discipline, suspend, remove, or discharge officers and members of the police department, except the Chief of Police;
- (D) to conduct hearings on charges brought against a member of the police department, except the Chief of Police.

Nothing in this Section shall be construed to prevent the Police Chief or Fire Chief from suspending, without pay, a member of his department for a period of not more than **five (5) calendar days**, which right is hereby granted to the Police Chief and Fire Chief. Notice of any such suspension shall be given to the Board and shall be subject to review as provided in **Chapter 65, Section 5/10-2.1-17 of the Illinois Compiled Statutes.**

4-2-12 **APPOINTMENT OF CHIEF.** The Police Chief and the Fire Chief shall be appointed by the Mayor with the advice and consent of the City Council and may be removed or discharged by the Mayor upon confirmation by the City Council as set forth in **Illinois Compiled Statutes, Ch. 65 5/10-2.1-4.** All other full-time police officers and firemen shall be appointed, promoted, removed or discharged in the manner provided in **Division 2.1 of Article 10 of the Illinois Compiled Statutes.** **(65 ILCS 5/10-2.1-17 et seq.)**

4-2-13 **ADOPTION OF RULES AND REGULATIONS.** The Board shall adopt and publish rules and regulations to carry out the purpose of the **Illinois Compiled Statutes** and to govern appointments and removals in accordance with the provisions of said statute. Such rules and regulations shall be adopted according to the procedure required by the **Illinois Compiled Statutes.** The Board, from time to time, may revise such rules and regulations in the same manner as for the adoption of the original rules and regulations. No such rule or regulation shall be made by the Board to govern the operation of the police department or the conduct of its members. **(65 ILCS 5/10-2.1-5)**

4-2-14 **BOARD ATTORNEY.** The Board shall appoint an Attorney to represent the Board and shall handle prosecutions before the Board.

4-2-15 **APPLICATION OF LAW.** This Article shall apply only to full-time policemen and firemen of the City and not to any other personnel of any kind or description.

4-2-16 **STATUTES ADOPTED.** **Division 2.1 of Article 10 of the Illinois Compiled Statutes**, as amended, is hereby incorporated in and made part of this law the same as if recited herein verbatim. In case of any conflict between the provisions of this Article and said Division, said Division shall control. If and as said Division is amended, from time to time, the provisions of this Article in conflict with said Division as a result of said amendment, shall be construed as having been amended by the Amendment to the Division and shall be read, construed and applied in accordance with the provisions of said Amended Division. **(65 ILCS 5/10-2.1-1 et seq.)**

ARTICLE III - POLICE PENSION BOARD

4-3-1 BOARD ESTABLISHED. Pursuant to the provisions of the **Illinois Compiled Statutes** for municipalities with a population of **5,000** or more, a Police Pension Fund is established for the benefit of police officers of the Police Department and their surviving spouses, children and certain other dependents, as provided in the aforesaid Illinois Pension Code. **(40 ILCS 5/3-101 et seq.)**

4-3-2 TERMS. The terms used in this Article shall have the meanings ascribed to them in this Section:

(A) **"Board"** means the Board of Trustees of the Police Pension Fund.

(B) **"Police Officer"** means any person who (1) is appointed to the police force of the police department and sworn and commissioned to perform police duties; (2) is found upon examination of a duly licensed physician or physicians selected by the Board to be physically and mentally fit to perform the duties of a police officer; and (3) within **three (3) months** after receiving his or her first appointment, and if reappointed within **three (3) months** thereafter, makes written application to the Board to come under the provisions of this ordinance and Article 3 of the Illinois Pension Code.

(C) **"Salary"** means the annual salary, including longevity, attached to the police officer's rank, as established by the City's budget ordinance, including any compensation for overtime which is included in the salary so established, but excluding any "overtime pay", "holiday pay", "bonus pay", "merit pay", or any other cash benefit not included in salary so established.

4-3-3 PENSION FUNDS. The Police Pension Fund shall consist of the following moneys which shall be set apart by the Treasurer of the City:

(A) All moneys derived from the taxes levied under; **(40 ILCS 5/3-125)**

(B) Contributions by police officers under **Illinois Compiled Statutes; Ch. 40; 5/3-125.1;**

(C) All moneys accumulated by the City under any previous legislation establishing a fund for the benefit of disabled or retired police officers;

(D) Donations, gifts or other transfers authorized by the **Illinois Compiled Statutes. (40 ILCS 5/3-125)**

4-3-4 TAX LEVY. The City Council shall annually levy and tax upon all the taxable property of the City at the rate on the dollar which will produce an amount which, when added to the deductions from the salaries or wages of police officers, and revenues available from other sources, will equal a sum sufficient to meet the annual requirements of the police pension fund. The annual requirements to be provided by such tax levy are equal to (1) the normal cost of the pension fund for the year involved, plus (2) the amount necessary to amortize the fund's unfunded accrued liabilities as provided by the **Illinois Compiled Statutes; Ch. 40; Sec. 5/3-127.** The tax shall be levied and collected in the same manner as the general taxes of the City, and in addition to all other taxes now or hereafter authorized to be levied upon all property within the City. **(40 ILCS 5/3-125)**

4-3-5 EMPLOYEE CONTRIBUTION. Each police officer shall contribute to the police pension fund **nine percent (9%)** of his or her salary which shall be deducted monthly. However, the Chief of Police may elect to participate in the Illinois Municipal Retirement Fund rather than in the fund created under this ordinance. Such election shall be irrevocable, and shall be filed in writing, with the Board. **(40 ILCS 5/3-125.1 and 5/3-109)**

4-3-6 BOARD MEMBERSHIP. A Board of **five (5) members** shall constitute a Board of Trustees to administer the Police Pension Fund and to designate the beneficiaries thereof. The Board shall be known as the "**Board of Trustees of the Police Pension Fund of the City**".

Two (2) members of the Board shall be appointed by the Mayor, one of whom shall serve for **one (1) year** beginning on the **second Tuesday in May** after the municipality comes within the provisions of Article I of the Illinois Pension Code. The other appointed member shall serve for **two (2) years** beginning on the same date. The successors to each of the foregoing trustees shall serve for **two (2) years** each or until their successors are appointed and qualified.

Two (2) members of the Board shall be elected from the active participants of the Pension Fund by such active participants. **One (1) member** of the Board shall be elected by and from the beneficiaries. The election of these Board members shall be held biennially on the **third Monday in April**, at such place or places in the City and under the Australian ballot system and such other regulations as shall be prescribed by the appointed members of the Board.

The active Pension Fund participants shall be entitled to vote only for the active participant members of the Board. All beneficiaries of legal age may vote only for the member chosen from among the beneficiaries. No person shall be entitled to cast more than **one (1) ballot** at such election. The term of elected members shall be **two (2) years**, beginning on the **second Tuesday of the first May** after the election. **(40 ILCS 5/3-128)**

4-3-7 VACANCIES AND RESIGNATIONS. Upon the death, resignation, or inability to act of any elective Board member, his or her successor shall be elected for the unexpired term at a special election, to be called by the Board and conducted in the same manner as the regular biennial election. **(40 ILCS 5/3-128)**

4-3-8 COMPENSATION. Members of the Board shall neither receive nor have any right to receive any salary from the Pension Fund for services performed as trustees in that office.

4-3-9 QUARTERLY MEETINGS. The Board shall hold annually regular quarterly meetings in July, October, January, and April, and special meetings as called by the President.

At the regular July meeting, the Board shall select from its members a President, Vice-President, Secretary and Assistant Secretary to serve for **one (1) year** and until their respective successors are elected and qualified. **(40 ILCS 5/3-130)**

4-3-10 VICE-PRESIDENT'S DUTIES. The Vice-President shall perform the duties of the President during any vacancy in that office, or during the President's absence from the City, or if he or she is by reason of illness or other causes unable to perform the duties of the office.

The Assistant Secretary shall act for the Secretary whenever necessary to discharge the functions of such office. **(40 ILCS 5/3-130)**

4-3-11 POWERS AND DUTIES. The Board shall have the powers and duties provided in **40 ILCS 5/3-132 through 40 ILCS 5/3-140.1** of the Illinois Pension Code.

4-3-12 ANNUAL STATEMENTS. On the **second Tuesday in May** annually, the Treasurer and all other officials of the City who had the custody of any pension funds herein provided, shall make a sworn statement to the Pension Board, and to the Mayor and City Council of all moneys received and paid out by them on account of the Pension Fund during the year, and of the amount of funds then on hand and owing to the Pension Fund. All surplus then remaining with any official other than the Treasurer shall be paid to the Treasurer of the City. Upon demand of the Pension Board, any

official shall furnish a statement relative to the official method of collection or handling of the Pension Funds. All books and records of that official shall be produced at any time by him for examination and inspection by the Board. **(40 ILCS 5/3-141)**

4-3-13 **REPORT TO CITY COUNCIL.** The Board shall report to the City Council on the condition of the Pension Fund. The report shall be made prior to the City Council meeting held for the levying of taxes for the year for which the report is made.

The Board shall certify:

- (A) the assets in its custody at such time;
- (B) the estimated receipts during the next succeeding calendar year from deductions from the salaries of police officers, and from all other sources; and
- (C) the estimated amount required during said calendar year to (a) pay all pensions and other obligations provided in this Article, and (b) to meet the annual requirements of the fund as provided in **Section 4-3-4** hereinabove. **(40 ILCS 5/3-143)**

4-3-14 **ILLINOIS PENSION CODE ADOPTED.** The provisions of the **Illinois Compiled Statutes, Chapter 40, Section 5/3-101 et seq.** are incorporated by reference herein. In case of any conflict between this ordinance and said Article, the applicable provisions of said Article shall control, and as said Code is amended from time to time, the provisions hereof, insofar as any variance may develop therefrom, if any, shall automatically be construed so as to conform therewith. **(40 ILCS 5/3-101 et seq.)**

ARTICLE IV – FIREFIGHTERS PENSION BOARD

4-4-1 BOARD ESTABLISHED. Pursuant to the provisions of the Illinois Pension Code for municipalities with a population of **5,000** or more but less than **500,000** inhabitants, a Firefighter's Pension Fund is established for the benefit of firefighters, their surviving spouses, children and certain other dependents, as provided in the aforesaid Illinois Pension Code. **(40 ILCS 5/4-101)**

4-4-2 BOARD CREATED. There is created in each municipality or fire protection district a board of trustees to be known as the "**Board of Trustees of the Firefighter's Pension Fund**".

Notwithstanding any provision of this Section to the contrary, the term of office of each member of a board established on or before the **third (3rd) Monday in April, 2006** shall terminate on the **third (3rd) Monday in April, 2006**, but all incumbent members shall continue to exercise all of the powers and be subject to all of the duties of a member of the Board until all the new members of board take office.

Beginning on the **third (3rd) Monday in April, 2006**, the board for each municipality or fire protection district shall consist of **five (5) members**. **Two (2) members** of the board shall be appointed by the Mayor or President of the Board of Trustees of the municipality or fire protection involved. **Two (2) members** of the Board shall be active participants of the pension fund who are elected from the active participants of the fund. **One (1) member** of the Board shall be a person who is retired under the Firemen's Pension Fund Act of 1919 or this Article. **(Ord. No. 09-38; 11-23-09)**

4-4-3 PENSION FUNDS. The Firefighters Pension Fund shall consist of the following moneys which shall be set apart by the Treasurer of the City:

- (A) All moneys derived from the taxes levied under **Article 4 of the Illinois Pension Code (40 ILCS 5/4-118)**;
- (B) Contributions by firefighters under **40 ILCS 5/4-118.1**;
- (C) All moneys accumulated by the City under any previous legislation establishing a fund for the benefit of disabled or retired firefighters;
- (D) Donations, gifts or other transfers authorized by the **Illinois Compiled Statutes. (40 ILCS 5/3-129.1)**

4-4-4 TAX LEVY. The City Council shall annually levy and tax upon all the taxable property of the City at the rate on the dollar which will produce an amount which, when added to the deductions from the salaries or wages of firefighters, and revenues available from other sources, will equal a sum sufficient to meet the annual requirements of the firefighters pension fund. The annual requirements to be provided by such tax levy are equal to (1) the normal cost of the pension fund for the year involved, plus (2) the amount necessary to amortize the fund's unfounded accrued liabilities as provided by the **40 ILCS 5/4-120**. The tax shall be levied and collected in the same manner as the general taxes of the City, and in addition to all other taxes now or hereafter authorized to be levied upon all property within the City. **(40 ILCS 5/4-118)**

4-4-5 EMPLOYEE CONTRIBUTION. Each firefighter shall contribute to the firefighter pension fund **seven and one-half percent (7.5%)** of his or her salary which shall be deducted monthly.

4-4-6 **VACANCIES AND RESIGNATIONS.** Upon the death, resignation, or inability to act of any elective Board member, his or her successor shall be elected for the unexpired term at a special election, to be called by the Board and conducted in the same manner as the regular election.

4-4-7 **COMPENSATION.** Members of the Board shall neither receive nor have any right to receive any salary from the Pension Fund for services performed as trustees in that office. **(40 ILCS 5/4-121)**

4-4-8 **QUARTERLY MEETINGS.** The Board may hold regular quarterly meetings in July, October, January and April, and special meetings as called by the President.

At the regular July meeting, the Board shall select from its members a president and secretary to serve for **one (1) year** and until their respective successors are elected and qualified. **(40 ILCS 5/4-122)**

4-4-9 **POWERS AND DUTIES.** The Board shall have the powers and duties provided in **Chapter 40, Article 4 of the Illinois Pension Code**, including those powers and duties stated in **Sections 5/4-123 through 5/4-129.1 of said Code.** **(40 ILCS 5/4-122)**

4-4-10 **ILLINOIS PENSION CODE ADOPTED.** Article 4 of Chapter 40 of the Illinois Pension Code is incorporated by reference herein. In case of any conflict between this Article and the statutes, the applicable provisions of the statutes shall control, and as said Code is amended from time to time, the provisions hereof, insofar as any variance may develop therefrom, if any, shall automatically be construed so as to conform therewith. **(40 ILCS 5/401 et seq.)**

ARTICLE V – YOUTH CENTER BOARD

4-5-1 **YOUTH CENTER ESTABLISHED.** There shall be established in the City a Youth Center for the use and benefit of the inhabitants of the City. The City Council shall levy a tax not to exceed **Two (2) mills on the Dollar** annually on all taxable property in the City to maintain the Youth Center. **(Ord. No. 09-07; 04-27-09)**

4-5-2 **BOARD CREATED.** The Mayor shall, with the advice and consent of the City Council, appoint a board of **four (4) directors** and **one (1) member** of the City Council shall be the **fifth (5th) member** of the Youth Center Board. Not more than **one (1) member** of the City Council shall, at any one time, be a member of the Youth Center Board. **(Ord. No. 09-07; 04-27-09)**

4-5-3 **APPOINTMENT OF DIRECTORS.** The directors shall hold office for **three (3) years** from the **first (1st) day of May** following their appointment. The Mayor shall, before the **first (1st) day of May** in each year, appoint **two (2) director(s)** to take the place of the retiring directors, who shall hold their office for **three (3) years**, and until their successors are appointed and qualified. The Mayor may, by and with the consent of the City Council, remove any director for misconduct or neglect of duty.

4-5-4 **VACANCIES.** All vacancies in the Board of Directors occasioned by removals, resignations, or otherwise, shall be reported to the City Council and shall be filled in like manner as in original appointments and no director shall receive compensation as such.

4-5-5 **PROCEDURE.** The directors shall immediately after the appointment, meet and organize by electing **one (1)** of their members President and by election of such other officers as they may deem necessary. They shall meet and adopt such laws, rules and regulations for their own guidance and for the government of the Youth's Community Center as will be expedient and not inconsistent with this Chapter.

4-5-6 **EXPENDITURE OF FUNDS.** They shall have the exclusive control of the expenditure of all moneys collected to the credit of the Youth's Community Center Fund provided that all moneys received for such Youth's Community Center Fund shall be deposited in the Treasury of the City to the credit of the Youth's Community Center Fund. These funds shall be kept separate and apart from other moneys of the City and drawn upon by the proper officers of the Youth's Community Center, upon the proper authenticated vouchers of the Center Board. The Board shall have the power to appoint a suitable custodian and necessary assistants, and fix their compensation, and shall also have power to remove such appointees; and in general, carry out the spirit and intent of this Chapter in establishing and maintaining a Youth's Community Center.

4-5-7 **OPEN TO PUBLIC.** The Youth's Community Center shall be forever free to the use of the inhabitants of the City, subject to such reasonable rules and regulations as the Youth's Community Center Board may adopt. The Board may exclude from the use of the Youth's Community Center any and all persons who shall willfully violate the rules; and the Board may extend the privileges of the use of said Youth's Community Center to persons residing outside the City, upon such conditions as the Youth's Community Center Board deem expedient.

4-5-8 **ANNUAL REPORTS.** The Youth's Community Center Board shall make on or before the **first (1st) Monday in May**, an annual report to the City Council stating the condition of the Youth's Community Center Fund and trusts as of the **first (1st) day of May** of that year.

The various sums of money received for the Youth's Community Center Fund; and from other sources and how much moneys have been expended; for what purposes and such other information and suggestions as they may deem of general interest. All financial aspects of the report relating to the receipt and expenditure of money shall be verified by affidavit.

4-5-9 **PENALTY.** Any person who destroys or injures any property of the Youth's Community Center shall, upon conviction, be fined as provided in **Section 1-1-20**.

ARTICLE VI – BENTON TOURISM BOARD

4-6-1 **ESTABLISHED.** A Benton Tourism Board is hereby created under authority of the **Illinois Compiled Statutes, Chapter 65, Sections 5/11-12-4 through 5/11-12-12.**

4-6-2 **MEMBERSHIP.** The Benton Tourism Board shall consist of **five (5) members**, with said members being residents within the jurisdictional limits of the Zoning Code of the City. The members shall be appointed by the Mayor on the basis of his/her particular fitness for the duty of the Benton Tourism Board and subject to the approval of the City Council.

4-6-3 **TERM OF OFFICE.** The members shall serve for a period of **four (4) years** or as designated by the City Council at the time of appointment, but not to exceed **four (4) years**. Vacancies shall be filled by the Mayor, subject to the approval of the City Council. All members of the Board shall serve without compensation, unless the City Council deems it advisable, they may receive such compensation as provided by the appropriation ordinance.

4-6-4 **PROCEDURE.** The Benton Tourism Board shall elect such officers as it may deem necessary and adopt rules and regulations of organization and procedure consistent with the City Code and State Law. The Board shall keep written records of its proceedings. It shall be open at all times for and to the inspection of the public, and the Board shall file an annual report with the Mayor and City Council, setting forth its transactions and recommendations.

4-6-5 **POWERS AND DUTIES.** The Benton Tourism Board shall have the following powers and duties:

- (A) To prepare and recommend to the City Council a strategy to promote local tourism;
- (B) To encourage tourism and attract visitors to the City of Benton;
- (C) To work in conjunction with other area tourism councils, boards, and commissions to develop a stronger tourism presence in the area;
- (D) To further market and develop city-owned properties, including but not limited to Twin Oaks; and
- (E) To perform any additional duties recommended by the City Council.

4-6-6 **EXPENDITURES.** Expenditures of the Board shall be at the discretion of the City Council and if the Commission shall deem it advisable to secure technical advice or services, it shall be done under authority of the City Council and appropriations by the City Council. **(65 ILCS 5/11-12-4 and 5/11-12-12)**

(Ord. No. 2016-07; 02-22-16)

ARTICLE VII - FOREIGN FIRE INSURANCE BOARD

4-7-1 **BOARD ESTABLISHED.** There is hereby established a Foreign Fire Insurance Board which shall consist of **five (5) members** of the Fire Department.

4-7-2 **ELECTION.** The members of the Fire Department shall elect annually from their membership **five (5) firemen** who shall serve as the Board of Directors. The election shall take place at the regular monthly meeting in January of each year.

4-7-3 **OFFICE; TERMS.** The members of the Board shall elect a President, Vice-President, and a Secretary-Treasurer at its first meeting following the election. The officers shall serve for **one (1) year** until their successors are elected and qualified.

4-7-4 **TREASURER'S BOND.** The Treasurer shall be bonded for a minimum of **Twenty-Five Thousand Dollars (\$25,000.00)** to be paid for by the City. The bond shall be approved by the Mayor, as the case may be, conditioned upon the faithful performance by the Treasurer of his/her duties under this Article.

4-7-5 **APPROPRIATION BY CITY COUNCIL.** The City Council shall include in the annual budget or appropriation ordinance all revenues received from the Foreign Fire Insurance Tax as provided in **65 ILCS 5/11-10-1**. Those funds once received shall be transferred to the Foreign Fire Insurance Board's Treasurer.

4-7-6 **AUDIT.** The fund shall be audited whenever the municipal audit is conducted each year to verify that the purchases are for the maintenance, use and benefit of the municipal fire department.

4-7-7 **DUTIES OF THE BOARD.** The Board shall prepare all the necessary rules and regulations with respect to the operations of the Board and the management of the revenues appropriated to the same.

(A) The Board shall develop and maintain a listing of those items that it feels are appropriate expenditures under this Article and the Treasurer of the Board shall pay out the money upon the order of the Board for the maintenance, use and benefit of the Fire Department of the City.

(B) The Board shall report to the corporate authorities annually where the monies from this tax have been expended.

(See 65 ILCS 5/11-10-1)

ARTICLE VIII – AIRPORT BOARD

4-8-1 **BOARD ESTABLISHED.** The Mayor shall, with the advice and consent of the City Council, appoint a board of **six (6) directors** for the Municipal Airport and the Commissioner of Finance shall automatically be the **seventh (7th) member** of said Board. Not more than **one (1) member** of the City Council shall, at any one time, be a member of the Airport Board. (**Ord. No. 09-08; 04-27-09**)

4-8-2 **TERM.** The Directors shall hold office for **four (4) years** from the **first (1st) day** of May following their appointment. The Mayor shall, on or before the **first (1st) day** of May in each year, appoint **two (2) Directors** who shall hold their office for **four (4) years** and until their successors are appointed and qualified. The Mayor may, with the advice and consent of the City Council, remove and discharge any Director for misconduct or neglect-of-duty.

4-8-3 **VACANCIES.** Vacancies in the Board of Directors shall be reported to the City Council and shall be filed in like manner as this Chapter provides. No director shall receive compensation as a member of the Airport Board.

4-8-4 **OFFICERS.** The Directors shall elect **one (1)** of their members as President and other such officers as they may deem necessary. They shall meet and adopt such laws, rules and regulations for their own guidance and for the government of the Municipal Airport as will be expedient and not inconsistent with this Chapter.

4-8-5 **EXPENDITURES.** The Board of Directors shall have exclusive control of the expenditures of all moneys collected to the credit of the Municipal Airport Fund, provided that all moneys received for such Municipal Airport Fund shall be deposited in the Treasury of the City, to the credit of such fund, and shall be kept separate and apart from other moneys of the City and drawn upon by the proper officers of the Board of Directors, upon the properly authenticated vouchers of the Municipal Airport Board. The Board shall have the power to appoint any necessary committees, and remove such appointees; and in general to carry out the spirit and intent of this Chapter in maintaining a Municipal Airport.

4-8-6 **ANNUAL REPORTS.** The Municipal Airport Board shall make on or before the **first (1st) Monday** in May, annual reports to the City Council, stating the condition of the Municipal Airport Fund, and showing the various sums of money received from all sources; the sums of money disbursed and the purposes therefor, and such other information and suggestions as they may deem of general interest. All such portions of the report as relate to the receipt and expenditure of money shall be verified by affidavit.

4-8-7 **COOPERATION WITH LESSEES.** The Municipal Airport Board hereby created shall, at all times, endeavor to cooperate with the lessees of the Municipal Airport, in the maintenance and improvement of said Municipal Airport.

(Ord. No. 506; 04-07-47)