



VILLAGE OF WINNEBAGO

COMMITTEE OF THE WHOLE

September 25, 2024 at 6:00 PM

108 West Main Street and Virtually

To access meeting from any device: <https://global.gotomeeting.com/join/856730805>

Or by (Toll Free): 1 877 309 2073 | Access Code: 856-730-805

1. RECORDING OF THE MEETING

2. CALL TO ORDER

3. ROLL CALL

4. MEETING GUIDELINES

Discussion and Vote to Allow an Absent Trustee to Vote By Phone or Other Allowable Means.

5. ESTABLISHMENT OF A QUORUM

6. PUBLIC COMMENT

It is recommended that a written request to address the Village Board by non-members should be submitted via mail, hand delivery, or the Village Website to the Village of Winnebago Office located at 108 West Main Street, Winnebago, Illinois, 61088, by 12:00 Noon on the day of the meeting scheduled by the Village authorities in which the speaker would like to participate. Alternatively, speakers may fill out the form at the meeting to sign up for public comment. Each speaker is limited to three (3) minutes. A maximum of thirty (30) minutes shall be allowed for public comment at each meeting.

7. APPROVAL OF MINUTES

[a.](#) Approval of Committee of the Whole Meeting Minutes August 28, 2024

8. DISCUSSION

[a.](#) Sprinkler Ordinance Update

[b.](#) IBC Code Update

[c.](#) Business Registration Ordinance Update

[d.](#) Purchasing Policy/Ordinance

[e.](#) Office Structure Discussion

[f.](#) 2025 Schedule of Meetings

[g.](#) Memorial Park Discussion

9. EXECUTIVE SESSION (CLOSED SESSION) Pursuant to 5ILCS 120/2(c)

10. NEW BUSINESS

11. ADJOURNMENT

Posted: September 19, 2024 at 10:00 a.m. at 108 W. Main Street, Winnebago, IL
and online at www.villageofwinnebago.com Tel 815.335.2020 | Fax 815.415-8491

The Committee of the Whole of the Village of Winnebago met on August 28, 2024, at 6:00 p.m.

ROLL CALL

ACKERMAN - LEFEVRE - MCKINNON – PITNEY – SMITH present; – KIM absent

Guests: Attorney Mary Gaziano, Village Administrator Joseph Dienberg, Chief Jeff White, Sergeant Nick Haff, Treasurer Dana Novinson, Casper Manheim, Public Works Director Chad Insko, Chief Dave Loria.

In the absence of President Eubank, a motion was made by MR. ACKERMAN seconded by MR. SMITH to appoint Trustee MCKINNON as Temporary Chair for the meeting. Motion carried on a unanimous roll call vote of those present.

A quorum was established.

No public comment requested.

7. APPROVAL OF MINUTES

c. A motion was made by MR. SMITH, seconded by MR. ACKERMAN to accept the minutes of the June 26, 2024, Committee of the Whole meeting. Motion carried on a voice vote.

d. A motion was made by MR. ACKERMAN, seconded by MR. SMITH to accept the minutes of July 24, 2024, Committee of the Whole meeting. Motion carried on a voice vote.

8. DISCUSSION

a. The Unified Development Ordinance was discussed as it relates to sprinklers. Chief Loria and Mr. Manheim were available for questions. There will be an amendment to adopt the 2021 fire code; however, it doesn’t include the requirement for a red pull handle. Chief Loria, Attorney Gaziano and Mr. Dienberg to get concurrence that the fire department and UDO have the same requirements.

b. Stormwater management for the Village was discussed. This is necessitated by the flooding caused by the July 13 and 14, 2024 storms. It was decided that a comprehensive stormwater study be completed to set a plan in place to resolve these problems over time. In the meantime, it was suggested an educational mailing be completed reminding people about the discharge of sump pumps, keeping yard waste out of the storm water system, etc.

c. Update of the Personnel Manual was discussed, especially sections 6, 7 and 8. With regard to overtime, option 2 was recommended.

The removal of Diversity, Equity and Inclusion was discussed.

MR. SMITH left at 7:36 p.m.

d. The need for driveway permits was discussed. MR. MCKINNON noted this needs to get resolved.

e. It was decided to go forward with the design and bidding of the Church and Goodling looping project.

f. It was decided to go ahead with the design of the Westfield Road Box Culvert and have it bid ready. The actual building will likely be 2025.

g. It was recommended to go forward with an ordinance for garage sales.

A motion was made by MR. LEFEVRE, seconded by MR. ACKERMAN to adjourn at 7:59 p.m. Motion carried on a voice vote.

DRAFT - UNAPPROVED

Sally Jo Huggins, Village Clerk



Agenda Item Executive Summary

Item Name Text Amendment of Unified Development Ordinance - Fire Suppression Committee or Board Committee

BUDGET IMPACT

Amount:	N/A	Budgeted:	N/A
List what fund:	N/A		

EXECUTIVE SUMMARY

In December 2019, the Village of Winnebago established a Unified Development Ordinance (UDO) regulating new development. The UDO imposed stricter regulations on automatic sprinkler systems compared to the International Building Code (IBC) Section 903.2

Staff has reviewed these codes with the Win-Bur-Sew Fire Protection District and recommend amending the requirements to align with the most current International Building Code standards, with exceptions for specific scenarios. This was reviewed by the Committee of the Whole at their 7/24/24 meeting, with further input from the Fire District. Staff has been working with the Fire District to review the ordinances and ensure consistency with both organizations.

A Draft of the final ordinance will be provided when available. With this being a text amendment to the UDO, this will also require a public hearing.

ATTACHMENTS (PLEASE LIST)

N/A

ACTION REQUESTED

- ☒ For Discussion Only
- ☐ Resolution
- ☐ Ordinance
- ☐ Motion:

MOTION:

Staff: Joseph Dienberg, Village Administrator Date: 9/25/2024



Agenda Item Executive Summary

Item Name Building Code Update Committee or Board Committee

BUDGET IMPACT

Amount:	N/A	Budgeted:	N/A
List what fund:	N/A		

EXECUTIVE SUMMARY

Per Public Act 103-0510, municipalities with existing building codes must identify their current code, including any local amendments, and inform the Illinois Capital Development Board (CDB). Municipalities adopting new building codes must notify the CDB at least 30 days before the new code's effective date. Municipalities without a building code must ensure new or substantially improved commercial buildings comply with state-mandated inspections before occupancy. Residential construction standards will default to statewide codes unless specified in the construction contract.

The Village Attorney is drafting an ordinance adopting up-to-date building codes in compliance with the Illinois Capital Development Board (CDB) Act amendments, effective January 1, 2025. The new statewide requirements mandate that all municipalities with building codes ensure they meet the minimum standards set by the International Building Code, International Existing Building Code, and International Residential Code within the past nine calendar years.

As soon as available, the committee will be sent a draft of the proposed ordinance.

ATTACHMENTS (PLEASE LIST)

IML Fact Sheet, Ord 2022-01 (amending 2018-09), Ord 2018-09 (adopting 2015 IBC)

ACTION REQUESTED

- ☒ For Discussion Only
- ☐ Resolution
- ☐ Ordinance
- ☐ Motion:

MOTION:

Staff: Joseph Dienberg, Village Administrator Date: 9/25/2024

STATEWIDE BUILDING CODES EFFECTIVE JANUARY 1, 2025



Public Act 103-0510 amends the Capital Development Board Act (20 ILCS 3105/1 et seq.). It requires that certain building code standards be adopted or followed effective January 1, 2025. The Act does not require municipalities or counties that do not currently have building codes to adopt building codes, but it does require minimum construction standards in those communities. For municipalities and counties that have adopted building codes, the Act requires that those codes meet certain requirements. Having a municipal or county zoning ordinance is separate from having a municipal or county building code.

IF YOUR MUNICIPALITY CURRENTLY HAS A BUILDING CODE

Any municipality or county that has adopted and is currently enforcing a building code must identify the code, by title and edition, and any local amendments and inform the Illinois Capital Development Board (CDB) in writing no later than 180 days after the effective date of the Act.

Any municipality or county choosing to adopt a new building code edition must, at least 30 days before the effective date of the new code, identify the model code being adopted, by title and edition, and any local amendments and inform CDB in writing.

Beginning January 1, 2025, any municipal building code or county building code must:

- (1) Regulate the structural design of new buildings, other than residential buildings, in a manner that is at least as stringent as the baseline statewide building code standard;
- (2) Regulate the structural design of rehabilitation work in existing buildings, other than residential buildings, in a manner that is at least as stringent as the baseline statewide existing building code standard; and,
- (3) Regulate the structural design of residential buildings in a manner that is at least as stringent as the baseline statewide residential code standard.

The baseline codes are the International Building Code including Appendix G, International Existing Building Code and International Residential Code, published in the current year or preceding nine calendar years.

This requirement is a limitation on the concurrent exercise by home rule units of powers and functions exercised by the state.



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IF YOUR MUNICIPALITY DOES NOT CURRENTLY HAVE A BUILDING CODE

COMMERCIAL CONSTRUCTION

Newly constructed commercial buildings or substantially-improved commercial buildings in a non-building code jurisdiction cannot be occupied until:

- (1) The property owner or property owner’s agent has first contracted for the inspection of the building by an inspector who meets the qualifications established by CDB; and,
- (2) A qualified inspector files a certification of inspection with the municipality or county having such jurisdiction over the property, indicating that the building complies with all of the following:
 - a. The International Building Code including Appendix G (current or most preceding edition);
 - b. The National Electric Code published by National Fire Protection Association (current or most preceding edition);
 - c. Either:
 - i. The Illinois Energy Efficient Building Code adopted under Section 15 of the Energy Efficient Building Act; or,
 - ii. The Illinois Stretch Energy Code adopted under Section 55 of the Energy Efficient Building Act;
 - d. The Illinois Accessibility Code adopted under Section 4 of the Environmental Barriers Act;
 - e. The Illinois Plumbing Code adopted under Section 35 of the Illinois Plumbing License Law; and,
 - f. The rules adopted in accordance with Section 9 of the Fire Investigation Act.

RESIDENTIAL CONSTRUCTION

A home builder and the home purchaser may agree to adopt the International Residential Code or any municipal residential building code or county residential building code that is, on the first day of construction, in effect within 100 miles of the location of the new home. If the home builder and the home purchaser fail to agree to a residential building code, or if no residential building code is stated in the contract, the code adopted under Section 15 of the Energy Efficient Building Act, the Illinois Plumbing Code adopted under Section 35 of the Illinois Plumbing License Law and the current edition of the International Residential Code are, by law, adopted as part of the construction contract.

BUILDING PERMITS

Once a building permit is issued, the code requirements that are in effect on January 1 of the calendar year when the building permit was applied for, or, where a building permit is not required, on January 1 of the calendar year when construction begins, shall be the only requirements that apply for the duration of the building permit or construction.

For more information regarding statewide building codes, contact the Illinois Council of Code Administrators via their website, www.icca-10.org.



VILLAGE OF WINNEBAGO

ORDINANCE NO. 2022- 01

**ORDINANCE AMENDING ORDINANCE NO. 2018-09
ADOPTING CERTAIN 2015 EDITION INTERNATIONAL
CODE COUNCIL CODES, ETC., TO EXPAND PERMIT
REQUIREMENT FOR TEMPORARY STRUCTURES**

**ADOPTED BY THE
BOARD OF TRUSTEES**

VILLAGE OF WINNEBAGO

THIS 14th DAY OF FEBRUARY, 2022

Published in pamphlet form by authority of the Village
Board of Trustees of the Village of Winnebago, Illinois, this 15th
day of February, 2022.

STATE OF ILLINOIS)
) SS
COUNTY OF WINNEBAGO)

PAMPHLET PUBLICATION CERTIFICATION FORM

I, Sally Jo Huggins, certify that I am the duly elected and acting Village Clerk of the Village of Winnebago, Winnebago County, Illinois.

I further certify that on FEBRUARY 14, 2022, the Corporate Authorities of the above municipality passed and approved Ordinance No. 2022-01, entitled, "Ordinance Amending Ordinance No. 2018-09 Adopting Certain 2015 Edition International Code Council Codes, Etc., to Expand Permit Requirement for Temporary Structures", which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2022-01, including the ordinance and a cover sheet thereof, was prepared, and a copy of the ordinance was posted in the Village office located at 108 West Main Street, Winnebago, Illinois, commencing on _____, 2022 and continuing for at least ten (10) days thereafter. Copies of the ordinance were also available for public inspection upon request in the office of the Village Clerk located at the above Village office address.

DATED at Winnebago, Illinois, this _____ day of _____, 2022.

(SEAL)

Sally Jo Huggins, Village Clerk

ORDINANCE NO. 2022- 8/

**ORDINANCE AMENDING ORDINANCE NO. 2018-09 ADOPTING
CERTAIN 2015 EDITION INTERNATIONAL CODE COUNCIL CODES,
ETC., TO EXPAND PERMIT REQUIREMENT FOR TEMPORARY
STRUCTURES**

WHEREAS, on or about July 11, 2018, the Village of Winnebago Board of Trustees adopted Ordinance No. 2018-09, whereby it adopted certain 2015 Edition International Code Council Codes, as well as the 2014 Edition of the National Electrical Code, and the 2014 Edition of the Illinois Plumbing Code, and revoked, replaced, and superseded Ordinance No. 06-08 previously passed in regard to the same whereby earlier versions of said documents were adopted by the Village; and

WHEREAS, Ordinance No. 2018-09 contained certain amendments and additions to the 2015 Edition of the International Code Council (ICC) Building Code as adopted; and

WHEREAS, in the interest of protecting the citizenry of the Village of Winnebago, the Village Board of Trustees deems it advisable to make a further amendment to the scope of the 2015 Edition of the International Building Code as adopted to require a building permit for all temporary structures regardless of size.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WINNEBAGO AS FOLLOWS:

SECTION 1: AMENDMENT TO SECTION 1 OF ORDINANCE NO. 2018-09

Section 1(A) of Ordinance No. 2018-09 shall be and hereby is amended to add a fourth amendment to the 2015 International Building Code of 2015 as adopted so as to require a building permit for any size temporary structure (defined in said code as structures erected for a period of less than 180 days) as opposed to the requirement in the International Building Code of 2015 that the same only is required when the temporary structure covers an area greater than 120 square feet, including connecting areas or spaces with a common means of egress or entrance that are used or intended to be used for the gathering of 10 or more persons:

4. Section 3103.1.2 Permit required.

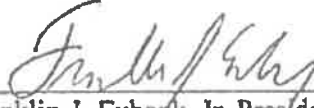
A temporary structure shall not be erected, operated, or maintained for any purpose without obtaining a permit from the Village Building Official.

SECTION 2: EFFECTIVENESS OF OTHER PROVISIONS OF ORDINANCE NO. 2018-09

All other provisions of Ordinance No. 2018-09 not in conflict with the instant ordinance shall remain in full force and effect.

SECTION 3: EFFECTIVE DATE

This ordinance shall be effective upon its passage, approval, and publication in pamphlet in three (3) conspicuous places in the Village of Winnebago immediately upon its passage and approval.

APPROVED:


Franklin J. Eubank, Jr. President of the Board of Trustees
of the Village of Winnebago, Illinois

ATTEST:


Sally Jo Huggins, Village Clerk

PASSED:2-14-2022**APPROVED:**2-14-2022**PUBLISHED****IN PAMPHLET FORM:** _____

VILLAGE OF WINNEBAGO

ORDINANCE NO. 2018-09

**AN ORDINANCE ADOPTING CERTAIN 2015 EDITION
INTERNATIONAL CODE COUNCIL CODES,
2014 EDITION NATIONAL ELECTRICAL CODE,
2014 ILLINOIS PLUMBING CODE, WITH CERTAIN
AMENDMENTS OR ADDITIONS, AND REVOKING,
REPLACING, AND SUPERSEDING, ORDINANCE
NO. 06-08 PERTAINING TO THE SAME**

**ADOPTED BY THE
BOARD OF TRUSTEES**

VILLAGE OF WINNEBAGO

THIS 11th DAY OF JUNE, 2018

Published in pamphlet form by authority of the Village
Board of Trustees of the Village of Winnebago, Illinois, this 21st
day of June, 2018.

STATE OF ILLINOIS)
) SS
COUNTY OF WINNEBAGO)

PAMPHLET PUBLICATION CERTIFICATION FORM

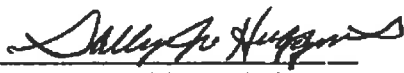
I, Sally Jo Huggins, certify that I am the duly elected and acting Village Clerk of the Village of Winnebago, Winnebago County, Illinois.

I further certify that on June 11, 2018, the Corporate Authorities of the above municipality passed and approved Ordinance No. 2018-09, entitled "An Ordinance Adopting Certain 2015 Edition International Code Council Codes, 2014 Edition National Electrical Code, 2014 Illinois Plumbing Code, With Certain Amendments or Additions and Revoking, Replacing, and Superseding Ordinance No. 06-08 Pertaining to the Same," which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2018-09 including the ordinance and a cover sheet thereof, was prepared, and a copy of the ordinance was posted in the Village office located at 108 West Main Street, Winnebago, Illinois, commencing on June 21, 2018, and continuing for at least ten (10) days thereafter. Copies of the ordinance were also available for public inspection upon request in the office of the Village Clerk located at the above Village office address.

DATED at Winnebago, Illinois, this 5th day of July, 2018.

(SEAL)


Sally Jo Huggins, Village Clerk

ORDINANCE NO. 2018-09

**AN ORDINANCE ADOPTING CERTAIN 2015 EDITION
INTERNATIONAL CODE COUNCIL CODES, 2014 EDITION NATIONAL
ELECTRICAL CODE, AND 2014 ILLINOIS PLUMBING CODE, WITH
CERTAIN AMENDMENTS OR ADDITIONS, AND REVOKING,
REPLACING, AND SUPERSEDING ORDINANCE NO. 06-08
PERTAINING TO THE SAME**

WHEREAS, Section 5/1-3-2 of Chapter 65 of the Illinois Compiled Statutes provides that a municipality may adopt by reference, as criteria for the issuance of construction, reconstruction, alteration, or installation permits, all or part of the provisions of regulations without setting forth those provisions in full if at least one copy of those regulations is filed in the office of the clerk of the municipality and is kept available for public use, inspection, and examination, with the qualification that such filing requirement is not deemed to be complied with unless the required copy of the regulations or copies of the public record are filed with the clerk of the municipality for a period of thirty (30) days before the adoption of the ordinance that incorporates the regulations or public record by reference. Further, regulations, or a public record, of a jurisdiction other than the State of Illinois may not be adopted by reference covering any subject matter for which standards are available in any public record of the State of Illinois; and

WHEREAS, there are no comparable standards available in the public records of the State of Illinois for the matters for which adoption of the updated respective national codes is sought; and

WHEREAS, Ordinance No. 06-08 entitled "An Ordinance Adopting 2003 IBC International Building Code of the International Code Council (ICC), the National Electrical Code 2003 Handbook, the 2003 International Fire Code, the 2003 International Existing Building

Code, the 2003 International Mechanical Code, the 2003 International Emergency Conservation Code, the 2003 International Residential Code, and Superseding Ordinance No. 99-9 (Reassigned Ordinance No. 99-11 as corrected by Ordinance No. 00-05)" was adopted by the Village Board on June 12, 2006; and

WHEREAS, new or comparable updated versions of the aforesaid codes, and additional related codes have now been published; and

WHEREAS, the same comparable updated versions of the aforesaid codes are included in the proposed Unified Development Ordinance (UDO) which will apply to new construction and is soon to be adopted by the Village Board; and

WHEREAS, it is deemed to be in the best interest of the citizenry to have consistent codes applied to both existing and new construction; and

WHEREAS, there was filed with the Clerk of the Village of Winnebago, Illinois, at least 30 days prior to the adoption of the instant ordinance, a copy of the 2015 edition of the International Code Council (ICC) Building Code; the 2014 edition of the National Electrical Code; the 2015 edition of the International Code Council (ICC) Fire Code; the 2015 edition of the International Code Council (ICC) the International Existing Building Code; the 2015 edition of the International Code Council (ICC) Property Maintenance Code; the 2015 edition of the International Council Code (ICC) Mechanical Code; the 2015 edition of the International Code Council (ICC) Energy Conservation Code; the 2015 edition of the International Code Council (ICC) Residential Dwelling Code for One-and-Two Family Dwellings; the 2015 edition of the International Code Council (ICC) Life Safety Code; the 2015 edition of the International Code Council (ICC) Fuel Gas Code; and the 2014 edition of the Illinois Plumbing Code; and

WHEREAS, the Board of Trustees of the Village of Winnebago, Illinois, believes it to be in the best interest of the citizenry of the Village of Winnebago, Illinois, to adopt the updated

versions of the codes reference in the above paragraphs, with certain amendments and/or additions.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WINNEBAGO, ILLINOIS, AS FOLLOWS:

SECTION 1

The provisions of the following named codes, together with any supplements or appendices, and with the amendments or additions listed are hereby adopted as the official codes of the Village of Winnebago, with each and all of the regulations, provisions, conditions, and terms of said codes hereby referred to, adopted, and made a part hereof as if fully set out in the instant ordinance, with the amendments or additions as set forth below:

- A) **2015 EDITION OF THE INTERNATIONAL CODE COUNCIL (ICC) BUILDING CODE.** The International Code Council (ICC) Building Code, 2015 edition for commercial buildings, together with any supplements and any appendices or amendments thereto, as published by the ICC is hereby adopted in its entirety by reference as the building code for the Village as though fully set forth herein. A copy of this code shall remain on file at the office of the Village Clerk and Village Building Official for public review and inspection.

AMENDMENTS. The following sections of the ICC Building Code of 2015, as adopted by this Article are hereby revised as follows:

1. **Section 101.1.** Insert for name of jurisdiction: "Village of Winnebago, Illinois."
2. **Section 113.4. Violation Penalties.** Insert at end of section: "Penalties shall be punishable by a fine per the general penalty of section 1-15 up for each offense and each day that said offense occurs or continues to occur; however, for noncompliance of orders issued by the Village Building Official the fine shall be no less than \$200.00 or more than the maximum amount allowed by state statute for each offense and each day that said offense occurs or continues to occur."
3. **Section 1612.3. Establishment of flood hazard areas.**
 - a. Insert for jurisdiction: "Village of Winnebago".

- b. Insert for effective date: "Date which is ten (10) days after pamphlet publication of 2015 code adoption ordinance".

B) THE 2014 EDITION OF THE NATIONAL ELECTRICAL CODE. The National Electrical Code, 2014 edition, together with any supplements and appendices or amendments thereto, as published by the National Fire Protection Association, Inc., is adopted in its entirety by reference as the Electrical Code for the Village as though fully set forth herein. A copy of this code will remain on file at the office of the Village Clerk and Village Building Official for public review and inspection.

AMENDMENTS. The following amendments are made to the published form of the National Electric Code, 2014 Edition:

- 1. **Section 210.19** shall be amended to add subsection (A) (5) as follows:
210.19 Conductors -Minimum Ampacity and Size.
 - (A) **Branch Circuits Not More Than 600 Volts.**
 - (5) **Microwave Circuits.** The wiring used to supply power to a permanently installed microwave oven shall consist of a dedicated circuit installed with 12 AWG or larger conductors.
- 2. **Section 210.70(A) (I)** shall be amended to read as follows:
210.70 Lighting Outlets Required.
 - (A) **Dwelling Units.**
 - (1) **Habitable Rooms.** At least one wall switch-controlled lighting outlet shall be installed in every habitable room and bathroom. The switch shall be installed at a point of entry to the room. The main lighting outlet in each room may not be fed from the load side of a GFCI device. Unless 210.70(A)(1), Exception No. 1 is applied, provision shall be made in the wiring of each ceiling box of all habitable rooms (excluding dining rooms) for a luminaire to operate independently from a fan.
Exception No. 1: In other than kitchens and bathrooms, one or more receptacles controlled by a wall switch shall be permitted in lieu of lighting outlets.
Exception No.2: Lighting outlets shall be permitted to be controlled by occupancy sensors that are (1) in addition to wall switches or (2) located at a customary wall switch location and equipped with a manual override that will allow the sensor to function as a wall switch.

3. **Section 210.70(A)(3)** shall be amended to read as follows:
210.70 Lighting Outlets Required.
 - (A) **Dwelling Units.**
 - (3) **Storage or Equipment Spaces.** For accessible attics, underfloor spaces, utility rooms, each area of an unfinished basement, and equipment spaces, at least one lighting outlet containing a switch or controlled by a wall switch shall be installed in such spaces. At least one point of control shall be at the usual point of entry to these spaces. A lighting outlet shall be provided within six (6) feet of any equipment requiring servicing.
4. **Section 210.70(C)** shall be amended to read as follows:
210.70 Lighting Outlets Required.
 - (C) **Other Than Dwelling Units.** For accessible attics and underfloor spaces, at least one lighting outlet containing a switch or controlled by a wall switch shall be installed in such spaces. At least one point of control shall be at the usual point of entry to these spaces. A lighting outlet shall be provided within six (6) feet of any equipment requiring servicing.
5. **Section 230.11** shall be added as follows:
230. 11 Service Modifications. When any part of the service entrance equipment, branch circuit panel, or service conductor is replaced, modified, or required to be repaired, the service in its entirety must be installed to comply with current codes. The main branch circuit panel shall be at least 16 spaces.
Exception: Replacement or addition of a branch-circuit overcurrent protective device.
6. **Section 230.43** shall be amended to read as follows:
230.43 Wiring Methods for 1000 Volts, Nominal, or Less. Service-entrance conductors and service laterals overhead shall be installed in accordance with the applicable requirements of this Code covering the type of wiring method used and shall be limited to rigid metal conduit (RMC) or intermediate metal conduit (IMC). Electrical metallic tubing (EMT) may be used inside a building or structure.

7. **Section 230.70(A)(1)** shall be amended to read as follows:
230.70 General.
(A) **Location.**
(1) **Readily Accessible Location.** The service disconnecting means shall be installed at a readily accessible location, either outside of a building or structure, or inside at or within 5 feet of the meter enclosure.
8. **Section 250.52** shall be amended to add subsection (C) as follows:
250.52 Grounding Electrodes.
(C) **New Construction.** A concrete-encased electrode that complies with 250.52(A)(3) will be required in all new construction.
9. **Section 300.1** shall be amended to add subsection (D) as follows:
300.1 Scope.
(D) **Mixed Use and Occupancy Buildings.** The entire mixed use and occupancy building shall be wired by the most restrictive code.
10. **Section 300.5(D)(3)** shall be amended to read as follows:
300.5 Underground Installations.
(D) **Protection from Damage.**
(3) **Service Conductors.** Underground service conductors shall be installed in galvanized or stainless steel rigid metal conduit (RMC) or intermediate metal conduit (IMC). Underground service conductors that are not subject to physical damage may be installed in Schedule 80 rigid electrical nonmetallic conduit (PVC), protected by galvanized or stainless steel rigid conduit (RMC) or intermediate metal conduit (IMC) to a minimum of 450 mm (18 inches) below grade. No exposed nonmetallic conduit shall be allowed. Underground service conductors that are not encased in concrete and that are buried 450 mm (18 inches) or more below grade shall have their location identified by a warning ribbon that is placed in the trench at least 300 mm (12 inches) above the underground installation.

11. **Section 300. 11** shall be amended to add subsection (A)(3) as follows:

300.11 Securing and Supporting.

(A) **Secured in Place.**

- (3) **Tie Wire.** Tie wire shall not be allowed as a sole means of supporting or securing conduit or cable in above ground applications.

12. **Section 300.13** shall be amended to add subsections (C) and (D) as follows:

300. 13 Mechanical and Electrical Continuity – Conductors.

- (C) **Multiple Conductors.** A device designed to be used for switching or as a receptacle may not be used to provide electrical continuity to any circuit conductor.

- (D) **Push-Type Clamping Devices.** No push-type or clamp-type connections for splices or for terminating to devices will be allowed unless the wire connection is secured with a screw or crimping tool.

Exception No. 1: Disconnecting means for ballasts.

Exception No. 2: Factory installed terminations in luminaires.

13. **Section 310.1 06(B)** shall be amended to read as follows:

310.106 Conductors

- (B) **Conductor Material.** Conductors in this article shall be aluminum, copper-clad aluminum, or copper unless otherwise specified. Aluminum and copper-clad aluminum conductors shall be prohibited to be installed in sizes smaller than 4 AWG. Stranded aluminum conductors 4 AWG through 1000 kcmil marked as Type RHH, RHW, XHHW, THW, THHW, THWN, THHN, service-entrance Type SE Style U and SE Style R shall be made of an AA-8000 series electrical grade aluminum alloy conductor material.

14. **Section 314.27(A)(2)** shall be amended to read as follows:

314.27 Outlet Boxes.

- (A) **Boxes at Luminaire or Lampholder Outlets.**

- (2) **Ceiling Outlets.** At every outlet used exclusively for lighting, the box shall be designed or installed so that a luminaire or lampholder may be attached. Boxes shall be required to support a luminaire weighing a minimum of 23 kg (50 lb). A luminaire that weighs more than 23 kg

(50 lb) shall be supported independently of the outlet box, unless the outlet box is listed and marked on the interior of the box to indicate the maximum weight the box shall be permitted to support. In all habitable rooms with a ceiling fixture (other than recessed fixtures) in a location acceptable for a ceiling-suspended (paddle) fan in single-family, two-family or multi-family dwellings. A box rated for ceiling fan support shall be installed.

15. **Section 334.10**, first paragraph, shall be amended to read as follows:
334.10 Uses Permitted. Type NM, Type NMC, and Type NMS cables shall be permitted to be used only in the following: R-2, R-3, and R-4 structures (as defined by the International Building Code) not exceeding three floors above grade.
16. **Section 334.15** shall be amended to add subsection (D) as follows:
334.15 Exposed Work.
 - (D) **All Unfinished Areas.** Any exposed cable 7 feet (213.36 cm) or closer to the floor must be protected with a durable building material or sleeved in an approved manner.
17. **Section 334.40(B)** shall be amended to read as follows:
334.40 Boxes and Fillings.
 - (B) **Devices of Insulating Material.** Self-contained switches, self-contained receptacles, and nonmetallic-sheathed cable interconnector devices of insulating material that are listed shall be permitted to be used without boxes in exposed cable wiring. Openings in such devices shall form a close fit around the outer covering of the cable, and the device shall fully enclose the part of the cable from which any part of the covering has been removed. Where connections to conductors are by binding-screw terminals, there shall be available as many terminals as conductors.

18. **Section 410.36(B)** shall be amended to read as follows:
410.36 Means of Support.

(B) **Suspended Ceilings.** Framing members of suspended ceiling systems used to support luminaires shall be securely fastened to each other and shall be securely attached to the building structure at appropriate intervals. Luminaires smaller than 610 mm by 610 mm (24 inches by 24 inches) shall be securely fastened to the ceiling framing member by mechanical means such as bolts, screws, or rivets.

Listed clips identified for the use with the type of ceiling framing member(s) and luminaire(s) shall also be permitted. Fixtures 610 mm by 610 mm (24 inches by 24 inches) or larger shall be supported independently of the ceiling grid by at least two wires on opposite corners of the fixture. The same size (or larger) wire used to support the ceiling system shall be used to support the fixture, but in no case shall the wire size be smaller than size No. 12 AWG steel.

- C. **2015 INTERNATIONAL FIRE CODE.** The International Code Council (ICC), Fire Code, 2015 edition, together with any supplements and any appendices or amendments thereto, as published by the ICC, is adopted in its entirety by reference as the fire code for the Village as though fully set forth herein. A copy of said code shall remain on file at the office of the Village Clerk, Village Building Official and Win-Bur-Sew Fire Chief for public review and inspection.

AMENDMENTS. The following sections of the International Fire Code are hereby revised as follows:

1. **Section 104.10.** Add the following, "Debris remaining at the scene of a fire after the site has been released by the fire department shall constitute a nuisance as defined herein. The property owner shall be notified of said nuisance in writing and, if not rectified to the standards set down by the fire inspectors, the debris shall be removed by the Fire District or its duly authorized agent and any costs shall be paid by the property owner with non-payment subjecting the property to a lien against the property."
2. **Section 105.1.2.1. Required Construction Permits and Certificates of Fitness.** Add to the end of the paragraph, "When a Certificate of Fitness is required by this jurisdiction for performance of activities related to fire safety; the Director of the Fire Prevention Bureau shall be responsible for its issuance."

- a. All applications for a Certificate of Fitness shall be filed with the Fire Prevention Bureau on forms provided by that office.
- b. Every person applying for a Certificate of Fitness shall furnish satisfactory proof to the Director of Fire Prevention that he/she is familiar with the materials, formulas, tools, techniques, standards, laws, ordinances, recognized good practices, safety precautions and manufactures' recommendations pertaining to the particular system, materials, devices or operations he/she will be involved with, and for which the Certificate of Fitness is issued. They shall further prove that their company is professionally competent to perform any and all actions necessary and incidental to the operation for which the Certificate of Fitness is issued, and shall provide insurance and any applicable license.
- c. The Director of the Fire Prevention Bureau shall investigate every application for a Certificate of Fitness. The investigation shall include an examination of the applicant as to his experience and training in the field of the Certificate of Fitness for which they have applied. The examination may include a practical test. When the Director of Fire Prevention determines that the applicant for the Certificate of Fitness conforms to all of the requirements of this Code, he shall issue the Certificate of Fitness.
- d. When the Director of the Fire Prevention Bureau determines that an applicant is not fit to receive the Certificate of Fitness because of their inability to comply with the provisions of this Code, he shall refuse to issue the Certificate of Fitness. If the refusal is based upon the applicant's inability to pass a written examination which is given to determine competency, the applicant may not apply again for the Certificate of Fitness within a ninety (90) day period following the examination.
- e. When the Director of the Fire Prevention Bureau determines that an individual is not fit to hold a Certificate of Fitness because of their inability to comply with the provisions of the Code, he shall inform that individual of his right to a hearing prior to the revocation of his Certificate of Fitness. If the Certificate of Fitness holder desires a hearing, they shall notify the Chief of the Fire Department in writing within ten (10) working days of their receipt

of the revocation notice. The Hearing Board shall issue a written recommendation to the Chief of the Fire Department regarding its findings within fifteen (15) days of the hearing, and the Chief shall issue his decision within a reasonable time thereafter, and the said decision shall final. Failure to show just cause shall result in the revocation of the Certificate of Fitness by the Chief of the Department. The Hearing Board shall be comprised of the Fire Chief, and the Director of the Fire Prevention Bureau.

- f. Certificates of Fitness shall not be transferable.
- g. Certificates of Fitness shall be issued for the period of time shown on the face of the Certificate of Fitness as determined by the Director of the Fire Prevention Bureau, but such period of time shall not exceed two (2) years.
- h. Applications for renewal of a Certificate of Fitness shall be filed in the same manner as an application for an original Certificate. Each such application shall be accompanied by applicable fees. The granting of a renewal of a Certificate of Fitness shall be accomplished in the same manner as for an original Certificate of Fitness.
- i. The Director of the Fire Prevention Bureau is authorized upon application therefore, to issue Certificates of Fitness that are restricted to one or more activities, systems, items, devices or to particular premises.
- j. Each person holding a Certificate of Fitness shall notify the Director of the Fire Prevention Bureau in writing of any changes in their business, residential or other notification address within ten (10) days after such change. Failure on the part of a person to give such notification shall constitute grounds for a revocation of said Certificate of Fitness.
- k. A Certificate of Fitness issued by the Director of the Fire Prevention Bureau shall be in the form of a certificate that can be framed. Said certificate shall contain the following information:
 - i. Any person to whom a Certificate of Fitness has been granted in conformance with this Code shall upon request, produce and show proper identification and their Certificate of Fitness to anyone for whom they seek to render their

- service or to the Director of the Fire Prevention Bureau.
- ii. The purpose for which the Certificate of Fitness has been issued.
 - iii. The date the Certificate of Fitness is issued and the date of expiration.
 - iv. Other information as may be necessary to properly identify the person to whom the Certificate of Fitness is issued.
 - vi. The name and signature of the Director of the Fire Prevention Bureau who issued the Certificate of Fitness, or his designee's name and rank or title.
 - vii. Printed thereon, in bold type, shall be the following: **“THIS
CERTIFICATE OF FITNESS
DOES NOT RECOMMEND THE
BEARER FOR EMPLOYMENT
NOR ASSUME
RESPONSIBILITY OR
LIABILITY FOR THE
BEARER'S PERFORMANCE.”**

- 1. A Certificate of Fitness or permit shall not be issued until the designated fees have been paid.

3. **Section 105.1.2.3. Certificate of Fitness Fees.** Certificate of Fitness fees are as follows:

The use of any explosive material	\$100.00
Installation, removal, or repair of aboveground or underground storage tanks	\$100.00
Fire alarm or fire communications systems	No Fee
Fire pumps	\$100.00
Fixed fire suppression systems/ hood and duct systems	\$100.00
Portable fire extinguishers	\$100.00
Hazardous materials storage or use	\$100.00

4. **106.5 Inspection, Test and Plan Review Fees.** Fees for occupancy inspections and tests of new fire alarm, fire suppression, and/or tanks installations shall be conducted when the system is completed. No charge shall be imposed for inspections and tests conducted on the first visit. Visits for any required inspections or tests which cannot be conducted due to the failure of the owner or installing contractor to properly and fully install the system to an inspection ready state, shall be subject to the following charges:

First visit	No fee
Second visit	\$75.00
Third visit	\$100.00

Plan Review Fees with inspection

Building Square Footage	Fee
0-5,000	\$ 250.00
5,001 -20,000	\$350.00
20,001-50,000	\$450.00
50,001 +	\$750.00

5. **Section 305.1.1. Clearance from ignition sources** is amended to read as follows: “No stacked or palletized storage of flammable or combustible materials shall be located within twenty-five feet (25’) of all entrances and exits of Fuel-dispensing structures or systems for all Motor Fuel-dispensing facilities unless overhead or sidewall automatic sprinkler system is provided.”
6. **Section 501.3. Construction Documents** is added to read as follows: “Two (2) copies of all site plans/building/remodeling prints and plans shall be submitted to the Fire District for review and approval prior to construction. Electronic prints and plans are encouraged.”
7. **Section 503.1.2.1. Additional Access** is amended as follows: “Culs-de-sac shall be limited to a length of 500 feet, measured from the centerline of the intersection to the center of the circle. The right-of-way diameter shall be a minimum of 120 feet, with a 96-foot diameter. Roads shall be constructed per Annex D D102.1. Culs-de-sac are prohibited where street connections are possible. For lengths of access road greater than 500 feet, all buildings shall be fitted with a NFPA 13, 13R or 13D code approved. automatic sprinkler system. Dead end streets or roads are not allowed.”
8. **Section 506.1.1. Locks** is amended to read as follows: “An approved lock shall be installed on gates or similar barriers, Fire Department

Connections (FDC), or as otherwise required by the Village Building Official.”

9. **Section 607.1.1. Elevator Car Requirements.** Add the following:
 “Elevator cars are to accommodate the ambulance stretcher. At least one elevator shall be of such a size and arrangement to be accommodate a 24 inch x 84 inch ambulance stretcher in the horizontal, open position and shall be identified by the international symbol for emergency medical services (star of life). The symbol shall not be less than 3 inches high and shall be placed inside of both sides of the hoist way doorframe. The cab size is to be a minimum 5 foot x 7 foot platform and a minimum 2500 lb capacity with a 42" side slide door.”

10. **Section 903.2. Where Required** is deleted in its entirety and replaced with the following: “Approved automatic sprinkler systems shall be installed in all new buildings and structures within the Fire District. Any existing building or structure, when the overall square footage of the building or Structure is increased by 100 percent (100%) or greater, or any combination of additions that occur within a five (5) year period cumulatively equal in increase of 100 percent (100%) or greater in overall square footage of the building or structure shall install a NFPA 13, NFPA 13-R, or NFPA 13-D approved fire sprinkler system throughout the building or structure, as such regulation applies given the building or structure. No barrier walls or fire rated walls are allowed to separate fire spaces when the code would call for an automatic sprinkler system within the new space because of the new square feet created. The sprinkler system shall be installed to the requirements of the NFPA 13, NFPA 13-R, or NFPA 13-D standard, as amended, as appropriate to the type of building or structure, with the following modifications and/or additional requirements, construction and/or use group classification as defined in the Code as amended. The automatic sprinkler system on multiple tenant buildings shall be installed to allow for individual control valves and switches for each tenant space. While the shell or building must have a functioning automatic sprinkler system upon completion, the tenant spaces can be controlled by valve as they are built out. Control valves are allowed above a ceiling but must be no more than three (3) inches above a removal tiles or access door and must be marked “Sprinkler Control Valve” that is visible 360 degrees with a sign. Control valves must be provided with tamper switch wired to local alarm or higher and water flow switch wired to an exterior flashing strobe light, red in color in and installed in an approved location.

The following structures shall NOT require rated sprinkler systems:

- a. Open Parking Structures,
- b. Concession stands not exceeding 700 square feet or which are seasonal in use,
- c. Telecommunication's equipment buildings,

- d. Buildings used exclusively for transmission and distribution of electric power,
 - e. Single family residential buildings/dwellings unless as called for by base code.
 - f. Use Group U occupancies
 - g. Rented storage units that are self-storage, rented spaces (i.e. "U-Store-it") buildings less than 2,499 square feet, not more than one level/story and not occupied by person or persons. Rented self-storage units exceeding 2,499 square feet shall either be sprinkled or separated by a (2) hour rated firewall for every section that is 2,499 square feet or larger.
11. **Section 903.3.1.1. NFPA 13** is amended to add the following:
 "903.3.1.1- Sprinkler Systems- Each tenant space, individual store or space shall have an approved water flow control valve to stop the flow of system water to each tenant space or individual store or space."
 12. **Section 903.3.1.2. NFPA 13-R** is amended to add the following:
 "903.3.1.2- NFPA 13-R Sprinkler Systems- Each dwelling shall have an approved water flow control valve to stop the flow of system water to each living/dwelling space."
 13. **Section 903.3.1.3. NFPA 13-D** is amended to add the following:
 "903.3.1.3- NFPA 13-D Sprinkler Systems- Each dwelling shall have an approved water flow control valve to stop the flow of system water to each living/dwelling space."
 14. **Section 903.3.7** is amended to add as follows: "903.3.7- Fire Department Connections- The location of the Fire Department Connection (FDC) shall be approved by the Fire Department official and shall be fitted with a five (5) inch Storz type fitting with locking cap with 30 degree elbow to meet the AHJ's specifications."
 15. **Section 903.4.2** is amended to read as follows: "903.4.2 Alarms- Approved audible and visual device shall be connected outside the building for all structures requiring an automatic sprinkler system. An audible and visual device shall be wired to the sprinkler system flow switch and located above the Fire Department Connection (FDC) where a FDC is required. For structures not requiring a FDC (i.e. strip mall or multiple stores or businesses), an approved audible and visual device shall be connected to the outside of the structure facing the street or as approved by the AHJ. This is to indicate which store or business is having the flow alarm.
 In addition to the above, use Group M shall provide a minimum of one hard wired smoke or heat detector that is also wired to the sprinkler system flow switch and located in a central location of each business or

occupancy that activates an outside audible and visual device with the location determined by the AHJ.

16. **Section 907.2.1** is amended as follows: "907.2.1- Group A- A manual alarm system shall be installed in accordance with NFPA 72 in all use Group A occupancies. Exceptions deleted."
17. **Section 907.2.2** is amended as follows: "907.2.2- Group B- A manual alarm system shall be installed in accordance with NFPA 72 in all use Group B occupancies. Exceptions deleted."
18. **Section 907.2.3** is amended as follows: "907.2.3- Group E- A manual alarm system shall be installed in accordance with NFPA 72 in all use Group E occupancies. Exceptions deleted."
19. **Section 907.2.4** is amended as follows: "907.2.4- Group F- A manual alarm system shall be installed in accordance with NFPA 72 in all use Group F occupancies. Exceptions deleted."
20. **Section 907.2.7** is amended as follows: "907.2.7- Group M- A manual alarm system shall be installed in accordance with NFPA 72 in all use Group M occupancies. Exceptions deleted."
21. **Section 907.4.1** is amended as follows: "907.4.1- Location- Exceptions deleted."
22. **False Alarms-** All buildings with System Monitoring and Alarms shall be subject to a Fifty Dollar (\$50.00) fine per response for any false alarm after a total of five (5) responses per year.
23. **Dry Pendant Sprinkler Heads - Any Occupancy** fitted with Dry Pendant Sprinkler Heads shall have a minimum of one (1) replacement Dry Pendant located in Sprinkler box of riser room.
24. **Numbered, Lettered, or Color Coded Doorways -** Numbered, lettered, or color coded doorways and corridors in occupancy use Group A, Group H, Group I, Group R-1, R-2, R-4 and all covered malls and row of stores shall be required with the location determined by the AHJ.

- D. **THE INTERNATIONAL EXISTING BUILDING CODE.** The International Code Council (ICC) Existing Building Code, 2015 edition, together with any supplements and appendices or amendments thereto, as published by the ICC, is hereby adopted in its entirety by reference as the existing building code for the Village as though fully set forth herein. A copy of this code shall remain on file at the office of the Village Clerk and Village Building Official for public review and inspection.

AMENDMENTS. The following sections of the ICC Existing Building Code, 2015 edition, are revised as follows:

Section 101.1. Insert, for name of jurisdiction, "Village of Winnebago, Illinois."

- E. **THE 2015 EDITION OF THE INTERNATIONAL CODE COUNCIL (ICC) PROPERTY MAINTENANCE CODE.** The International Code Council (ICC) Property Maintenance Code, 2015 edition, together with any supplements and appendices or amendments thereto, as published by the ICC, is adopted in its entirety by reference as the property maintenance code for the Village as though fully set forth herein. A copy of said code will remain on file at the office of the Village Clerk and Village Building Official for public review and inspection.

AMENDMENTS. The following sections of the International Property Maintenance Code, as adopted in section 22-75, are hereby revised as follows:

1. In Section 101.1, insert for name of jurisdiction: "Village of Winnebago, Illinois."
2. In Section 304.14, insert screens, insert for dates: "April 1 to October 1."
3. In Section 602.3, heat supply, insert for dates: "October 1 to April 1."
4. In Section 602.4, occupiable workspaces, insert for dates: "October 1 to April 1."

- F. **THE 2015 EDITION OF THE INTERNATIONAL COUNCIL CODE (ICC) MECHANICAL CODE.** The International Code Council (ICC) Mechanical Code, 2015 edition, together with any supplements and appendices or amendments thereto, as published by the ICC, is adopted in its entirety by reference as the mechanical code for the Village as though fully set forth herein. A copy of this code shall remain on file at the office of the Village Clerk and Village Building Official for public review and inspection.

AMENDMENTS. The following sections of the International Mechanical Code are hereby revised as follows:

1. Section 101.1. Insert for name of jurisdiction, "Village of Winnebago, Illinois".
2. Section 106.5.2. Insert: "The permit and inspection fees shall be as established and published by the Winnebago Village Board from time to time and made available to the public."
3. Section 106.5.3.2. Insert, for fee refunds in the case where no work has been done under an issued permit, no more than "90 percent."
4. Section 106.5.3.3. Insert, for fee refunds in the case where the permit is withdrawn or canceled before any plan review effort has been expended, no more than "90 percent."

5. **Section 108.4.**

- a. Insert "Petty offense" for the name of the specific offense;
- b. Insert "punishable by a fine of not more than \$750 for each offense, and each day that said offense occurs or continues to occur" for the amount; and
- c. Insert "zero" for the number of days of imprisonment.

G. **THE 2015 EDITION OF THE INTERNATIONAL CODE COUNCIL (ICC) ENERGY CONSERVATION CODE.** The International Code Council (ICC) Energy Conservation Code, 2015 edition, together with any supplements and any appendices or amendments thereto, as published by the ICC, is adopted in its entirety by reference as the energy conservation code for the Village as though fully set forth herein. A copy of said code shall remain on file at the office of the Village Clerk and Village Building Official for public review and inspection.

AMENDMENTS. The following sections of the ICC Energy Conservation Code, 2015 edition, are revised as follows:

Section 101.1. Insert, for name of jurisdiction: "Village of Winnebago, Illinois."

H. **THE INTERNATIONAL CODE COUNCIL (ICC) RESIDENTIAL DWELLING CODE FOR ONE-AND-TWO FAMILY DWELLINGS.** The International Code Council (ICC) Residential Dwelling Code for One-and Two-Family Dwellings, 2015 edition, copies of which are on file in the office of the Village Clerk and Village Building Official for public review and inspection, is hereby adopted as the residential dwelling code for the Village for the control of buildings and structures and manufactured housing and mobile homes, as provided in said code, and each and all of the regulations, provisions, penalties, conditions and terms of the ICC Residential Dwelling Code for One- and Two-Family Dwellings, 2015 edition, are hereby adopted and made part of this article as though fully set forth in this article with the following modifications being made:

AMENDMENTS. The following sections of the ICC Residential Dwelling Code, 2015 edition, are revised as follows:

 1. **Section 101.1.** Insert, for name of jurisdiction, "Village of Winnebago, Illinois."

2. **Climatic and Geographic Design Criteria.** The following information is applicable to table R301.2(1) of the ICC Residential Dwelling Code for One-and Two-Family Dwellings, 2015 edition:

Ground snow load	25 lbs.
Wind speed	90 mph
Seismic design category	C
Subject to damage from	
Weathering	Severe
Frost line depth	42 inches
Termite	Moderate to heavy
Decay	Slight to moderate
Winter design temperature	Minus 5 degrees Fahrenheit
Ice shield underlayment required	Yes
Flood hazard	Refer to UDO Article 10
Air freezing index	2000
Mean annual temperature	47 degrees Fahrenheit

3. **Minimum Insulation Standards.** For purposes of energy conservation and efficiency and minimum insulation purposes, the Village shall be considered and be in climate zone 14; provided, however, that the minimum insulation R-value for walls shall be R-13 and the R-value for ceilings shall be R-38. This requirement shall be made part of table N 1102.1 of the 2015 ICC Energy Conservation Code.

1. **THE 2015 INTERNATIONAL CODE COUNCIL (ICC) LIFE SAFETY CODE.** The International Code Council (ICC), Life Safety Code, 2015 edition, together with any supplements and any appendices or amendments thereto, as published by the NFPA, is adopted in its entirety by reference as the life safety code for the Village as though fully set forth herein. A copy of said code shall remain on file at the office of the Village Clerk, Village Building Official and Win-Bur-Sew Fire Chief for public review and inspection.

AMENDMENTS. None

- J. **THE INTERNATIONAL CODE COUNCIL (ICC) FUEL GAS CODE.** The International Code Council (ICC) Fuel Gas Code, 2015 edition, together with any supplements and any appendices or amendments thereto, as published by the ICC, is adopted in its entirety by reference as the fuel gas code for the Village as though fully set forth herein. A copy of said code shall remain on file at the office of the Village Clerk and Village Building Official for public review and inspection.

AMENDMENTS. The following sections of the ICC Fuel Gas Code, 2015 edition, are revised as follows:

1. **Section 101.1.** Insert, for name of jurisdiction, "Village of Winnebago, Illinois."
 2. **Section 106.6.2, Fee schedule.** Insert, "The permit and inspection fees shall be as established and published by the Winnebago Village Board from time to time and made available to the public."
 3. **Section 106.6.3, Fee refunds.**
 - a. Insert "Not more than 90% of the permit fee paid when no work has been done under a permit issued in accordance with this code."
 - b. Insert "Not more than 90% of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended."
 4. **Section 108.4, Violation penalties.**
 - a. Insert "petty offense" for the name of the specific offense.
 - b. Insert "punishable by a fine of not more than \$750 for each offense and each day that said offense occurs or continues to occur" for the amount.
 - c. Insert "zero" for the number of days of imprisonment.
- K. **THE 2014 EDITION OF THE ILLINOIS PLUMBING CODE.** The Illinois Plumbing Code, 2014 Edition, together with any supplements and any amendments thereto, as published by the State of Illinois, is hereby adopted in its entirety by reference as the plumbing code for the Village as though fully set forth herein. A copy of this code shall remain on file at the office of the Village Clerk and Village Building Official for public review and inspection.

AMENDMENTS. None.



Agenda Item Executive Summary

Item Name Business Registration Ordinance Committee or Board Committee

BUDGET IMPACT

Amount:	N/A	Budgeted:	N/A
List what fund:	N/A		

EXECUTIVE SUMMARY

The proposed ordinance amends Ordinance No. 2015-11 (Itinerant Merchants) and Ordinance No. 2002-07 (Public Safety) to establish a registration process for all commercial businesses and food trucks operating within the Village of Winnebago. Key elements of this ordinance include:

- Define needed information in registration form, including: Registration details required include business name, contact information, Illinois Business Authorization Number, Health Department permits (for food-related businesses), and emergency contacts.
- Food trucks are now reclassified as businesses and will not be subject to Itinerant Merchant or Solicitor's Permit requirements under Ordinance No. 2015-11. They will follow the new business registration process.
- Compliance with state sales tax registration and health department permits is mandatory.

ATTACHMENTS (PLEASE LIST)

Draft Ordinance, Ordinance 2002-07 (Public Safety), Ordinance 2015-11 (Itinerant Merchants)

ACTION REQUESTED

- ☒ For Discussion Only
☐ Resolution
☐ Ordinance
☐ Motion:

MOTION:

Staff: Joseph Dienberg, Village Administrator Date: 9/25/2024

ORDINANCE NO. 2024- ____

AN ORDINANCE AMENDING ORDINANCE NO. 2015-11 (ITINERANT MERCHANTS) AND ORDINANCE NO. 2002-07 (PUBLIC SAFETY) REGARDING THE REGISTRATION OF COMMERCIAL BUSINESSES AND FOOD TRUCKS IN THE VILLAGE OF WINNEBAGO

WHEREAS, the President and Board of Trustees of the Village of Winnebago seek to ensure proper collection of sales tax, food safety compliance, and accurate business records for all establishments operating within the Village; and

WHEREAS, the Village of Winnebago recognizes the need to distinguish food trucks from itinerant merchants, as food trucks are mobile food service businesses with specific health and safety regulations regulated by the State of Illinois and County of Winnebago respective health departments, while itinerant merchants are temporary vendors selling various goods or services without the operational structure and health permits required of food establishments; and

WHEREAS, food trucks have become increasingly prevalent in the Village, and the Board of Trustees desires to encourage entrepreneurial opportunities by creating a clear classification for such businesses and an updated registration process; and

WHEREAS, the reclassification of food trucks from itinerant merchants to a registered business category is intended to reflect their growing role in the local economy and facilitate compliance with state sales tax and health regulations.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Winnebago, Illinois, as follows:

SECTION I: AMENDMENT TO ORDINANCE NO. 2002-07 AS AMMENDEED PUBLIC SAFETY ORDINANCE

All businesses, including but not limited to retail, service, and food establishments, operating within the Village of Winnebago must complete and submit a Business Registration Form. The Village Administrator, Deputy Clerk, or their designee may, at their discretion, add additional administrative details to the registration form as necessary without Village Board Approval, such as further contact information or other relevant data to ensure the Village has complete and accurate records.

The following information is required for registration:

- A. Business Name
- B. Business Address and Phone Number
- C. Business Owner's Name and Contact Information
- D. Illinois Business Authorization/Account ID Number (Sales Tax Registration Number)

- E. Health Department Permit (for all food-related businesses)
- F. Building Owner's Name and Contact Information (if applicable)
- G. Emergency Contacts (minimum of three)
- H. Type of Business and Nature of Services Provided
- I. Hours of Operation
- J. Total Employees
- K. State Sales Tax and Health Department Compliance:

All businesses subject to state sales tax must provide their Illinois Business Authorization Number for proper tax collection and register with the State of Illinois the Village of Winnebago as a site location for proper sales tax allocation.

Food establishments must include a copy of their Winnebago County Health Department Permit at the time of registration to ensure compliance with all health and safety standards.

Food establishments, including mobile vendors, must comply with the Winnebago County Health Department’s permit renewal process and food safety inspections. Permits are required annually, and fees are based on risk levels set by the Health Department.

Registration Certificate:

Upon submission of all required information, businesses will receive a Certificate of Registration, which must be prominently displayed at the business location.

Businesses must renew their registration annually by January 31st of each year.

SECTION II: RECLASSIFICATION OF FOOD TRUCKS

Definition: A Food Truck is defined as any mobile vehicle or trailer that prepares and sells food or beverages to the public at various locations within the Village of Winnebago.

Registration Requirement for Food Trucks:

- A. Food trucks are hereby reclassified as businesses and must complete the Business Registration Form as detailed in Section I of this ordinance.
- B. Food trucks are no longer subject to the Itinerant Merchant or Solicitor’s Permit under Ordinance No. 2015-11, as amended.
- C. All food trucks must provide proof of:
 - 1) Illinois Sales Tax Registration with the Village of Winnebago as a site location for proper sales tax allocation.
 - 2) Winnebago County Health Department Permit, including any required commissary agreements.
 - 3) General Liability Insurance covering at least \$1,000,000 per individual, and \$3,000,000 per occurrence.

**SECTION III: AMENDMENT TO ORDINANCE NO. 2015-11 AS AMENDED
REGULATING ITINERANT MERCHANTS AND SOLICITORS**

Food Trucks Exempt from Itinerant Merchant Classification:

Food Trucks shall no longer be classified as Itinerant Merchants or subject to the Itinerant Merchant, Peddler, and Solicitor Permit requirements.

Food trucks must follow the new business registration process outlined in Sections I and II.

SECTION IV: ENFORCEMENT AND PENALTIES

Any person, business owner, or entity that violates the provisions of this ordinance or fails to comply with any part of it shall be subject to a fine of not less than \$100 and not more than \$750 for each offense. Each day that such a violation continues shall be deemed a separate offense.

SECTION V: REPEAL OF CONFLICTING ORDINANCES

Any ordinance or part of any ordinance in conflict with this ordinance is hereby repealed to the extent of such conflict. All other provisions of any such ordinance shall remain in full force and effect.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its passage and approval in accordance with law.

APPROVED this _____ day of _____, 2024

Franklin J. Eubank, Jr.,
Village President

ATTEST:

Sally Jo Huggins, Village Clerk

PASSED:

APPROVED:

**PUBLISHED IN
PAMPHLET FORM:**

ORDINANCE NO. 02-07

**PUBLIC SAFETY ORDINANCE OF THE VILLAGE OF WINNEBAGO,
ILLINOIS, WITH ADOPTION OF NATIONAL FIRE PROTECTION
ASSOCIATION, INC., CODE**

WHEREAS, the President and Board of Trustees of the Village of Winnebago, Winnebago County, Illinois, pursuant to statute have the authority to promulgate rules and regulations to promote the public health and safety of Village residents, and pursuant to the provisions of Division 30 of Article 11 of the Illinois Municipal Code (Chapter 65, Section 5/11-30-1 et seq. of the Illinois Compiled Statutes 2000), have the power and authority to prescribe the strength and manner of constructing all buildings, structures, and their accessories, including life and fire safety requirements; and

WHEREAS, Ordinance No. 99-9, (reassigned Ordinance No. 99-11 per correction ordinance No. 90-05, as "99-9" had inadvertently been assigned by Village Clerk to two different ordinances), passed on December 13, 1999, published on December 14, 1999, and recorded on May 31, 2000, adopted the BOCA National Building Code 1999, National Electrical Code 1999, and Counsel of American Building Officials (CABO) International One and Two Family Dwelling Code 1998, with each and all of the regulations, provisions, conditions, and terms of said codes adopted and made a part of the aforesaid ordinance as if fully set out in the ordinance, with the additions, insertions, deliberations, and changes as set forth in said codes; and

WHEREAS, based on the concern for public safety and upon the recommendation of the Win-Bur-Sew Fire Protection District, the district servicing the Village, the Village authorities believe in order to preserve and promote the public safety of the residents of the Village of Winnebago an approved automatic fire sprinkler system should be installed in all new buildings and structures, residential or otherwise, in the Village, as well as in any existing building structure, residential or otherwise, when the overall square footage of the building and/or structure is increased by one hundred percent (100%), or any combination of additions that occur within a five year period that cumulatively

equal an increase of one hundred percent (100%) or more in the overall square footage of the building or structure regardless of the materials used in construction and/or use group classification (as defined in the BOCA National Building Code 1999, as amended), except for single-family residential structures, open parking structures, telecommunication equipment buildings, and all buildings used exclusively for the transmission and/or distribution of electrical power; and

WHEREAS, Section 5/1-3-2 of Chapter 65 of the Illinois Compiled Statues provides that a municipality may adopt by reference, as criteria for the issuance, of construction, reconstruction, alteration, or installation permits, all or part of the provisions of regulations without setting forth those provisions in full if at least one copy of those regulations is filed in the office of the clerk of the municipality and is kept available for public use, inspection, and examination, with the qualification that such filing requirement is not deemed to be complied with unless the required copy of the regulations or copies of the public record are filed with the clerk of the municipality for a period of 30 days before the adoption of the ordinance that incorporates the regulations or public record by reference; and

WHEREAS, regulations or a public record of a jurisdiction other than the State of Illinois may not be adopted by reference covering any subject matter for which standards are available in any public record of the State of Illinois; and

WHEREAS, there are no comparable standards available in the public records of the State of Illinois for the matters for which adoption of the respective national codes is sought; and

WHEREAS, there was filed with the Clerk of the Village of Winnebago, Illinois, at least 30 days prior to the adoption of the instant ordinance, a copy of National Fire Protection Association, Inc., Code (NFPA) 1999 and subsections NFPA 13, NFPA 13-D and NFPA 13-R, as amended; and

WHEREAS, the Village of Winnebago, Illinois, believes it to be in the best interest of the citizenry of the Village of Winnebago, Illinois to adopt the National Fire Protection Association, Inc., Code (NFPA) 1999 and subsections NFPA 13, NFPA 13-D and NFPA 13-R, as further amended;

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

SECTION I

ADOPTION OF NATIONAL FIRE PROTECTION ASSOCIATION, INC., CODE

The provisions of the National Fire Protection Association, Inc., Code (NFPA) 1999, and subsections NFPA 13, NFPA 13-D and NFPA 13-R, as hereafter amended, shall be and hereby are adopted as the Fire Protection Code of the Village of Winnebago, in the State of Illinois. Each and all of the regulations, provisions, conditions, appendices, and terms of said codes are hereby referred to, adopted, and made a part hereof as if fully set out in the instant ordinance, with the additions, insertions, deletions, and changes as set forth in said codes.

SECTION II

FIRE PROTECTION SPRINKLER SYSTEM

All new dwellings or structures, residential or otherwise, within the Village of Winnebago, Illinois, as well as any existing building or structure, residential or otherwise, when the overall square footage of the building and/or structure is increased by one hundred percent (100%), or any combination of additions that occur within a five year period that cumulatively equal an increase of one hundred percent (100%) or more in the overall square footage of the building, shall have installed a NFPA 13, NFPA 13-R, and/or NFPA 13-D approved fire protection sprinkler system throughout the structure, as such regulation applies to the given type of building or structure. The system shall be installed meeting the requirements of the NFPA 13, NFPA 13-R, and/or NFPA 13-D standard as amended, as applicable to the given type of building or structure, with the following modifications and/or additional requirements:

- a) All single-family residential structures, open parking structures, telecommunications equipment buildings, and buildings used exclusively for transmission and distribution of electric power shall be exempt from the provisions of this fire protection sprinkler system requirement, except that

such new single-family residential structures or any existing single-family residential structure when the overall square footage of such structure is increased by one hundred percent (100%), or any combination of additions that occur within a five year period that cumulatively equal an increase of one hundred percent (100%), or more in the overall square footage of the building or structure regardless of the materials used in construction and/or use group classification (as defined in the BOCA National Building Code 1999, as amended), shall be subject to the requirements listed in paragraph (h) and (j) below. Further, if any single-family residential owner or occupant elects to have a fire sprinkler system, such owner or occupant must comply with paragraph (n) below.

- b) The fire protection sprinkler system requirement shall not eliminate the requirement for installation of smoke detectors, and all such smoke detectors shall be installed in accordance with the requirements of NFPA 72.
- c) A licensed plumber must install the fire sprinkler system with a backflow detection device before the fire sprinkler system may be connected to the water service. Also, a licensed plumber in making the installation must provide a T-connection for the sprinkler system before connecting the meter so that the occupant is not charged for the water used to test the fire sprinkler system or any water used in extinguishing a fire.
- d) Persons installing approved automatic fire protection systems shall obtain a permit issued by the Village's Building Official.
- e) An internal flow alarm must be installed as part of the fire protection system, as well as a weatherproof audio-visual alarm located on the outside of the structure, such that the same may be readily seen when passing the front of the structure, and such that both are activated when the sprinkler system activates.
- f) The fire protection sprinkler system shall have a reduced pressure zone backflow preventer (RPZ) "Febco 825 or equivalent", or a State of Illinois plumbing code double detector check valve.

g) Plans and specifications for all new approved automatic fire protections systems, and modifications to existing approved automatic fire protection systems, shall be submitted to the Village's Building Official for review prior to any installation or modification. All approved automatic fire protection system plans will be submitted by the Village to a private fire protection consultant for review when needed as determined by the Village Building Official. The permit applicant shall be responsible for all fees associated with all plan reviews.

h) The street address of a structure must be visible from the street on which the building or structure fronts, with the numbers used for commercial buildings being no less than six (6) inches in height with standard lettering.

i) All buildings with occupied floors located three stories or more above grade shall be provided with standpipes installed in accordance with the building code listed in Chapter 44 of the BOCA Basic National Fire Prevention Code/1999 Edition, as amended. The standpipes shall have an approved 2 ½ inch fire department hose connection at each floor level in each stairwell.

j) All structures that contain wood truss construction shall have a truss construction emblem affixed to the front of the structure. The truss construction emblem shall have a bright reflective color or may be made of contrasting reflective material. The following letters shall be printed on the emblem in a conspicuous size and color:

"F" to signify a floor with wood truss construction;

"R" to signify a roof with wood truss construction;

"F/R" to signify a floor and roof with wood truss construction.

The emblem shall be a four by six (4"x 6") inch rectangle with a yellow isosceles triangle, permanently affixed to the left of the main entrance door or front of the building at a height of eight (8) feet above the ground and shall be installed and maintained by the building owner.

k) When a fire suppression or detection system is present in a structure, except one or two family residential dwellings, an external key box shall be installed in a location approved by the Fire

Marshal or Fire Inspector. The key box shall be an approved type and contain the following keys:
entry, storeroom, boiler, electrical, fire alarm, and all other mechanical rooms.

l) All fire pumps referenced as required by the building code listed in Chapter 44 of the BOCA Basic National Fire Prevention Code/1999 Edition, as amended, shall be installed in accordance with the building code and NFPA 20 listed in Chapter 44 of the BOCA Basic National Fire Prevention Code/1999 Edition, as amended. All fire pumps shall stand alone in a one (1) hour fire rated room. All fire pumps shall also have an outside test header, with the location of the same to be approved by the fire department servicing the Village.

m) Designated fire lanes shall be maintained free of obstructions and vehicles and shall be identified in an approved manner. A minimum of a fourteen (14) foot clearance shall be maintained above all fire lanes. Snow shall be removed from a designated fire lane within eighteen (18) hours when it has reached a depth of four (4) inches or more.

n) The use of antifreeze or other chemicals is prohibited in any sprinkler system unless the use of antifreeze would be compatible with a particular type of sprinkler system as recommended by the manufacturer, and installed with a RPZ device.

o) Except for one and two family residential structures, all buildings and structures shall have a fire department connection for the sprinkler system located outside of the building or structure, or other location approved by the fire department servicing the Village.

p) No domestic water service meter to a building or structure which is subject to the fire prevention sprinkler provisions of this ordinance shall be connected until the water service for the sprinkler system is hooked up.

SECTION III

REGISTRATION OF COMMERCIAL AND INDUSTRIAL BUSINESSES

Each existing and new duly authorized retail, service, commercial, industrial, or other business operating within the Village of Winnebago, whether operating in home or elsewhere shall, on an annual

basis, register with the Village of Winnebago. The initial registration shall take place on or before January 31, 2003, with such registration renewed annually by the 31st of January of every year thereafter that said business continues to operate in the Village of Winnebago. Such registration shall be at no cost to the business owner and with the registration form to be completed available from the Village Office. Completion of such form is mandatory and no business shall be allowed to continue to operate if such registration form is not completed according to the timetable referenced above. A Certificate of Registration shall be issued to the respective owner on an annual basis upon submission of an acceptable registration form, and the Certificate of Registration shall be prominently displayed at the respective business. The intent of such registration is to facilitate contact by the appropriate fire, police, or other Village personnel in the event of an emergency.

SECTION IV

CHANGE IN USE OR OCCUPANCY AND/OR OWNERSHIP OF COMMERCIAL OR INDUSTRIAL BUILDINGS

Whenever there is a change in use, occupancy, and/or ownership of any commercial or industrial building in the Village of Winnebago, the owner of such building shall within seven (7) days of such change of use, occupancy, or ownership notify the Village in writing via completion of a form to be supplied upon request by the Village. The Village shall then forward a copy of the completed form to the Win-Bur-Sew Fire Protection District. The information on such form would include, but not necessarily be limited to: owner and lessee(s) names, addresses, twenty-four (24) hour contact telephone numbers, nature of the business conducted, hours of operation, and any other information necessary so that the appropriate fire, police, or other Village personnel could make contact in the event of an emergency.

SECTION V

PENALTY FOR VIOLATIONS

Any person, owner, agent, or representative who shall violate any of the provisions of the Code hereby adopted, or fails to comply therewith, or who shall violate or fail to comply with any order made

thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, shall severally for each and every such violation and noncompliance, respectively, be punishable by a fine of not less than fifty and 00/100 dollars (\$50.00) nor more than five hundred and 00/100 dollars (\$500.00). The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time, and a separate offense shall be deemed committed for each day that prohibited conditions are maintained. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

SECTION VI

REPEAL OF ANY CONFLICTING ORDINANCES OR PARTS THEREOF

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent necessary to eliminate any conflict with the provisions of this ordinance.

SECTION VII

EFFECT OF INVALIDITY OF PORTION OF ORDINANCE

If any section(s), clause(s), or provision(s) of this ordinance, or any application thereof to any person, property, or circumstances shall be held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceable provision or application, shall not affect the other provisions of this ordinance, and to this end the provisions of this ordinance are declared to be severable.

SECTION VIII

HEADINGS

The headings contained in the respective sections of the ordinance are intended for convenience in reference only and shall in no way affect the substance of the ordinance.

SECTION IX

EFFECTIVE DATE

This ordinance shall be in full force and effect beginning January 1, 2003, after its passage, approval, and publication in pamphlet form of three copies of said ordinance at the Village of Winnebago, Illinois office.

Ordinance

IN WITNESS WHEREOF, the parties of this ~~Agreement~~ have caused it to be executed as of this 11th day of November, 2002.

Village of Winnebago, a Municipal Corporation

Trustees:

<u>/S/ Vivian Gaines</u>	<u>AYE</u>	<u>/S/ Stephen L. Butler</u>	<u>AYE</u>
<u>/S/ Gerald L. Heisler</u>	<u>AYE</u>	<u>/S/ Mary Beth Elsen</u>	<u>AYE</u>
<u>/S/ Randy D. Cook</u>	<u>AYE</u>	<u>/S/ Dennis S. Owens</u>	<u>AYE</u>
		<u>/S/ David S. Hassel</u>	
		David S. Hassel, Village President	

Attest:

/S/ Sally Jo Huggins
Village Clerk

PREPARED BY:

Attorney Mary J. Gaziano
One Court Place, Suite #200
Rockford, Illinois 61101
(815) 962-6800
Village Attorney

ORDINANCE NO. 2015-11

**AN ORDINANCE REGULATING ITINERANT MERCHANTS,
PEDDLERS, AND SOLICITORS AND REVOKING, SUPERSEDING, AND
REPLACING IN ITS ENTIRETY ORDINANCE NO. 07-11 PREVIOUSLY
PASSED RELATING TO THE SAME**

WHEREAS, the Village of Winnebago Board of Trustees finds that unregulated peddlers, solicitors, and transient vendors can result in public nuisance and other dangers to public health and safety; and

WHEREAS, the Village of Winnebago Board of Trustees finds that the public interest, convenience, and necessity require the regulation of itinerant merchants, peddlers, and solicitors in order to promote free speech activities while safeguarding the safety of the residents of the Village; and further finds requiring registration and permitting of all itinerant merchants, peddlers, and solicitors will assist in protecting the public against persons of criminal habits or tendencies representing themselves as itinerant merchants, peddlers, or solicitors; and

WHEREAS, the Village of Winnebago Board of Trustees previously passed Ordinance 07-11 relating to the same, but the current Board feels a further revision is needed to clarify the need for some form of registration even with not-for-profit groups, and to extend the provisions of this ordinance to those attempting to solicit donations for a particular cause, with or without the offer of some tangible item such as candy, tickets, or other goods for the making of such donation, and to expand the categories of crimes on the record of an applicant, which could disqualify said individual from obtaining a permit, in order to protect the safety of the citizenry and staff of the Village of Winnebago; and

WHEREAS, to avoid confusion, it would be better to pass a new ordinance pertaining to the regulations of itinerant merchants, peddlers, and solicitors, incorporating the revisions desired by the Board, since to incorporate the above concepts there is the requirement of

revisions to various portions of Ordinance No. 07-11.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF WINNEBAGO AS FOLLOWS:

ARTICLE I
REVOCATION OF ORDINANCE NO. 07-11

Ordinance No. 07-11 pertaining to regulations for the supervision and control of solicitors, itinerant vendors, and peddlers within the corporate limits of the Village of Winnebago, Illinois, which ordinance was passed and adopted on November 12, 2007, respectively, shall be and hereby is revoked, superseded, and replaced in its entirety by the instant ordinance, effective ten (10) days after its passage, approval, and publication in pamphlet form as provided by law.

ARTICLE II
SHORT TITLE

The instant ordinance shall be known and may be cited as the "Village of Winnebago Itinerant Merchant, Peddler, and Solicitor Ordinance".

ARTICLE III
GENERALLY

SECTION 1. DEFINITIONS

The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

BUSINESS means the activities carried on by any person who is an itinerant merchant, peddler, or solicitor as defined in this section.

GOODS means merchandise of any description whatsoever, and includes, but is not restricted to, wares and foodstuffs.

ITINERANT MERCHANT means any person, whether as owner, agent or consignee, who engages in a temporary business of selling goods within the village and who, in the furtherance of such business uses any building, structures, vehicle, or any place within the village.

PEDDLER means:

(1) Any person who travels from place to place by any means carrying goods for sale, or making sales, or making deliveries; or

(2) Any person who, without traveling from place to place, sells or offers goods for sale from any public place within the village.

SOLICITOR means any person who travels by any means from place to place, taking or attempting to take orders for sale of goods to be delivered in the future, or for services to be performed in the future, or one who seeks donations for a particular cause, with or without the offer of some tangible item such as candy, tickets, or other goods for the making of such donation. A person who is a solicitor is not a peddler.

SECTION 2. PROHIBITED ACTS

(A) It shall be unlawful for any person engaged in activities regulated by this ordinance to sell, dispense, or display for sale any goods, wares, merchandise, materials, or services from any box, case, suitcase, or other container, vehicle, or contrivance upon any street, sidewalk or other public property within the Village of Winnebago.

(B) It shall be unlawful for any person engaged in activities regulated by this ordinance to ring a bell, or knock on a door, or otherwise enter any private property for the purpose of engaging in activities regulated by this ordinance when notice, bearing the words, "No Solicitors," or words of similar import indicating that such persons are not wanted on such premises, is painted, affixed, or otherwise exposed to public view.

(C) It shall be unlawful for any person engaged in activities regulated by this ordinance to fail, at the outset, to disclose honestly and correctly to the prospective buyer or donor his name and the name of the firm, organization or corporation he represents.

(D) It shall be unlawful for any person engaged in activities regulated by this ordinance to employ any use, plan, or scheme, or make any assertion, representation, or statement of fact which misrepresents the purpose of his call.

(E) It shall be unlawful for any person to engage in activities regulated by this ordinance after having been asked by the owner, manager, or occupant of the dwelling to leave such premises.

(F) It shall be unlawful for any person engaged in activities regulated by this ordinance to fail to provide, at the request of the purchaser, a written receipt, which receipt shall be signed by the person making the sale, or receiving the donation, and set forth a brief description of the amount of the donation and the purpose thereof, or goods or services sold, the total purchase price thereof, amount of cash payment, if any, and the balance due and terms of payment, if any.

(G) It shall be unlawful for any person engaged in activities regulated by this ordinance to use threats, expressed or implied, or coercion as an inducement to make a sale or obtain a donation.

(H) It shall be unlawful for any person engaged in activities regulated by this ordinance to continue efforts to make a sale, or solicit a donation, when specifically requested to discontinue such efforts by the prospective buyer or donor.

(I) It shall be unlawful for any person engaged in activities regulated by this ordinance to misrepresent the right of a buyer to rescind or cancel a sale under state and/or federal law.

(J) It shall be unlawful for any person engaged in activities regulated by this ordinance to represent that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits, or qualities that they do not have, or that a person has sponsorship, approval, status, qualification, affiliation, or connection with an individual, organization, firm, or corporation that he does not have.

(K) It shall be unlawful for any person engaged in activities regulated by this ordinance to represent that goods are original or new if they are deteriorated, altered, reconditioned, reclaimed, used, or secondhand.

(L) It shall be unlawful for any person engaged in activities regulated by this ordinance to make a false or misleading representation concerning the availability of credit or the nature of the transaction or obligation incurred.

(M) It shall be unlawful for any person engaged in activities regulated by this ordinance to advertise or attempt to sell his goods, wares, merchandise, chattel, things of value, or services of any kind, character, or description, or attempt to solicit monetary or other donations, by any type of public outcry, including, but not limited to, the use of mechanical means.

(N) It shall be unlawful for any person engaged in activities regulated by this ordinance to obstruct any public street, public highway, public sidewalk, or public alley or way, or any other public place or building by hindering, or impeding or tending to hinder or impede, the free and uninterrupted passage of vehicles, traffic, or pedestrians.

(O) It shall be unlawful for any person engaged in activities regulated by this ordinance to commit in or upon any public street, public highway, public sidewalk, alley, or public way or any other public place or building, any act or thing which is an obstruction or interference to the free and uninterrupted use of property or with any such business lawfully

conducted by anyone in or upon facing or fronting on any such public street, public highway, public place or building, which prevents the free and uninterrupted ingress, egress, or regress therein, thereof, and thereto, and no person shall, by his presence or by other means, either alone or in consort with others, interfere with, or interrupt, the conduct of business in the offices located in such buildings.

(P) It shall be unlawful for any person engaged in activities regulated by this ordinance to obstruct or interfere with the free and uninterrupted use of private or residential property as a residence by hindering or impeding, or tending to hinder or impede, the free, uninterrupted passage of vehicles or persons.

SECTION 3. HOURS

No person shall engage in the business enumerated in this ordinance except between the hours of 9:00 a.m. and 7:00 p.m. Monday through Saturday. No such business shall be engaged in on Sundays, or state or national holidays. The requirements of this section shall not apply to those certain "peddlers" that provide regular, routine deliveries of products for particular stores and businesses used for resale, or incorporated into the store or business's final product.

SECTION 4. EXCEPTIONS

The provisions of this ordinance shall not apply to officers or employees of the village, county, state, or federal governments, or any subdivision thereof, when on official business. Also, those certain "peddlers" that provide regular, routine deliveries of products for particular stores and businesses used for resale, or incorporated into the store or business's final product shall be exempt from the permit requirement. Further, any organization sponsored by or affiliated with Winnebago Community Unit School District #323 shall be exempt from the permit requirement. Also, itinerant merchants who have a stationary location for their business within the commercial areas of the Village north of McNair Street, and thus are not engaging in

door-to-door solicitation or peddling, shall be exempt from the restriction prohibiting conducting business on Sundays, or state or national holidays. The normal business hours restriction of the hours of 9:00 a.m. to 7:00 p.m. shall continue to apply to said stationary itinerant merchants. Such stationary itinerant merchants shall also be exempt from Section 2(a) of Article III of the instant ordinance which prohibits selling, dispensing or displaying for sale any goods, wares, merchandise, materials, or services from any box, case, suitcase, or other container, vehicle or contrivance.

ARTICLE IV
PERMITS

SECTION 1. REQUIREMENTS APPLICATION PROCEDURE; STANDARDS FOR
ISSUANCE

(A) REQUIREMENTS

(1) Except as otherwise provided in this ordinance, any person which is an itinerant merchant, peddler, or solicitor shall obtain a permit before engaging in such activity within the Village.

(2) The fee for the permit required by this ordinance shall be \$100.00 for a permit expiring 90 days after its issuance, or \$200.00 for an annual permit expiring one year after the date of its issuance. This fee shall be waived as to volunteers seeking donations for not-for-profit corporations, or seeking contributions which are recognized as deductible for federal income tax purposes, but a permit must still be obtained.

(3) For boy scouts, girl scouts and other troops or groups organized for minors, whether secular or non-secular in purpose, who seek to engage in activity regulated by this ordinance, the permit shall be obtained by the troop or group leader. For individuals who are minors not associated with a troop or group and who seek to engage in activities regulated by this ordinance, the permit application shall be completed by the parent or guardian of such

minor. The troop or group leader, or parent or guardian of the minor, as applicable, shall also ensure such minor wears the respective group uniform and/or badge or other apparel identifying the not-for profit group.

- (4) No permit issued under this ordinance shall be transferable.

(B) APPLICATION PROCEDURE

(1) All applicants for permits required by this ordinance shall file an application with the Police Chief or Designee. This application shall be signed by the applicant if an individual, by all partners if it is a partnership, or by the President of a corporation, or by the troop or group leader of a not-for profit troop or group organized for minors, or the parent or guardian of a minor who is not part of a troop or group is seeking to engage in not-for profit activity regulated by this ordinance. The applicant shall be required to provide information concerning the following items:

a. Full name, date of birth, and social security number of applicant, and the address of applicant, including the residence address of applicant. The applicant shall be required to show his driver's license or other identification suitable to the Village Police Chief or designee to identify the applicant, and the name and address by the person, firm, or corporation or association by whom the applicant is employed or who he or she represents.

b. Except as otherwise stated herein, full name, date of birth, social security number, and physical description of every individual who is to engage in such activities regulated by this ordinance, and the address of every such person engaged in activities regulated by this ordinance, including the residence address of every such person. The individual who is to engage in such activities regulated by this ordinance shall be required to show his driver's license or other identification suitable to the Village Police Chief or designee to identify such individual, and the name and address of the person, firm, or corporation or association by whom such

individual is employed or represents.

c. The name of the individual having the management authority or supervision of the applicant's business during that time that it is proposed to be carried on in the Village, the local address of such individual, the permanent address and Social Security number of such individual, and the capacity in which such individual will act.

d. If employed, the name, address and telephone number of the employer, or if acting as agent, the name, address and telephone number of the principal who is being represented, along with the employer's Federal Employer Identification Number (FEIN) or Social Security number, with credentials in written form establishing the relationship and the authority of the employee or agent to act for the employer or principal, as the case may be.

e. Whether or not the applicant, or other individual identified in subsection (B)(1)(a) through (B)(1)(c) of this section has been convicted of any crime or misdemeanor, other than minor traffic violations, and, if so, the nature of each offense and the penalty assessed for each offense.

f. A description of any vehicle proposed to be used in the business, including its registration number, if any.

g. Two photographs of the applicant, shall be required, which photographs will be taken by the Village Police Chief or designee at the time of filing of the application.

h. Proof of possession of any fireworks permit, food handling license, or other license or permit which, under federal, state or local laws or regulations, the applicant is required to have in order to conduct the proposed business, or which, under such law or regulation, would exempt the applicant from the permitting requirements of this ordinance.

i. Written evidence of insurance covering liability and general liability with limits of at least \$1,000,000.00 per person and \$2,000,000.00 per occurrence, or such other

amount as may from time to time be required by State law, must be furnished to the Village showing the Village is named as an additional insured, and a written statement from the applicant agreeing to indemnify and hold harmless the Village from any cause of action whatsoever as a result of the conduct of business by the applicant or anyone associated with the applicant.

j. The time period during which it is proposed to carry on the applicant's business.

k. The nature, character, and quality of goods or services to be offered for sale or delivered, or the purpose for which donations are to be solicited, if goods, their invoice value, and whether they are to be sold by sample as well as from stock; if goods, where and by whom such goods are to be manufactured or grown, and where such goods are at the time of application; and the nature of the advertising proposed to be done for the business.

l. A statement that the applicant does not engage in door-to-door peddling and soliciting between the hours of 7:00 p.m. and 9:00 a.m., or on Sundays, state, and national holidays.

m. A statement that the applicant is aware that he or she can not engage in activities regulated by this ordinance on a notice bearing the words "No Solicitors" or words of similar import indicating that such persons are not wanted on such premises, painted, affixed, or otherwise exposed to public view.

(C) STANDARDS FOR ISSUANCE

(1) The written application shall be submitted to the Village Police Chief, or designee thereof, not less than one (1) week nor more than one (1) month prior to the proposed commencement of business.

(2) The Village Police Chief having received an application as required shall act upon the same by granting or denying the same, or adding whatever additional requirements or

restrictions the Police Chief deems reasonable and proper. However, before granting any such application the Police Chief shall forward a copy of the application, with a written indication of the intention to grant the request and issue a permit, to the Village President and all Village Trustees. If within five (5) calendar days of the date of the written notice by the Police Chief of the intention to grant the permit, no written objection is received from the Village President or any Village Trustee, the Police Chief or his or her designee shall issue the permit. If a written objection is received by the Police Chief from the Village President or a Village Trustee within the time frame provided then the matter shall be referred to the full Village Board for consideration and hearing. The decision of the Village Board shall be final.

If the Village Police Chief acts to deny the application, in addition to notifying the applicant, a courtesy notification shall also be made to the Village President and Village Trustees specifically stating the reason for the denial. An applicant whose application has been denied may appeal the decision of the Police Chief to the full Village Board, with an opportunity for a hearing. The decision of the full Village Board shall be final.

The Village Police Chief or designee shall be responsible for actual issuance of the permit once an application is granted.

(3) The applications shall be approved unless such investigation discloses tangible evidence that the conduct of the applicant's business would pose a substantial threat to the public health, safety, morals or general welfare. In particular, tangible evidence that the applicant has:

- a. Been convicted of a crime of theft, assault, battery, sexual assault, sexual or financial exploitation, violent act, or other crime of moral turpitude;
- b. Made willful misstatements in the application;
- c. Committed prior violations of ordinances pertaining to itinerant merchants, peddlers, or solicitors and the like;
- d. Committed prior fraudulent acts; or

- e. A record of continual breaches of solicited contracts shall constitute valid reasons for disapproval of an application:

SECTION 2. EXHIBITION OF IDENTIFICATION

(A) Any permit issued to an itinerant merchant under this ordinance shall be posted conspicuously in or at the place named therein. If more than one location within the Village shall be used to conduct the business permitted, separate permits shall be issued for each location.

(B) The Village Police Chief or designee shall issue a permit to each peddler or solicitor permitted under this ordinance. The permit shall contain the words "permitted peddler" or "permitted solicitor," the expiration date of the permit, and the number of the permit. Solicitors shall be required to wear picture identification issued by the Village Police Chief or designee. The first two picture identifications issued by the Village Police Chief or designee will be at no cost to the applicant. Any additional picture identification required shall be issued at a cost of \$5.00 each.

SECTION 3. REVOCATION OF PERMIT

Any permit issued pursuant to this ordinance may be revoked by the Village Chief of Police or designee because of any violation by the permitted of this or of any other ordinance of the Village, or of the state or federal law, or whenever the permittee shall cease to possess the qualifications or character required by this ordinance for the original permit.

ARTICLE V
PENALTIES

Any person violating or aiding or abetting the violation of any provision of this ordinance shall be guilty of a petty offense and shall be fined not less than One hundred dollars and 00/100 (\$100.00) nor more than Five hundred dollars and 00/100 (\$500.00), plus any court costs. A separate offense shall be deemed committed on each day during or on which a violation occurs

or continues.

ARTICLE VI
ENFORCEMENT

The Village Chief of Police or designee shall be charged with enforcement of this ordinance.

ARTICLE VII
SEVERABILITY

The sections, paragraphs, sentences, clauses, and phrases of this ordinance, are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional, invalid, or enforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity, or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and section of this ordinance.

ARTICLE VIII
EFFECTIVE DATE

This ordinance shall be in full force and effective 10 days after its passage, approval, and publication in pamphlet form as provided by law.

APPROVED:

President of the Board of Trustees of the
Village of Winnebago, Illinois

ATTEST:

Village Clerk

PASSED: 12-7-2015

APPROVED: 12-7-2015

PUBLISHED: _____



Agenda Item Executive Summary

Item Name Purchasing Policy Update Committee or Board Committee

BUDGET IMPACT

Amount:	N/A	Budgeted:	N/A
List what fund:	N/A		

EXECUTIVE SUMMARY

The Village of Winnebago has had a purchasing policy in place that was maintained by the finance committee, though it was never officially adopted by ordinance and has not been consistently adhered to in practice. The Village Administrator and Treasurer have reviewed the prior policy and recommend the Village Board adopt a purchasing policy ordinance. The proposed ordinance ensures that purchases are handled transparently and efficiently while following legal guidelines. It outlines spending limits, procedures for obtaining quotes or bids, and exceptions for emergencies or specific purchases. The policy also covers the use of petty cash, credit cards, and the roles of Village officials in the purchasing process to promote clear and consistent practices.

Staff is looking for the board's input on this ordinance.

ATTACHMENTS (PLEASE LIST)

Draft Ordinance, Current Policy

ACTION REQUESTED

- ☒ For Discussion Only
- ☐ Resolution
- ☐ Ordinance
- ☐ Motion:

MOTION:

Staff: Dana Novinson, Treasurer Date: 9/25/2024

ORDINANCE NO. 2024- _____

AN ORDINANCE ESTABLISHING A PURCHASING POLICY FOR THE VILLAGE OF WINNEBAGO

WHEREAS, the Village of Winnebago has historically utilized a purchasing policy maintained by the Finance Committee, which has become outdated and has not been consistently adhered to in practice; and

WHEREAS, it is in the best interest of the Village to formalize and update its purchasing policy to ensure that all purchases of goods and services are conducted in a transparent, efficient, and fiscally responsible manner, consistent with applicable laws and sound governmental practices; and

WHEREAS, the Village Board of Trustees recognizes the need to clarify and streamline the purchasing process by establishing clear authority limits and procedures for Village officials and departments to follow; and

WHEREAS, this ordinance is intended to replace any prior purchasing policies and procedures, bringing current practices into compliance with this updated and legally binding framework.

NOW, THEREFORE, BE IT ORDAINED by the President and the Board of Trustees of the Village of Winnebago, Winnebago County, Illinois, as follows:

SECTION 1: GENERAL PURCHASING POLICY

The Village of Winnebago adopts the following purchasing guidelines to ensure that goods and services are procured in a manner that guarantees adequate quantities, reasonable prices, timely receipt, and appropriate quality while minimizing disruption to operational efficiency.

All purchases must be reviewed and approved to ensure that expenditures are within the approved budget and authority limits as outlined below.

A. Purchases Up to \$1,000

Purchases within this category may be authorized by the Department Head, who may delegate this authority to subordinates at their discretion. However, Department Heads still bear ultimate responsibility for purchases made by their subordinates. Although multiple quotes are not required for every purchase within this threshold, periodic price comparisons must be made to ensure that the price paid is the best available and that the quality meets required standards.

B. Purchases in Excess of \$1,000 but Less than \$5,000

Purchases in this category shall be authorized by the Department Head after seeking at least three (3) quotes from vendors. If three or more quotes cannot be obtained, Department Heads shall document their attempts to receive quotes. These records must be retained and submitted for verification as needed.

C. Purchases of \$5,000 or More but Less than \$10,000

Purchases in this category must be authorized by the Village Administrator. Effort must be made to secure at least three (3) written quotes. If three or more quotes cannot be obtained, Department Heads must document attempts made to receive quotes. The requesting department is responsible for securing quotes,

and the Department Head will present a recommendation to the Village Administrator. If a Department Head feels a purchase under this category should be made from a specific vendor, they must submit a recommendation to the Village Administrator stating the reasons for the vendor preference. The Village Administrator will determine if the vendor should be used in these cases.

D. Purchases Exceeding \$10,000

Purchases in this category exceeding \$10,000 must be approved by the Village Board unless otherwise defined in this policy. A minimum of three (3) written quotes is generally required, and the splitting of purchases to avoid this requirement is prohibited. The Village Board may approve a purchase from a single vendor without quotes if justification is provided by the Village Administrator or Department Head. Public Works contracts, public improvement projects, and the purchase of supplies over \$25,000 are subject to formal bidding procedures as required by statute (65 ILCS 5/8-9). These bidding procedures may be waived by the Village Board per statute by a two-thirds vote of all Trustees in office. Requests for bid waivers are only permitted when goods are proprietary, services require creative discretion, standardization is necessary, in emergencies, or when deemed in the best interest of the Village.

E. Petty Cash Purchases

Petty cash drawers are maintained by the Village Office for incidental costs related to Village operations. Petty cash funds will primarily be used to reimburse employees for incidental expenses or mileage reimbursement. Requests for petty cash reimbursements must include receipts and appropriate documentation and will be limited to \$100 per request, unless otherwise authorized by the Treasurer. The Deputy Clerk is responsible for the safety, security, and control of the petty cash drawer and may assign daily duties to a custodian. Reconciliation of petty cash must be conducted regularly, but at a minimum of no less than once per month.

SECTION 2: EXCEPTIONS TO NORMAL PURCHASING POLICIES

A. Emergency Purchases

Emergencies are defined as unforeseen events where immediate action is necessary to protect public health, safety, welfare, or property, or when timing is critical. In these cases, the Village Administrator will notify the Village President. Upon the Village President's concurrence, the Village Administrator is authorized to expend funds beyond their normal limit. If the Village President cannot be reached, the Village Administrator may proceed with emergency purchases and inform the Village President as soon as possible. The Village Administrator may delegate authority to Department Heads during a bona fide emergency, as determined by the Village Administrator taking into consideration the immediacy or exigency of the situation as determined by the village's needs. Documentation of the emergency, along with expenditures made, must be provided to the Village Board as soon as practical, with regular updates if the emergency continues. The Treasurer must be informed of any emergency to ensure fund availability and payment facilitation.

B. Sole Source Purchases

Sole source purchases occur when only one source is available or necessary for a purchase. Examples include:

- 1. Proprietary equipment or supplies without competitive products.

- 2. Replacement parts without substitutes.
- 3. Service contracts that can only be provided by one company.
- 4. Compatibility requirements or distributor exclusivity.
- 5. Payments to other governmental agencies.
- 6. Purchases over \$10,000, even if sole source, require Village Board approval and may necessitate a formal waiver of bids.

C. State, Joint, and Cooperative Purchasing

The Village may use State of Illinois contracts or joint purchasing agreements for certain goods, offering efficiencies through reduced administrative costs and economies of scale. These contracts, if competitively bid, may replace normal procurement procedures. However, purchases exceeding \$10,000 still require Village Board approval. State or cooperative purchasing contracts are exempt from Village bidding rules provided they comply with applicable state or intergovernmental regulations.

SECTION 3: SPENDING LIMITS

Purchases for goods, services, and professional contracts shall be subject to the following spending authority limits:

Municipal Authority or Appointed Designee	Spending Authority Limit
Treasurer	Up to \$5,000
Deputy Clerk	Up to \$5,000
Police Chief	Up to \$5,000
Public Works Director	Up to \$5,000
Superintendent of Streets & Fleets	Up to \$5,000
Village Administrator	Up to \$10,000
Village President	Up to \$10,000
Board of Trustees	\$10,001 or more

Any purchases exceeding \$10,000 shall require approval by the Village Board via resolution or ordinance, as applicable.

- **Aggregate Purchases:** The Village Administrator during the year may approve multiple purchases of, or individual contracts for, specific types of supplies and materials which, in the aggregate, exceed \$10,000 but are less individually, and not be subject to the Village’s formal bid requirements or require a waiver of bids, unless the aggregate cost exceeding \$20,000 was reasonably foreseeable at the beginning of the applicable fiscal year. However, for purchases of commodities subject to

frequent price fluctuations such as fuel where the competitive bid process is not practical, purchases may be approved by the Village Administrator without bidding. As for fuel purchases, specifically, the Public Works Director with the oversight and approval of the Village Administrator shall seek the best pricing currently available on an ongoing basis without the need to bid fuel purchases, and the Village Administrator may authorize individual purchases under \$10,000 and without Village Board approval.

SECTION 4: PURCHASING METHODS

To ensure transparency and adherence to statutory requirements, the following purchasing methods will be applied:

- **Resolution:** A resolution of the Village Board is required for the purchase of goods or services exceeding \$10,000.
- **Request for Proposals (RFPs):**
 - Professional service contracts by their nature are not adaptive to normal procurement or competitive bidding. Examples include contracts for services of individuals or firms possessing a high degree of professional skill where the education, experience, or character of the individual is a significant factor in determining their ability to meet Village needs. Other examples include service contracts where other considerations besides price are involved. These contracts generally result from the development and issuance of a Request for Proposal (RFP) by the respective department to consultants or vendors to provide professional services.
 - The Village Administrator shall be notified prior to the issuance of an RFP or the engagement of professional services. An RFP may be advertised publicly and sent to a group of known vendors based on prior experience in providing the service or other documented reasons, except when a Request for Qualifications (RFQ) process has been conducted which has determined the pool of vendors to be used.
 - Based on the complexity of the services sought, interviews and vendor presentations may be appropriate in addition to an evaluation of the proposals received. Factors other than price may be considered when conducting an RFP process. Once proposals are received from interested firms and interviews and/or presentations have been completed, the Village Administrator or designee is authorized to negotiate a contract with the firm deemed most qualified to provide the services based on:
 - Fair and reasonable compensation
 - Ability of professional personnel to provide services
 - Past record and experience with the Village and as well as references
 - Ability of firm to meet deadlines and budget
- **Invoice Payments:** Recurring expenses such as electric, natural gas, and telecommunications services will be paid directly from invoices and subject to board approval for other payments.

- **Gas Cards:** The Police Department will utilize gas cards monitored by the Police Chief or their designee, with oversight by the Treasurer.

SECTION 5: COMPETITIVE BIDDING FOR PUBLIC WORKS

Public Works purchases exceeding \$25,000 must follow the competitive bidding requirements in accordance with Illinois Statutes (65 ILCS 5/8-9-1).

SECTION 6: CREDIT CARD USE POLICY

Village credit cards may only be issued to employees with budgetary spending responsibilities, including but not limited to the Village Administrator, Deputy Clerk, Treasurer, Police Chief, and Public Works Director. All credit card purchases must be documented and approved by all three of the Village’s authorized check signers, who are traditionally the Treasurer, Clerk, and Village President. Credit card use is restricted to Village-related business, expenditures must be reasonable and such use is limited to:

- **Travel and Training Expenses:** Includes hotel accommodations, meals, transportation (airfare, car rental, fuel), conference registration fees, and other travel-related expenses for official Village business, per the Village’s Personnel Policy, as amended from time to time.
- **Emergency Purchases:** For unforeseen events or urgent situations where immediate action is required to safeguard public health, safety, or property.
- **Online and Internet Purchases:** For items or services that can only be acquired through online vendors or platforms where other procurement methods are not practical.
- **Situations Where Processing Invoices is Not Feasible:** Instances where vendors do not accept traditional invoicing or where immediate payment is necessary to secure goods or services.
- **Recurring Subscriptions and Memberships:** Payment for approved professional memberships, software licenses, or subscriptions to publications critical to Village operations.
- **Office Supplies and Minor Equipment:** Purchases of office supplies, small tools, or equipment that are needed urgently and fall within the approved departmental budget.
- **Dining/Catering for Village Business Purposes:** Meals for staff meetings, training, or other Village-related business activities that involve working through meal periods. Such expenses must be reasonable, documented, and pre-approved as part of the budget. Under no circumstances shall any purchase of alcohol be included in a purchase using the village credit card.
- **Special Events and Community Outreach:** Expenses related to community events, meetings, or outreach programs that have been preapproved as part of the departmental budget.
- **Facility and Grounds Maintenance:** Minor maintenance supplies or repair parts for Village facilities or grounds, when immediate purchase is required to maintain operations.

Restrictions: Credit cards must not be used for personal expenses, cash advances, or items outside of the approved departmental budget unless specifically authorized by the Village Board. Additionally, all credit card purchases must be accompanied by a detailed receipt and justification for the expense. Misuse of the Village credit card may result in disciplinary action, up to and including termination and/or referral for criminal prosecution.

SECTION 7: EFFECT ON PRIOR POLICY AND/OR ORDINANCES REGULATING POLICY

This ordinance replaces and supersedes any prior written and/or oral purchasing policy followed by village personnel and/or contained in any village ordinance regulating purchasing policies.

SECTION 8: EFFECTIVE DATE

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

APPROVED this ____ day of _____, 2024

Franklin J. Eubank, Jr., President of the Board
of Trustees of the Village of Winnebago, Illinois

ATTEST:

Sally Jo Huggins, Village Clerk

PASSED: _____
APPROVED: _____
PUBLISHED IN
PAMPHLET FORM: _____

PURCHASING POLICY

General

Determination of needs for goods and services, such as equipment, office supplies, and professional services, are made by qualified individuals and according to organizational guidelines that consider adequate quantities, reasonable prices, timely receipt, proper specifications, and desired quality. The guidelines must also consider and avoid the disruption of operational efficiency because of improper or untimely purchases and potential losses and use of cash caused by excessive purchases. Approval from the Board of Trustees is obtained prior to the establishment of all firm orders or contracts to purchase. Each fund’s committee chairperson and departmental manager are responsible for signing leases and contracts after board approval.

Requisitions for purchases are reviewed to ascertain that the amount of the requisition is within the approved authority limit and within the boundaries of the fiscal budget. Verbal orders over \$500 require a written quote.

Purchasing guidelines and approval requirements

Municipal Authority or Appointed Designee	Spending Authority Limits
Deputy Clerk	\$5,000 or less
Police Chief	\$5,000 or less
Public Works Director	\$5,000 or less
Superintendent of Streets & Fleets	\$5,000 or less
Committee Chairperson	\$7,499.99 or less
Board of Trustees	\$7,500 or more
Village President	\$10,000 or less

Public Works purchases for items greater than \$25,000 require a competitive bidding per Illinois Statute (65 ILCS 5/8-9-1).

Examples of Purchasing Methods

Resolution – to purchase equipment or services over \$5,000.

RFP’s - to purchase equipment or services over \$7,500. This excludes utility payments, road salt and fuel purchases.

Check Request - used by department managers to pay for items needed that do not have an invoice, such as reimbursements for travel.

Invoice payment - payments are initiated for recurring expenses directly from the invoices for items such as electric, natural gas, telephone, internet service etc. and paid weekly. All other payments are made after board approval at the monthly board meeting.

Prepaid Gas Card - Usage of prepaid gas cards is monitored by the Police Chief and reviewed by the Treasurer. The cards are exclusively used by the Police Department for squad car fuel.

Credit Card Policy

Credit Card holders are limited to employees who have budgetary spending responsibility. Currently this includes the Deputy Clerk, Police Chief and the Director of Public Works. Other employees may request use of the card and all employees must turn in receipts and documentation of the business purpose of each transaction. All credit card statements are reviewed by the Treasurer, the Clerk, the Village President and the Finance Committee.

Use of the credit cards is limited to business for the Village of Winnebago. Credit Card purchases should be limited to travel, emergency purchases, internet purchases or when it is not possible to process an invoice through any of the other purchasing methods outlined above.



Agenda Item Executive Summary

Item Name Office Structure Discussion Committee or Board Committee

BUDGET IMPACT

Amount:	N/A	Budgeted:	N/A
List what fund:	N/A		

EXECUTIVE SUMMARY

Upon the hiring of the Village Administrator in February 2024, one of the priorities shared by the Board was to look at the office staff operations. Due to a recent personnel change in the Village office, this is an opportune time to make the needed staffing shifts.

The Village Administrator will present the timeline of the office restructuring and answer any questions with the Village Board about the proposed office structure, as was outlined in an email to the Village Board regarding the above referenced personnel change.

ATTACHMENTS (PLEASE LIST)

N/A

ACTION REQUESTED

- ☒ For Discussion Only
- ☐ Resolution
- ☐ Ordinance
- ☐ Motion:

MOTION:

Staff: Joseph Dienberg, Village Administrator Date: 9/25/2024



Agenda Item Executive Summary

Item Name

Schedule of Meetings 2024

Committee or Board

Committee

BUDGET IMPACT			
Amount:	N/A	Budgeted:	N/A
List what fund:	N/A		

EXECUTIVE SUMMARY

Every year, the Village must set their meeting calendar for the public meetings in the following year. Given the many organizational changes the Village saw in 2024, Staff is proposing a new schedule for its meetings in 2025.

The proposed 2025 meeting calendar for the Village of Winnebago aims to enhance operational efficiency by shifting Village Board meetings to the 1st and 3rd Wednesdays of each month, with the Zoning Board meeting on the Monday of the same week as the First Village Board Meeting, and the Liquor Commission moving to the second Wednesday. This schedule allows for more frequent action opportunities, streamlined payment processing, and lighter agendas.

Additionally, under the prior Committee Schedule, Individual Trustees may have had 3-4 meetings in the Village Office per month, and this reduces this to 2 nights, with a regular schedule for them. The change to Wednesday meetings provides staff with greater flexibility in preparing meeting packets, reducing the pressure of last-minute agenda additions and ensuring accurate, well-prepared materials. Aligning Zoning Board meetings with Village Board schedules also creates a routine, 16-day turnaround for agenda items, cutting bureaucratic delays for businesses and residents.

Staff is seeking the Committee of the Whole’s input on this proposed schedule.

ATTACHMENTS (PLEASE LIST)

Staff Memo

- ACTION REQUESTED**
- ☒For Discussion Only
 - ☐Resolution
 - ☐Ordinance
 - ☐Motion:

MOTION:

Staff:

Joseph Dienberg, Village Administrator

Date:

9/25/2024



VILLAGE OF WINNEBAGO

MEMORANDUM

Prepared By: Joseph Dienberg, Village Administrator

Meeting Name: Committee of the Whole

Meeting Date: September 25, 2024

Item Name: 2025 Schedule of Meetings

As we prepare for the new year, it is necessary to establish the Village Board's official meeting calendar for 2025. To ensure consistency and improve operational efficiency, I am proposing a revised schedule for your consideration.

Proposed Meeting Schedule for 2025:

1. **Village Board Meetings:** 1st and 3rd Wednesday of each month @ 6:00PM
2. **Zoning Board Meetings:** Monday before the 1st Village Board Meeting @ 6PM
3. **Committee of the Whole Meetings:** Following each Village Board meeting
4. **Liquor Commission Meetings:** 2nd Wednesday of Each Month @ 5:30 PM (as needed)

Rationale and Benefits:

This proposed schedule addresses several operational challenges and provides a more efficient framework for our governing bodies:

1. **Improved Payment Processing:**
 - With two Village Board meetings per month, staff will be able to run checks twice a month. This ensures more prompt payments, fostering better relationships with our vendors and partners.
2. **Lighter Agendas, More Focused Discussions:**
 - By having more frequent meetings, we can manage shorter, more focused agendas, providing ample time for meaningful discussions and decisions on pressing matters.
3. **Increased Opportunities for Action:**
 - This shift would provide 24 opportunities per year for Board action, doubling our current structure of 12 meetings. This increase allows the Village to take advantage of more frequent opportunities for decision-making and progress.
4. **Zoning Board Efficiency:**
 - Currently, zoning meetings held on the 4th Monday create a narrow window for turning around agenda items for the Village Board meeting. By aligning Zoning Board meetings with the 1st Village Board meeting of the month, we provide a more streamlined 15-day window to process items and reduce red tape for businesses.

5. Effective Use of Committee of the Whole:

- Including a Committee of the Whole meeting immediately after each Village Board meeting enables continuous discussion on relevant topics, providing a space for in-depth exploration of issues while keeping the action items moving forward efficiently.

6. Rationale for Wednesday Meetings:

- Moving Village Board meetings from Monday to Wednesday alleviates the burden on staff, who are responsible for preparing meeting packets one week in advance. A Wednesday meeting provides greater flexibility in the workweek, allowing staff to finalize reports and documents with accuracy. This reduces the pressure often experienced on Mondays due to last-minute agenda items or requests from the prior week. A mid-week meeting also allows for more thorough collaboration with external partners, such as vendors and legal counsel, resulting in faster and more efficient decision-making. The shift to Wednesday ensures that materials presented to the Board are comprehensive, while simultaneously supporting a balanced workload for staff.

Next Steps:

This proposed calendar adjustment reflects a commitment to improving efficiency and creating a governance process that is streamlined and effective. By aligning the Zoning Board meetings with Village Board schedules and doubling the frequency of Board meetings, we position the Village for more responsive decision-making, enhanced collaboration, and reduced bureaucratic delays. I encourage the Board to consider this proposal and look forward to discussing it further during our next meeting. Additionally, this will go before the Zoning Board at their next meeting to discuss the changes.

List of Proposed Meetings: Village Board/CoW

1st/3rd Wednesday

6:00 PM

Wednesday, January 1, 2025 (New Year's Day)

CANCELLED

Wednesday, January 15, 2025

Wednesday, February 5, 2025

Wednesday, February 19, 2025

Wednesday, March 5, 2025

Wednesday, March 19, 2025

Wednesday, April 2, 2025

Wednesday, April 16, 2025

Wednesday, May 7, 2025

Wednesday, May 21, 2025

Wednesday, June 4, 2025

Wednesday, June 18, 2025

Wednesday, July 2, 2025

Wednesday, July 16, 2025

Wednesday, August 6, 2025

Wednesday, August 20, 2025

Wednesday, September 3, 2025

Wednesday, September 17, 2025

Wednesday, October 8, 2025

Wednesday, October 22, 2025

Wednesday, November 5, 2025

Wednesday, November 19, 2025

Wednesday, December 3, 2025

Wednesday, December 17, 2025

List of Proposed Meetings: Zoning Board

Monday before the 1st Village Board Meeting

6:00 PM

Monday, February 3, 2025

Monday, March 3, 2025

Monday, March 31, 2025

Monday, May 5, 2025

Monday, June 2, 2025

Monday, June 30, 2025

Monday, August 4, 2025

Monday, September 1, 2025

Monday, October 6, 2025

Monday, November 3, 2025

Monday, December 1, 2025

List of Proposed Meetings: Liquor Commission

2nd Wednesday of Each Month

5:30 PM

Wednesday, January 8, 2025

Wednesday, February 12, 2025

Wednesday, March 12, 2025

Wednesday, April 9, 2025

Wednesday, May 14, 2025

Wednesday, June 11, 2025

Wednesday, July 9, 2025

Wednesday, August 13, 2025

Wednesday, September 10, 2025

Wednesday, October 8, 2025

Wednesday, November 12, 2025

Wednesday, December 10, 2025



Agenda Item Executive Summary

Item Name Memorial Park Discussion Committee or Board Committee

BUDGET IMPACT

Amount:	N/A	Budgeted:	N/A
List what fund:	N/A		

EXECUTIVE SUMMARY

Following the Committee of the Whole meeting in July, Staff believed that all invoices for the Memorial Park project had been processed, leaving a surplus for additional enhancements.

However, a recent discrepancy arose involving an outstanding invoice from Perfect Turf, the company responsible for a key aspect of the park's improvements. Due to a misunderstanding regarding how invoices would be managed, this expense was not initially accounted for, resulting in a smaller surplus than anticipated.

Staff is seeking input from the Committee of the Whole to consider the options for the basketball court. These options include leaving the court as is, sealing the surface as a temporary improvement, or exploring the construction of a new court next year with a new budget.

Staff will prepare further details to guide the discussion.

ATTACHMENTS (PLEASE LIST)

N/A

ACTION REQUESTED

- ☒ For Discussion Only
- ☐ Resolution
- ☐ Ordinance
- ☐ Motion:

MOTION:

Staff: Joseph Dienberg, Village Administrator Date: 9/25/2024