

ORDINANCE No. 01-LO-001

ORDINANCE TO SET A DATE FOR A PUBLIC HEARING ON THE PROPOSED  
VILLAGE OF DIXMOOR TAX INCREMENT FINANCING REDEVELOPMENT PROJECT  
AREA AND TO APPROVE A PUBLIC NOTICE FOR THE HEARING

NOW THEREFORE, BE IT ORDAINED by the Village President and Board of Trustees of the Dixmoor, Cook County, Illinois, (the "Village") as follows:

**Section 1:** It is necessary and in the best interest of the Village that a public hearing be held prior to the adoption by the Board of Trustees of an ordinance or ordinances establishing the Village of Dixmoor Tax Increment Financing Redevelopment Project and Plan and the Village of Dixmoor Tax Increment Financing Redevelopment Project Area and, accordingly, it is necessary that a date for such public hearing be established and notice thereof be given, all in accordance with the provisions of the Tax Increment Allocation Redevelopment Act, as amended, 65 ILCS 7/11-74.4-1 *et seq.* (the "Act").

**Section 2:** It is hereby determined that a public hearing (the "Hearing") on the proposed Village of Dixmoor Tax Increment Financing Redevelopment Project and Plan for the proposed Development Project Area, as identified in Exhibit A, attached hereto and made a part hereof (the "Area"), and the same shall be held by Board of Trustees of the Village on the 22nd day of August, 2001, at 7:00 p.m. in the Village Hall, Village of Dixmoor, 170 West 145th Street, Dixmoor, Illinois.

**Section 3:** Notice of the Hearing be, and is hereby authorized to be given by publication and mailing, said notice by publication to be given at least twice, the first publication to be not more man 30 nor less than 10 days prior to the Hearing in the *Star*, being a newspaper of general circulation within the taxing districts in the Area, and said notice by mailing to be given by depositing such notice in the United States mail by certified mail addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract, or parcel of land lying within the Area, not less than ten (10) days prior to the date set for the Hearing; provided, however, that in the event taxes for the last preceding year were not paid, notice shall also be sent to the persons last listed on the tax rolls within the preceding three years as owners of such property .

No ordinance  
index for  
these ordinances  
kept by clerk.

**Section 4:** Notice of the Hearing be, and the same is hereby directed to be in substantially the following form:

Public Notice is hereby given that on the 22nd day of August, 2001, the Village Board of the Village of Dixmoor, Cook County , Illinois, will hold a public hearing at 7:00 p.m. in the Village Hall, 170 West 145th Street, Dixmoor, Illinois, on a proposed Village of Dixmoor Tax Increment Financing Redevelopment Project and Plan as resulting from a proposed Village of Dixmoor Redevelopment Project Area legally described as follows:

*See attached Exhibit A*

The Plan\* objectives are to reduce or eliminate blighting conditions, to enhance me real estate and sales tax base of me Village of Dixmoor and other affected taxing districts by encouraging private investment in residential development within the proposed redevelopment project area, and to preserve and enhance the value of properties therein, all in accordance with the provisions of "Tax Increment Allocation Redevelopment Act", effective January 10, 1977, as amended. The Village may issue obligations to finance Project costs in accordance with the Plan, which obligations may also be secured by the special tax allocation fund and other available funds, if any, as now or hereafter permitted by law and which also may be secured by the full faith and credit of the municipality.

All interested persons will given an opportunity to be heard.

By Order of the Village President and Board of Trustees of the Village of Dixmoor this 27<sup>th</sup> day of June, 2001.

Village Clerk

**Section 5:** Not less than 45 days prior to the date set for the Hearing, notice is hereby directed to be given by mail as hereinabove provided to all taxing districts of which taxable property is included in the Area as proposed and to the Illinois Department of Commerce and Community Affairs ("DCCA"), and such notice shall also include an invitation to each taxing district and DCCA to submit written comments to the Village, in care of the Village President of the Village of Dixmoor, 170 West 145th Street, Dixmoor, Illinois, 60426, concerning the subject matter of the Hearing prior to the date of the Hearing.

**Section 6:** It is hereby ordered that a Joint Review Board shall be convened within 14 days following the notice to be given to all taxing districts as provided in Section 5 hereof, to consider the proposed Redevelopment Project and Plan for that proposed Redevelopment Project Area. This Joint Review

Board shall consist of a representative selected by the community college district, the local elementary school district, the fire protection district, the high school district, the county, the township, this Village and a public member to be selected by a majority of other board members, and shall act in accordance with the applicable provisions of the Act.

**Section 7:** The document entitled "Village of Dixmoor Tax Increment Financing Redevelopment Project and Plan" constituting the redevelopment plan for the proposed redevelopment project will be available for inspection and review commencing June 27, 2001, at the Dixmoor Village Hall, 170 West 145th Street, Dixmoor, Illinois during regular office hours.

**Section 8:** That this Ordinance shall be in full force and effect from and after its adoption as provided by law.

**PASSED** by the Board of Trustees of the Village of Dixmoor, on motion by Green and second by Warren this 27<sup>th</sup> day of June, 2001, pursuant the following roll call vote:

**AYES:** Smith, Loggins, Green, Corner, Warren, Atkinson

**NAYES:** -0-

**ABSENT:** -0-

**Approved by me this 27th day of June, 2001.**

**ATTEST:**

Juanita Darden  
**Juanita Darden, Village Clerk**  
**Village of Dixmoor**

Rev. Donald C. Luster  
**Rev. Donald C. Luster, Mayor**  
**Village of Dixmoor**

**ORDINANCE 01LO-002**  
**AN ORDINANCE OF THE VILLAGE OF DIXMOOR AMENDING**  
**THE CURFEW PROVISIONS OF THE DIXMOOR MUNICIPAL CODE**

**NOW THEREFORE BE IT ORDAINED** by the Mayor and the Board of Trustees of the Village of Dixmoor, Cook County, Illinois, that the Dixmoor Municipal Code as it pertains to "curfew" be amended as follows:

**SECTION 1: Curfew:**

A. Age and Hour Restrictions: It shall be unlawful for any person under the age of eighteen (18) years to be present at or upon any public assembly, public building, place, street or highway, exhibition, concert or assembly hall where athletic concerts, parties or other such entertainment or performance of events for which an admission is charged per day (except residential facilities); or amusement or carnival sites, parks or centers, in the Village of Dixmoor at the following times unless accompanied and supervised by a parent, legal guardian or other responsible companion at least one (21) years of age approved by a parent or legal guardian or unless engaged in some occupation or business in which said minor may lawfully engage under the statutes of this State:

Between the hours of ten o'clock (10:00) P.M. Friday and six o'clock (6:00) A.M. Saturdays, or between the hours of ten o'clock (10:00) 10:00 P.M. Saturdays and six o'clock (6:00) A.M. Sundays, or between the hours of nine (9:00) P.M. and six o'clock (6:00) A.M. on Sunday through Thursday.

B. Permitting Person to Violate Curfew: It is unlawful for a parent, legal guardian or other person to knowingly permit a minor in his custody or control to violate subsection A. hereof. It shall also be unlawful for an owner, manager, agent or designee, or an owner, manager, or a lessee of an exhibition, concert or assembly hall to knowingly permit a minor to enter or remain on the premises in violation of subsection A hereof.

C. Penalty: Any person violating any provision of this Ordinance shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00). Any owner, manager or lessee, or any agent or designee of any owner, manager or lessee, of an exhibition, concert or assembly violating any provisions set forth in the Village of Dixmoor Municipal Code be subject to suspension for a period not to exceed one (1) year or revocation of any business licenses or permits issued by the Village Clerk for the Village of Dixmoor and/or any liquor licenses issued by the Liquor Commissioner.

**SECTION 2:** That parts of ordinances in conflict herewith are hereby expressly repealed. All other provisions of the Municipal Code shall remain in full force and effect.



**SECTION 3:** If any section, paragraph or provision of this ordinance shall be invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

**SECTION 4:** This Ordinance shall become effective immediately after its passage and publication at the earliest date permitted by law.

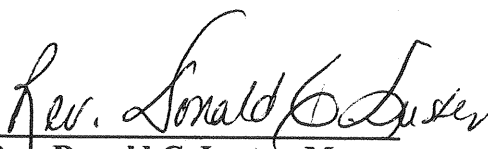
**PASSED** by the Board of Trustees of the Village of Dixmoor, on motion by Green and second by Warren this 11th day of July, 2001 pursuant the following roll call vote:

**AYES:** SMITH, LOGGINS, GREEN, WARREN, CORNER, ATKINSON

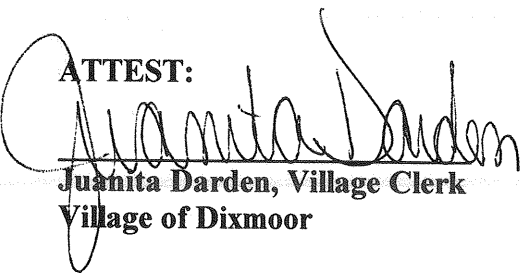
**NAYES:** -0-

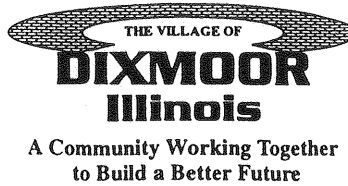
**ABSENT:** -0-

Approved by me this 11th day of July, 2001.

  
**Rev. Donald C. Luster, Mayor**  
**Village of Dixmoor**

**ATTEST:**

  
**Juanita Darden, Village Clerk**  
**Village of Dixmoor**



From the desk of:  
Rev. Donald C. Luster, Mayor

Attention Dixmoor Residents

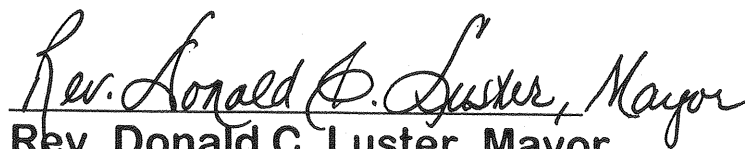
Curfew is the law in Dixmoor

Effective July 12, 2001  
Curfew hours are as follows:  
Fridays and Saturdays 10:00PM - 6:00AM  
Sunday through Thursday 9:00PM - 6:00AM

Parents and guardians any person under the age 18 violating the curfew; you the parent or guardian will be fined not less than \$100.00 and no more than \$500.00.

Parents and guardians keep the children out of harms way and you will stay fine free.

Respectfully,

  
Rev. Donald C. Luster, Mayor

DCL/AJ

ORDINANCE No. 01LO-04

**AN ORDINANCE OF THE VILLAGE OF DIXMOOR,  
COOK COUNTY, ILLINOIS, APPROVING A TAX INCREMENT  
FINANCING REDEVELOPMENT PROJECT AND PLAN FOR THE  
PROPOSED TAX INCREMENT REDEVELOPMENT AREA**

WHEREAS, the Village President and Board of Trustees (the "*Corporate Authorities*") of the Village of Dixmoor, Cook County, Illinois (the "*Municipality*"), have heretofore determined that the property, which is characterized by the presence of the blighting factors as often manifested by progressive and advanced deterioration of structures, by a lack of physical maintenance of such structures, by obsolete and inadequate community facilities, by obsolete platting, and by deleterious land use and layout, with a resulting decline of the municipality which impairs the value of private investments and threatens the sound growth and the tax base of the Municipality and the taxing districts having the power to tax real property in the Municipality (the "*Taxing Districts*") and threatens the health, safety, morals and welfare of the public; and,

WHEREAS, the Corporate Authorities have heretofore determined that in order to promote and protect the health, safety, morals and welfare of the public, blighting conditions in the Municipality need to be eradicated and redevelopment of the Municipality be undertaken in order to remove and alleviate adverse conditions, encourage private investment, and, restore and enhance the tax base of the Municipality and the Taxing Districts; and,

WHEREAS, the Municipality has heretofore caused to be conducted an eligibility study to determine whether the proposed Tax Increment Redevelopment Project Area (the "*Proposed Area*") qualifies as a "redevelopment project area" pursuant to the *Illinois Tax Increment Allocation Redevelopment Act*, as amended (the "*Act*"), 65 ILCS 5/11-74.4-1 *et seq.*; and,

**WHEREAS**, the Municipality has heretofore evaluated various lawfully available programs to provide such assistance and has determined that the use of tax increment allocation financing is necessary to achieve the redevelopment goals of the Municipality for the Proposed Area; and,

**WHEREAS**, the Municipality was advised in June of 2001, that the Proposed Area qualifies as a "redevelopment project area" under Section 11-74.4-3 of the *Act*; and,

**WHEREAS**, it is therefore concluded by the Corporate Authorities that the Proposed Area remains qualified as a "redevelopment project area" under Section 11-74.4-3 of the *Act* as of the date hereof; and,

**WHEREAS**, the Municipality has further caused the preparation of and made available for public inspection a proposed redevelopment project and plan ("Project and Plan") for the Proposed Area; and,

**WHEREAS**, the Project and Plan sets forth in writing the program to be undertaken to accomplish the objectives of the Municipality and includes estimated redevelopment project costs proposed for the Proposed Area, evidence indicating that the Proposed Area on the whole has not been subject to growth and development through investment by private enterprise, an assessment of the financial impact of the Proposed Area on or any increased demand for services from any taxing district affected by the Plan and any program to address such financial impact or increased demand, the sources of funds to pay costs, the nature and term of the obligations to be issued (if any), the most recent equalized assessed valuation of the Proposed Area, an estimate as to the equalized assessed valuation after redevelopment, the general land uses to apply in the Proposed

Area, and a commitment to fair employment practices and the Project and Plan accordingly complies in all respects with the requirements of the *Act*; and,

WHEREAS, pursuant to Section 11-74.4-5 of the *Act*, the Corporate Authorities by an ordinance adopted the 27<sup>th</sup> day of June, 2001, called a public hearing (the "*Hearing*") relative to the Project and Plan and the designation of the Proposed Area as a redevelopment project area under the *Act* and fixed the time and place for such Hearing, being the 22<sup>nd</sup> day of August, 2001 at 7:00 p.m., at the Village Hall, 170 West 145<sup>th</sup> Street, Dixmoor, Illinois; and,

WHEREAS, due notice in respect to such Hearing was given pursuant to section 11-74.4-5 of the *Act*, said notice, together with a copy of the Project and Plan, was sent to Taxing Districts and to the Department of Commerce and Community Affairs of the State of Illinois by certified mail on July 2, 2001, by publication on July 29, 2001 and August 9, 2001, and by certified mail to taxpayers within the Proposed Area on August 10, 2001; and,

WHEREAS, the Municipality has heretofore convened a Joint Review Board as required by and in all respects in compliance with the provisions of the *Act*; and,

WHEREAS, the Joint Review Board has met at the times and as required by the *Act* and has reviewed the public record, planning documents and a form of proposed ordinance approving the Project and Plan; and,

**WHEREAS**, the Joint Review Board has adopted by a majority vote an advisory, non-binding recommendation that the Municipality proceed to implement the Project and Plan and to designate the Proposed Area as a redevelopment project area under the *Act*; and,

**WHEREAS**, the Joint Review Board based its decision to approve the proposal on the basis of the Proposed Area and Project and Plan satisfying the eligibility criteria defined in Section 11-74.4-3 of the *Act*, all as provided in Section 11-74.4-5(b) of the *Act*; and,

**WHEREAS**, the Municipality held the Hearing on August 22, 2001, at the Village Hall, 170 West 145<sup>th</sup> Street, Dixmoor, Illinois; and

**WHEREAS**, at the Hearing, any interested person or affected taxing district was permitted to file with the Municipal Clerk written objections and was heard orally in respect to any issues embodied in the notice of said Hearing, and the Municipality heard and determined all protests and objections at the Hearing; and,

**WHEREAS**, the Hearing was adjourned on the 22<sup>nd</sup> day of August, 2001; and,

**WHEREAS**, the Project and Plan set forth the factors which cause the Proposed Area to be a "blighted" area as defined by the *Act* for vacant areas, and the Corporate Authorities have reviewed the information concerning such factors presented at the Hearing and have reviewed other studies and are generally informed of the conditions in the Proposed Area which could cause the area to be "blighted"; and,

**WHEREAS**, the Corporate Authorities have reviewed evidence indicating that the Proposed Area on the whole has not been subject to growth and development through investment by private enterprise and have reviewed the conditions pertaining to lack of private investment in the Proposed Area to determine whether private development would take place in the Proposed Area as a whole without the adoption of the proposed Project and Plan; and,

**WHEREAS**, the Corporate Authorities have reviewed the conditions pertaining to real property in the Proposed Area to determine whether contiguous parcels of real property and improvements thereon in the Proposed Area would be substantially benefitted by the proposed Project improvements; and,

**WHEREAS**, the Corporate Authorities have made an assessment of any financial impact of the Proposed Area on or any increased demand for services from any taxing district affected by the Project and Plan and any program to address such financial impact or increased demand; and,

**WHEREAS**, the Corporate Authorities have reviewed the proposed Project and Plan and also the existing comprehensive plan for development of the Municipality as a whole to determine whether the proposed Project and Plan conform to the comprehensive plan of the Municipality.

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

**Section 1. Findings.** The Corporate Authorities hereby make the following findings:

- (a) The Proposed Area is legally described in Exhibit A-1 attached hereto and incorporated herein as if set out in full by this reference. The map of the Proposed Area is depicted in Exhibit A-2 attached hereto and incorporated herein as if set out in full by this reference.
- (b) There exist conditions which cause the Proposed Area to be subject to designation as a redevelopment project area under the *Act* and to be classified as a “blighted” area as defined in Section 11-74.4-3 of the *Act*.
- (c) The Proposed Area on the whole has not been subject to growth and development through investment by private enterprise and would not be reasonably anticipated to be developed without the adoption of the Project and Plan.
- (d) The Project and Plan conform to the comprehensive plan for the development of the Municipality as a whole.
- (e) As set forth in the Project and Plan and in the testimony at the public hearing, the estimated date of completion of the Project is no later than December 31, 2024, and the estimated date of the retirement of any obligation incurred to finance redevelopment project costs as defined in the Project and Plan is no later than the year 2024.



- (f) The parcels of real property in the Proposed Area are contiguous, and only those contiguous parcels of real property and improvements thereon which will be substantially benefitted by the proposed Project and Plan improvements are included in the Proposed Area.

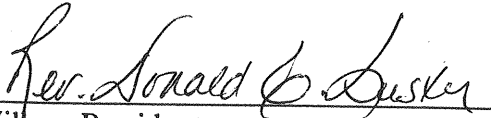
**Section 2. *Exhibits Incorporated by Reference.*** The Project and Plan which were the subject matter of the public hearing held on the 22<sup>nd</sup> day of August, 2001, are hereby adopted and approved. A copy of the Project and Plan is set forth in Exhibit B attached hereto and incorporated herein as if set out in full by this reference.

**Section 3. *Invalidity of Any Section.*** If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

**Section 4. *Superseder and Effective Date.*** All ordinances, resolutions, motions or orders in conflict herewith be, and the same hereby are, repealed to the extent of such conflict, and this Ordinance shall be in full force and effect immediately upon its passage by the Corporate Authorities and approval as provided by law.

PASSED this 12th day of September, 2001.

APPROVED:

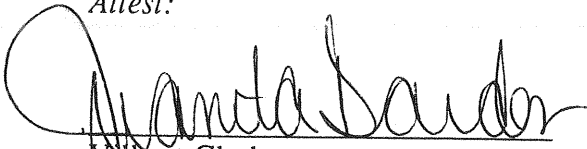
  
Village President  
Rev. Donald C. Luster  
Village of Dixmoor

AYES: Smith, Loggins, Green, Warren, Corner, Atkinson

NAYS: -0-

ABSENT: -0-

Attest:

  
Village Clerk  
Juanita Darden  
Village of Dixmoor

Dixmoor, Illinois  
TIF District Number 3

Legal Description:

That part of the Northeast Quarter of Section 7, Township 36 North, Range 14 East of the Third Principal Meridian, South of the Indian Boundary Line, in Cook County, Illinois, bounded and described as follows:

Beginning at the Northeast corner of the Northeast Quarter of said Section 7; thence southerly along the east line of the Northeast Quarter of said Section 7 (said line also being the centerline of Ashland Avenue) to the centerline of 145<sup>th</sup> Street (66 feet wide) as heretofore dedicated in Harvey, a subdivision of the east 1/2 of the Northeast Quarter of said Section 7, as per plat recorded October 6, 1891 as Document No. 1547586; thence westerly along said centerline of 145<sup>th</sup> Street and the westerly prolongation thereof to the west line of the Northwest Quarter of said Section 7 (said west line also being the centerline of Robey Avenue); thence northerly along the last described line to a line drawn 33 feet north of and parallel with the south line of the north 1/2 of the Northwest Quarter of said Section 7 (said line also being north line of 144<sup>th</sup> Street); thence easterly along the last described line to the west line of the 16 foot wide north-south alley in Block 195, in aforesaid Harvey subdivision of the east 1/2 of said Northwest Quarter; thence northerly along the last described line and the northerly prolongation thereof to the north line of the Northeast Quarter of said Section 7 (said north line also being the centerline of 143<sup>rd</sup> Street); thence easterly along the last described line to the point of beginning, in Cook County, Illinois.

The Project Area is bounded by 143<sup>rd</sup> and 144<sup>th</sup> Streets on the north; Ashland Avenue on the east; 145<sup>th</sup> Street on the south; and Robey Avenue and the alley between Marshfield and Ashland Avenues on the west.

## LEGAL DESCRIPTION

The boundaries of the Project Area have been carefully drawn to include only those contiguous parcels of real property and improvements substantially benefited by the proposed Redevelopment Project to be undertaken as part of this Redevelopment Plan. The boundaries are shown in Figure 1, *Project Area Boundary*, and are generally described below:

The Project Area is generally bounded by 143<sup>rd</sup> and 144<sup>th</sup> Streets on the north; Ashland Avenue on the east; 145<sup>th</sup> Street on the south; and Robey Avenue and the alley between Marshfield and Ashland Avenues on the west.

The boundaries of the Project Area are legally described as follows:

That part of the Northeast Quarter of Section 7, Township 36 North, Range 14 East of the Third Principal Meridian, South of the Indian Boundary Line, in Cook County, Illinois, bounded and described as follows:

Beginning at the Northeast corner of the Northeast Quarter of said Section 7; thence southerly along the east line of the Northeast Quarter of said Section 7 (said line also being the centerline of Ashland Avenue) to the centerline of 145<sup>th</sup> Street (66 feet wide) as heretofore dedicated in Harvey, a subdivision of the east 1/2 of the Northeast Quarter of said Section 7, as per plat recorded October 6, 1891 as Document No. 1547586; thence westerly along said centerline of 145<sup>th</sup> Street and the westerly prolongation thereof to the west line of the Northeast Quarter of said Section 7 (said west line also being the centerline of Robey Avenue); thence northerly along the last described line to a line drawn 33 feet north of and parallel with the south line of the north 1/2 of the Northwest Quarter of the Northeast Quarter of said Section 7 (said line also being the north line of 144<sup>th</sup> Street and the westerly prolongation thereof); thence easterly along said parallel line to the west line of the Northeast Quarter of the Northeast Quarter of said Section 7; thence easterly along a line drawn 33 feet north of and parallel with the south line of the north 1/2 of the Northeast Quarter of the Northeast Quarter of aforesaid Section 7 (said parallel line also being the north line of 144<sup>th</sup> Street) to the west line of the 16 foot wide north-south alley in Block 195, in aforesaid Harvey subdivision of the east 1/2 of said Northeast Quarter of aforesaid Section 7; thence northerly along the last described line and the northerly prolongation thereof to the north line of the Northeast Quarter of said Section 7 (said north line also being the centerline of 143<sup>rd</sup> Street); thence easterly along the last described line to the point of beginning, in Cook County, Illinois.

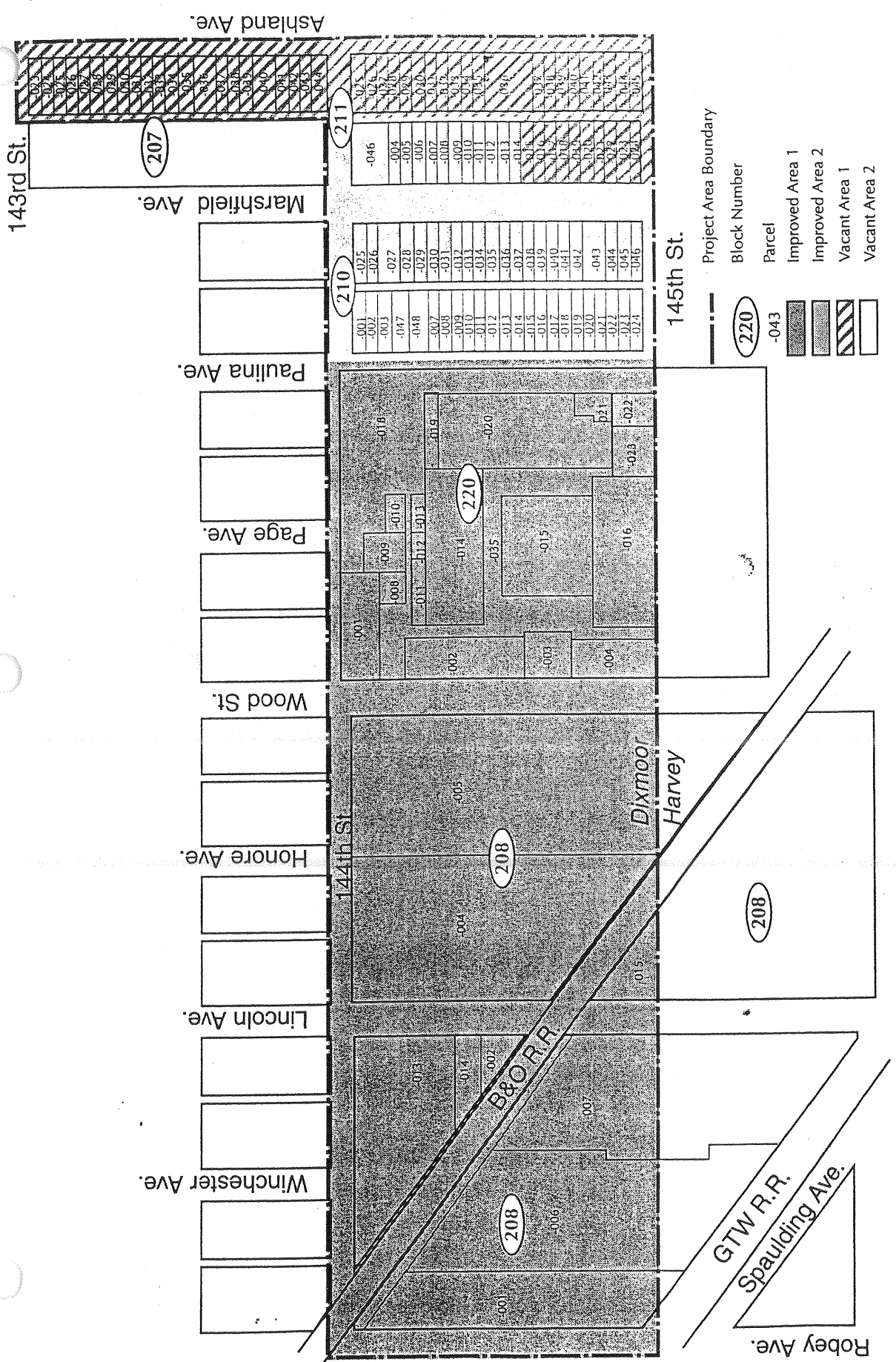


Figure 1  
144th Street/Wood Street  
Project Area Boundary

**144th Street/Wood Street**

Tax Increment Financing Redevelopment Project

**Dixmoor, IL.**

Prepared By: Trkla, Pettigrew, Allen, & Payne, Inc.

ORDINANCE No. 01LO-05

AN ORDINANCE OF THE VILLAGE OF DIXMOOR,  
COOK COUNTY, ILLINOIS, DESIGNATING THE  
TAX INCREMENT REDEVELOPMENT PROJECT AREA  
A REDEVELOPMENT PROJECT AREA PURSUANT  
TO THE *Tax Increment Allocation Redevelopment Act*

WHEREAS, it is desirable and in the best interests of the citizens of the Village of Dixmoor, Cook County, Illinois (the "*Municipality*"), for the Municipality to implement tax increment allocation financing pursuant to the *Tax Increment Allocation Redevelopment Act* (the "*Act*"), as amended 65 ILCS 5/11-74.4-1 *et seq.* for a redevelopment project and plan (the "*Project and Plan*") within the municipal boundaries of the Municipality and within a proposed redevelopment project area (the "*Area*") described in Section 1 of this Ordinance; and,

WHEREAS, the Village President and Board of Trustees of the Municipality (the "*Corporate Authorities*") have heretofore by ordinance adopted and approved the Project and Plan, which Project and Plan were identified in such ordinance and were the subject, along with the Area designation hereinafter made, of a public hearing held on the 22<sup>nd</sup> day of August, 2001, at the Dixmoor Village Hall, and it is now necessary and desirable to designate the Area as a "redevelopment project area" pursuant to the *Act*.

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

**Section 1. *Area Designated.*** The Area, as legally described in Exhibit A-1 attached hereto and incorporated herein as if set out in full by this reference, is hereby designated as a redevelopment project area pursuant to Section 11-74.4-4 of the *Act*. The map of the Area is

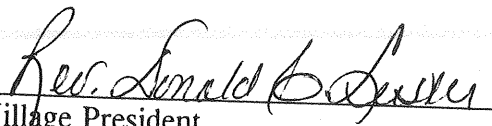
depicted on Exhibit A-2 attached hereto and incorporated herein as if set out in full by this reference.

**Section 2. *Invalidity of Any Section.*** If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

**Section 3. *Superseder and Effective Date.*** All ordinances, resolutions, motions or orders in conflict herewith the same hereby are, repealed to the extent of such conflict, and this Ordinance shall be in full force and effect immediately upon its passage by the Corporate Authorities and approval as provided by law.

PASSED this 12<sup>th</sup> day of September, 2001.

**APPROVED:**

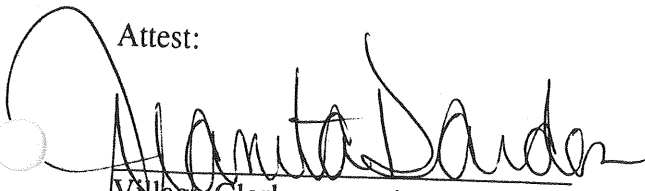
  
Village President  
Rev. Donald C. Luster  
Village of Dixmoor

AYES: Trustees: Smith, Loggins, Green, Corner, Warren, Atkinson

NAYS: -0-

ABSENT: -0-

Attest:

  
Village Clerk, Juanita Darden  
Village of Dixmoor  
village.tif3.ord

ORDINANCE No. 01LO-06 . . .

AN ORDINANCE OF THE VILLAGE OF DIXMOOR,  
COOK COUNTY, ILLINOIS, ADOPTING TAX INCREMENT  
ALLOCATION FINANCING FOR THE 144<sup>th</sup> and WOOD STREETS  
TAX INCREMENT REDEVELOPMENT PROJECT AREA

WHEREAS, it is desirable and in the best interests of the citizens of the Village of Dixmoor, Cook County, Illinois (the "*Municipality*"), for the Municipality to adopt tax increment allocation financing pursuant to the *Tax Increment Allocation Redevelopment Act*, as amended (the "*Act*") 65 ILCS 5/11-74.4-1 et. seq.; and,

WHEREAS, the Village President and Board of Trustees of the Municipality (the "*Corporate Authorities*") have heretofore approved a redevelopment project and plan (the "*Project and Plan*") as required by the *Act* by passage of an ordinance and have heretofore designated a redevelopment project area (the "*Area*") as required by the *Act* by the passage of an ordinance and the Municipality has otherwise complied with all other conditions precedent required by the *Act*.

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

**Section 1. *Tax Increment Financing Adopting.*** Tax increment allocation financing is hereby adopted to pay redevelopment project costs as defined in the *Act* and as set forth in the Project and Plan within the Area as legally described in Exhibit A-1 attached hereto and incorporated herein as if set out in full by this reference. The map of the Area is depicted on Exhibit A-2 attached hereto and incorporated herein as if set out in full by this reference.

**Section 2. *Allocation of Ad Valorem Taxes.*** Pursuant to the *Act*, the *ad valorem* taxes, if any, arising from the levies upon taxable real property in the Area by taxing districts and tax



rates determined in the manner provided in Section 11-74.4-9(c) of the *Act* each year after the effective date of this Ordinance until the Project costs and obligations issued in respect thereto have been paid shall be divided as follows:

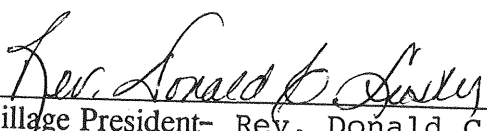
- (a) That portion of taxes levied upon each taxable lot, block, tract or parcel of real property which is attributable to the lower of the current equalized assessed value or the initial equalized assessed value of each such taxable lot, block, tract or parcel of real property in the Area shall be allocated to and when collected shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing.
- (b) That portion, if any, of such taxes which is attributable to the increase in the current equalized assessed valuation of each lot, block, tract or parcel of real property in the Area over and above the initial equalized assessed value of each property in the Area shall be allocated to and when collected shall be paid to the municipal treasurer or to his designee pursuant to Section 207A of the *Revenue Act of 1939* of the State of Illinois, as amended, who shall deposit said taxes into a special fund, hereby created, and designated the "144<sup>th</sup> and Wood Streets Tax Increment Financing Redevelopment Project Area Special Tax Allocation Account" of the Municipality, and such taxes shall be used for the purpose of paying Project costs and obligations incurred in the payment thereof.

**Section 3. *Invalidity of Any Section.*** If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

**Section 4. *Superseder and Effective Date.*** All ordinances, resolutions, motions or orders in conflict herewith be, and the same hereby are, repealed to the extent of such conflict, and this Ordinance shall be in full force and effect immediately upon its passage by the Corporate Authorities and approval as provided by law.

PASSED this 12th day of September, 2001.

APPROVED:

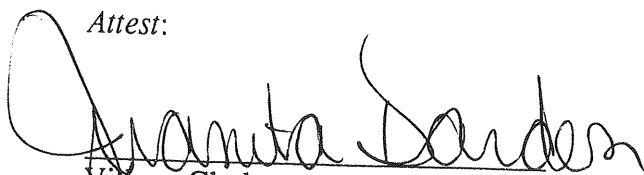
  
Village President- Rev. Donald C. Luster

AYES: Trustees: Smith, Loggins, Green, Corner, Warren, Atkinson

NAYS: -0-

ABSENT: -0-

Attest:

  
Village Clerk  
Juanita Darden  
Village of Dixmoor

**ORDINANCE NO. 01-LO-07.****AN ORDINANCE AUTHORIZING THE CONVEYANCE OF REAL PROPERTY  
BY AND BETWEEN THE VILLAGE OF DIXMOOR, COOK COUNTY,  
ILLINOIS AND FINANCIAL PROPERTIES, INC.**

**WHEREAS, Financial Properties, Inc., an Illinois corporation ("Financial"), has agreed to convey to the Village of Dixmoor ("Village") the real estate, commonly known as: 14415 Marshfield Avenue; 14432 Ashland Avenue, 14436 Ashland Avenue and 14444 Ashland Avenue; and,**

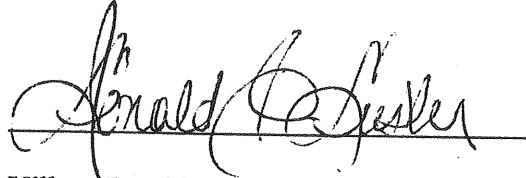
**WHEREAS, it is in the best interest of the Village of Dixmoor to acquire ownership of said real estate in its endeavor to further economic development.**

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

1. That the Real Estate Contract (the "CONTRACT"), a copy of which is attached to this ordinance, to convey certain real estate identified therein by and between the Village, Buyer, and Financial, Seller, is hereby approved.
2. That the President and Village Clerk are hereby authorized to execute said Contract and any other document necessary to implement the provisions thereof.
3. That the President and Village Clerk are hereby authorized to execute any and all documents required in order to implement the Contract under the terms and conditions as stated therein.
4. That Special Council to the Village of Dixmoor is hereby authorized to undertake any and all actions on the part of the Village as contained in said Contract to complete satisfaction of any and all conditions stated therein.

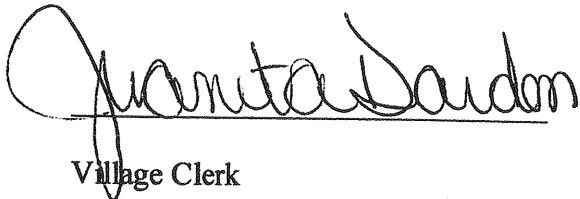
PASSED by the Village Board of the Village of Dixmoor, Cook County, Illinois, this 17<sup>th</sup> day of December, 2001.

APPROVED:

A handwritten signature in cursive script, appearing to read "Ronald A. Foster", written over a horizontal line.

Village President

ATTEST:

A handwritten signature in cursive script, appearing to read "Juanita Dauden", written over a horizontal line.

Village Clerk

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# THE VILLAGE OF DIXMOOR

COOK COUNTY, ILLINOIS

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## ORDINANCE

NUMBER 01-1-0-08

---

**AN ORDINANCE AUTHORIZING THE VILLAGE OF DIXMOOR TO REQUEST THE  
COOK COUNTY CLERK TO RAISE THE LOSS IN COLLECTION RATE FOR THE  
FISCAL YEAR ENDING APRIL 30, 2002 FROM THREE TO TEN PERCENT**

---

Donald C. Luster, Village President  
Juanita Darden, Village Clerk

Alice Green  
Martha Loggins  
Jerry Smith  
Robert A. Warren  
Yolanda Corner-Williams  
Board of Trustees

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Published in pamphlet form by authority of the President and Board of Trustees of the Village of Dixmoor on December 21, 2001

Angela R. Hall - Robbins, Schwartz, Nicholas, Lifton & Taylor - acting Interim Village Attorney - 20 North Clark Street - Chicago, Illinois 60602

ORDINANCE NO. 01- LO-08

**AN ORDINANCE AUTHORIZING THE VILLAGE OF DIXMOOR TO REQUEST THE COOK COUNTY CLERK TO RAISE THE LOSS IN COLLECTION RATE FOR THE FISCAL YEAR ENDING APRIL 30, 2002 FROM THREE TO TEN PERCENT**

---

**WHEREAS**, the Village of Dixmoor has in previously years consistently failed to collect real estate taxes in the amount levied; and

**WHEREAS**, the Village's loss in collection rate has consistently and continually been higher than three (3) percent.

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF DIXMOOR, COOK COUNTY, ILLINOIS:**

**Section 1.** That the Village President and Clerk are hereby authorized, empowered and directed to request in writing that the Cook County Clerk raise the loss in collection rate for the Village's 2001-2001 tax levy from three percent (3%) to ten percent (10%).

**Section 2.** That the Corporate Authorities of the Village of Dixmoor are hereby authorized and directed to take all necessary and/or advisable actions in connection with the execution and implementation of this request.

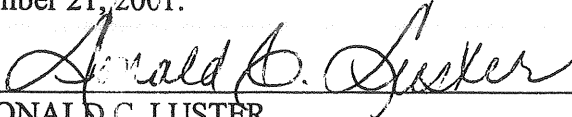
**Section 3.** This ordinance shall be in full force and effect from and after its passage and approval as provided by law.

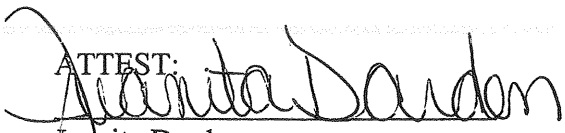
ADOPTED by the President and Board of Trustees of the Village of Dixmoor, Cook County, Illinois, on

December 21, 2001 by the following roll call vote:

	YES	NO	ABSENT	PRESENT
Alice Green	✓			
Martha Loggins	✓			
Jerry Smith	✓			
Robert A. Warren	✓			
Yolanda Corner-Williams	✓			
President Donald Luster	✓			
TOTAL	6			

APPROVED by the Village President on December 21, 2001:

  
DONALD C. LUSTER  
VILLAGE PRESIDENT

ATTEST:  
  
Juanita Darden  
Village Clerk

---

**THE VILLAGE OF DIXMOOR**  
COOK COUNTY, ILLINOIS

---

**ORDINANCE**

NUMBER 01- Lo-09

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**THE 2001-2002 DIXMOOR TAX LEVY ORDINANCE**

---

Donald C. Luster, Village President  
Juanita Darden, Village Clerk

Alice Green  
Martha Loggins  
Jerry Smith  
Robert A. Warren  
Yolanda Corner-Williams  
Board of Trustees

---

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Dixmoor on December 21, 2001

Angela R. Hall - Robbins, Schwartz, Nicholas, Lifton & Taylor - acting Interim Village Attorney - 20 North Clark Street - Chicago, Illinois 60602



ORDINANCE NO. 01-LO-09

**THE 2001-2002 DIXMOOR TAX LEVY ORDINANCE**

WHEREAS, the President and Board of Trustees of the Village of Dixmoor, Cook County, Illinois, have heretofore passed, adopted and published an Appropriation Ordinance for the Village, which ordinance is now in full force and effect for the fiscal year ending April 30, 2002;

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF DIXMOOR, COOK COUNTY, ILLINOIS:**

**Section 1.** Taxes are hereby levied upon all taxable property within the Village of Dixmoor for the fiscal year ending April 30, 2002, for the following specific purposes, which are detailed further in the respective sums in the pages following, shown next to the heading "To Be Collected From Taxes":

Cook County					
Clerk Fund					
Account					
<u>No.</u>	<u>Title/Purpose</u>	<u>Statutory Authority*</u>	<u>Amount</u>	<u>To be used for Appropriation</u>	<u>Line Item/Purpose</u>
001	Corporate	65 ILCS 5/8-3-1	\$77,750	403	Employees' Insurance-Life & Hosp.
004	Garbage	65 ILCS 5/11-19-4	\$64,420	445	Garbage Disposal
009	Street & Bridge	65 ILCS 5/11-81-1, -2	\$17,215	424	Street Lighting
013	Fire Protection	65 ILCS 5/11-7-1	\$24,435	400	Wages of Firefighters
014	Police Protection	65 ILCS 5/11-1-3	\$16,000	400	Wages of Police Officers
016	Social Security	40 ILCS 5/21-110	\$73,305	409	Social Security Insurance
018	Audit	65 ILCS 5/8-8-8	\$53,070	115	Auditors' Services
027	Purchase Agreement	65 ILCS 5/11-76.1-1	\$ 26,400	458	Equipment Lease
076	Judgment Fund	745 ILCS 10/9-107	\$153,275	480	Reserve for Judgments & Debts
251	Workmen's Comp.	745 ILCS 10/9-107	\$79,970	404	Workmen's Comp/General Liability Insurance
TOTAL			\$594,275		

\*Statutory authority is cited for illustration purposes only and is not intended to limit the authority of the village to levy the tax indicated to that particular statute.

**Section 2.** The Village President is hereby empowered and directed to file a duly certified copy of this ordinance with the County Clerk of the County of Cook, Illinois.

**Section 3.** All unexpired appropriations for the fiscal year ending April 30, 2001 are continued for the purpose for which they were appropriated and levied.

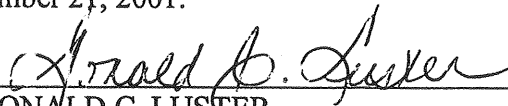
**Section 4.** This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

**ADOPTED** by the President and Board of Trustees of the Village of Dixmoor, Cook County, Illinois, on December 21, 2001 by the following roll call vote:

	YES	NO	ABSENT	PRESENT
Alice Green	✓			
Martha Loggins	✓			
Jerry Smith	✓			
Robert A. Warren	✓			
Yolanda Corner-Williams	✓			
President Donald Luster	✓			
<b>TOTAL</b>	6			

NOTE: FIVE AFFIRMATIVE VOTES ARE REQUIRED FOR THIS ORDINANCE AND THE VILLAGE PRESIDENT MUST VOTE ON THIS ORDINANCE.

APPROVED by the Village President on December 21, 2001:

  
 \_\_\_\_\_  
 DONALD C. LUSTER  
 VILLAGE PRESIDENT

ATTEST:  
  
 \_\_\_\_\_  
 Juanita Darden  
 VILLAGE CLERK

---

**THE VILLAGE OF DIXMOOR**  
COOK COUNTY, ILLINOIS

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**ORDINANCE**

NUMBER 02-L0- 10

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**AN ORDINANCE AUTHORIZING THE SALE OF REAL PROPERTY  
OWNED BY THE VILLAGE OF DIXMOOR, COOK COUNTY, ILLINOIS  
TO KONSTANTINOS KOKKINIS**

---

Donald C. Luster, Village President  
Juanita Darden, Village Clerk

Alice Green  
Martha Loggins  
Jerry Smith  
Robert A. Warren  
Yolanda Corner-Williams  
Board of Trustees

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Published in pamphlet form by authority of the President and Board of Trustees of the Village of Dixmoor on \_\_\_\_\_, 2002

Angela R. Hall - Robbins, Schwartz, Nicholas, Lifton & Taylor - acting Interim Village Attorney - 20 North Clark Street - Chicago, Illinois 60602

**ORDINANCE NO. 02-L0-10**

**AN AMENDED ORDINANCE AUTHORIZING THE SALE OF REAL PROPERTY  
OWNED BY THE VILLAGE OF DIXMOOR, COOK COUNTY, ILLINOIS  
TO KONSTANTINOS KOKKINIS**

---

**WHEREAS**, the Village of Dixmoor has agreed to convey to Konstantinos Kokkinis the real estate described as:

Vacant lots 29 and 31 in Block 8 in Chase and Dyers Subdivision, Section 7, Township 36 North, Range 14 on 147<sup>th</sup> Street, Dixmoor, Illinois; and

**WHEREAS**, Section 11-76-1 of the Illinois Municipal Code states that the Corporate Authorities of a municipality may pass an ordinance regarding the sale of real property if the real estate is no longer necessary, appropriate, required for the use of, profitable to, or for the best interests of the municipality; and

**WHEREAS**, it is in the best interests of the Village of Dixmoor to sell the above-described real estate to Konstantinos Kokkinis in its endeavor to further economic development.

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

1. That the Real Estate Contract (the "Contract"), a copy of which is attached to this ordinance, to convey certain real estate identified therein by and between the Village of Dixmoor and Konstantinos Kokkinis, is hereby approved.
2. That the President and Village Clerk are hereby authorized to execute the Contract and any other document necessary to implement the provisions thereof.
3. That the President and Village Clerk are hereby authorized to execute any and all documents required in order to implement the Contract under the terms and conditions as stated therein.

4. That Special Counsel to the Village of Dixmoor is hereby authorized to undertake any and all actions on the part of the Village as contained in said Contract to complete satisfaction of any and all conditions stated therein.

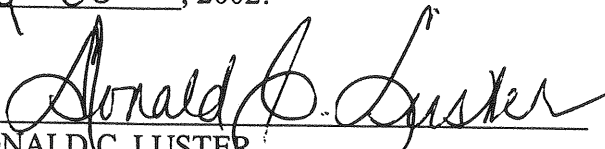
ADOPTED by the President and Board of Trustees of the Village of Dixmoor, Cook County, Illinois, on

May 08, 2002 by the following roll call vote:

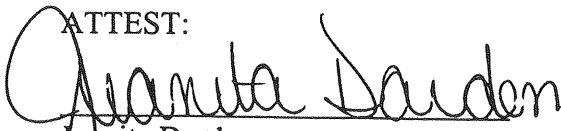
	YES	NO	ABSENT	PRESENT
Alice Green	✓			
Martha Loggins	✓			
Jerry Smith			✓	
Robert A. Warren	✓			
Yolanda Corner-Williams	✓			
Bonnie Rateree	✓			
President Donald Luster				
TOTAL	5	—	1	5

NOTE: Per 65 ILCS 5/11-76-1, a 3/4 vote of the corporate authorities is required to pass this Ordinance.

APPROVED by the Village President on May 08, 2002:

  
 DONALD C. LUSTER  
 VILLAGE PRESIDENT

ATTEST:

  
 Juanita Darden  
 Village Clerk

ORDINANCE No. 02-L0- 11 \_\_\_\_\_

ORDINANCE REGARDING THE VILLAGE OF DIXMOOR 9-1-1 EMERGENCY  
TELEPHONE SYSTEM

WHEREAS, the State of Illinois has enacted into law the Emergency Telephone System Act (the "Act"), 50 ILCS 750/1 *et seq.*; and,

WHEREAS, the Act enables municipalities to impose a surcharge on telecommunications carriers at a rate per network connection in order to maintain and/or upgrade a 9-1-1 emergency telephone system; and,

WHEREAS, the Act allows the telecommunications carrier collecting the surcharge to deduct 3% of the gross amount of the surcharge collected; and,

WHEREAS, a referendum was previously passed by a majority of voters of the Village of Dixmoor to allow and impose a surcharge on subscribers collected by the telecommunications carrier to pay for the costs associated with an enhanced 9-1-1 system; and,

WHEREAS, the surcharge voted upon by a majority of the voters was "up to \$1.25 per month."

NOW THEREFORE BE IT ORDAINED by the Village President and Board of Trustees of the Village of Dixmoor, Cook County, Illinois ("*Village*"), as follows:

1. A surcharge is hereby imposed at a rate of \$1.25 per month in service network connections.
2. All Ordinances and/or resolutions or parts thereof in conflict with herein are hereby repealed to the extent of any such conflict.

3. This Ordinance shall be in full force and effect immediately upon its passage, approval and publication in the manner prescribed by law.

**PASSED** this 27th day of February, 2002.

AYES: 4

NAYS: —

ABSENT: 1

**APPROVED:**

Ronald C. Lister  
Mayor

Attest:

Juanita Sarden  
Village Clerk

---

**THE VILLAGE OF DIXMOOR**  
COOK COUNTY, ILLINOIS

---

**ORDINANCE**

NUMBER 02-LO- 1a

---

**AN ORDINANCE REGARDING PUBLIC INDECENCY**

---

Donald C. Luster, Village President  
Juanita Darden, Village Clerk

Alice Green  
Martha Loggins  
Jerry Smith  
Robert A. Warren  
Yolanda Corner-Williams  
Board of Trustees

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Published in pamphlet form by authority of the President and Board of Trustees of the Village of Dixmoor on MARCH 13, 2002  
Angela R. Hall - Robbins, Schwartz, Nicholas, Lifton & Taylor - acting Interim Village Attorney - 20 North Clark Street - Chicago, Illinois 60602



**ORDINANCE NO. 02-LO- 12**  
**AN ORDINANCE REGARDING PUBLIC INDECENCY**

---

**WHEREAS**, the President and Board of Trustees of the Village of Dixmoor may enact regulatory ordinances protecting and promoting the welfare and health of the citizens of the Village; and

**WHEREAS**, the President and Board of Trustees of the Village of Dixmoor believe that public indecency as prohibited in this ordinance encourages prostitution, increased sexual assaults and other criminal activity; and

**WHEREAS**, the President and Board of Trustees of the Village of Dixmoor wish to regulate public indecency in a fashion which will not impermissibly infringe on the constitutional rights of any person.

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF DIXMOOR, COOK COUNTY, ILLINOIS, AS FOLLOWS:**

**Section 1: Village Code Amended.** Section 19-40 of the Village Code is repealed. New section 19-40 is enacted, to read as follows:

**19.40. PUBLIC INDECENCY:**

(A) A person who knowingly or intentionally, in a public place, (i) engages in sexual intercourse; (ii) engages in deviate sexual conduct; (iii) appears in a state of nudity; or (iv) fondles the genitals of himself or another person; commits the offense of public indecency.

(B) For purposes of this section, "nudity" means the exposure of male or female genitals, pubic area, female breasts with less than a full opaque covering the nipples thereof, human male genitals in a

discernibly turgid state even if completely and opaquely covered, or that portion of the buttocks which would be covered by a properly worn "thong" type bikini bottom.

(C) For purposes of this section, "public place" means any location frequented by the public, or where the public is present or likely to be present, or where a person may reasonably be expected to be observed by members of the public. Public places include, but are not limited to, streets, sidewalks, pools, business and commercial establishments (whether for-profit or not-for-profit and whether open to the public at large or where entrance is limited by a coverage charge or membership requirement), hotels, motels, restaurants, nightclubs, country clubs, cabarets and meeting facilities utilized by social, fraternal or similar organizations. Premises used solely as a private residence, whether permanent or temporary in routine, shall not be deemed a public place. Public places shall not include enclosed single sex public restrooms, enclosed single sex functional showers, locker and/or dressing room facilities, enclosed motel rooms and hotel rooms designed and intended for sleeping accommodations, doctors' offices, churches, synagogues or similar places when used for circumcisions, baptisms or similar religious ceremonies, portions of hospitals or similar places in which nudity or exposure is necessarily and customarily expected outside of the home; nor shall it include a person appearing in a state of nudity in a modeling class operated by (1) a proprietary school licensed by the state; a college, junior college or university supported entirely or partly by taxation; or (2) a private college or university which maintains and operates educational programs in which credits are transferrable to a college, junior college or a university supported entirely or partly by taxation or an accredited private college.

(D) This section is patterned after and shall be interpreted in the same manner as the Indiana Public Indecency Statute held constitutional by the United States Supreme Court in Barnes v. Glen Theatre, Inc., 501 U.S. 560, 111 S.Ct. 2456 (1991).

(E) The definition of "public place" set forth above shall be interpreted to be no more broad than the definition of "public place" set forth in 720 ILCS 5/11-9 (formerly Ill.Rev. Stat., Ch. 38, ¶11-9) as upheld by the Illinois Supreme Court in People v. Garrison, 82 Ill.2d 444, 412 N.E.2d 483 (1980).

(F) A person convicted of the offense of public indecency shall be fined not more than \$750.00 for each offense and may be enjoined from continuing the conduct determined to be public indecency.

(G) A person who knowingly or intentionally encourages or facilitates another person's commission of the offense of public indecency shall be deemed to have committed a public nuisance.

**Section 2.** **Severability.** If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this ordinance.

**Section 3.** **Effective Date.** This ordinance shall be in full force and effect immediately after its passage and publication as provided by law.

ADOPTED by the President and Board of Trustees of the Village of Dixmoor, Cook

County, Illinois, on MARCH 13, 2002 by the following roll call:


AYES: 4

NAYES: -

ABSENT: 1

ABSTAIN: -

APPROVED:

  
Donald C. Luster  
Village President

ATTEST:

  
Juanita Darden  
Village Clerk

---

# THE VILLAGE OF DIXMOOR

COOK COUNTY, ILLINOIS

---

## ORDINANCE

NUMBER 02-L0- 13

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**AN ORDINANCE REGARDING THE RELEASE OF HAZARDOUS MATERIALS**

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Donald C. Luster, Village President

Juanita Darden, Village Clerk

Alice Green

Martha Loggins

Jerry Smith

Robert A. Warren

Yolanda Corner-Williams

Board of Trustees

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Published in pamphlet form by authority of the President and Board of Trustees of the Village of Dixmoor on March 13 2002

Angela R. Hall - Robbins, Schwartz, Nicholas, Lifton & Taylor - acting Interim Village Attorney - 20 North Clark Street - Chicago, Illinois 60602

ORDINANCE NO. 02-L0-13

ORDINANCE REGARDING THE RELEASE OF HAZARDOUS MATERIALS

---

**BE IT ORDAINED** by the President and Board of Trustees of the Village of Dixmoor, Cook County, Illinois, as follows:

**SECTION 1. DEFINITIONS:**

As used in this Ordinance, the following terms shall have the following meanings:

**Costs:** All expenses incurred by the Village of Dixmoor or any other agency assisting the Village as a result of any removal of remedial action.

**Facility:** Any building, structure, installation, equipment, pipe or pipeline including but not limited to any pipe into a sewer or publicly owned treatment works, well, pond, lagoon, impoundment, ditch, landfill, storage container, tank, motor vehicle, truck trailer, rolling stock or aircraft. Also, any site or area where a hazardous material has been deposited, stored, disposed of, abandoned, placed, or otherwise come to be located.

**Hazardous Materials:** Any material, substance or mixture of materials or substances which are toxic, flammable, corrosive, explosive, carcinogenic or radioactive including, but not limited to, any substance or material which is designated a hazardous material pursuant to the "Hazardous Materials Transportation Act" (49 U.S.C.A., sections 1801, *et seq.*) in a quantity and form which may pose a substantial present or

potential hazard to human health, property or the environment when improperly released, treated, stored, transported, disposed of, or otherwise managed.

**Mutual Aid:** Any action taken by the Village of Dixmoor or any other public agency pursuant to an intergovernmental agreement, including but not limited to the District II Mutual Aid Agreement.

**Person:** Any individual, business, firm, partnership, corporation, association, trust, estate, joint venture or other legal entity, or their legal representative, agent or assign.

**Release:** Any spilling, leaking, pumping, pouring, emitting, escaping, emptying, discharging, injecting, leaching, dumping or disposing of a hazardous material into or on any land, air, water, well, stream, sewer or pipe so that such hazardous material or any constituent thereof may enter the environment.

**Remedial Action:** Any action consistent with permanent, remedy taken instead of, or in addition to, removal actions in the event of a release or threatened release of a hazardous material into the environment, to prevent or minimize the release of hazardous materials so that they do not migrate to cause a substantial present or potential hazard to human health, property or the environment. The term includes, but is not limited to, such actions at the location of the release as storage, confinement, perimeter protection using dikes, trenches, or ditches, clay cover, neutralization, cleanup of released hazardous materials or contaminated materials, recycling or reuse, diversion, destruction, segregation of reactive wastes, repair or replacement of leaking containers, collection of leachate and runoff, onsite treatment or incineration,

provision of alternate water supplies, and nay monitoring reasonably required to assure that such actions protect the public health and welfare and the environment.

**Removal:** The cleanup or removal of released hazardous materials from the environment, such actions as may be necessary or appropriate to monitor, assess, and evaluate the release or threat of release of hazardous materials, the disposal of removed material, or the taking of such action as may be necessary to prevent, minimize, or mitigate damage to the public health or welfare of the environment. The term includes, but is not limited to, security fencing, provision of alternative water supplies, and temporary evacuation of threatened individuals.

**Response:** Any removal or remedial action.

## **SECTION II. PROHIBITED ACTS**

No person shall cause, threaten or allow the release of hazardous materials into the environment unless such release is in accordance with an appropriate permit granted by the Illinois Environmental Protection Agency or other State or Federal agency having primary jurisdiction over the release and such release is in such place and manner as will not create a substantial present or potential hazard to human health, property or the environment.

## **SECTION III. RESPONSE AUTHORITY**

A. The Fire Chief or his authorized representative shall have authority to respond to any release or threatened release of hazardous materials within the territory of the Village of Dixmoor or affecting the public water supply, wells or sewage treatment works located within the Village of

Dixmoor or pursuant to any lawful intergovernmental agreement of which the Village of Dixmoor is a party. This authority includes, but is not limited to, remedial action and removal.

B. The Fire Chief shall have primary authority to respond to any release or threatened release of hazardous materials as described above. The Fire Chief shall report any release or threatened release of hazardous materials to all appropriate Federal, State and local public health, safety and emergency agencies within twenty-four (24) hours of any substantial release of hazardous materials. The Fire Chief shall relinquish his response authority at such time, if any, as the Federal, State or local public health, safety or emergency agency having primary jurisdiction over the release or threatened release has assumed responsibility for response to the release or threatened release.

C. The Fire Chief, during such time as response authority is vested in him, shall be authorized to utilize all Village of Dixmoor personnel and equipment and he may, in his sole discretion, take such remedial or removal action as he may deem necessary or appropriate to respond to the release or threatened release of hazardous material.

D. All responding personnel shall cooperate with and operate under the direction of the Fire Chief or other person then exercising response authority under this ordinance until such time as the person exercising such response authority has determined that the response is complete or responsibility for response is assumed by the Federal, State or local public health, safety or emergency agency having primary jurisdiction over the release or threatened release.

E. The person exercising response authority under this ordinance shall coordinate and/or cooperate with other Federal, State or local public health, safety or emergency agencies involved in response to the release or threatened release of hazardous materials.



#### **SECTION IV. LIABILITY FOR COSTS**

Notwithstanding any other provision or rule of law, and subject only to the defense set forth in Section Six hereof, the following persons shall be jointly and severally liable for all costs of removal and remedial action incurred by the Village of Dixmoor as a result of a release or threatened release of a hazardous material:

- A. The owner and operator of a facility or vessel from which there is a release or substantial threat of release of a hazardous material.
- B. Any person who, at the time of disposal, transport, storage or treatment of a hazardous material, owned or operated the facility or vessel used for such disposal, transport, treatment, or storage from which there was a release or substantial threat of a release of any such hazardous material.
- C. Any person who by contract, agreement, or otherwise has arranged with another party or entity for transport, storage, disposal or treatment of hazardous materials owned, controlled or possessed by such person at a facility owned or operated by another party or entity from which facility there is a release or substantial treat of a release of such hazardous materials.
- D. Any person who accepts or accepted any hazardous materials for transport to disposal, storage or treatment facilities from which there is a release or a substantial threat of release of such hazardous substances.

#### **SECTION V. DEFENSES**

There shall be no liability under Section Five hereof for a person otherwise liable who can establish by a preponderance of the evidence that the release or substantial threat of release of a hazardous material and the damages resulting therefrom were caused solely by:

- A. An act of nature over which he or she had no control;
- B. An act of war; or
- C. Any combination of the foregoing.

#### **SECTION VI. COSTS AND PENALTIES**

A. Any person who is liable for the release or threatened release of a hazardous material who fails without sufficient cause to pay for or provide removal or remedial action upon or in accordance with a notice and request of the Village of Dixmoor, or in accordance with any order of any court having jurisdiction on the matter, shall be liable to the Village of Dixmoor for any costs incurred by the Village of Dixmoor as a result of such failure to provide or take such removal or remedial action, together with the cost of any removal or remedial action taken by the Village of Dixmoor in accordance with the ordinance, and all attorneys' fees and related legal costs incurred in connection therewith.

B. In addition, any such person shall be guilty of a violation of this ordinance and shall be fined not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) for each offense. A separate offense shall be deemed committed for each day on which a violation occurs or continues. Where such violation is found to be the result of willful and/or wanton conduct or gross negligence, or the person committing such violation attempts to evade responsibility hereunder by leaving the scene of the occurrence or by other means, that person shall

be subject to a fine as provided for above or a fine in an amount equal to three times the costs, including attorneys' fees and legal costs, for which it is liable under Paragraph A, whichever is greater.

C. Charges for removal or remedial action when rendered by the Village of Dixmoor or any other agency rendering mutual aid shall be as follows:

- 1) The reasonable cost of each vehicle responding as determined by the responding agency, but in no case less than \$75.00 per hour per vehicle, and
- 2) The cost of all personnel including any overtime cost to the Village of Dixmoor or to any responding agency, incurred as a result of the removal or remedial action, and
- 3) The cost of all materials and equipment used, expended, depleted, destroyed or removed from service in accordance with federal, state or local ordinance as a result of the mitigation or containment operations if or at the request of the Village of Dixmoor or any responding agency, and
- 4) The cost of services and/or goods provided by a private or public entity which are used, expired, depleted, or destroyed as a result of the response at the request of the Village of Dixmoor or any responding agency.

PASSED by the Village Board of the Village of Dixmoor, Cook County, Illinois, this 13<sup>th</sup> day of MARCH, 2002.

AYES: 4

NAYES: —


ABSENT: 1

APPROVED:



Donald C. Luster  
Village President

ATTEST:



Juanita Darden  
Village Clerk

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**THE VILLAGE OF DIXMOOR**  
COOK COUNTY, ILLINOIS

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**ORDINANCE**  
NUMBER 02-L0- 14

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**AN ORDINANCE APPROVING AN AMENDED INTERGOVERNMENTAL  
AGREEMENT FOR PARTICIPATION IN THE SOUTHWEST HAZARDOUS  
MATERIALS RESPONSE TEAM**

---

Donald C. Luster, Village President  
Juanita Darden, Village Clerk

Alice Green  
Martha Loggins  
Jerry Smith  
Robert A. Warren  
Yolanda Corner-Williams  
Board of Trustees

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Published in pamphlet form by authority of the President and Board of Trustees of the Village of Dixmoor on MARCH 13, 2002  
Angela R. Hall - Robbins, Schwartz, Nicholas, Lifton & Taylor - acting Interim Village Attorney - 20 North Clark Street - Chicago, Illinois 60602

**ORDINANCE NO. 02-L0-14**

**AN ORDINANCE APPROVING AN AMENDED INTERGOVERNMENTAL AGREEMENT FOR PARTICIPATION IN THE SOUTHWEST HAZARDOUS MATERIALS RESPONSE TEAM**

---

**WHEREAS**, Article VII, Section 10, of the Constitution of the State of Illinois authorizes units of local government to contract or otherwise associate among themselves in any manner not prohibited by law or ordinance; and

**WHEREAS**, the Intergovernmental Cooperation Act, 5 ILC§ 220/1 *et seq.*, provides that any powers, functions, privileges or authority exercised or which may be transferred, combined and exercised by a unit of local government may be exercised and enjoyed jointly with any other unit of local government; and

**WHEREAS**, Section 5 of the Intergovernmental Cooperation Act, provides that any one or more public agencies may contract with any one or more public agencies to perform any governmental service, activity or undertaking which any of the public agencies entering into the contract is authorized by law to perform, provided that such contract shall be authorized by the governing body of each party to the contract; and

**WHEREAS**, the Village President and Board of Trustees (the "Corporate Authorities") previously approved the Southwest Hazardous Materials Response Team Intergovernmental Agreement in 1991; and

**WHEREAS**, the Corporate Authorities of the Village of Dixmoor at that time determined that it was in the best interests of the Village and its residents to enter into an intergovernmental

agreement to secure to each the benefits of mutual aid in hazardous materials handling or other related services dealing with the protection of life or property in an emergency; and

**WHEREAS**, the need has arisen to amend the existing Southwest Hazardous Materials Response Team Intergovernmental Agreement to reflect the current membership of the organization, to permit the organization to assist in emergencies to third parties through the MABAS System, and to further clarify the relationship of the parties within the organization; and

**WHEREAS**, the members of the Southwest Hazardous Materials Response Team are requested to provide their written consent to Amend the Intergovernmental Agreement.

**BE IT ORDAINED** by the President and Board of Trustees of the Village of Dixmoor, Cook County, Illinois, as follows:

**Section 1.** That the Village President and the Village Board hereby consent to the Amendments to the Southwest Hazardous Materials Response Team Intergovernmental Agreement, a copy of said Amended Agreement being attached hereto as Exhibit A and made a part hereof.

**Section 2.** That the Southwest Hazardous Materials Response Team Intergovernmental Agreement attached hereto is approved as amended.

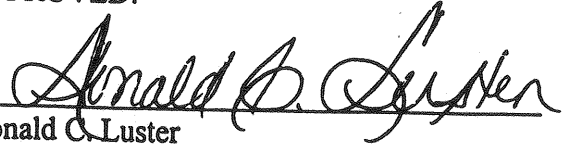
**PASSED** by the Village Board of the Village of Dixmoor, Cook County, Illinois, this 13<sup>th</sup> day of MARCH, 2002.

AYES: 4

NAYES: -


ABSENT: 1

APPROVED:



Donald C. Luster  
Village President

ATTEST:



Juanita Darden  
Village Clerk



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**THE VILLAGE OF DIXMOOR**  
COOK COUNTY, ILLINOIS

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**ORDINANCE**  
NUMBER 02-L0 15

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**AN ORDINANCE ESTABLISHING  
THE VILLAGE OF DIXMOOR 9-1-1  
EMERGENCY TELEPHONE SYSTEM BOARD**

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Donald C. Luster, Village President  
Juanita Darden, Village Clerk

Alice Green  
Martha Loggins  
Jerry Smith  
Robert A. Warren  
Yolanda Corner-Williams  
Bonnie Rataree  
Board of Trustees

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Published in pamphlet form by authority of the President and Board of Trustees of the Village of Dixmoor on MARCH 27, 2002

Angela R. Hall  
Village Attorney  
Robbins, Schwartz, Nicholas, Lifton & Taylor, Ltd.  
20 North Clark Street - Suite 900  
Chicago, Illinois 60602

ORDINANCE No. 02-L. 15

ORDINANCE ESTABLISHING  
THE VILLAGE OF DIXMOOR 9-1-1  
EMERGENCY TELEPHONE SYSTEM BOARD

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WHEREAS, the State of Illinois has enacted into law the Emergency Telephone System Act (the "Act"), 50 ILCS 750/1 *et seq.*; and,

WHEREAS, on January 10, 1990, Ordinance No. 90-001 was passed by the Corporate Authorities of the Village of Dixmoor (the "Village") which authorized the Village to participate in a Joint Emergency Telephone System Board pursuant to an intergovernmental agreement with Southwest Central 9-1-1 System; and,

WHEREAS, as of April 1, 2002, the Village will no longer participate in the Joint Emergency Telephone System Board of Southwest Central 9-1-1 System; and

WHEREAS, Section 15.4 of the Act states that any municipality or county that imposes a surcharge shall establish an Emergency Telephone System Board; and,

WHEREAS, it is necessary and in the best interest of the Village of Dixmoor to establish the Village of Dixmoor Emergency Telephone System Board.

**NOW THEREFORE BE IT ORDAINED** by the Village President and Board of Trustees (the "Corporate Authorities") of the Village of Dixmoor, Cook County, Illinois, as follows:

1. The Village shall establish an Emergency Telephone System Board in compliance with Section 15.4 of the Act.
2. The Village Emergency Telephone System Board members shall be appointed by the Corporate Authorities of the Village and shall consist of at least five members.

3. The powers and duties of the Village Emergency Telephone System Board shall include, but are not limited to:

- (A) Planning a 9-1-1 system;
- (B) Coordinating and supervising the implementation, upgrading, or maintenance of the system, including the establishment of equipment specifications and coding systems;
- (C) Receiving monies from the surcharge imposed under Section 15.3 of the Act, and from any other source, for deposit into the Emergency Telephone System Fund;
- (D) Authorizing all disbursements from the fund; and
- (E) Hiring any staff necessary for the implementation or upgrade of the system.

4. All Ordinances and/or resolutions or parts thereof in conflict with herein are hereby repealed to the extent of any such conflict.

5. This Ordinance shall be in full force and effect immediately upon its passage, approval and publication in the manner prescribed by law.

PASSED this 27<sup>th</sup> day of MARCH, 2002.

AYES: 5

NAYS: -

ABSENT: 1

APPROVED:

Ronald C. Suster  
Mayor

Attest:

Quanita Sarden  
Village Clerk

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**THE VILLAGE OF DIXMOOR**  
COOK COUNTY, ILLINOIS

---

**ORDINANCE**

NUMBER 02-LO-16

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**AN ORDINANCE REGULATING GAMES IN STREETS AND PROHIBITING  
OBSTRUCTIONS TO STREETS, ALLEYS AND SIDEWALKS**

---

Donald C. Luster, Village President  
Juanita Darden, Village Clerk

Alice Green  
Martha Loggins  
Jerry Smith  
Robert A. Warren  
Yolanda Corner-Williams  
Bonnie Rateree  
Board of Trustees

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Published in pamphlet form by authority of the President and Board of Trustees of the Village of Dixmoor on May 08, 2002

Angela R. Hall  
Village Attorney  
Robbins, Schwartz, Nicholas, Lifton & Taylor, Ltd.  
20 North Clark Street - Suite 900  
Chicago, Illinois 60602

ORDINANCE No. 02-L0- 16

**AN ORDINANCE REGULATING GAMES IN STREETS AND PROHIBITING OBSTRUCTIONS TO STREETS, ALLEYS AND SIDEWALKS**

---

**NOW THEREFORE BE IT ORDAINED** by the Village President and Board of Trustees (the "Corporate Authorities") of the Village of Dixmoor, Cook County, Illinois, as follows:

**Section 1. Village Code Amended.** New Section \_\_\_\_\_ is added to the Village Code as follows:

\_\_\_\_\_ : **STREETS, ALLEYS AND SIDEWALKS:**

1. It shall be unlawful to play any game on any street, alley or sidewalk, where the game causes unnecessary noise, or interferes with traffic or pedestrians.

2. It shall be unlawful for any person, firm or corporation to cause, create, or maintain any obstruction of any street, alley, sidewalk, or other public way, except as may be specifically authorized by ordinance or by the Village of Dixmoor Code Enforcement Office.

**Section 2.** All Ordinances and/or resolutions or parts thereof in conflict with herein are hereby repealed to the extent of any such conflict.

**Section 3.** This Ordinance shall be in full force and effect immediately upon its passage, approval and publication in the manner prescribed by law.

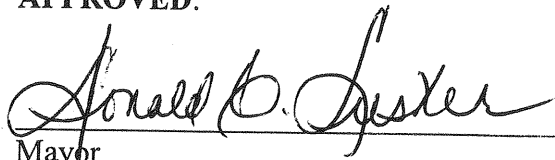
PASSED this 08<sup>th</sup> day of May, 2002.

AYES: 5

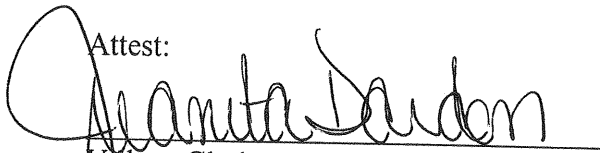
NAYS: —

ABSENT: 1

APPROVED:

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
Village Clerk

G:\Arh\Dixmoor\ORDINANCES\streets.ord.wpd

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# THE VILLAGE OF DIXMOOR

COOK COUNTY, ILLINOIS

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## ORDINANCE

NUMBER 02-LO- 17

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### AN ORDINANCE REGULATING ADULT USES

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Donald C. Luster, Village President  
Juanita Darden, Village Clerk

Alice Green  
Martha Loggins  
Jerry Smith  
Robert A. Warren  
Yolanda Corner-Williams  
Bonnie Rateree  
Board of Trustees

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Published in pamphlet form by authority of the President and Board of Trustees of the Village of Dixmoor on May 22, 2002

Angela R. Hall, Village Attorney  
Robbins, Schwartz, Nicholas, Lifton & Taylor, Ltd.  
20 North Clark Street - Suite 900  
Chicago, Illinois 60602

**ORDINANCE NO. 02-L0- 17**  
**AN ORDINANCE REGULATING ADULT USES**

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**WHEREAS**, the Village of Dixmoor Planning and Zoning Commission held a public hearing, pursuant to notice duly published in accordance with law, in connection with the zoning amendments set forth below; and

**WHEREAS**, the Village of Dixmoor Planning and Zoning Commission recommended the zoning amendments hereinafter set forth to the President and Board of Trustees; and

**WHEREAS**, the President and Board of Trustees approve and adopt the findings and recommendations of the Village of Dixmoor Planning and Zoning Commission and incorporate such findings and recommendations of the Commission herein by reference as if they were fully set forth herein;

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

**Section 1. Village Code Amended.** New Section \_\_\_\_\_ is added to the Village Code as follows:

\_\_\_\_\_: **ADULT USES:**

**A. FINDINGS:** The President and Board of Trustees make the following findings:

1. It is uncontested that the Village may regulate, through its zoning power, the location of sexually explicit businesses;
2. Zoning, when used to preserve the character of the residential and commercial areas of the Village, is perhaps the most essential function performed by the Village;
3. The Village is predominately a single-family residential community with



approximately 90% of the total land area of the Village zoned and used for residential, school, park, cemetery and governmental purposes;

4. The Planning Commission held a public hearing, reviewed the experiences of other municipalities, counties and units of local government relative to Adult Uses;
5. The Village of Dixmoor approximately 1.2 square miles in size and there are many locations available for Adult Uses in the larger, immediately surrounding communities, such as the City of Chicago, unincorporated Cook County and other municipalities;
6. The proposed regulation of Adult Uses serves a substantial governmental interest, while allowing for reasonable alternative avenues of communication;
7. The Illinois Supreme Court has judicially confirmed that the regulation of Adult Uses serves a valid governmental interest;
8. The proposed regulations are not aimed at the content of adult entertainment, but at the secondary effects associated with it including, but not limited to:
  - a. an increase in crime rates, particularly those that are sex-related;
  - b. a negative impact on the real estate market where adult entertainment is offered; and
  - c. urban blight as a result of the decrease in property values.

In attempting to curb these secondary effects, the regulations serve the Village's substantial interest in the health, safety and welfare of the people of the Village.

9. The detailed findings summarized in the U.S. Supreme Court opinion in *City of Renton v. Playtime Theatres, Inc.*, 475 U.S. 41, 106 S.Ct. 925 (1986), the Illinois Supreme Court opinion in *County of Cook v. Renaissance Arcade and Bookstore*, 122 Ill.2d 123 (1988), and the United States District Court, Eastern Division of Michigan opinion in *S & G News, Inc. v. City of Southgate*, 638 F.Supp. 1060 (E.D. Mich. 1986) aff'd 819 F.2d 1142 (6th Cir. 1987), were before the Planning Commission when it recommended the adoption of these regulations.

**B. PURPOSE OF REGULATIONS:** These regulations are aimed at the secondary effects of adult uses, and not at the content of the activities performed at such uses.

In addition, these regulations are based on the Village's substantial interest in preventing crime, protecting retail trade, maintaining property values, and generally to protect and preserve the quality of the Village's neighborhoods, commercial districts, and the quality of urban life. Furthermore, it is not the purpose of these regulations to deny anyone a reasonable opportunity to open and operate adult uses within the Village. The predominate purpose of these regulations is the amelioration of socially adverse secondary effects of adult uses. Finally, the Illinois Supreme Court has judicially confirmed that the purpose of these regulations as hereinafter provided serves a valid governmental interest.

**C. DEFINITIONS:**

1. **Adult Bookstore:** An establishment having, as a substantial or significant portion of its sales or stock in trade, books, magazines, films for rent, sale or for viewing on premises by use of motion picture devices or by coin operated means, and periodicals, which are distinguished or characterized by their emphasis on matter depicting, describing or relating to Specified Sexual Activities, or Specified Anatomical Areas, or an establishment with a substantial or significant segment or section devoted to the sale or display of such materials; or an establishment that holds itself out to the public as a purveyor of such materials based upon its signage, advertising, displays, actual sales, presence of video preview or coin operated booths, exclusion of minors from the establishment's premises or any other factors showing the establishment's primary purpose is to survey such materials.
2. **Adult Entertainment Cabaret:** A public or private establishment which:
  - a. features topless dancers, strippers, or male or female impersonators; or
  - b. not infrequently features entertainers who display Specified Anatomical Areas; or
  - c. features entertainers who by reason of their appearance or conduct perform in a manner which is designed primarily to appeal to the prurient interest of the patron; or
  - d. features entertainers who engage in or are engaged in explicit simulation of Specified Sexual Activities.
3. **Adult Motion Picture Theater:** A building or area used for presenting materials distinguished or characterized by an emphasis on matter depicting, describing or relating to Specified Activities or Specified Anatomical Areas

for observation by patrons therein.

4. **Adult Use:** Adult Bookstores, Adult Motion Picture Theaters, Adult Entertainment Cabarets, and/or other similar uses.
  5. **Specified Sexual Activities:** For the purpose of this Chapter, Specified Sexual Activities means:
    - a. human genitals in the state of sexual stimulation or arousal;
    - b. acts of human masturbation, sexual intercourse or sodomy; and/or
    - c. fondling or other erotic touching of human genitals, pubic region, buttock or female breasts.
  6. **Specified Anatomical Areas:** For the purpose of this Chapter, Specified Anatomical Areas means:
    - a. less than completely and opaquely covered human genitals, pubic region, buttock, or female breasts below a point immediately above the top of the areola; and/or
    - b. human male genitals in a discernibly turgid state, even if completely and opaquely covered.
- D. **LOCATION:** Adult Uses are prohibited within 1,000 feet of the property boundaries of any school, day care center, cemetery, public park, forest preserve, public housing and place of religious worship. Adult Uses are permitted only in areas zoned as light or heavy industrial (I-1) or (I-2) districts.
- E. **REGISTRATION:** The owner of any building or premises, said owner's agent for the purposes of managing, controlling or collecting rents, or any other person managing or controlling any building or premises used in whole or in part for an Adult Use, shall register the following information with the Village Clerk:
1. The address of the premises;
  2. The name(s), age(s) and address(es) of the owner(s) of the premises and the beneficial owner(s) if the property is in a land trust;
  3. The name of the business or establishment;
  4. The name(s), age(s) and address(es) of the owner(s), beneficial owner(s)

and/or the major stockholder(s) of the business or establishment;

5. The date of the initiation of the Adult Use;
6. The nature of the Adult Use;
7. If the premises or building is leased, a copy of said lease must be attached to the registration form.

F. **EXTERIOR DISPLAY:** No Adult Use shall be conducted in any manner that permits the observation of any material depicting, describing or relating to Specified Sexual Activities or Specified Anatomical Areas from any public way or from any property not registered as a Adult Use. This provision shall apply to any display, decoration, sign, show window or other opening.

G. **LICENSE REQUIRED; FEES:** No person shall operate Adult Uses within the Village without first applying for an Adult Uses license. The fee for an Adult Uses license and related procedures governing the licenses shall be as set forth in the business license ordinance. An Adult Uses license shall be nontransferable and shall be issued only for one specific business location.

× × H. **HOURS OF OPERATION:** Adult Uses shall be permitted to operate Sunday through Saturday between the hours of 10 a.m. to midnight.

**Section 2. Business License Ordinance Code Amended.** Section \_\_\_\_\_ of the Dixmoor Village Code is amended by adding the following to the list therein in its proper sequence:

ADULT USES as regulated by § \_\_\_\_\_ - \$1,000.00

**Section 3. Zoning Ordinance Amended.** New section \_\_\_\_\_ of the Dixmoor Village Code is added, to read as follows:

\_\_\_\_\_ Adult Uses as regulated by § \_\_\_\_\_ - Adult Uses are prohibited within 1,000 feet of the property boundaries of any school, day care center, cemetery, public park, forest preserve, public housing and place of religious worship. Adult Uses are permitted only in areas zoned as light or heavy industrial (I-1) or (I-2) districts.

**Section 4. Amortization Clause.** All non-conforming businesses located within the Village of Dixmoor shall be removed or converted to a permitted use on or before November 25, 2002.

**Section 4. Severability.** The provisions of this Ordinance are severable.

**Section 5. Effective Date.** This Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form as provided by law.

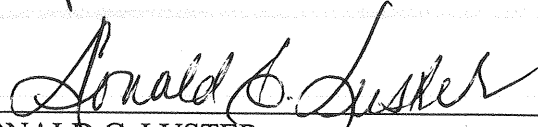
ADOPTED by the President and Board of Trustees of the Village of Dixmoor, Cook County, Illinois, on May 22, 2002 by the following roll call:

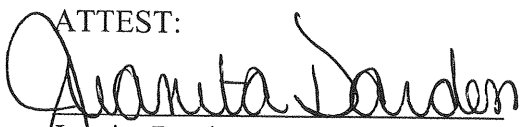
ADOPTED by the President and Board of Trustees of the Village of Dixmoor, Cook County, Illinois, on May 22, 2002 by the following roll call vote:

	YES	NO	ABSENT	PRESENT
Alice Green		✓		
Martha Loggins	✓			
Jerry Smith			✓	
Robert A. Warren	✓			
Yolanda Corner-Williams	✓			
Bonnie Rateree	✓			
TOTAL	4	1	1	

NOTE: Per 65 ILCS 5/11-13-14, a 2/3 vote of the corporate authorities is required to pass this Ordinance.

APPROVED by the Village President on May 22, 2002:

  
 DONALD C. LUSTER  
 VILLAGE PRESIDENT

ATTEST:  
  
 Juanita Darden  
 Village Clerk

ORDINANCE NO. 02-LO-18

AN ORDINANCE ADOPTING PREVAILING WAGE STANDARDS

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WHEREAS, the State of Illinois has enacted the "Prevailing Wage Act", 820 ILCS 130/1 *et seq.* (the "Act"); and

WHEREAS, the Act requires that the Village of Dixmoor investigate and ascertain the prevailing rate of wages as defined in the Act for laborers, mechanics and other workers in the locality of said Village of Dixmoor employed in performing construction of public works, for said Village of Dixmoor;

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF DIXMOOR, COOK COUNTY, ILLINOIS, AS FOLLOWS:**

**SECTION 1.** To the extent and as required by the Prevailing Wage Act, the general prevailing rates of wages in this locality for laborers, mechanics and other worker engaged in construction of public works coming under the jurisdiction of the Village of Dixmoor is hereby ascertained to be the same as the prevailing rates of wages for construction working the Cook County area, as determined by the Department of Labor of the State of Illinois as of June of the current year (See Exhibit A). The definition of any terms appearing in this ordinance which are also used in the Act shall be the same as in the Act.

**SECTION 2.** Nothing herein contained shall be construed to apply said general prevailing rates of wages as herein ascertained to any work or employment except public works constructions of Dixmoor to the extent required by the Act.

**SECTION 3.** The Village Clerk shall publicly post this determination or any revisions of such prevailing rate of wages, and keep it available for inspection in the Village Hall by any interested party. A copy of the currently revised determination of the prevailing rates of wages then in effect shall be attached to all contract specifications.

**SECTION 4.** The Village Clerk shall mail a copy of this determination to any employer and to any association of employers and to any person or association of employees who have filed their names and addresses and have requested copies of any determination stating the particular rates and the particular class of workers whose wages will be affected by such rates.

**SECTION 5.** The Village Clerk shall promptly file a certified copy of this Ordinance with the Honorable Jesse White, Secretary of State of Illinois, Index Department, 111 East Monroe Street, Springfield, IL 62706 and with the Illinois Department of Labor, Fair Labor Standards Division, One West Old State Capitol Plaza, Room 300, Springfield, IL 62701.

**SECTION 6.** Within thirty days after the filing with the Secretary of State, the Village Clerk shall cause a notice to be published in a newspaper of general circulation within the area, stating:

**VILLAGE OF DIXMOOR  
COOK COUNTY, ILLINOIS**

**PUBLIC NOTICE OF ADOPTION OF PREVAILING WAGE STANDARDS**

PLEASE TAKE NOTICE that on June 26, 2002, the President and Board of Trustees of the Village of Dixmoor, Cook County, Illinois, adopted Ordinance No. 02-LO-18, determining prevailing wages pursuant to 820 ILCS 130/1 *et seq.*, the Illinois "Prevailing Wage Act", which determination is now effective.

**(Date of Publication)**

**Published by Order of the President and Board of Trustees of the Village of Dixmoor:**

**Juanita Darden  
Village Clerk**

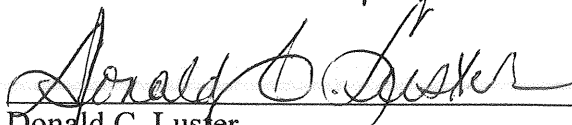
and such publication shall constitute notice that the determination is effective and that this is the determination of this public body.

ADOPTED by the President and Board of Trustees of the Village of Dixmoor, Cook County, Illinois, on June 26, 2002 by the following roll call vote:

	YES	NO	ABSENT	PRESENT
Alice Green	✓			
Martha Loggins	✓			
Jerry Smith	✓			
Robert A. Warren	✓			
Yolanda Corner-Williams	✓			
Bonnie Rateree	✓			
President Donald Luster				✓
TOTAL	6	—	—	1

NOTE: FIVE AFFIRMATIVE VOTES ARE REQUIRED FOR THIS ORDINANCE AND THE VILLAGE PRESIDENT MUST VOTE ON THIS ORDINANCE.

APPROVED by the Village President on June 26, 2002.

  
 Donald C. Luster  
 VILLAGE PRESIDENT

ATTEST:  
  
 Juanita Darden  
 Village Clerk  
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**THE VILLAGE OF DIXMOOR**  
COOK COUNTY, ILLINOIS

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**ORDINANCE**  
NUMBER 02-LO- 21

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**AN ORDINANCE REGARDING  
THE EXPENDITURE OF MUNICIPAL FUNDS**

---

Donald C. Luster, Village President  
Juanita Darden, Village Clerk

Alice Green  
Martha Loggins  
Jerry Smith  
Robert A. Warren  
Yolanda Corner-Williams  
Bonnie Rataree  
Board of Trustees

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Published in pamphlet form by authority of the President and Board of Trustees of the Village of Dixmoor on Aug. 28, 2002

Angela R. Hall  
Village Attorney  
Robbins, Schwartz, Nicholas, Lifton & Taylor, Ltd.  
20 North Clark Street - Suite 900  
Chicago, Illinois 60602

ORDINANCE No. 02-L0-21

ORDINANCE REGARDING  
THE EXPENDITURE OF MUNICIPAL FUNDS

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NOW THEREFORE BE IT ORDAINED by the Village President and Board of Trustees (the "Corporate Authorities") of the Village of Dixmoor, Cook County, Illinois, as follows:

1. All bills payable by the Village of Dixmoor in excess of \$250.00, other than for the payment of necessary purchases of supplies and equipment and salaries of municipal employees, shall be subject to approval by the Board of Trustees prior to payment.
2. All Ordinances and/or Resolutions or parts thereof in conflict with herein are hereby repealed to the extent of any such conflict.
3. This Ordinance shall be in full force and effect immediately upon its passage, approval and publication in the manner prescribed by law.

PASSED this 28<sup>th</sup> day of August, 2002.

AYES: 6

NAYS: 0

ABSENT: 0

APPROVED:

Arnold C. Luster  
Mayor

Attest:

Juanita Sanden  
Village Clerk

**THE VILLAGE OF DIXMOOR**  
COOK COUNTY, ILLINOIS

**ORDINANCE**  
NUMBER 02-LO-22

**MUNICIPAL TELECOMMUNICATIONS TAX ORDINANCE**

Donald C. Luster, Village President  
Juanita Darden, Village Clerk

Alice Green  
Martha Loggins  
Jerry Smith  
Robert A. Warren  
Yolanda Williams-Corner  
Bonnie Raterce  
Board of Trustees

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Dixmoor on Aug. 28, 2002

Angela R. Hall, Village Attorney, Robbins, Schwartz, Nicholas, Lifton & Taylor, Ltd. 20 North Clark Street - Suite 900, Chicago, Illinois 60602

**MUNICIPAL TELECOMMUNICATIONS TAX ORDINANCE OF THE VILLAGE OF DIXMOOR, COOK COUNTY, ILLINOIS**  
**ORDINANCE NO. 02-LO-\_\_\_\_\_**

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

**WHEREAS**, this Ordinance is adopted pursuant to the provisions of the Illinois Simplified Municipal Telecommunications Tax Act, Public Act 92-526 (the "Act"); and

**WHEREAS**, this Ordinance is intended to impose the tax authorized by the Act providing for a single municipal imposed telecommunications tax which will be collected by the Illinois Department of Revenue;

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

**Section 1. Recitals.** The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

**Section 2. Adoption of Tax.** Chapter \_\_\_\_\_ of the Municipal Code of the Village of Dixmoor shall be amended by the addition of Chapter \_\_\_\_\_ that will read as follows:

**CHAPTER]\_\_\_\_\_ Simplified Municipal Telecommunications Tax.**

**\_\_\_\_.1 Definitions.**

As used in this Chapter, the following terms shall have the following meanings:

(a) "Amount paid" means the amount charged to the taxpayer's service address in this municipality regardless of where such amount is billed or paid.

(b) "Department" means the Illinois Department of Revenue.

(c) "Gross charge" means the amount paid for the act or privilege of originating or receiving telecommunications in this municipality and for all services and equipment provided in connection therewith by a retailer, valued in money whether paid in money or otherwise, including cash, credits, services and property of every kind or nature, and shall be determined without any deduction on account of the cost of such telecommunications, the cost of the materials used, labor or service costs or any other expense whatsoever. In case credit is extended, the amount thereof shall be included only as and when paid. "Gross charges" for private line service shall include charges imposed at each channel point within this municipality, charges for the channel mileage between each channel point within this municipality, and charges for that portion of the interstate inter-office channel provided within Illinois. However, "gross charge" shall not include:

(d) "Interstate telecommunications" means all telecommunications that either originate or terminate outside this State.

(e) "Intrastate telecommunications" means all telecommunications that originate and terminate within this State.

(f) "Person" means any natural individual, firm, trust, estate, partnership, association, joint stock company, joint venture, corporation, limited liability company, or a receiver, trustee, guardian, or other representative appointed by order of any court, the Federal and State governments, including State universities created by statute, or any city, town, county, or other political subdivision of this State.

(g) "Purchase at retail" means the acquisition, consumption or use of telecommunications through a sale at retail.

(h) "Retailer" means and includes every person engaged in the business of making sales at retail as defined in this Section. The Department may, in its discretion, upon application, authorize the collection of the tax hereby imposed by any retailer not maintaining a place of business within this State, who, to the satisfaction of the Department, furnishes adequate security to insure collection and payment of the tax. Such retailer shall be issued, without charge, a permit to collect such tax. When so authorized, it shall be the duty of such retailer to collect the tax upon all of the gross charges for telecommunications in this State in the same manner and subject to the same requirements as a retailer maintaining a place of business within this State. The permit may be revoked by the Department at its discretion.

(i) "Retailer maintaining a place of business in this State," or any like term, means and includes any retailer having or maintaining within this State, directly or by a subsidiary, an office, distribution facilities, transmission facilities, sales office, warehouse or other place of business, or any agent or other representative operating within this State under the authority of the retailer or its subsidiary, irrespective of whether such place of business or agent or other representative is located here permanently or temporarily, or whether such retailer or subsidiary is licensed to do business in this State.

(j) "Sale at retail" means the transmitting, supplying or furnishing of telecommunications and all services and equipment provided in connection therewith for a consideration, to persons other than the Federal and State governments, and State universities created by statute and other than between a parent corporation and its wholly owned subsidiaries or between wholly owned subsidiaries for their use or consumption and not for resale.

(k) "Service address" means the location of telecommunications equipment from which telecommunications services are originated or at which telecommunications services are received by a taxpayer. In the event this may not be a defined location, as in the case of mobile phones, paging systems, and maritime systems, service address means the customer's place of primary use as defined in the Mobile Telecommunications Sourcing Conformity Act. For air-to-ground systems and the like, "service address" shall mean the location of a taxpayer's primary use of the telecommunications equipment as defined by telephone number, authorization code, or location in Illinois where bills are sent.

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**THE VILLAGE OF DIXMOOR**  
COOK COUNTY, ILLINOIS

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**ORDINANCE**

NUMBER 02-LO- 23

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**AN ORDINANCE AMENDING THE TRAILER LICENSE FEE**

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Donald C. Luster, Village President  
Juanita Darden, Village Clerk

Alice Green  
Martha Loggins  
Jerry Smith  
Robert A. Warren  
Yolanda Williams-Corner  
Bonnie Rataree  
Board of Trustees

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Published in pamphlet form by authority of the President and Board of Trustees of the Village of Dixmoor on Sept. 25, 2002

Angela R. Hall - Robbins, Schwartz, Nicholas, Lifton & Taylor - Village Attorney - 20 North Clark Street - Chicago, Illinois 60602

ORDINANCE NO. 02-LO- 23  
AN ORDINANCE AMENDING THE TRAILER LICENSE FEE

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**BE IT ORDAINED** by the President and the Board of Trustees of the Village of Dixmoor, Cook County, Illinois, as follows:

Section 1. Section \_\_\_\_\_, Chapter \_\_\_\_\_ of the Dixmoor Village Code of Ordinances is hereby amended as follows:

The annual fee for such license shall be due and payable on May/October 1 of each year and shall be determined on the basis of the maximum number of trailer coaches in the trailer coach park at any one time during the license year, in accordance with the following schedule:

TWELVE DOLLARS (\$12.00) license fee for each trailer.

The applicant for a license shall at the time of making application make a sworn statement as to the maximum number of trailer coaches which he expects to accommodate in such trailer coach park during the license year for which application is being made, and pay the fees therefor based upon the schedule above set forth. In the event such maximum number be exceeded at any time during such license year, the applicant shall, within three (3) days, report such increase and pay the additional license fee based upon the above schedule.

Section 2. This Ordinance shall be in full force and effect and the same shall so remain from and after its passage and approval and all ordinances or parts of ordinances in any manner in conflict herewith be and the same are hereby repealed.

PASSED this 25<sup>th</sup> day of September, 2002.

AYES: 6

NAYS: —

ABSENT: —

APPROVED:

Ronald C. Luster  
Mayor

Attest:

Guanita Darden  
Village Clerk

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