

**VILLAGE OF MAPLE PARK**

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**ORDINANCE NO. 2016-16**

**AN ORDINANCE AMENDING TITLE 1 "ADMINISTRATION,"  
CHAPTER 5 "VILLAGE PRESIDENT AND BOARD OF  
TRUSTEES," SECTION 4, "MEETINGS," BY ADDING D.  
"REMOTE PARTICIPATION"**

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**ADOPTED BY  
THE BOARD OF TRUSTEES  
OF THE  
VILLAGE OF MAPLE PARK**

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Published in pamphlet form by authority of the Board of Trustees of the Village of Maple Park, Kane and  
DeKalb Counties, Illinois, this 5<sup>th</sup> day of October, 2016.

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## ORDINANCE 2016-16

### AN ORDINANCE AMENDING TITLE 1 "ADMINISTRATION," CHAPTER 5 "VILLAGE PRESIDENT AND BOARD OF TRUSTEES," SECTION 4, "MEETINGS," BY ADDING D. "REMOTE PARTICIPATION"

**WHEREAS**, the Village has in full force and effect a codified set of those ordinances of the Village which are of a general and permanent nature, which said codified set is known and designated as the Village Code of the Village of Maple Park, Illinois, Kane and DeKalb Counties, as amended; and,

**WHEREAS**, the Illinois Open Meetings permits attendance of members of the public body at public meetings by a means other than physical presence; and

**WHEREAS**, to permit attendance by a means other than physical presence, the Village must adopt rules that conform to the requirements and restrictions of the Open Meetings Act; and

**WHEREAS**, the Village President and Board of Trustees of the Village of Maple Park desire to permit attendance of the Village President and members of the Village Board by means other than physical presence in compliance with the Open Meetings Act; and

**THEREFORE BE IT ORDAINED** by the Village of Maple Park, Kane and DeKalb Counties, Illinois as follows:

**SECTION 1:** The Village Code of the Village of Maple Park, , Illinois, are hereby amended by inserting the following:

#### **"D. REMOTE PARTICIPATION"**

- (a) Policy Statement. It is the policy of Village of Maple Park, Illinois, that a member of the Village Board, which is subject to the provisions of the Open Meetings Act, 5 ILCS 120/1, et seq., may attend and participate in any open or closed meeting of the Village Board from a remote location via telephone, video or internet connection, provided that such attendance and participation is in compliance with this policy and any other applicable laws.
- (b) Prerequisites. Any member of the Village Board shall be provided the opportunity to attend an open or closed meeting via electronic means from a remote location if a quorum is physically present at the meeting site, the quorum votes to approve the attendance by electronic means, and the requesting member meets the following conditions:
  - 1. The member must notify the Village Clerk at least forty-eight (48) hours prior to the scheduled meeting, unless such notice is impractical, so that necessary communications equipment can be arranged.
  - 2. The member must assert one (1) of the three (3) following reasons why he or she is unable to physically attend the meeting:
    - (a) due to personal illness or disability;
    - (b) due to employment purposes or other Village business;
    - (c) due to a family emergency or other emergency.

- (c) **Quorum and Vote Required.** Providing the above prerequisites have been met and following roll call to establish that a quorum is physically present at the meeting site, a motion shall be made and considered as to whether to allow the member to remotely attend the meeting via electronic means. A vote may be taken to permit participation for a stated series of meetings if the same reason applies to each case and proper notice has been provided to the Village Clerk. Otherwise, a vote must be taken to allow each remote participation via electronic means. The motion must be approved by a vote of a majority of the Village Board.
- (d) **Adequate Equipment Required.** Any member participating electronically and other members of the Village Board must be able to communicate effectively, and members of the audience must be able to hear all communications at the meeting site. Before allowing remote attendance via electronic means at any meeting, the Village Board must be satisfied that adequate remote access is available to satisfy these requirements.
- (e) **Meeting Minutes.** Any member attending remotely via electronic means shall be counted as present for the meeting. The meeting minutes shall reflect and state specifically whether each member is physically present, absent, or present by electronic means and shall state the approved reason necessitating attendance via electronic means.
- (f) **Rights of Remote Member.** Any member permitted to participate remotely via electronic means shall be permitted to express his or her comments during the meeting and participate in the same capacity as those members physically present, subject to all general meeting guidelines and procedures previously adopted and adhered to. The remote member shall be heard, considered, and counted as to any vote taken. Accordingly, the name of any remote members shall be called during any vote taken and his or her vote counted and recorded by the Village Clerk and placed in the meeting minutes. A member participating remotely via electronic means may leave a meeting and return as in the case of any member, provided the member attending via electronic means shall announce his or her leaving and returning to the quorum present.

**SECTION 2:** All ordinances and parts of ordinances in conflict herewith are hereby repealed insofar as they do so conflict.

**SECTION 3: SEVERABILITY.** If any provision of this Ordinance or part thereof is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance are to remain in full force and effect, and are to be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

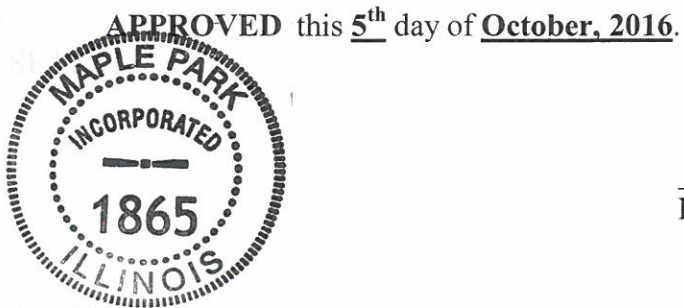
**SECTION 4: EFFECTIVE DATE.** The provisions of this Ordinance will be in full force and effect upon its passage, approval and publication, in accordance with law.

**PASSED** this **4<sup>th</sup>** day of **October, 2016**, pursuant to roll call vote as follows:

AYES: Higgins, Harris, Borg, Dries, Goucher, Dalton

NAYS: None

ABSENT: None



Kathleen Curtis  
Kathleen Curtis, Village President

ATTEST:

Elizabeth Peerboom  
Elizabeth Peerboom, Village Clerk