

ORDINANCE NO. 01-06A-03

AN ORDINANCE ADOPTING, REVISING AND ENACTING A CODE OF ORDINANCES OF THE VILLAGE OF ARTHUR, ILLINOIS; ESTABLISHING THE CODE; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN, EXCEPT AS HEREIN EXPRESSLY PROVIDED; PROVIDED FOR THE MANNER OF AMENDING SUCH CODE OF ORDINANCES; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; AND PROVIDING WHEN THE CODE SHALL BECOME EFFECTIVE.

BE IT ORDAINED BY TRUSTEES OF THE VILLAGE OF ARTHUR, DOUGLAS AND MOULTRIE COUNTIES, ILLINOIS, as follows:

Section 1. That certain code is hereby adopted and enacted as the "Code of Ordinances of Arthur, Illinois" or the "Arthur Code" or "Arthur Code of 2003" or "Arthur Code of Ordinances" (or designations of similar import) containing certain ordinances of a general and permanent nature as therein compiled, consolidated, revised and codified, which Code shall be treated and considered as a new and original comprehensive ordinance which shall supersede all other general and permanent ordinances passed and approved by the Trustees and Mayor on or before January 6, 2003; except such as by reference thereto are expressly saved from repeal or continued in force and effect for any purpose.

Section 2. That all ordinances of a general and permanent nature of the Village of Arthur, enacted on final passage on or before January 6, 2003, and not in such Code, or recognized and continued in force by reference therein, are hereby repealed from and after the effective date of such Code, except as hereinafter provided.

Section 3. That the repeal provided for in Section 2 hereof shall not affect any offense or act committed or done or any penalty or

forfeiture incurred or any contract or right established, vested or accruing before the effective date of such Code; nor shall such repeal affect any ordinance or resolution promising or guaranteeing the payment of money for the Village; or authorizing the issuance of any bonds of the Village or any evidence of the Village's indebtedness, or any contract or obligation assumed by the Village; nor shall such repeal affect the administrative ordinances or resolutions of the Mayor and Trustees not in conflict or inconsistent with the provisions of such Code; nor shall such repeal affect any right or franchise granted by any ordinances of the Village; nor shall such repeal affect any ordinance dedicating, naming, establishing, locating, relocating, opening, paving, widening, or vacating any street or public way in the Village, or establishing or changing any street grades or prescribing the datum plan for the Village; nor shall such repeal affect appropriation ordinances; nor shall such repeal affect any ordinance levying or imposing taxes or establishing a limitation on the levy of taxes for specified purposes; nor shall such repeal affect any ordinance concerning the sale of alcoholic liquors and beverages; nor shall such repeal affect the zoning ordinance, the subdivision ordinance, building codes, or any amendments thereto; nor shall such repeal affect any ordinance providing for local improvements or making assessments therefor; nor shall such repeal affect any ordinance dedicating or accepting any plat or subdivision in the Village; nor shall such repeal affect any ordinance extending or contracting the boundaries of the Village; nor shall such repeal affect any ordinance prescribing the number, classification or compensation of any Village officer or employee, not inconsistent herewith; nor shall such repeal affect any

ordinance establishing any license fees, permit fees or governmental impositions of a similar import; nor shall such repeal be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance which is repealed by this ordinance.

Section 4. That any and all additions or amendments to such Code, when passed in such form as to indicate the intention of the Mayor and Trustees to make the same a part thereof, shall be deemed to be incorporated in such Code, so that reference to the "Code of Ordinances of Arthur, Illinois" or the "Arthur Code" or "Arthur Code of 2003" or "Arthur Code of Ordinances" (or designations of similar import) shall be understood and intended to include such additions and amendments.

Section 5. That a copy of such Code shall be kept on file in the Office of the Clerk preserved in looseleaf form. It shall be the express duty of the Clerk, or someone authorized by the Clerk, to insert in their designated places all amendments or ordinances which indicate the intention of the Mayor and Trustees to make the same a part of such Code when the same have been printed or reprinted in page form, and to extract from such Code all provisions which may from time to time be repealed by the Mayor and Trustees. Such file copy of the Code shall be available for all persons desiring to examine the same.

Section 6. Whenever in such Code any act is prohibited or is made or declared to be unlawful or a misdemeanor or a violation of such Code, where no specific penalty is provided therefor, the violation of any such provision of this Code shall be punished by a fine of not more than five hundred dollars (\$500.00). Each day any violation of any provisions of this Code shall continue shall constitute a separate

offense.

Section 7. That in case of the amendment of any section of such Code for which a penalty is not provided, the general penalty as provided in Section 6 of this ordinance shall apply to the section as amended or in case such amendment contains provisions for which a penalty, other than the aforementioned general penalty is provided in another section in the same chapter, the penalty so provided in such other section shall be held to relate to the section so amended, unless such penalty is specifically repealed therein.

Section 8. That it shall be unlawful for any person, firm or corporation in the Village to change or amend by additions or deletions, any part or portion of such Code, or to insert or delete pages or portions thereof, or to alter or tamper with such Code in any manner whatsoever which will cause the law of the Village of Arthur to be misrepresented thereby. Any person, firm or corporation violating this section shall be punished as provided in Section 6 of this Ordinance of the Village of Arthur, Illinois.

Section 9. That to the extent that this ordinance and the adopting and enacting of the Code has caused the revision or amendment of any ordinance or prior code, such revision or amendment is hereby expressly adopted, enacted and approved.

Section 10. That all ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 11. That this ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Section 12. PASSED and PUBLISHED in Pamphlet form by the President and Village Board of the Village of Arthur, Illinois on the 6th day of January, 2003.

AYES: 6

NAYS: 0

ABSENT: 0

Diane E. Conner
Village Clerk of the Village
of Arthur, Illinois

APPROVED by the President of the Village of Arthur, Illinois this 6th day of January, 2003.

John D. M. Smith
President of the Village of
Arthur, Illinois *John D. M. Smith*

ATTESTED:

Diane E. Conner
Village Clerk of the Village
of Arthur, Illinois

CERTIFICATE

I, DIANE CONNER, Village Clerk of the Village of Arthur, Counties of Moultrie and Douglas, in the State of Illinois, DO HEREBY CERTIFY that the attached Ordinance No. 01-06A-03 is a true and correct copy of the original Ordinance passed by the President and Board of Trustees of the Village of Arthur, Illinois on January 6, 2003.

I further certify that the original Ordinance is a part of the official records of the said Village of Arthur, Illinois.

Given under my hand and seal this 6th day of January, 2003.

Diane E. Conner
Village Clerk of the Village of
Arthur, Counties of Moultrie
and Douglas, State of Illinois

(SEAL)