

Gender Neutralization Report for the City of Naperville Code of Ordinances

- Changing the term "he" to "they;"
- Changing the term "she" to "they;"
- Changing the term "his" to "their;"
- Changing the term "her" to "their;"
- Changing the term "him" to "them;"
- Changing the term "himself" to "themselves;"
- Changing the term "herself" to "themselves;"
- Changing the term "policeman" to "police officer;"
- Changing the term "policewoman" to "police officer;"
- Changing the term "policemen" to "police officers;"
- Changing the term "policewomen" to "police officers;"
- Changing the term "fireman" to "firefighter;"
- Changing the term "firemen" to "firefighters;"
- Changing the term "man or woman" to "person;"
- Changing the term "men and women" to "persons;"
- Changing the term "councilman" to "council member;"
- Changing the term "councilmen" to "council members;"
- Changing the term "chairman" to "chair;" and
- Changing the term "vice chairman" to "vice chair."

Additional terms, such as "manmade" and "man-made" were found in review of the Code of Ordinances. Where they were identified, suggestions were made as to language that would more reasonably confer gender neutrality.

<i>Code Section</i>	<i>Text</i>	<i>Context Change (If Needed)</i>
1-5-2	The date and time for the inauguration of municipal officers (Mayor and Councilmen) newly elected at any general municipal election held in accordance with 65 Illinois Compiled Statutes, Article 5 of the Municipal Code of the State, shall be the first Sunday, or another day designated by the City Council,	
1-5-3	1.2. Through May 3, 2015, the Mayor shall be paid five thousand dollars (\$5,000.00) per year, payable every two (2) weeks, for the performance of his or her duties as the Liquor Control Commissioner of the City of Naperville.	

	<p>1.4. After May 3, 2015, the Mayor shall be paid five thousand dollars (\$5,000.00) per year, payable every two (2) weeks, for the performance of his or duties as the Liquor Control Commissioner of the City of Naperville.</p>	
1-5-6-2	<p>1. No Council member shall use his/her office or any City employee to promote his/her private enterprises whether compensation is received or not.</p>	
1-5-6-3	<p>3.4. Consent Agenda: The City Manager, in his discretion, shall designate which ordinances, resolutions, and other items, which do not appear to require discussion by the City Council, shall be included on the consent agenda.</p> <p>4.2.2. The City Manager shall poll the Council members to determine whether a quorum will be achieved and inform all Council members of the outcome of that poll. If, as a result of the poll, the City Manager determines that a quorum will not be achieved, he shall not schedule or give public notice of a meeting.</p>	
1-5-6-8	<p>3.1. Obligation To Vote: Council members are expected to vote on all matters coming before the City Council unless an abstention is appropriate as provided in Chapter 13 of this Title. A Council member who abstains from voting shall announce his or her reason for abstention.</p> <p>3.2 Conflict Of Interest: A Council member shall not vote on any matter in which he or she has a prohibited interest as set forth in Chapter 13 of this Title, as amended. If a Council member does have a prohibited interest, he or she shall disclose such interest, leave City Council chambers and abstain from voting on the matter, all in accordance with Chapter 13 of this Title.</p>	
1-6-1	<p>INJURY: Means death, injury to a person, or damage to or loss of property. It includes any other injury that a person may suffer to his person, reputation, character or estate which does not result from circumstances in which a privilege is otherwise conferred by law and which is of such a nature that it would be actionable if inflicted by a private person.</p> <p>2. Defense of Actions, Payment of Judgments and Settlements: Pursuant to the provisions of Chapter 85, § 2-302, Ill. Rev. Stat., 1975, the City of Naperville hereby elects that in the event any claim or action is instituted against an employee or former employee of the City of Naperville arising out of an act or omission occurring within the scope of his employment as such employee, except where the injury results from willful misconduct of the employee, the City of Naperville shall appear and defend such employee</p>	

	<p>against the claim or action, and pay a judgment based on such claim or action, or pay any compromise or settlement of such claim or action.</p>	
<p>1-6A-1</p>	<p>The office of City Manager is hereby created. The City Manager shall be appointed by majority vote of the City Council. He shall be chosen solely on the basis of his executive and administrative qualifications without regard to his political beliefs. At the time of his appointment, he need not be a resident of the City or of the State, but during his tenure of office, he shall reside within the City.</p>	
<p>1-6A-2</p>	<p>1. Bond Requirements: The City Manager shall furnish a bond in such amount and with such surety as may be approved by the City Council, said bond to be conditioned upon the faithful performance of his duties. The cost of the bond shall be paid by the City.</p>	
<p>1-6A-3</p>	<p>2. In the event that the City Manager shall be absent from the City for more than thirty (30) days, or incapacitated from performing the duties of his position, a qualified person, who is an administrative officer of the Municipality, may be appointed by the City Council as Interim Manager during such absence or incapacity, with all the powers and duties of that office. Said administrative officer shall perform all the duties thereof without furnishing any additional bond, if such appointee shall already be under bond to the City in any other capacity. If such appointee shall be a person not already under bond to the City, such appointee shall furnish a bond in such amount and with such money as may be approved by the City Council, and the compensation to be paid such Manager shall be fixed by the Council.</p>	
<p>1-6A-5</p>	<p>The City Manager shall be the Chief Administrative Officer of the City. He shall be responsible to the City Council for the proper administration of all affairs of the City. He shall have the power and shall be required to:</p> <p>2. Attend all meetings of the Council. He shall have the right to take part in the discussion of all matters coming before the Council, but shall have no right to vote. He shall be entitled to notice of all special and regular meetings of the Council.</p> <p>3. Recommend to the Council such measures as in his judgment he deems to be in the best interest of the City.</p> <p>10. Prepare or cause to be prepared, an annual report of estimated funds necessary to defray the expenditures of the City for the fiscal year for the consideration of the City Council prior to the preparation of the annual</p>	

	<p>budget. He shall cause to be prepared a tentative annual budget in time for consideration by the Council during the first month of the fiscal year and prepare, or cause to be prepared, the tax levy ordinance and upon enactment thereof file a certified copy with the County Clerk.</p> <p>13. Keep a current inventory of all real and personal property of the City and location of such property. He shall be responsible for the care and custody of all City property which is not assigned to some other officer or body for care and control.</p> <p>15. Devote his entire time to the discharge of his official duties.</p> <p>20. Enter into encroachment agreements as provided by Section 9-1A-11:1.8 and easement agreements as he deems advisable.</p>	
<p>1-6B-4</p>	<p>1. General: In addition to the record of ordinances and other records which the City Clerk is required by Statute to keep, he shall keep a register of all licenses and permits issued, not assigned to other departments, and a record of the payment thereon; he shall keep a record showing all of the officers and regular employees of the City, and such other records as may be required by the City Council.</p> <p>3. Indices: The City Clerk shall keep and maintain a proper index to all documents and records kept by him, so that ready access thereto may be had.</p>	
<p>1-6B-5</p>	<p>The City Clerk shall turn over all money received by him on behalf of the City to the Finance Director, promptly on receipt of the same; and with such money he shall give a statement as to the source of it.</p>	
<p>1-6C-1</p>	<p>The Finance Director shall give bond in an amount of money that is not less than three (3) times the latest Federal census population or any subsequent census figure used for motor fuel tax purposes, with sureties to be approved by the City Council. The bond shall be conditioned upon the faithful performance by the Finance Director of his duties of office, and shall indemnify the City for any loss due to any neglect of duty or wrongful act on the part of the Finance Director.</p>	
<p>1-6C-2</p>	<p>1. General: The Finance Director shall perform all duties which are statutorily required of a City Treasurer, as well as those duties provided for herein. He shall receive all money paid to the City, either directly from the person paying it, or from other officers who may receive it, and he shall pay</p>	

	<p>out only on warrants approved and executed in accordance with City ordinances.</p> <p>2. Deposit of Funds: He shall deposit the City funds in such depositories as may be selected from time to time as is provided by Statute, and he shall keep the City money separate and distinct from his own, and shall not intermingle his own money with it or make private or personal use of the City funds.</p> <p>3. Record of Finances: The Finance Director shall keep all accounts pertaining to the finances of the City. He shall keep such records showing all money received by him, the source from which it was received, and the purpose for which it was paid out; and he shall keep a record showing at all times the financial status of the City. He shall keep an accurate account with all City officers and others collecting or receiving any monies, property or claims on account of the City, charging them with all money, or property received by them, or claims placed in their hands for collection and crediting them with all money paid into the Treasury, upon their filing the Finance Director's receipt, or with claims or accounts uncollectable, or other proper credits, upon filing the proper vouchers. The Finance Director shall be credited with all warrants cancelled and returned.</p> <p>5. Warrants Record: The Finance Director shall, upon the allowance of any account or claim by the City Council, draw a warrant therefor upon the City treasury payable to the order of the claimant, which warrant, when signed by the City Manager, shall be paid by the Finance Director. He shall keep in a suitable book an accurate list of all warrants, bonds or orders filed with him or paid by him, and all vouchers as required by Statute, stating the date, number and amount thereof and name of the person in whose favor drawn.</p>	
1-6D-2	<p>3. Advice: The Corporation Counsel shall be the legal advisor of the City, and shall render advice on all legal questions affecting the City, whenever requested to do so by any City official. Upon request by the Mayor or by the City Council, he shall reduce any such opinion to writing.</p>	
1-6E-2	<p>The Director of Department of Community Development shall make monthly reports in writing to the City Council of all fees collected by him and shall turn over all such fees to the Finance Department.</p>	
1-7-3	<p>1. City Manager: The City Manager shall have the basic responsibility for the personnel program as set forth in this Chapter. He specifically shall:</p>	

	<p>1.3. Appoint, remove, suspend, and discipline all officers and employees of the City subject to the policies set forth in this Chapter, provisions of this Code and State law; or he may, at his discretion, authorize the head of the department or office responsible to him to appoint and remove subordinates in such departments and offices;</p>	
<p>1-7-6</p>	<p>3. Suspension, Demotions And Dismissals: The City Manager, or his designee, may suspend an employee without pay for disciplinary purposes. No employee shall be suspended for more than thirty (30) days in any calendar year, except that extensions may be made pending any investigation and hearing. The City Manager may demote or dismiss an employee whose work is unsatisfactory. Written notice of the action shall be served upon the employee affected and filed with the personnel manager before it shall become effective.</p>	
<p>1-7-7</p>	<p>2. Adoption And Amendment Of Plans: The City Manager shall give the City's employees the opportunity to make suggestions and recommendations concerning the classification and pay plans. After receiving such suggestions and recommendations, the City Manager shall review this information and shall make such modifications as he believes proper and submit the plan to the City Council. The City Council shall adopt such plan as presented or shall modify said plan prior to adoption, as soon as is practicable after submission. Any plan may be amended from time to time in the same manner as provided for its adoption. Nothing in this Section shall jeopardize the right of any employee to be considered for an annual merit step increase to which he might otherwise be entitled.</p>	
<p>1-7-8</p>	<p>2.Whenever any appointed officer or employee becomes related, either by marriage or adoption, to another appointed officer or employee in one of the relationships previously listed in this Section, the affected officer(s) and/or employee(s) shall be allowed to remain in his position(s) for a period of sixty (60) days from the date on which the affected person(s) became related....</p>	
<p>1-7-9</p>	<p>Any person holding a position included in the classified service who shall have served continuously in such position, or in some other position included in the classified service, who has completed his probationary period, immediately prior to the effective date of this Chapter, shall assume regular status in the classified service in the position held on such effective date without preliminary examination or working tests and shall thereafter be subject in all respects to the provisions of this Chapter. Persons who have held positions less than the regular probationary period established for their positions shall be regarded as probationers and may be certified in the same manner when</p>	

	they satisfactorily complete the regular working test period from the date of original appointment.	
1-7-11	The City Manager is authorized to consult with, or receive suggestions from, individual City employees, groups of employees, or representatives of organizations of City employees concerning matters of personnel policy. On matters within the discretion of the City Manager, he shall give due consideration to the views of employees. However, nothing herein shall be interpreted as depriving the City Council or the City Manager of the right to make a final decision on matters for which they have ultimate responsibility. Nothing in this Chapter shall supersede the agreement entered into between the City and the International Brotherhood of Electrical Workers on December 7, 1970, or as said agreement may be amended or superseded from time to time. Nor shall this Chapter in any way interfere with the statutory and ordinance responsibilities of the Board of Fire and Police Commissioners.	
1-8A-1	2.The positions of Deputy Chief of Police and Commander are specifically exempt from the provisions of 65 Illinois Compiled Statutes 5/10-2.1-1 et seq. If a Deputy Chief of Police or Commander is appointed from the ranks of the Naperville Police Department, the Chief of Police may, at his discretion, at any time recommend demotion of the officer to the position held prior to the appointment.	
1-8A-2	1. Duties Of The Chief Of Police: The Chief of Police shall be the keeper of the City jail ⁽³⁾ , and shall have custody of all persons incarcerated therein. He shall keep records and make reports concerning the activities of the Department as may be required by statute or by the City Council. The Chief shall be responsible for the performance of the Police Department, and all persons who are members of the Department shall serve subject to his orders. The Chief shall also be the custodian of all lost and abandoned or stolen property in the City. 2. Authority To Develop Standard Operating Procedures And Rules And Regulations: The Chief of Police shall develop standard operating procedures and establish rules and regulations for the conduct and guidance of Police Department personnel as he deems advisable; such procedures and rules, when approved by the City Manager, shall be binding on such personnel.	
1-8A-3	2. Service Process: No member of the Police Department, except the Chief, shall serve any process except on command of his superior. 3. Conduct Of Members: It shall be the duty of every member of the Police Department to conduct himself , or herself , in a proper and law abiding manner	

	<p>at all times, and to avoid the use of unnecessary force. Each member of the Department shall obey the order and directions of his superior.</p>	
<p>1-8B-2</p>	<p>1. Duties Of Fire Chief: The Fire Chief shall be responsible for the care of the apparatus belonging thereto and for the conduct of the members of the Fire Department. He or she shall keep or cause to be kept such records and make such reports showing the activities of his or her department as may be required by the City Manager and City Council.</p> <p>2. Authority To Develop Standard Operating Procedures: The Fire Chief shall develop standard operating procedures for the conduct and guidance of the Fire Department personnel as he or she shall deem advisable; and such standard operating procedures, when approved by the City Manager, shall be binding on such members.</p>	
<p>1-8B-3</p>	<p>The Fire Chief, and in his or her absence a Deputy Fire Chief, and in the absence of a Deputy Fire Chief, a Chief Fire Officer from the Department chosen by the Fire Chief shall have full responsibility and authority for the operation of the Department as specified in this Article. All departmental personnel shall obey the orders of their superior officers while on duty.</p>	
<p>1-8B-5</p>	<p>The Fire Chief, or in his or her absence the officer in command at any emergency incident, shall have the power to cause the removal of any property whenever it shall become necessary for the preservation of life and property or to protect the adjoining property; and may direct the members of the Fire Department to cut down and remove any building, structure, or fence for the purpose of checking the progress of any emergency incident.</p> <p>3. The Fire Chief or his or her designated subordinate shall investigate the cause and origin of all fires and explosions resulting from accident, unknown or suspicious circumstances, arson or attempted arson. The Fire Chief shall investigate all incidents involving fire related deaths or injuries, or the discovery of explosives or incendiary devices. When an investigation involves an entry onto private property, the investigator shall attempt to secure the permission of the owner or occupant of the premises. If permission is refused, or if the owner or occupant is unavailable, the investigator shall, with the assistance of the City Attorney, apply to the appropriate court for the issuance of a search warrant.</p>	

	4. If an investigator discovers or suspects a criminal act or violation of any City ordinance, he or she shall report same to the City Attorney.	
1-8B-7	<p>1. It shall be unlawful for any person to drive any vehicle, railroad engine or railroad car, over any unprotected fire hose laid at a fire, where the hose is in use by order of the Fire Chief or other fire officer in command, except by permission of the Fire Chief or fire officer in command. It shall be unlawful for any person not a member of the Fire Department to impersonate a firefighter or officer of the Fire Department at any emergency incident, or going to or returning from an emergency incident, by wearing a uniform, cap, insignia or badge, or in any other way attempting to create the impression that he is a member or official of the Fire Department.</p> <p>2. It shall be unlawful for any person to interfere with a fireman in the performance of his duty, or to refuse or neglect to furnish any member of the Fire Department help or information pertaining to the cause or origin of any fire, or to hinder any fire investigation in any manner.</p>	
1-8C-4	2. The City Attorney, as a full-time City employee, shall work such hours as shall be necessary to perform the duties required by the City Manager and shall not conduct any private practice of law which would create a conflict of interest with his or her City employment, or which may be prohibited by the City Manager.	
1-8D-4	<p>MOBILE SUPPORT TEAM: The utilization of personnel to be dispatched by the governor, or, if he so authorizes, by the Director of the Illinois Emergency Management Agency to supplement the State and political subdivisions for emergency management programs in response to a disaster.</p> <p>PRINCIPAL EXECUTIVE OFFICER: The Mayor of the City or, in his/her absence or disability, the interim successor pursuant to Section 7 of the Emergency Interim Succession Act.</p>	
1-8D-7	2. The Mayor may exercise the emergency power and authority necessary to fulfill his/her general powers and duties as defined by law. The judgment of the Mayor shall be the sole criteria necessary to invoke emergency powers provided by this Article. The City Council may convene to perform its legislative and administrative powers as the situation demands, and shall receive reports relative to the emergency service activities. Nothing in this Article shall be construed as abridging or curtailing the powers or restrictions of the Mayor and/or City Council as defined by law.	
1-8D-8	2. It is the City Council's intent that the first recourse shall be to funds regularly allocated to the agency. If the Mayor finds that demands placed upon budgeted	

	<p>funds in coping with a particular disaster are unreasonably great, he/she may make application for funds from the State disaster relief fund. If monies available from the fund are insufficient, and if the Mayor finds that other sources of money to cope with the disaster are not available or are insufficient, he/she shall issue a call for an immediate session of the City Council for the purpose of enacting ordinances as the Council may deem necessary to transfer and expend monies appropriated for other purposes, or borrow monies from the United States government or other public or private sources. If less than a quorum of the members of the Council is capable of convening in session to enact such ordinances for the transfer, expenditure or loan of such monies, the Mayor is authorized to carry out these decisions until such time as a quorum of the Council can convene.</p>	
<p>1-8D-10</p>	<p>1. A local disaster may be declared only by the Mayor, or his interim emergency successor. It shall not be continued or renewed for a period in excess of seven (7) days except by or with the consent of the City Council. Any order or proclamation declaring, continuing or terminating a local disaster shall be given prompt and general publicity and shall be filed promptly with the City Clerk.</p>	
<p>1-8D-11</p>	<p>Neither the City, nor, except in cases of negligence or wilful misconduct, the Mayor, the City Manager, or the officers, employees, volunteers, or representatives engaged in any emergency management response or recovery activities, while complying with or attempting to comply with this Article or any rule or regulations promulgated pursuant to this Article is liable for the death of or any injury to persons, or damage to property, as a result of such activity. This Section does not, however, affect the right of any person to receive benefits to which he would otherwise be entitled under this Article under the Workers' Compensation Act or the Workers' Occupational Disease Act, or under any pension law, and this Section does not affect the right of any such person to receive any benefits or compensation under any act of Congress.</p>	
<p>1-9-5</p>	<p>The Finance Director shall have charge of the administration of the financial affairs of the City and to that end shall supervise and be responsible for the disbursement of all monies and have control over all expenditures to ensure that appropriations are not exceeded. He shall exercise financial budgetary control over each office, department and agency and shall cause separate accounts to be kept for the items of appropriation contained in the budget, each of which accounts shall show the amount of the appropriation, the amounts paid therefrom, the unpaid obligations against it and the unencumbered balance. The same classification and numbering system used in the budget and required by Subsection 1-9A-11.1 of this Chapter shall be used. Unless he shall certify that there is a sufficient unencumbered balance available, no appropriation</p>	

	shall be encumbered and no expenditure shall be made.	
1-9A-2	The City Manager, at least thirty (30) days prior to the beginning of each fiscal year, shall submit to the City Council a budget and an explanatory budget message in the form and with the contents provided by this Article. For such purpose, not less than ninety (90) days prior to the beginning of the fiscal year, he or an officer designated by him shall obtain from the head of each office, department or agency, detailed estimate by (a) organization unity within the department or agency, (b) object of expenditure—(1) personal services, (2) outside services and charges—and such other supporting data as he may request; together with a list of all new programs and capital projects pending or which such department head believes should be undertaken (a) within the budget year and (b) within the five (5) next succeeding years. In preparing the budget, the City Manager shall review the estimates, shall hold conferences with department heads thereon, and may revise the estimates as he may deem advisable. He also shall obtain from the responsible officer or officers estimates of anticipated revenues, State and Federal grants, and required matching funds where applicable.	
1-9C-2-2	The Mayor may designate a proxy to affix his signature to any full faith and credit bonds or notes of the City which are required to be signed by the Mayor. In such case, the Mayor shall deliver to the City Council a written notice of such designation, such notice stating the name of the person so selected and the specific bonds or notes which such person shall have authority to sign as proxy for the Mayor. Said notice shall have attached thereto a written signature of the Mayor executed by the person so designated to sign, together with the personal signature of the proxy authorized to sign on behalf of the Mayor. Each such notice shall be recorded in the official journal of the proceedings of the City Council and then filed with the City Clerk. When the signature of the Mayor is placed on a full faith and credit bond or note of the City at his direction in the specified manner, such signature in all respects shall have the same legal effect as if signed by the Mayor in person.	
1-9D-6-2	The bonds shall bear the manual signatures of such officers of the City as may be designated in the bond ordinance and such signatures shall be the valid and binding signatures of such officers; provided, that if any such officer has filed his signature with the Secretary of State of the State of Illinois in accordance with the provisions of the Uniform Facsimile Signature of Public Officials Act, ⁽⁹⁾ the bonds may bear the facsimile signature of such officer and such facsimile signature shall be the valid and binding signature of such officer.	
1-9G-13	1.1.1. City of Naperville Chief of Police (Chairman)	

	<p>1.3. In the event of a tie, the Board Chairman shall cast the tie-breaking vote.</p> <p>3.1. Officers, Rules And Regulations. The City of Naperville Chief of Police shall be designated as chairman beginning with the first group of appointees.</p> <p>3.2.1. The Board shall meet at such times as it may by resolution designate Special meetings may be called by the chairman or any three (3) members of the Board, provided forty-eight (48) hours' notice of such a special meeting is given to each member.</p> <p>3.2.3.2. A Board member wishing to attend a regular or special meeting by video or audio conference must notify the chairman not less than twenty-four (24) hours before the meeting unless advance notice is impractical Such notice for an emergency meeting shall be given as early as possible.</p> <p>3.2.3.3. The chairman will announce the name of any Board member attending by video or audio conference at the beginning of the meeting.</p>	
<p>1-9I-1</p>	<p>The City Treasurer or his/her designee, is hereby authorized and directed to create an "interested parties" registry in accordance with Section 11-74.4-4.2 of the Act for each redevelopment project area created under the Act and not terminated by the City, whether now existing or created after the date of the adoption hereof.</p>	
<p>1-9I-2</p>	<p>3. Maintenance Of The Registry: The registries shall be maintained by the Director of Transportation Engineering and Development (TED) or his or her designee. In the event that the City determines that an officer other than the Director of TED should maintain the registries, the City may transfer the responsibility for maintaining the registries to such other officer provided that the City: 1) gives prior written notice to all interested parties not less than thirty (30) days prior to such transfer and 2) publishes notice of such transfer in a newspaper of general circulation in the City.</p>	
<p>1-13-6</p>	<p>It shall be lawful for members of the various boards and commissions of the City, established from time to time by the ordinances of the City and the statutes of the state, to have an ownership, employment, or family interest in any contract, business, or transaction with the City, provided that said member shall file with the City Manager and with the chairman or vice chairman of the member's board or commission, the following disclosure:</p>	

<p>1-13-7</p>	<p>1. The City Manager shall reject any proposed contract, business, or transaction which directly affects the department where the employee works or where the employee is in a position to recommend, as part of his official duties, any such contract, business, or transaction.</p>	
<p>1-14-2</p>	<p>E. Notice Of PSEBA Hearing. If the City Manager does not approve a PSEBA application as set forth above, within thirty (30) days of the date stamp on the application he shall give the applicant notice that an administrative hearing on the application (hereinafter "notice of PSEBA hearing") will be held at an appointed date, time, and place before a Hearing Officer who shall be appointed by the City Manager as provided herein. An alternate hearing date may be scheduled if scheduling conflicts arise.</p> <p>F. The City Manager may delegate any of his/her authority, duties and obligations under this Chapter 14, in whole or part, to a designee, or designees.</p>	
<p>1-14-4</p>	<p>4. Evidence. The Illinois Rules of Evidence shall apply at PSEBA hearings to the extent practicable unless the Hearing Officer determines that application of the rule would be an injustice or preclude the introduction of evidence of the type commonly relied upon by a reasonably prudent person in the conduct of her/his affairs. Such determinations shall be at the sole discretion of the Hearing Officer.</p> <p>5. Burden Of Proof/Standard Of Proof. The applicant shall have the obligation and burden of proof to establish that he or she is eligible and qualified to receive PSEBA benefits at the PSEBA hearing. The standard of proof shall be by the preponderance of the evidence.</p>	
<p>2-1-2</p>	<p>..... The Mayor shall transmit to each Councilman in confidence a written biography of the prospective appointees at least two (2) weeks prior to the appointments.</p> <p>A board or commission appointee whose term has expired may continue serving on the board or commission until a successor has been appointed or until the passage of one hundred eighty (180) days from the date that the term has expired, whichever occurs first. This shall not apply to an appointee who is a member of a board or commission by virtue of his or her job title or position, or if nominated or elected by any agency or entity other than the Mayor.</p>	

2-4-6	3.The applicant, any City department, or City Councilman may petition the City Council to review a determination of the Board. The City Council may grant or deny such a petition.	
2-9-6	2. In the conduct of the work of the Board, it is anticipated that certain City employees will be required to advise and otherwise support the activities of the Board in carrying out the obligations as provided herein. For this reason, the head or a designated representative of each of the following City departments or offices shall attend and be entitled to participate in the discussions of the Board: the transportation, engineering and development business group and Police Department. Whenever possible the City Manager or a representative of his office shall also attend and participate.	
2-10-4	11.c.The City Clerk, or her designee, shall attend, take minutes, and record the hearing.	
2-11-3	<p>1. The affairs of said Commission shall be governed by an executive board comprised of a chairman (or cochairman), vice chairman, treasurer, secretary and one chairman from a standing committee to be elected by the whole Commission, which executive board shall be a working board and shall meet as necessary to accomplish the goals and purposes of said Commission.</p> <p>2. The chairman of the executive board may appoint committees as necessary to further the goals of the Commission. The chairman of the various committees shall be drawn from the membership of the Commission. Each committee shall be responsible and report to the executive board. The members of each committee shall be appointed by the respective committee chairman.</p> <p>4. With the exception of the chairman of the executive committee, no member of said Commission, shall enter into any obligation, pay bills, or solicit or collect money without the approval and consent of the City Council. The chairman of the executive board may be reimbursed for minor expenditures, up to one hundred dollars (\$100.00) per occurrence, provided that the expenditure is consistent with the Commission's mission and in accordance with the categories and amounts in the Commission's budget.</p>	
2-15-2	3. One (1) voting member shall be the Chairman of the Naperville Plan Commission, or designee.	

2-17-3 These officers shall be a chairman and a treasurer. The trustees shall be elected for three (3) year terms.	
3-1-8-2	<p>3. Purchase Of Stamps: The tax levied by this Section shall be paid by purchase of tax stamps from the Director of Finance or his designated agent. The payment of such tax shall be denoted by an adhesive stamp or stamps affixed to the face of the deed.</p> <p>6.Any person so using and affixing a stamp shall cancel it and so deface it as to render it unfit for reuse by marking it with his initials and the day, month and year when the affixing occurs. Such markings shall be made by writing or stamping in indelible ink or by perforating with a machine or punch; however, the stamp(s) shall not be so defaced as to prevent ready determination of its denomination and genuineness.</p>	
3-1-8-3	3. Purchase Of Stamps: The tax levied by this Section shall be paid by the purchase of tax stamps from the Director of Finance or his designated agent. The payment of such tax shall be denoted by an adhesive stamp or stamps affixed to the face of the instrument transferring the beneficial interest.	
3-2-2	Whenever in this Code a license is required for the maintenance, operation or conduct of any business or establishment, or for doing business or engaging in any activity or occupation, any person or corporation shall be subject to the requirement if by himself or through an agent, employee or partner, he holds himself forth as being engaged in the business or occupation; solicits patronage therefor, actively or passively; or, performs or attempts to perform any part of such business or occupation in the City.	
3-2-9	It shall be the duty of any person conducting a licensed business in the City to keep his license posted in a prominent place on the premises used for such business at all times.	
3-2-11	2. Whenever an analysis of any commodity or material is reasonably necessary to secure conformance with any ordinance provision, or to detect a violation thereof, the investigating City official or employee shall request the owner or possessor of the commodity or material to provide him with a sufficient sample thereof. If the request is denied, the officer or employee shall, with the assistance of the Corporation Counsel, apply to the appropriate court for a search warrant.	
3-3-3	KNOWINGLY: Conduct engaged in by a person when he is consciously aware of the nature or attendant circumstances of his conduct which constitutes an offense	

	<p>under this Section.</p> <p>MANUFACTURER: Brewer, fermenter, distiller, rectifier, wine maker, blender, processor, bottler or person who fills or refills an original package, whether for himself or for another, and others engaged in brewing, fermenting, distilling, rectifying or bottling alcoholic liquors.</p>	
3-3-4	<p>3.5. To examine, or cause to be examined, under oath, any applicant or renewal for a local license, or any licensee upon whom notice of revocation or suspension has been served, or any licensee against whom a citation proceeding has been instituted by the State of Illinois Liquor Control Commission; to examine, or cause to be examined, the books and records of any such applicant or licensee or respondent; to hear testimony and take proof for his information in the performance of his duties; to issue subpoenas which shall be effective in any part of this State. For the purpose of obtaining any of the information desired by the Liquor and Tobacco Control Commissioner under this Section, the Commissioner may authorize his agent to act on his or her behalf.</p>	
3-3-7	<p>No retail liquor license shall be issued or renewed to any person, corporation, or partnership who would not be eligible for a license under the provisions of the Illinois Liquor Control Act or in the local Liquor Commissioner's discretion to ensure the purpose of this code. For purposes of this Chapter, every licensee shall be deemed responsible for the acts and/or omission to act by his agents or employees whether or not such licensee knowingly permits or has actual knowledge of such unlawful acts or omissions.</p>	
3-3-9	<p>The local Liquor and Tobacco Control Commissioner may impose a fine and/or suspend, revoke or not renew any local retail liquor or tobacco license issued by him, or suspend, revoke, or not renew any permit issued by him as part of the local retail liquor license if the local Liquor and Tobacco Control Commissioner determines that the licensee has violated any of the following provisions:</p>	
3-3-12	<p>2. Refilling Original Liquor Packages: No licensee shall fill or refill any original package of alcoholic liquor with the same or any other kind or quality of alcoholic liquor; and it shall be unlawful for any person to have in his possession for sale at retail any bottles, casks, or other containers containing alcoholic liquor, except in original packages, excepting vinous beverages and pitchers of beer as permitted herein.</p> <p>9.1.3. If the local Liquor Commissioner grants the application for an exception,</p>	

	those factors that he or she deemed relevant to the determination may be included in a plan of operation, which shall be deemed a part of the license. Failure to comply with one or more elements of the plan of operation shall subject the licensee to suspension or revocation of the liquor license.	
3-3-14	6. It shall be unlawful for any person to knowingly permit any person under the age of twenty-one (21) of whom he or she is the parent or legal guardian of to violate any provision of this Chapter. 9. Identification Cards: If a licensee or its employee, staff or agent believes, has reason to believe or should have reason to believe that a sale or delivery of alcoholic liquor is prohibited because of the nonage of the prospective recipient, such licensee, agent, staff or employee shall, before making such sale or delivery, demand presentation of some form of positive identification (containing proof of age) issued by a public officer in the performance of his official duties.	
3-4A-7	1.7. No person under the age of eighteen (18) years may participate in the conducting of raffles or chances. A person under the age of eighteen (18) years may be within the area where winning chances are being determined only when accompanied by his parent or guardian. 2. The City Manager, or his or her designated agent, may publish rules and regulations consistent with this Article or Illinois law governing the conduct of raffles licensed hereunder.	
3-4A-8	All operation of and the conduct of raffles shall be under the supervision of a single raffles manager designated by the organization. The manager shall give a fidelity bond in the sum of an amount determined by the City in favor of the organization conditioned upon his honesty in the performance of his duties. Terms of the bond shall provide that notice shall be given in writing to the City not less than thirty (30) days prior to its cancellation.	
3-4C-1	APPLICANT: Any natural person, syndicate, association, partnership, firm, club, company, corporation, limited liability company, institution, agency, government corporation, municipal corporation, district or other political subdivision, or any officers, agents, employees or other representative, acting either for himself or for any other person in any capacity;	
3-4C-6	13. In addition to the specific regulations, standards, and time limitations set forth in the Code, all special events shall be subject to such conditions and restrictions on their location and operation as deemed necessary from time to time by the City Manager or his designee.	

3-5A-3	<p>2. Licensed Electrician Status Required: If the person seeking to register as an Electrical Contractor is an individual acting as a sole proprietor, he or she must be a Licensed Electrician. If the individual seeking to register is a corporation, partnership, group or association, it must have as an officer, partner, or member, an individual who is a Licensed Electrician.</p>	
3-5A-6	<p>2.4. Within ten (10) days of the hearing, the city manager or his designee shall issue a written decision as to whether the registration should be revoked and the reasons therefor.</p> <p>3. Reinstatement Of A Registration: If the electrical contractor wishes to have his or her registration reinstated, he or she shall wait at least twelve (12) months from the date of revocation and follow the procedures set forth in this Section for applying for a new registration.</p>	
3-5A-7	<p>Bona fide homeowners will be permitted to alter, modify or install electric wiring devices or appliances in their own home, where they reside, by obtaining a homeowner's electrical registration, provided the homeowner successfully passes a written examination test supervised by the Transportation, Engineering and Development Department. Homeowners who obtain permission of the Chief Building Official by test will be required to file with the City Clerk an application for a permit as a homeowner desiring to do his own wiring upon a form provided for that purpose, accompanied with payment of the handling and processing fee of twenty-five dollars (\$25.00). No surety bond or certificate of liability insurance shall be required of a homeowner for the issuance of a homeowner's permit.</p>	
3-7-5	<p>1. Any occupant may restrict peddling/soliciting or limit the hours during which peddlers/solicitors are invited to his or her residence by posting that intention.</p>	
3-8-1	<p>ADMINISTRATOR: The City Clerk or his or her designee.</p>	
3-10-2	<p>2. Incidence Of Tax: The ultimate incidence of and liability for payment of the tax is to be borne by the person who seeks the privilege of occupying the hotel or motel room, such person hereinafter referred to as rentor. Notwithstanding, the owner of each hotel or motel any other persons engaged in the business of renting, leasing, or letting rooms in a hotel or motel shall bear jointly and severally the duty to collect the tax from each user, lessee or tenant of rooms in such hotel or motel. Every person required to collect the tax levied by ordinance shall secure said tax from the user, lessee or tenant of a room or rooms at the time that he collects the price, charge or rent to which it applies.</p> <p>4. Collection: Every person required to collect the tax levied by this Chapter shall secure the tax from the rentor at the time he collects the rental payment</p>	

	for the hotel or motel room. The amount due under the tax provided in this Chapter shall be stated separately upon the invoice, receipt or other statement or memorandum given to the rentor at the time of payment.	
3-10-3	<p>1. The Finance Director, or any person certified by him as his deputy or representative, may enter the premises of any hotel or motel for inspection of books and records in order to effectuate the proper administration of this Chapter and to assure the enforcement of the collection of the tax imposed.</p> <p>2. No person shall prevent, hinder or interfere with the Finance Director or his duly authorized deputy or representative in the discharge of his duties under this Chapter.</p> <p>3. It shall be the duty of every owner to keep accurate and complete books and records to which the Finance Director or his duly authorized deputy or representative shall at all times have full access, which records shall include a daily sheet showing:</p>	
3-10-4	3. Delinquency: Any owner who for the preceding quarterly period has failed to file a proper return or to pay the proper amount of tax to the Finance Director, may be required by the Finance Director, in his discretion, to file subsequent returns and pay the tax herein imposed on a monthly basis, in which case payments of the tax shall be made to the Finance Director on or before the fifteenth day of the month next following the month for which the tax was due.	
3-10-5	If the Mayor, after hearing held by him or his duly authorized hearing officer, shall find that any owner has wilfully avoided payment of the tax imposed by this Chapter, he may suspend or revoke any or all City licenses issued to the owner. The owner shall have an opportunity to be heard at such hearing to be held not less than five (5) days after the owner is notified in writing of the time and place of the hearing. The notice shall be addressed to the owner at his last known place of business. Any suspension or revocation of any license shall not release or discharge the owner from his civil liability for payment of the tax nor from prosecution for such offense.	
3-11-1	TAXPAYER: A person who individually or through his or her agents, employees, or permittees engages in the act or privilege of originating or receiving telecommunications in a municipality and who incurs a tax liability as authorized by this Chapter.	
3-15-4	5. No pedicab business permit holder shall assign his or her permit to another.	

3-15-9	3.Otherwise, a pedicab may not be left parked or standing in specifically designated spaces, such as those for taxis, buses, handicapped drivers, and the like. The City Manager or his/her designee may set forth specific additional locations where pedicabs are allowed to park or stand.	
3-15-10	1. A pedicab driver shall immediately report any accident or collision in which he or she is involved while operating a pedicab, which results in property damage or personal injury of any kind, to the owner of the pedicab involved in the accident or collision.	
4-1-1	2. Stagnant Pools: Any stagnant pool of water in the City is hereby declared to be a nuisance. It shall be unlawful for any person to permit any such nuisance to remain or exist on any property under his or its control.	
4-1-8	It shall be unlawful for any person to permit or maintain the existence of any nuisance on any property under his control.	
4-2-1	DIRECTOR OF DEPARTMENT OF PUBLIC WORKS: The appointed director of the Department of Public Works, or his or her designee.	
4-2-4	6.6. It shall be unlawful for any commercial scavenger licensed by the City to dispose of or store any refuse in any place within the City limits or to park overnight within the City, any scavenger vehicle containing refuse. The City may grant written permission for these activities upon a request in writing from the scavenger if he finds that such permission would be in the best interests of the City.	
4-4-3	<p>1. The Fire Chief or his authorized representative shall have authority to respond to any release or threatened release of hazardous materials within the City or affecting the public water supply, wells or sewage treatment works of the City. This authority includes, but is not limited to, remedial action and removal.</p> <p>2. 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.</p> <p>3. The Fire Chief, during such time as response authority is vested in him, shall</p>	

	<p>be authorized to utilize all City 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.</p>	
<p>4-4-5</p>	<p>3.1. He exercised due care with respect to the hazardous materials concerned, taking into consideration the characteristics of such hazardous material, in light of all relevant facts and circumstances; and</p> <p>3.2. He took precautions against foreseeable acts or omissions of any such third party and the consequences that could foreseeably result from such acts or omissions.</p>	
<p>4-4-7</p>	<p>There shall be no liability under this Chapter for damages as a result of any actions taken or omitted by the response authority, his agents and employees with respect to an incident creating a danger to public health, welfare or the environment as a result of any release or threatened release of a hazardous material including, but not limited to, actions taken or omitted in the course of rendering:</p>	
<p>4-5-4</p>	<p>If the notice to abate sent by certified mail is returned to the City by the United States Post Office because of its inability to make delivery thereof, the City is authorized to give notice and remove the inoperable motor vehicle by adhering a self-sticking notice in a visible place upon said vehicle. This notice shall inform the owner that the motor vehicle to which it is attached shall be removed within seven (7) days from placement of the notice. This notice will further inform the owner that he may stay the removal of said vehicle by filing a written request for an administrative hearing within seven (7) days from the date of placement of the notice.</p>	
<p>5-2A-1</p>	<p>1.1. No new, remodeled or moved building or structure shall be occupied until a permit for such occupancy has been issued by the Director of Transportation, Engineering and Development or his or her designee as hereinafter provided.</p> <p>1.2. No builder, developer, carpenter, contractor or other tradesman shall deliver possession of a new, remodeled or moved building or structure to the proposed occupants of such building or structure until an occupancy permit has been issued by the Director of Transportation, Engineering and Development or his or her designee as hereinafter provided.</p> <p>1.3. No realtor, leasing agent or owner of a new, remodeled or moved single-family residential building or structure or of any nonsingle-family building or</p>	

	<p>structure shall deliver possession of the whole or any part of such building or structure to any tenant or lessee until an occupancy permit has been issued by the Director of Transportation, Engineering and Development or his or her designee as hereinafter provided.</p> <p>3.1. When any principal building or structure has been completed, the owner or his agent shall file with the Chief Building Official an application for occupancy permit. Upon such application being filed, the Chief Building Official shall make an inspection of the building or structure, and if he finds the same in compliance with the provisions of this Chapter and all other applicable provisions of this Title, he shall then issue an occupancy permit therefor. If such permit is not issued in accordance with the provisions hereof, the Chief Building Official shall promptly return the application to the applicant with a memorandum of his reasons for refusing to issue the permit.</p> <p>4.2. Drawing, Type 2 Lots: For "type 2" lots as defined in this Section, in addition to the statement required by Subsection 5-2A-1.4.1 of this Section, the registered professional engineer shall also submit a written drawing or sketch prepared by or under his or her direction which shall have denoted thereon:</p> <p>5.2. A temporary occupancy permit for merchandising or training may be issued by the Director of the Department of Transportation, Engineering, and Development or his or her designee only after approval of the appropriate fire/life safety requirements, including, without limitation, sprinkler systems, alarm systems, and exit requirements, and the Chief Building Official has determined that any nonfire/life safety deficiencies remaining with the structure can be corrected within fifteen (15) days of the date of issuance of this permit.</p> <p>5.3. A temporary occupancy permit for merchandising or training shall be valid for a period not to exceed fifteen (15) days, at which time the applicant must either obtain a final occupancy permit or immediately cease any activities within the building conducted pursuant to said permit. The permit can be renewed for one additional period of fifteen (15) days, if the Director of the Department of Transportation, Engineering, and Development or his or her designee agrees that weather or other uncontrollable circumstances prohibited the completion of the remaining deficiencies.</p>	
5-2A-5	<p>3.If the owner fails to request such an inspection, or if additional damage occurs after such inspection, the owner shall have the duty, prior to the issuance</p>	

	<p>of a final occupancy permit, to repair, replace or restore, at his own expense, any and all such public improvements which are discovered to be damaged.</p>	
<p>5-2B-1</p>	<p>Nothing in these regulations shall be construed to give the Department of Transportation, Engineering and Development discretionary authority or power and the phrase "approved by Director of Transportation, Engineering and Development or his or her designee" or "subject to the approval of the Director of Transportation, Engineering and Development or his or her designee" shall be construed as authorizing inspections or tests to determine whether the method or material proposed complies with the regulations as set forth.</p>	
<p>5-2B-3</p>	<p>1. Permit Required: No building or structure, or major portion of any building or structure, located in the City shall be razed without a permit therefor having been obtained from the Director of Transportation, Engineering and Development or his or her designee.</p> <p>2. Application For Permit; Fee: Application for such permit shall be made in writing to the Director of Transportation, Engineering and Development or his or her designee upon a form provided by said Director. The applicant shall state on the application, in addition to all other information required, the portion or portions of any street, alley or other public place, if any, that will be required to be closed to public use while the razing work is being done if any such closing is required. If any such closing is required, no permit shall be issued without the approval of the Director of Transportation, Engineering and Development or his or her designee and notice of the proposed street closing is given to the City Manager.</p> <p>The applicant shall pay a permit fee determined by the Director of Transportation, Engineering and Development or his or her designee as being sufficient to pay the costs of necessary and appropriate services provided by City departments to ensure the safe and orderly demolition of buildings, including, but not limited to, the cost of closing a portion of any public street, alley or place to traffic and the posting of a satisfactory bond for public liability and damages to City property.</p> <p>3.2. Disconnection Of Utilities: The Director of Transportation, Engineering and Development or his or her designee shall require the applicant to furnish to the Director written statements by the persons having authority to make the statements, respectively, that the electric, water, sanitary sewer and gas services to the building or structure have been properly disconnected.</p> <p>3.3. Insurance: The applicant shall have in force and effect insurance coverage in the amount of not less than the sum determined by the Director of</p>	

	<p>Transportation, Engineering and Development or his or her designee, taking into consideration the size, location and type of construction of the building or structure to be razed; the method that will be used for the razing and moving of materials from the site, to protect the City and the public generally for payment in full for all damages sustained by the City or any person, arising out of injury to property or persons, without any deduction whatever under any provisions contained in the policy of insurance. Proof of such insurance shall be filed with the Director of Transportation, Engineering and Development or his or her designee before issuance of the permit.</p>	
5-2B-4	<p>2. Plans Required: No such area containing an excess of one thousand (1,000) square feet shall be constructed without filing with the Director of Transportation, Engineering and Development or his or her designee complete detailed plans and specifications therefor, showing the location thereof upon the lot or tract, dimensions, materials to be used, the finished surface grade and the surface water drainage facilities that will be provided. Construction of the improvement shall not be commenced without the prior approval of such plans and specifications of said Director. The Director of Transportation, Engineering and Development or his or her designee shall not approve the plans and specifications without the prior approval thereof by the City Engineer as to the data and information shown on the plans and specifications pertaining to the drainage of surface water being sufficient when constructed to accomplish the requirements of Subsection 5-2B-4.1 of this Section.</p>	
5-2B-5	<p>..... Where there are cul-de-sacs, a block shall include all lots having an address facing the cul-de-sac and bounded by the next cross street. When required as provided herein, sidewalks shall be constructed upon the public street or streets adjacent to the land described in the building permit application, according to the specifications required by the City applicable thereto. The location of such sidewalk shall be subject to approval by the City Engineer or his or her designee.</p>	
5-2B-6	<p>2.4. All trailers shall be located and maintained in accordance with a site plan approved by the Director of Transportation, Engineering and Development or his or her designee, or by the City Council in accordance with Subsection 5-2B-6.3 of this Section.</p> <p>2.10. A five hundred dollar (\$500.00) cash bond for each trailer shall be posted with the Director of Transportation, Engineering and Development or his or her designee to guarantee performance of these regulations by the holder of the trailer permit. Such bond may be used by the City, at the</p>	

direction of the Director of Transportation, Engineering and Development or **his** or **her** designee, to enforce performance of these regulations. Prior to any such use of such bond, however, the Director of Transportation, Engineering and Development or **his** or **her** designee shall give written notice to the permit holder informing the permit holder of the violation that exists, the action necessary to correct the violation, the period of time during which the violation must be corrected, and the right of the permit holder to be heard regarding the violation alleged to exist and the proposed remedial action.

2.11. A permit holder, upon receiving notice of a violation as provided above, shall correct the violation as required within fifteen (15) days of the date of said written notice. Alternatively, the permit holder may request a hearing before the City Manager by delivering **his** written request for a hearing to the City Manager within fifteen (15) days of the date of said written notice. Upon receiving a request for a hearing, the City Manager shall set a date when the hearing will be held which shall be within ten (10) days of the request for such hearing, and **he** shall also set the time and place of such hearing. The City Manager shall advise the applicant of the date, time and place for such hearing in writing. The hearing shall be informal. The Director of Transportation, Engineering and Development or **his** or **her** designee shall state such facts as may be relevant to the alleged violation and the proposed corrective action. The permit holder shall have the right to question the Director of Transportation, Engineering and Development or **his** or **her** designee as to the alleged violation and corrective action and may also offer such further facts as may be relevant to the alleged violation and proposed corrective action. Based upon such facts, the City Manager shall determine whether a violation of these regulations exists and the remedial action, if any, that is appropriate. The decision of the City Manager as to the existence of a violation of these regulations and the necessary remedial action, if any, shall be final. In the event that the permit holder fails to request a hearing by the City Manager, or if the City Manager determines that a violation exists and that remedial action is appropriate, the Director of Transportation, Engineering and Development or **his** or **her** designee shall be authorized to use the posted cash bond to correct the violation as stated in said written notice or as otherwise determined by the City Manager.

3.1. No construction trailer shall be located or used in the City without a permit issued for such trailer upon authorization of the City Council or Director of Transportation, Engineering and Development or **his** or **her** designee as provided below.

	<p>3.4. The Director of Transportation, Engineering and Development or his or her designee shall authorize the issuance of such construction trailer permits as are appropriate to meet the reasonable construction requirements of the permit applicant based upon the scope and schedule of applicant's anticipated construction activity, provided that all requirements of Subsection 5-2B-6.2 of this Section are totally complied with. Trailers used for the sale of merchandise or to house a use in a zoning district in which it is not permitted must be approved by the City Council. Also, any applicant who is unable to meet the requirements of Subsection 5-2B-6.2 of this Section, or who believes that the denial of his permit by the Department of Transportation, Engineering and Development was incorrect, may seek the approval of a permit by the City Council.</p> <p>3.6. Construction trailer permits issued pursuant to this Section shall be effective for a period not to exceed the duration of the active construction phase of the project for which the trailer is permitted, as determined by the Director of Transportation, Engineering and Development or his or her designee, and in accordance with Subsections 5-2B-6.2.6 through 5-2B-6.2.9 of this Section.</p>	
<p>5-2C-2</p>	<p>The manner of determining the extent of such damage or deterioration shall be as follows: Director of Transportation, Engineering and Development or his or her designee and the Fire Chief, together with some competent person selected by said Director who is a resident of the City and experienced in the business of constructing, altering and repairing of wooden buildings in the City, and is familiar with the costs thereof, shall constitute a commission who is hereby authorized to make the determination, by following substantially the following procedure: Upon complaint being made to the Director of Transportation, Engineering and Development or his or her designee by any person that a building is a nuisance under the terms of this Article, or at his own instance if he has reason to believe that building is a nuisance under the terms of this Article, the Director of Transportation, Engineering and Development or his or her designee shall select the third member of the commission, and shall then fix a time when the commission will meet upon the premises and make a complete examination of the building for the purpose of making the determination required hereunder, at which meeting the owners and occupants of the building shall be given an opportunity to be heard. The Director of Transportation, Engineering and Development or his or her designee shall give notice in writing by registered mail or by personal service to the owners and occupants of the building of the time when such examination will be made, which notice shall be mailed or served not less</p>	

than seven (7) days prior to the date stated in the notice. Without delay the commission shall make its finding and determination from the facts disclosed by its examination of the building and any evidence offered by the owners and occupants thereof, and a record of such finding and determination shall be entered in his records by the Director of Transportation, Engineering and Development or his or her designee. In case of disagreement, the opinion of the majority of the commission on any matter shall control.

If the determination by the commission is that the building constitutes a nuisance under the terms of this Article, then immediate notice thereof in writing shall be given by the Director of Transportation, Engineering and Development or his or her designee to the owners and occupants of the building either by registered mail or personal service, which notice shall contain an order by the Director of Transportation, Engineering and Development or his or her designee that immediate steps be taken by the owner for the tearing down or removal of the building, and upon receipt of such notice it shall become and be the duty of the owner of the building to take immediate steps for the tearing down or removal of the building.

If no work is started for the tearing down or removal of such building within thirty (30) days after the service of such notice, or if work is begun and is not continued to completion with reasonable diligence, then the Director of Transportation, Engineering and Development or his or her designee, acting for the City, shall, with the assistance of the corporation counsel, secure a court order authorizing the demolition, and shall cause such building to be torn down or removed, at the cost and expense of the owner of the building, to be recovered by the City according to law.

Permitting such building to remain contrary to the provisions of this Article after the expiration of said 30-day period shall be deemed a violation of the provisions hereof by the owner of such building, and a separate offense shall be deemed committed on each day on which a violation occurs or continues. The failure of the Director of Transportation, Engineering and Development or his or her designee to take steps to have such building torn down or removed after the expiration of said 30-day period shall not affect the liability of the owner of the building to penalties for violation of this Article.

It shall be the duty of the Director of Transportation, Engineering and Development or his or her designee to take the necessary steps to enforce the provisions of this Article.

<p>5-2D-1</p>	<p>2. Enforcement: It shall be the duty of the Fire Chief or his designees to inspect all apparatus to be installed, and their location, and to make or cause to be made periodic inspections concerning the operation and accessibility of regular and emergency exits in all such public places.</p>	
<p>5-2D-2</p>	<p>No tent shall be erected, maintained, operated or used within the City; provided, however, that temporary tents may be erected for a period not exceeding thirty (30) days for religious, educational or recreational purposes and for a period not exceeding fourteen (14) days for sales or commercial purposes. A special permit shall be secured from the Director of Transportation, Engineering and Development or his or her designee if such installations are to be available for use by members of the general public.</p>	
<p>5-2D-3</p>	<p>1.When an inspection involves an entry onto private property, the inspector shall attempt to secure the permission of the owner, his agent, manager or occupant of the premises. If permission is refused, or if the owner, his agent, manager or occupant is unavailable, the inspector shall, with the assistance of the City Attorney, apply to the appropriate court for the issuance of a search warrant.</p> <p>2.1. Upon the making of such inspection if it is found that a condition exists from which immediate danger of fire may be apprehended, or a violation of any of the provisions of this Article, of any of the provisions of the Naperville fire prevention code or of any provisions under the enforcement jurisdiction of the Fire Department, is being committed, the Fire Chief or his designee shall give notice in writing, by personal service or registered mail, to the owner, his agent, manager or occupant of the building or premises, which notice shall describe the condition or violation found to exist and shall contain an order that the same be remedied or corrected within ten (10) days after the service of such notice or within such longer reasonable time which, in the opinion of the Fire Chief, will be required. It shall be the duty of the owner, his agent, manager or occupant of the building or premises who was served with an order to forthwith comply with such order, and a failure to do so within the time stated in such order shall be deemed a violation of this Code, and a separate offense shall be deemed a violation of this Code and a separate offense shall be deemed committed on each day on which a violation occurs or continues.</p> <p>2.2. The Fire Chief shall make a subsequent inspection of the building or premises immediately after the expiration of the time stated in the order, and if he shall find that his order has not been complied with, he shall immediately</p>	

	<p>take the necessary steps to prosecute the person liable for violation.</p> <p>2.3. The word "owner" shall mean the person who is the owner of record as shown on tax records, and shall include the plural. The word "manager" shall mean the person designated by the owner or his agent to manage a property, premises or business operation and shall include the plural. The word "occupant" shall mean the person who is in the actual and visible possession or occupancy, and shall include the plural.</p> <p>3. Fire Chief: Wherever, under the provisions of this Article, reference is made to the "Fire Chief", it shall include the Fire Chief, his assistants or his designees.</p>	
<p>5-7-4</p>	<p>3.1. Enforcement: The City Engineer, or his/her designee, is hereby authorized and directed to enforce the provisions of this Section.</p>	
<p>5-9-3</p>	<p>CITY ENGINEER: The Director of the Department of Public Works for the City of Naperville and/or his representative.</p> <p>DEVELOPMENT: Any manmade change to improved or unimproved real estate, including, but not limited to, erection or removal of buildings or other structures, mining, dredging, filling, grading, paving, excavation, stripping, clearing, removal or drilling operations.</p>	<p>Change to <u>human-made</u></p>
<p>5-9-5</p>	<p>3. Application For Permit: Application for an erosion and sedimentation control permit shall be made by the owner of the property or his authorized agent to the City Department of Community Development on a form furnished for that purpose.</p> <p>4.2.2. The location of existing buildings, temporary structures, utilities, water bodies, flood plains, hydraulic structures, paved areas and other significant natural or man-made features on the site and adjacent land within one hundred (100) feet of the boundary.</p> <p>8.2. By undertaking any work pursuant to the erosion and sedimentation control permit prior to approval of final engineering plans by Department of Public Works and any other government or public agency having jurisdiction of the site, parcel or lot, the applicant acknowledges and agrees that all modifications necessary to comply with approved final engineering plans or the requirements of such other government or public agency shall be performed and completed by the applicant at his sole cost and expense.</p>	<p>Change to <u>human-made</u></p>

<p>5-9-7</p>	<p>3. Enforcement: The Director of the Department of Public Works is hereby authorized and directed to enforce all of the provisions of this Chapter. Upon presentation of proper credentials, the Director of the Department of Public Works and his duly authorized representatives may enter at reasonable times upon any property within the City to investigate or ascertain the condition of the subject property in regard to any aspect regulated by this Chapter.</p> <p>5. Right of Appeal: Any person aggrieved by a determination of the Director of the Department of Public Works that property does not conform to approved erosion and sedimentation control plans for said property may appeal such a determination by serving written notice on the City Manager. The City Manager shall, within ten (10) business days, appoint an Illinois registered professional engineer with experience in storm water management to serve as an impartial hearing officer. The costs of retaining a hearing officer for the appeal process shall be shared equally by the City and the permittee. The hearing officer shall confine his investigation and ruling to a review of the correctness of the Director of the Department of Public Works' determination of compliance with the approved plans. The hearing officer shall not have the authority to alter or change any such approved plans or to allow a variance from full compliance with such plans.</p> <p>The hearing officer shall hold a hearing on the appeal, which may be continued from time to time. The hearing officer must convene the hearing within ten (10) business days from the date on which the City Manager appoints the hearing officer. At said hearing the permittee, the City, and any other interested person, may present any relevant evidence, testimony or argument on the question under consideration. At the conclusion of such hearing, the hearing officer shall, within ten (10) business days, make a written report to the City Manager of his findings of facts and recommendations. The hearing officer shall submit a copy of his written report to the permittee and the Director of the Department of Public Works or their respective representatives at the hearing. If additional time is required before convening the hearing or for completing the report after the hearing is concluded, and the hearing officer, the permittee and the Director of the Department of Public Works or his representative agree, such additional time shall be allowed. It shall then be the responsibility of the City Manager to review the hearing officer's findings of facts and recommendations and accept, accept with modifications, or reject the same. The recommendations and findings of fact of the hearing officer shall not be binding on the permittee, the City, or any City Department, officer or employee until received and accepted or rejected by the City Manager. The decision of the City Manager</p>	
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	shall be a final administrative decision and subject to review in the manner provided by law.	
5-10-6	The Chief Building Official may suspend any and all permits issued by the City and issue stop work orders with respect to the parcel if he determines that the tree preservation plan, tree removal permit or landscape plan is not being complied with. Such permit(s) shall be reinstated upon compliance.	
5-11-3	CHIEF BUILDING OFFICIAL: The individual appointed as the City's Chief Building Official in the transportation, engineering and development business group of the City, or his or her designee(s).	
5-11-5	1. Developer's Report Of Proposed Improvements And Alterations: If a developer decides to proceed with a condominium conversion, he shall submit an application provided by the City for a condominium conversion along with the application fee as provided in Section 5-11-7 of this Chapter and shall tender a written report ("developer's report") describing:	
5-11-8	2. No tenant may be required to vacate his or her unit upon less than one hundred twenty (120) days' notice, except by reason of nonpayment of rent, conduct that disturbs other tenants' peaceful enjoyment of the premises, or other substantial violations of the terms of the rental agreement. The terms of tenancy may not be altered during that period.	
5-11-11	1. Complaints: The Chief Building Official is hereby authorized and directed to receive complaints and conduct such investigations of violations of this Chapter as he deems necessary. 2. Violations: In the event that the Chief Building Official determines that a violation of this Chapter exists, and the same is not remedied, then he may seek assistance from the City Attorney to apply to any court of competent jurisdiction to enjoin any violation of this Chapter, to seek fines or penalties, or to take such other and further action as they, in their discretion, may deem necessary and appropriate.	
6-1-6	GUEST, PERMANENT: A person who occupies or has the right to occupy an apartment hotel accommodation as his domicile and place of permanent residence.	
6-2-18	The Zoning Administrator may allow as a permitted use or conditional use those uses which, though not contained by name in a zoning district list of permitted or conditional uses, he determines to be of the same general	

	character as the listed permitted or conditional uses, subject to approval by the City Council.	
6-2-22	4. Revocation of Permit: Any permit granted pursuant to the provisions of this Section may be subject to revocation for cause by the Director of Transportation, Engineering and Development (or his/her designee), including but not limited to the failure to comply with this Section or any other applicable provisions of the Naperville Municipal Code.	
6-2-28	3. On properties whose primary structure is identified as anything other than a single-family detached, or two-family dwelling structure, on site mobile storage containers may be placed upon a parking lot constructed of a hard surface approved by the City engineer, provided that the placement of the on site mobile storage container does not impede the flow of traffic, occupy off street parking spaces required per the provisions of Chapter 9 of this Title, and the proposed locations are approved by the Zoning Administrator or his or her designee.	
6-2-32	7. Coordination Of Safety And Security Measures: A dispensary applicant shall coordinate with the Chief of Police of the City, or his or her designee, regarding the measures to be taken to ensure the security of the facility and the safety of the public and facility employees. Such measures may include, but are not limited to, facility access controls, surveillance systems, site lighting, and on-site security personnel. Said coordination shall occur after receipt of a dispensary application which has been deemed complete by the Zoning Administrator, and shall be ongoing, as needed, to address any security or safety issues.	
6-3-1	1. Designation: The Director of the Transportation, Engineering, and Development Business Group and/or his or her designee shall be the Zoning Administrator.	
6-4-4	3.2. An application for approval of a final plat of planned unit development shall be filed in writing with the Zoning Administrator. The Zoning Administrator or his or her designee shall be authorized to recommend approval of a final plat of planned unit development to the City Council without referring the final plat to the Planning and Zoning Commission if it is determined that the final plat is in substantial conformance to the preliminary plat of planned unit development as approved by the City Council.....	
6-7J-5	6.1.1. Parking studies addressing demand generated by all structures and all permitted, conditional, accessory, and temporary uses that are present or	

	<p>proposed on a property or group of properties containing a hospital use shall be completed, submitted, and reviewed by City staff on a biennial basis beginning on April 4, 2007, or every two (2) years from the most recent date of issuance of a building permit for the construction of a new structure or an addition to an existing structure. All parking studies shall be completed by the property owner(s) or his/her designee.</p> <p>6.1.2. No building permits shall be issued for the construction of a new structure or additions to an existing structure without the completion, submittal, and staff approval of a parking study addressing parking demand generated by all structures and uses present or proposed on a property or group of properties containing a hospital use. All parking studies shall be completed by the property owner(s) or his/her designee.</p>	
6-9-3	<p>4.In addition to the required parking specified above, the Zoning Administrator may require a parking plan to be submitted for her review and approval that denotes additional parking supply which can be used to meet increased parking demands of the cannabis dispensing organization upon its initial opening.</p>	
6-14-4	<p>EXTERIOR LIGHTING: The illumination of an outside area or object by any manmade device that produces light by any means.</p>	Change to <u>human-made</u>
7-1-5	<p>2. Before approval of any final plat or development agreement in such platted subdivision, the subdivider shall guarantee the completion of the public improvements to be installed or constructed in accordance with the development agreement and the ordinances of the City, together with all other commitments by the subdivider by submitting a corporate surety bond or other financing surety in a form to be approved by the City Manager or his designee.</p>	
7-1-6	<p>4.7. The owner and developer shall execute an "at risk" construction agreement with the City in a form approved by the City Manager or his designee. The agreement shall:</p>	
7-1-10	<p>The Director of the Department of Community Development is appointed the enforcing officer of this Title and it shall be his duty to enforce the provisions thereof. The enforcing officer may call upon any department or official of the City to furnish him with such information and assistance as he may deem necessary for the observance or enforcement of this Title; and it shall be the</p>	

	duty of such department or officer to furnish such information and assistance whenever required.	
7-2-2	5. Review: Except as otherwise provided in Section 7-2-5 (Administrative Plat Procedures), the Director is hereby authorized, at his or her discretion, to recommend the approval of a preliminary or final subdivision plat directly to the City Council, provided that no variances, which require a public hearing before the Planning and Zoning Commission as defined in Section 6-3-5 (Procedures) of this Code, are being requested in conjunction with the subdivision plat.	
7-2-6	8.1. If, after approval of a vertical subdivision plat as provided herein, any portion of the common areas encroach upon any unit, or if any unit encroaches upon any portion of the common areas or any other unit as a result of the construction, repair, reconstruction, settlement or shifting of any building, a valid mutual easement shall exist in favor of the owner(s) of the common areas and the respective unit owners involved to the extent of the encroachment. A valid easement shall not exist in favor of any unit owner or owner of any common area who creates an encroachment by his intentional, willful or negligent conduct or that of his agent.	
7-3-2	1.1.1.(A soil classifier is defined as a certified member of the Illinois Soil Classifiers Association and/or a certified professional soil classifier member of ARCPACS, who by reason of his special knowledge of the physical, chemical and biological sciences applicable to soils; and of the methods and principles of soil classification as acquired by soils education and soil classification experience in the formation, morphology, description and mapping of soils is qualified to practice soil classifying.)	
7-3-5	1.3. In general, a substitution of private open space for dedicated parks will imply a substantially higher degree of improvement and the installation of recreational facilities, including equipment, by the developer as part of his obligation. 4.5.The developer, and/or his or her assignees, shall be required to pay the difference between the initial payment and the recalculated payment within sixty (60) days of assessment, unless otherwise extended by the Zoning Administrator. 12.2.2. If only a portion of a generation table is objected to, the Zoning Administrator may, at her discretion, require the objector to provide additional analysis and documentation with respect to other portions of the generation table which the Zoning Administrator deems to be related or impacted by the changes being requested by the objector. The same shall be added to the objector's documentation.	

	<p>12.5. A written recommendation shall be issued by the Zoning Administrator, or her designee, with respect to the objection which sets forth her findings and conclusions based upon evaluation and review of the objection and all documentation provided with respect thereto. A copy of the Zoning Administrator's recommendation shall be promptly provided to the objector and to any impacted parties.</p> <p>12.8. The Zoning Administrator, in her discretion, may allow extensions of timeframes provided for herein. Such extensions shall be in writing and provided to the objector and impacted parties.</p>	
8-1B-3	<p>(d)The City Council of the City of Naperville hereby authorizes and empowers the City Manager, or his designee, to administer the participation of any demand response resources from within the City's electric utility system in the IMEA Demand Response Program and to develop necessary forms for participation in the program by end user customers and execute any and all documents reasonably necessary or required in connection with such administration.</p>	
8-1C-3	<p>26. Enforcement: When inspection of the customer's premises is necessary for the purposes of enforcing the provisions of this Chapter 1—Electricity or Title 8—Public Utilities, the Director, DPU-E or his or her designee shall first attempt to secure the permission of the property owner. If permission is refused, or if the property owner or property renter is unavailable, the Director or his or her designee, with the assistance of the City Attorney, shall apply to the appropriate court for the issuance of an administrative search warrant.</p>	
8-2A-2	<p>DIRECTOR: The Director of the City of Naperville Department of Public Utilities system or his designee.</p>	
8-2A-6	<p>..... Any billing statement for water resale shall solely be in the name of the reseller or his or her assigns. The billing statement shall not include any references to the City of Naperville or the City of Naperville logo.</p>	
8-2A-7	<p>1.2.4.5. When the Director shall find that the times requested are adverse to the health, safety and welfare of the residents of the City, the Director shall assign to the property owner time periods for watering which are consistent with the needs of the residents of the City, but also designed to allot to the applicant times which he is able to water his lawn for periods permitted by paragraph 1.2.2 above.</p> <p>..... Upon issuing said proclamation, the City Manager shall make the contents thereof known to the public by news release to the local newspapers and radio media, and may also notify the citizens in any other practical manner that he shall devise. Further, the City Manager shall immediately notify all</p>	

	members of the City Council of the nature of the emergency and the regulations that have been imposed.	
8-2B-2	The owners of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes situated within the City and abutting on any street, alley, easement or right-of-way in which there is now located or may in the future be located any public sanitary sewer of the City, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Article, within ninety (90) days after date of official notice to do so.	
8-2B-3	3. Inspection Of Work: A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Director of the Department of Public Utilities. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the said Director when the work is ready for final inspection, and before any underground portions are covered.	
8-2B-4	1. Classes Of Permits; Application; Fees: There shall be two (2) classes of building sewer permits: 1) for residential and commercial service, and 2) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a form furnished by the City.	
8-2B-5	2. Application For Permit: All applications for permits provided for in the preceding Subsection shall be signed by the owner desiring same or his duly authorized agent, and shall state in plain terms the object of such permit; the time, location and completion of the work mentioned therein; and the name, address and bond number of the plumber..... 3.The City Engineer may, in his discretion, prescribe rules and conditions to be followed and performed, as may be necessary for the safety of the street, alley, sidewalk or sewer, through or with which a permit be issued to excavate or connect.	
8-2B-13	2. Preliminary Treatment Facilities: Where preliminary treatment or flow equalizing facilities are provided, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense. 3.The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.	

8-2B-18	The Director of the Department of Public Utilities and other duly authorized employees of the City, bearing proper credentials and identification, shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this Article. The Director of the Department of Public Utilities or his representative shall have no authority to inquire into any processes, including metallurgical, chemical, oil refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterway or facilities for waste treatment.	
8-2C-7	8. Responsibility For Meter With Customer: If water service is terminated pursuant to this Section, the customer shall remain liable for protecting the water meter from damage from freezing or other causes. If the meter is damaged, the customer shall be required to have the meter repaired at his sole expense or to pay the Department of Public Utilities' actual costs for repair.	
8-2C-9	1.If the consumer of water or wastewater services whose bill is unpaid is not the owner of the premises, and the City Clerk has notice of this, then notice shall be mailed to the owner of the premises, if his address is known to the clerk, whenever such bill remains unpaid for a period of sixty (60) days after it has been rendered.	
8-2C-12	<p>2. Records: The Director of Community Development shall keep in his office a complete record of all such permits issued hereunder and the exact location of such connections made. He shall furnish to the City Council, as often as requested, a complete statement of all such permits issued since his last statement.</p> <p>3. Application Information: The Director of Community Development shall require the applicant to furnish, in connection with the application for service connections, the plans of the building to be served and such other information that he may require for the purpose of determining the amount of charges for such connections in accordance with the schedule of charges hereinafter set forth.</p>	
8-2C-13	When inspections on private property are necessary for purposes of enforcing the provisions of this Title, the Director of the Department of Public Utilities, or his designee, shall attempt to secure the permission of the owner or legal occupant of the property. If permission is refused, or if the owner or occupant is unavailable, the Director of the Public Utilities Department, or his designee,	

	<p>with the assistance of the City Attorney, shall apply to the appropriate court for the issuance of an administrative search warrant.</p>	
<p>8-3-1-1</p>	<p>..... If the user or consumer is not the owner of the premises served, said seven (7) days' notice shall also be given to the owner of the premises if his name and address has previously been registered with the City Finance Department by such owner for the purpose of receiving such notices. Notice of intent to disconnect shall be given to the customer or an adult living at the premises and owner by telephone, personal delivery or first class U.S. mail. The notice shall clearly state the number of days the account is in arrears and the balance due including any penalty charges, or, the rule or regulation which is alleged to have been violated, whichever is applicable; the name, title, address and phone number of the person to contact for an informal resolution of the customer's complaints in cases of disputes concerning the amount due or other problems with the account; the address and office hours of the utility office in case the customer wants to informally resolve his complaint in person; and the fact that the customer is entitled to a hearing on his complaint before some authorized agent of the appropriate utility department when and if the complaint cannot be informally resolved.</p>	
<p>8-3-1-2</p>	<p>1. Stay termination of service until the authorized representative renders a decision or all appeals are exhausted, whichever is later. Provided, however, that the authorized representative shall render a decision within ten (10) days from the date the customer or user called in his complaint or made his complaint in person, or from the date of receipt of a customer's or user's written complaint.</p> <p>4. If the authorized representative finds merit to the dispute, he can make an adjustment of the bill with the customer or user with the approval of the City Finance Director.</p> <p>If the authorized representative finds that the dispute as to an overcharge or other problem with the account has no merit, he shall communicate this decision to the customer or user by certified mail, return receipt requested, by personal delivery, or by posting on the premises to be disconnected. The notice of the decision shall specify that if the account is not paid or the customer or user does not appeal the decision, on or before five (5) days from the date of receipt of said notice, the utility service shall be discontinued.</p>	
<p>8-3-1-3</p>	<p>2.The hearing date shall be scheduled during regular City business hours and for a date convenient to the parties but no later than ten (10) days from the date of the request. The hearing date and time shall be confirmed by the</p>	

	City utility in writing to the person requesting the hearing by first class U.S. mail. At such hearing the customer or user shall have the right to be represented by counsel, to appear at the hearing in person, to present evidence in his own behalf and to examine any evidence which the City utility might introduce.	
8-3-1-4	When a customer's or user's utility bills are in arrears because of claimed financial difficulties, and the customer or user has not defaulted on a previous credit extension, and the City has not granted a prior credit extension to the customer or user within the past twelve (12) months, a 90-day credit extension shall be given to the customer or user, upon request to the authorized representative, whereby the customer or user shall pay his monthly bill on the basis of a payment schedule established by the Finance Department. This credit extension is to assist the customer or user in updating their account to a current status and shall only be granted once every twelve (12) months.	
9-1A-2	FIBER OPTIC NETWORK CONDUIT: A minimum four-inch (4") conduit containing a minimum of number of inner-ducts, as agreed by the parties used to enclose or carry fiber optic cable or other wires or lines and attendant parts and accessories buried alongside a roadway or surface mounted on bridges, overpasses, and other facilities where below-ground placement is impractical or impossible, all in accordance with emerging industry standards and as a determined by the Director or his/her designee.	
9-1A-3	All public streets, alleys, sidewalks, and other public ways in the City shall be under the supervision of the Director of the Department of Public Works and the Director of the Transportation, Engineering and Development Business Group. All references to the Director in this Chapter shall mean the Director of the Department of Public Works or the Director of the Transportation, Engineering and Development Business Group as applicable. He or she shall be charged with the enforcement of all ordinance provisions relating to such public places (except traffic ordinances) and is hereby authorized to enforce such ordinances or to designate such persons or representatives as he/she deems necessary for such enforcement. In the event the provisions of this Article shall be in conflict with any provision of any other article of this Chapter, or any other applicable ordinance, regulation, standard or code adopted by the City, the more restrictive shall be applicable.	
9-1B-10	6.7.A separation or lesser clearance may be allowed by the Director or his/her designee as an administrative variance to this Section when the	

	grantee establishes that the lesser separation or clearance is necessary to close a significant coverage or capacity gap in the grantee's services or to otherwise provide adequate services to customers, and the proposed antenna or facility is the least intrusive means to do so within the right-of-way.	
9-1B-19	Within ten (10) days of a written request from the City Manager or his/her designee, each license grantee shall furnish the City with information sufficient to demonstrate:	
9-1D-2	<p>3.4. A CATV or competitive video service provider shall develop a reasonable and practical plan, approved by the City, in order to provide continuity or multichannel service, and response to service calls in the event of a natural or manmade emergency.</p> <p>7.The City Manager, or his designee, shall provide reasonable notice of the violations and conduct a full due process hearing before imposition of a penalty. The provider shall be entitled to appeal the City Manager's or his designee's decision to the City Council.</p>	Change to <u>human-made</u>
9-1F-15	All construction practices and activities shall be in accordance with the permit and approved final plans and specifications for the facilities. The Director and designee(s) shall be provided access to the work and such further information as he or she may require to ensure compliance with such requirements.	
9-1F-16	The permittee shall maintain a copy of the construction permit and approved plans at the construction site, which shall be displayed and made available for inspection by the Director or his designee at all times when construction work is occurring.	
9-1G-6	2. Before any sums are withdrawn from the security fund the City shall give a written notice to the grantee describing the act, default or failure to be remedied, or the damages, cost or expenses which the City has incurred by reason of grantee's act or default; and providing an opportunity to review the described act, default or failure with the City Manager or his designee;	
9-1H-4	<p>1.No fee shall be charged for said permit. The permit application shall contain the following information which shall be attested to by the owner or his agent so authorized in writing:</p> <p>1.5. Evidence that the proper grade for the sidewalk has either been determined and made available to the contractor by the Director, or</p>	

	<p>that he has approved the surface grade of construction proposed by the owner or contractor.</p> <p>2. Inspections Required: The Director or his authorized representative shall inspect the work to be performed under each sidewalk permit as follows:</p>	
9-1H-6	1. The City Manager or his designees shall serve as the Sidewalk Review Board of the City.	
9-1K-3	Every person applying for a permit under this Article shall submit with his application a cash bond with a lawful corporate surety to be approved by the City Council, conditioned on his compliance with all the provisions of this Article, and agreeing to pay and holding the City harmless from any claim which may be made against it by reason of the occupation of any street, alley, sidewalk or other public place by the building or structure moved.	
9-3-3	3. Depositing Material: It shall be unlawful for any person, without a written permit from the chairman of the Department of Public Works, to place or maintain upon the ground in any street, park or parkway in the City any stone, cement or other material which shall impede free passage of water and air to the roots of any tree, without leaving an open space of ground not less than two (2) feet in width all around the trunk of such tree.	
9-2-2	5. All street numbers shall be assigned by the Director of the Department of Public Works, or his designate.	
9-4-2	Any person desirous of securing the permit required by Section 9-4-1 of this Chapter shall file an application with the City Clerk upon a form provided by him , setting forth the following information:	
9-11-1	COMMERCIAL DRIVEWAY: A driveway providing access to commercial or industrial establishments, in business for the purpose of servicing or storing motor vehicles, loading or unloading merchandise transported in the vehicles, or serving the driver of the vehicle while he remains in the vehicle and for property devoted to institutional use.	
10-1-1	CIVIL EMERGENCY: 2. Any natural disaster, or man-made calamity, including flood, conflagration, cyclone, tornado, earthquake, explosion or bombing, within the corporate limits of the City or within the area adjacent to the City, resulting in the death or injury of persons or in the damage or destruction of property to such an extent that extraordinary measures must be taken for the protection and preservation of the public peace, safety and welfare within the City.	Change to <u>human-made</u>
10-1-4	At any time when the Chief of Police is of the opinion that an emergency exists, or is threatened, in the City, by reason of an existing or apparent civil	

	<p>emergency or by reason of any other condition or circumstances, requiring additional police assistance of men and equipment, he is hereby authorized to request such assistance from the Sheriff of DuPage County, and from the Police Departments of area municipalities with which mutual aid agreements have been entered into by the City; and said Chief of Police is hereby authorized and empowered to engage any other additional police assistance which, in his opinion, are necessary under the circumstances.</p>	
<p>10-1-5</p>	<p>It shall be unlawful for any person to violate the provisions of any curfew or any other order issued by the Mayor under the provisions of Section 10-1-3 hereof, or to fail to obey promptly any reasonable order, direction or command issued by any police officer acting in the performance of his duty or power in the enforcement of the provisions of this Chapter for the preservation of the public peace, health and safety.</p>	
<p>10-2-1-1</p>	<p>A person commits disorderly conduct when he knowingly:</p> <p>4. Fails to obey a lawful order of dispersal by a person known by him to be a police officer under circumstances where three (3) or more persons are committing acts of disorderly conduct in the immediate vicinity, which acts are likely to cause substantial harm or serious inconvenience, annoyance or alarm; or</p>	
<p>10-2-1-5</p>	<p>2.1. It shall be unlawful for any person to appear in a public place in a state of nudity or to make any indecent exposure of his/her person, except breast feeding of infants as provided for in 720 Illinois Compiled Statutes 5/11-9, as amended.</p>	
<p>10-2-1-6</p>	<p>2. Interfering With Officers: It shall be unlawful to interfere with or hinder any officer or employee of the City while engaged in the duties of his office or employment.</p>	
<p>10-2-4-2</p>	<p>ACTS OF VANDALISM: Include any of the following acts:</p> <p>1. Recklessly or knowingly damaging or destroying any property of another person without his consent; or</p> <p>2. Recklessly, or knowingly by means of fire or explosive device, damaging, debasing or destroying any property of another person without his consent; or</p> <p>3. Recklessly, or knowingly starting a fire on land of another person without his consent; or</p>	

	<p>4. Recklessly, or knowingly depositing on the land or in the building of another person, without his consent, any stink bomb, any offensive smelling compound or any other offensive or dangerous compound or item and thereby interfering with the use and occupancy by another, of the land or building; or</p> <p>5. Recklessly, or knowingly and without authority entering into or obtaining control over any building, house trailer, motor vehicle, aircraft or watercraft, or any part thereof, of another person without his consent.</p> <p>Participation in Police Social Worker Program: A minor, who has allegedly engaged in an act of vandalism, may be offered the opportunity by the Police Juvenile Officer to voluntarily participate in the Police Social Worker Program. Said offer shall be communicated in writing to the minor and his parents or legal guardians and if accepted in writing by all parties within thirty (30) days after its date and if the terms thereof are complied with together with any restitution required, no further prosecutions under this Section shall be instituted.</p> <p>6. Enforcement Proceeding: In the event that a person alleged to have engaged in an act of vandalism shall refuse to comply with the provisions of Subsection 2 hereof or shall begin such program and shall not complete it or provide restitution as may be required, then the Corporation Counsel shall institute an ordinance enforcement proceeding to establish that the person has committed the act of vandalism and to enforce compliance with the provisions of this Section against said person, and if a minor, his parents or legal guardians. In addition to enforcing compliance, the Corporation Counsel shall seek the penalties provided for in Subsection 7 hereof.</p>	
<p>10-2-4-4</p>	<p>1. It shall be unlawful for the owner of any real property located within the City to maintain or permit the existence upon such property of any excavation, pit, hole, ditch or other man-made depression in the earth, which endangers the public health, welfare and safety.</p> <p>2. Upon making a determination that there exists a violation of Subsection 1 hereof, the Director of the Department of Community Development or the Director of the Department of Public Works shall notify the owner of the property upon which such violation exists in writing. Upon receipt of such notice of violation, the property owner shall, within ten (10) days, eliminate any violation of this Section existing upon his property.</p>	<p>Change to <u>human-made</u></p>

<p>10-2-6</p>	<p>2. Discharge of Firearms: Discharge any firearm or airgun in the City; provided, that this Subsection shall not be construed to prohibit any officer of the law to discharge a firearm in the performance of his duty; any person to discharge a firearm or airgun when lawfully defending his person or property; any person to discharge a firearm or airgun upon the premises of a target or shooting range approved or leased by the City Council.</p>	
<p>10-2-9</p>	<p>1.2.6. Represents to a merchant that he or another is the lawful owner of property knowing that such representation is false, and transfers or attempts to transfer that property to a merchant who is the owner of the property in exchange for money, merchandise credit or other property of the merchant; or</p> <p>1.3. Presumptions: If any person conceals upon his or her person or among his or her belongings, unpurchased merchandise displayed, held, stored or offered for sale in a retail mercantile establishment and removes that merchandise beyond the last known station for receiving payments for that merchandise in that retail mercantile establishment such person shall be presumed to have possessed, carried away or transferred such merchandise with the intention of retaining it or with the intention of depriving the merchant of the merchandise without paying the full retail value of the merchandise.</p> <p>1.4.3. To make reasonable inquiry as to whether such person has in his possession unpurchased merchandise, and to make reasonable investigation of the ownership of such merchandise;</p> <p>1.4.5.A merchant shall be deemed to have reasonable grounds to make a detention for the purposes of this Section if the merchant detains a person because such person has in his possession either a theft detection shielding device or a theft detection device remover.</p> <p>2. Theft: A person commits theft when he knowingly:</p> <p>4. Obtains control over stolen property, valued at less than five hundred dollars (\$500.00), knowing the property to have been stolen or under such circumstances as would reasonably induce him to believe the property was stolen.</p>	
<p>10-3-1</p>	<p>3. Permitting Minor 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 10-3-1.1 of this Section.</p>	

10-3A-1	<p>PARENTAL PERMISSION: Permission given to a student to absent himself or herself from school or from one or more school classes or from a school day.</p> <p>TRUANT: A student who absents himself or herself from attendance during all, or part of, a school day during a time when school is in session without parental permission or "valid cause" as defined in this Section.</p>	
10-3A-2	<p>1. It shall be unlawful for any student to absent himself or herself from attendance during all, or part of, a school day during a time when school is in session without parental permission or valid cause.</p> <p>2. Each day, or period, that a student absents himself or herself from attendance in school or a school class during a time when school is in session without parental permission or valid cause shall constitute a separate offense and shall be punishable as such.</p>	
10-3A-3	<p>2. A parent shall be considered to have knowingly or negligently permitted a student to be truant if the parent has actual knowledge or reasonable cause to know that the student has absented himself or herself from attendance during all, or part of, a school day during a time when school is in session, and the parent fails to act to ensure that the student attends the school and classes in which he or she is enrolled.</p> <p>3. It shall be an offense under this Chapter for a parent to knowingly submit to school authorities a written excuse which explains the absence from school attendance of the student in his or her care or control that contains false information.</p>	
10-3A-4	<p>1. A student who has committed the offense of truancy and his or her parent(s) shall be sent separate written notices by a member of the staff of the school from which the student was truant containing a summary of the violation(s) and a warning that any subsequent violation may result in the full enforcement of the provisions of this Chapter.</p>	
10-3A-5	<p>1. Injunctive Relief: Upon a finding by a court that a student is "truant" as defined herein, the relief sought shall be a court order that unless valid cause exists, the student shall attend school in the school in which he or she is enrolled during all times when school is in session, including all class periods. In addition, penalties may be assessed against the student as set forth herein. If a truancy complaint also names one or more parents of the student as defendants, upon a finding by the court that the parent(s) knowingly or negligently permitted or caused a "student" as defined herein to be truant,</p>	

	said parent(s) shall be ordered to take all steps possible to ensure that the student is not truant in the future. In addition, penalties may be assessed against the parent(s) as set forth herein.	
10-4-1	<p>DANGEROUS ANIMAL: Any animal which, without provocation, attacks or injures a person who is peaceably conducting himself in any place where he lawfully may be. Dangerous animals shall also include any animal which, because of its size, vicious propensity or other characteristic, would constitute a danger to human life, property or domestic animals if not restrained or kept in a safe manner.</p> <p>KENNEL OPERATOR: Any person who operates an establishment, other than a pound or animal shelter, where dogs and/or cats are maintained for boarding, training or similar purposes for a fee or compensation; or who sells, exchanges, or offers for adoption with or without charge dogs and/or cats which he has produced or raised. A person who owns or harbors three (3) or fewer female animals shall not be considered a kennel operator.</p> <p>OWNER: Any person who has a right of property in an animal, who keeps or harbors an animal, who has an animal in his care, who acts as custodian of an animal, or who knowingly permits any domestic animal to remain on or about any premises occupied by him.</p> <p>PET SHOP OPERATOR: Any person who operates an establishment, other than a pound or animal shelter, where animals are sold, offered for sale, exchanged, or offered for adoption with or without charge. A person who sells, offers to sell, exchanges or offers for adoption only such animals that he has produced and raised shall not be considered a pet shop operator.</p>	
10-4-5-2	1. The number of dogs and cats that a person may keep on his property in the City is limited to a maximum of no more than three (3) dogs and no more than three (3) cats with the exception that a litter may be kept for a period of time not exceeding four (4) months from birth. To otherwise exceed this maximum shall be unlawful.	
10-4-5-3	No person shall cause or permit any dog, cat, or other animal owned or kept by him to run at large within the City.	
10-4-5-4	1. It is unlawful for any owner to fail to exercise proper care and control of his animals to prevent them from becoming a public nuisance.	
10-4-7	HIVE: The man-made receptacle inhabited by a colony of bees.	Change to <u>human-made</u>

10-4-10	<p>2. Keeping Of Wild Animals: No person shall keep or permit to be kept on his premises any wild animal as a pet or for display or exhibition purposes unless he has obtained a State permit. This Subsection shall not apply to zoological parks performing animal exhibitions or circuses.</p> <p>3. Nuisance: It is unlawful for any owner to permit his dog or cat to discharge such animal's excrement upon any public or private property within the City, other than the owner's property, if such owner does not immediately thereafter remove and clean up such animal's excrement from the public or private property.</p> <p>4.1. Whenever an animal control officer or police officer determines upon personal observation and investigation that an animal is a "dangerous animal" as defined in this Chapter, the officer shall notify the owner of the animal in writing of his determination, the reasons for his determination, the requirements of this Chapter regulating the keeping of dangerous animals, and the procedures to appeal the determination of the officer.</p> <p>4.2. Any owner of an animal which has been determined dangerous as set forth in Subsection 10-4-10.4.1 of this Section, may appeal that determination in writing to the Police Chief within seven (7) days of service of the notice. The Police Chief or his designate within seven (7) days of receipt of a written appeal shall hold a hearing on whether or not the animal is dangerous as defined in this Chapter. The Police Chief or his designate shall render a decision within seven (7) days of the close of the hearing.</p>	
10-4-12	<p>2. If the animal control officer or any police officer locates an injured animal, he shall attempt to locate the owner of such animal. If the owner of an injured animal cannot be located, the animal control officer or police officer shall deliver the injured animal to a licensed veterinarian for veterinary care including humane dispatch if appropriate. The owner is responsible for paying for veterinary services provided to his animal and shall pay for such services before the animal is released. In the event that the owner refuses to claim the animal, or if the animal dies before claimed by the owner, he is still responsible for said veterinary services.</p>	
10-6A-11	<p>1.3. The notice shall inform the security alarm user that he or she has fourteen (14) days from the date on which the notice was mailed or personally delivered within which to submit a written report to the security alarm coordinator for the purpose of rebutting the presumption that the alarm activation at issue was a false security alarm.</p>	
10-6A-12	<p>2. For the third and subsequent recorded false security alarm within any calendar year for any alarmed premises, the security alarm coordinator,</p>	

	<p>or his or her designee, shall send an invoice for response fees to the security alarm user in accordance with the provisions of this Article.</p>	
<p>10-6A-13</p>	<p>After ten (10) false security alarms have been recorded for any security alarm user, the Chief of Police, or his or her designee, should review the following with the business owner or residential alarm user and also send a letter by postage paid U.S. mail or personal delivery:</p>	
<p>10-6A-14</p>	<p>2. The Chief of Police, or his or her designee, shall send a notice of restricted response to the security alarm user by postage paid U.S. mail or personal delivery. Said notice of restricted response shall include the following information:</p> <p>3.1. If the security alarm coordinator determines that all unpaid response fees have been paid or the proposed action will substantially reduce the likelihood of false security alarms, he or she shall notify the security alarm user by postage paid U.S. mail or personal delivery that no further action to order a restricted response will be taken at the present time.</p> <p>3.2. If the security alarm coordinator determines that the proposed action will not substantially reduce the likelihood of false security alarms, he or she shall send the security alarm user, by postage paid U.S. mail or personal delivery, a copy of the signed order of restricted response which shall be effective immediately, without further notice.</p> <p>4. Within fourteen (14) days after the date on which a copy of such an order of restricted response was mailed or personally delivered, a security alarm user whose alarmed premises is the subject of such an order may appeal the Chief of Police's order by submitting a written request for reinstatement of response services to the alarmed premises and for a meeting to review the revocation with the City Manager or his or her designee.</p> <p>5. Within fourteen (14) days after receiving a request for a review meeting and reinstatement, the City Manager, or his or her designee, shall send written notice of the time and place of the scheduled review meeting to the security alarm user by postage paid U.S. mail or personal delivery.</p> <p>6. At the review meeting, the City Manager or his or her designee shall act as the hearing officer and provide for the proceedings to be recorded. At the meeting:</p>	

	<p>7. After considering all of the evidence presented by the parties, the hearing officer shall prepare written findings of fact which shall be the basis of his or her decision whether or not to reinstate response services to the security alarm user's alarmed premises.</p> <p>7.1. If the hearing officer determines that the security alarm user has taken action that will substantially reduce the likelihood of false security alarms, he or she shall notify the security alarm user by postage paid U.S. mail or personal delivery that response services to the alarmed premises shall be reinstated immediately.</p> <p>7.2. If the hearing officer determines that the security alarm user has not taken action which will substantially reduce the likelihood of false security alarms, he or she shall notify the security alarm user by postage paid U.S. mail or personal delivery that the response services shall not be reinstated, and that the order of restricted response shall remain in effect.</p>	
10-6A-20	<p>1. In accordance with the provisions of this Section, the watch commander or his designee may order the limited response of Police Department personnel to any alarmed premises for which nuisance alarms occur at one location in any 24-hour period.</p> <p>1.1. The watch commander or his designee may limit the response of Police Department personnel to any alarmed premises for which three (3) or more false security alarm activations have occurred in any 24-hour time period and no key holder has been reached. The watch commander or his designee will use his/her discretion to determine the status of future responses to residential or nonresidential alarmed premises.</p>	
10-6B-2	<p>FIRE ALARM COORDINATOR: The Fire Chief or his or her designee who shall have responsibility and authority for enforcing the provisions of this Article.</p>	
10-6B-13	<p>1.3. The notice shall be delivered to the fire alarm user either by postage paid U.S. mail or personal delivery; and the notice shall inform the fire alarm user that he or she has fourteen (14) days from the date on which the notice was mailed or personally delivered within which to submit a written report to the fire alarm coordinator for the purpose of rebutting the presumption that the fire alarm activation at issue was a false fire alarm.</p>	
10-6B-14	<p>2. After the third recorded false fire alarm within any calendar year for any alarmed premises, the fire alarm coordinator, or his or her designee, shall</p>	

	send an invoice for response fees to the fire alarm user in accordance with the provisions of this Section.	
10-7-1 All such public displays shall be under the supervision of a competent person, and shall be superintended by the Chief of Police or some other member of the Police Department assigned this duty by him .	
10-8-2	<p>2. The Chief of Police or his designee shall conduct the hearing.</p> <p>4. If, after the hearing, the Chief of Police or his designee determine that the imposition of the administrative fee was proper then he shall direct the collection of the administrative fee.</p> <p>6. The individual may appeal the decision of the Chief of Police, or his designee, by requesting, in writing, within fourteen (14) days of the decision, an administrative hearing as set forth herein.</p>	
10-9-5	No pawnbroker or secondhand dealer, in the course of conducting his business, shall receive any articles for pawn, pledge, advancement of money, loan, resale, or personal use from:	
11-1-3	<p>1. Police: Members of the Police Department and special police assigned to traffic duty are hereby authorized to direct all traffic in accordance with the provisions of this Title, or in emergencies as public safety or convenience may require, and it shall be unlawful for any person to fail or refuse to comply with any lawful order, signal or direction of a policeman. Except in case of emergency, it shall be unlawful for any person not authorized by law to direct or attempt to direct traffic.</p> <p>2. Scene Of Fire: The Fire Department officer in command, or any fireman designated by him, may exercise the power and authority of a policeman in directing traffic at the scene of any fire or where the Fire Department has responded to an emergency call for so long as Fire Department equipment is on the scene in the absence of or in assisting the police.</p> <p>3. Impersonation: It shall be unlawful for any unauthorized person to identify or represent himself to be a policeman or fireman or to wear any part of a uniform normally assigned to City policemen or firemen.</p>	
11-1-4	5.2. Any such unauthorized device is hereby declared to be a nuisance, and may be removed by any policeman .	

	<p>7. Unauthorized Possession: No person may possess any sign, signal or marker of the type normally erected by the State, county or City for the warning, instruction or information of the public, unless the person can demonstrate that he or she obtained it in a legal manner. Possession of such a sign, signal or marker creates a rebuttable presumption of illegal possession. In this Subsection, "possession" means the presence of such a sign, signal or marker on premises owned or controlled by the person, including, but not limited to, a rented apartment, room or dormitory room.</p>	
11-1-7	<p>..... The City Manager or his designee shall cause the placement of appropriate signs, which may include the amount of the minimum fine for a violation when workers are present and increased fines for violations of traffic regulations in work zones.</p>	
11-1-10	<p>3.1. Appointment: One or more qualified Hearing Officers shall be appointed by the City Manager or his/her designee after a competitive, merit based process and a contract award by the City Council, to perform the functions set forth in this Section.</p> <p>4. Traffic Compliance Administrator: The City Manager or his designee shall appoint a Traffic Compliance Administrator who is authorized to:</p>	
11-2A-1	<p>It shall be unlawful at any time to permit any vehicle to stand in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the directions of a policeman or traffic control device:</p>	
11-2A-12	<p>The driver of a commercial vehicle may park to load or unload his vehicle by complying with the following regulations:</p>	
11-2A-14	<p>2.3. Written Notice: Prior to removal of any vehicle pursuant to this Section, the City shall send written notice to each registered owner by U.S. mail notifying him or her that their vehicle is subject to removal by the Police Department if such vehicle is cited for a subsequent parking violation. The notification will be sent at least ten (10) days prior to any vehicle being towed.</p>	
11-2A-16	<p>3. The Chief of Police, with the advice and consent of the Director of the Department of Public Works, shall grant limited parking permits to qualified applicants, which permits shall specify the motor vehicle which may be parked pursuant to such permit, the location, dates and times during which such permit is valid and the duration of such permit. The Chief of Police shall not</p>	

	issue a limited parking permit under this Section unless he first determines that:	
11-2A-20	2. Whenever the Chief of Police, with the advice and consent of the Director of the Department of Public Works, determines that due to a special condition or event that the customary parking of motor vehicles or the enforcement of existing parking regulations may create a temporary hazard, he shall authorize the placement of temporary "No Parking" signs or notice of the suspension of the existing parking regulation(s) shall be posted.	
11-2B-4	<p>1. Rules And Regulations: The City Manager or his or her designee shall promulgate CBD parking permit rules and regulations to supplement the requirements of this Section concerning the display and use of CBD business employee and residential tenant parking permits. A copy of such rules and regulations shall be available to permit holders in the Finance Department and shall be made available to each permit holder when a renewal permit is issued if substantive changes are made to the rules and regulations.</p> <p>Visitor temporary CBD parking passes will be issued at the discretion of the City Manager or his or her designee in coordination with the Naperville Development Partnership. Visitor temporary CBD parking passes are available to persons attending conferences or meetings at downtown businesses when City parking regulations prohibit the person from parking legally.</p> <p>3.3.1. The name, address, telephone and fax number of the business or rental property owner or his or her duly authorized agents or managers;</p>	
11-2B-5	1. Rules And Regulations: The City Manager or his or her designee shall promulgate permit parking rules and regulations to implement the provisions of this Section and Section 11-2B-10 of this Article concerning the issuance, display, and use of commuter parking permits and bicycle storage locker permits.	
11-2B-10	2.3.2. The applicant's signed and witnessed statement that he or she waives any expectation of privacy in the locker or its contents, and consents to the City's search and inspection of the locker from time to time, without notice;	
11-2D-2	OPERATOR: Any person who employs one or more attendants for the purpose of providing a valet parking service or who contracts his own services, but not in	

	the capacity of employee, to any business establishment, for the purpose of providing a valet parking service to such establishment.	
11-2D-7	Any motor vehicle transfer zone on a public right-of-way in conjunction with a valet parking operation within the City shall be approved by the City Engineer, or his or her designee, and shall be conducted in accordance with the requirements of this Section:	
11-2D-9	<p>3. Each attendant of a valet parking operator shall, while on duty, wear conspicuously placed on his clothing an insignia which identifies the valet parking operator for whom the attendant is working.</p> <p>5. Every valet parking operator or attendant shall carry on his person a valid current driver's license at all times while in control of a customer's vehicle. In addition to the penalties otherwise provided for violation of this Section, any person violating this Subsection shall be subject to a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for each offense.</p>	
11-2D-12	Any violation of the provisions of this Chapter, by any person may be cause for the City Manager, or his or her designee, to revoke a valet parking permit in accordance with the provisions of Section 3-2-12 of this Code.	
11-3-3	1. Any street or public right-of-way under the control of the City may be closed or restricted, as the case may be, at the direction of the City Manager upon his determination: that excess damage will take place unless travel and load limits are restricted on said thoroughfares for temporary periods;	
11-4-2	2.The applicant shall thereupon affix his signature to the registration card. The registration card and the bicycle license shall have the same number.	
11-4-5	1. Report: Any person engaged in the business of selling, buying or trading new or used bicycles within the City is hereby required to make a written report to the Chief of Police at the end of each month, or more often if requested by him . Such report shall contain the following information:	
11-8B-5	1. The Fire Chief, or any other officer in command at any emergency incident, may prescribe limits in the vicinity of any emergency incident within which no persons, except firefighters, policemen , and those admitted by any officer of the Fire Department, shall be permitted to go, and the Department of Police shall, upon the request of the Fire Chief or other officer in command of the	

