

---

---

**THE VILLAGE OF SAUK VILLAGE  
COOK AND WILL COUNTIES, ILLINOIS**

---

---

**ORDINANCE  
NUMBER 13-006**

---

---

**AN ORDINANCE AMENDING CHAPTER 96 OF THE MUNICIPAL CODE OF THE  
VILLAGE OF SAUK VILLAGE, ILLINOIS  
(FAIR HOUSING)**

---

---

**DAVID HANKS, Acting Mayor  
DEBRA L. WILLIAMS, Clerk**

**ENOCH BENSON IV  
DERRICK BURGESS  
EDWARD MYERS  
JOHN POSKIN  
ROSIE WILLIAMS  
Trustees**

---

---

**Published in pamphlet form by authority of the President and Board of Trustees of the Village of Sauk Village on 2-12-13  
ODELSON & STERK, LTD. - Village Attorneys - 3318 West 95th Street - Evergreen Park, Illinois 60805**

**AN ORDINANCE AMENDING CHAPTER 96 OF THE MUNICIPAL CODE OF THE  
VILLAGE OF SAUK VILLAGE, ILLINOIS  
(FAIR HOUSING)**

---

**WHEREAS**, the Village of Sauk Village, Cook and Will Counties, Illinois (the “Village”) is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended.

**WHEREAS**, the President and Board of Trustees of the Village of Sauk Village (the “Corporate Authorities”) may from time to time amend the text of the Municipal Code of the Village when it is determined to be in the best interests of the Village; and

**WHEREAS**, the Corporate Authorities find that it is in the best interests of the health, safety and welfare of its citizenry to amend the fair housing regulations of the Village.

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF SAUK VILLAGE, COOK AND WILL COUNTIES, AS FOLLOWS:**

**SECTION ONE:** That the above recitals are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in its entirety.

**SECTION TWO:** Chapter 96 of the Municipal Code of the Village of Sauk Village is hereby amended by deleting the stricken language and adding the underlined language to read, as follows.

**CHAPTER 96. - FAIR HOUSING**

**Sec. 96.01. - Title.**

This chapter shall be known as the Fair Housing Chapter.

**Sec. 96.02. - Policy of nondiscrimination.**

It is declared to be the public policy of the village to promote fair housing, assure freedom from discrimination and the effects of discrimination on account of race, color, religion, creed, ancestry, national origin, age, sex, marital status or physical or mental handicap, and to secure its citizens the economic, social and professional benefits of living in a diverse, integrated society.

**Sec. 96.03. - Findings.**

**(A)** The mayor and board of trustees hereby find the economic stability of the village and the welfare of its citizens are directly dependent upon long-term population diversity and integration.

**(B)** The village further finds that long-term population diversity and integration are threatened by discriminatory acts and unlawful housing practices.

**(C)** It further finds that discriminatory acts and unfair housing practices violate the rights of individuals to choose where to live and raise their families.

(D) It further finds that discriminatory acts and unfair housing practices contribute to the formation and preservation of segregated neighborhood, thereby affecting the quality of daily life of the citizens of the village.

(E) It further finds that discriminatory acts and unfair housing practices interfere with the achievement of long-term population diversity and integration, thereby depriving the citizens of the benefits of interracial, interreligious and intercultural association.

(F) It further finds that when real estate solicitations are conducted at the homes of residents who do not desire to sell, list or rent their dwellings, such solicitations invade the privacy of these residents, and apply unwarranted pressure on these residents to move, threatening the village's long-term population, and integration.

(G) It further finds that to promote a truly open community with long-term population diversity and integration and to stimulate the improvement of human relations among all persons, so as to provide all citizens with an equal opportunity to grow participate in and share to the best of their ability the economic, educational, political and social benefits of the community is a goal of the Village.

#### **Sec. 96.04. - Severability.**

If any court of competent jurisdiction shall adjudge any provision of this chapter to be invalid, such judgment shall not affect any other provision of this chapter not specifically included in the judgment. If any court of competent jurisdiction shall adjudge invalid the application of any provision of this chapter to any person or circumstance, such judgment shall not affect the application of the provision to any other person or circumstance not specifically included in the judgment.

#### **Sec. 96.05. - Definitions.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

*Administrator.* The person designated by the corporate authorities of the village to administer the provisions of the chapter.

~~*Board.* The fair housing review board.~~

~~*Commission.* The human relations housing commission.~~

*Discriminate.* To act or fail to act based solely or in part on consideration related to race, color, religion, creed, ancestry, national origin, age, sex, marital status, physical and mental handicap, and, with respect to rentals, the presence in a family of children under the age of 14 (such considerations may hereinafter also be referred to as "a discriminatory reason" or "discriminatory reasons").

*Dwelling.* Any building, structure, or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure, or portion thereof.

*Lease.* Includes any sublease, assignment or rental and any contract to enter into any of the foregoing.

*Owner.* Any person who holds legal or equitable title to, or owns any, beneficial interest in, a dwelling, or who holds legal or equitable title to, shares of, or any beneficial interest in, an entity which owns a dwelling.

*Person.* Includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint stock companies, trusts, unincorporated organizations, trusts, trustees, trustees in bankruptcy, receivers, or fiduciaries.

*Real estate agent.* Any person who for consideration negotiates or attempts to negotiate the purchase, sale, rental or listing of a dwelling or interest therein, including but not limited to those licensed or required to

be licensed under the Illinois Real Estate License Act, 225 ILCS 454/1-1 et seq.

*Real estate transaction.* The purchase or sale of fee or equitable title to, or a beneficial interest in, or rental or lease of, any dwelling, or an option to do any of the foregoing, or any negotiation, or listing agreement in connection therewith.

*Solicit or solicitation.* Any communication by or on behalf of a real estate agent with the owner or occupant of a dwelling:

- (1) Which is intended to induce the sale, rental or listing for sale or rental of such dwelling;
- (2) Which is intended to offer or promote services in connection with sales rental or listing of such dwelling; and
- (3) Which is carried out by means of:
  - (a) In-person contacts at the dwelling;
  - (b) Written material mailed or delivered directly to the dwelling, such as direct mail, leaflets or pamphlets; or
  - (c) Telephonic contacts with owners or occupants of the dwelling.

*Solicit or solicitation.* Shall not refer to communication carried out by means of print or electronic media of general circulation, such as a newspaper, radio, television or the yellow pages.

**Sec. 96.06. - Prohibited acts; exceptions.**

(A) It shall be unlawful:

- (1) To refuse to sell or rent, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person for discriminatory reasons.
- (2) To discriminate in connection with the terms, conditions, or privileges of sale or rental of a dwelling, or in the provisions of services or facilities in connection therewith.
- (3) To make, print, or publish, or cause to be made, printed or published any notice, statement or advertisement with respect to the sale or rental of the dwelling that indicates that the sale or rental of the dwelling will involve any discrimination, or preference or limitation based on discriminatory reasons, or an intention to make any such preference, limitation or discrimination.
- (4) To represent to any person for discriminatory reasons that any dwelling is not available for inspection, sale or rental when such dwelling is in fact so available.
- (5) For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood or the community of a person or persons of a particular race, color, religion, sex, age, marital status, physical or mental handicap, or national origin.
- (6) For any bank, savings and loan association, insurance company, or other organization or, person whose business consists in whole or in part of lending money, guaranteeing loans, accepting mortgages or otherwise providing financial assistance for real estate transactions or the construction, improvement, repair or maintenance of a dwelling, to discriminate by denying or delaying the processing of an application for such financial assistance, or to discriminate in the fixing of the amount, interest rate, duration, or other terms and conditions of such financial assistance.
- (7) To discriminate in appraising the value of real estate or in the sale of insurance in, connection with a real estate transaction.
- (8) To enter into any agreement which requires or contemplates discrimination prohibited by this chapter.
- (9) For any real estate agent to influence or attempt to influence any person by any words or acts, in

connection with the viewing, buying or leasing of a dwelling, so as to promote, or tend to promote, the continuance or maintenance of segregated housing, or so as to retard, obstruct or discourage integrated housing on or in any street, block or neighborhood of the municipality.

(10) To perform any act of discrimination with the intention or effect of restricting or limiting the housing choice of any person.

(11) To aid, or abet, acts performed in violation of this chapter.

(12) To coerce, intimidate, threaten or interfere with any person in the exercise of enjoyment of, or on account of his having exercised or enjoyed, or on account of his having aided or encouraged any other person, in the exercise or enjoyment of, any right granted or protected by this chapter or by any state or federal law concerning fair housing. Provided that nothing in this chapter shall be construed to prohibit special outreach efforts to ensure that persons of minority groups are fully informed of available dwelling opportunities in areas of present or, prospective majority group concentration, or to ensure, that persons of the majority group are fully informed of available dwelling opportunities in areas of present or prospective minority group concentration.

**(B) Exceptions.**

(1) Nothing in this chapter shall prohibit a religious organization, association or society, or any nonprofit institution or organization operated, supervised, or controlled by or in conjunction with a religious organization, association or society, from limiting the sale, rental or occupancy of a dwelling which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such person, unless membership in such religion is restricted on account of race, color, national origin, age, sex, marital status or physical or mental handicap.

(2) Nothing in this chapter shall prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes provides lodgings which it owns or operates for other than a commercial purpose, from limiting the occupancy of such lodgings to its members or from giving preference to members and their guests.

(3) Nothing in this chapter shall prohibit restricting the sale or rental of dwelling units to senior citizens.

(4) Nothing in this chapter shall require a homeowner to offer real estate for sale or lease to the public at large.

(5) Nothing in this chapter shall prohibit any person from maintaining records in furtherance of the purposes of this chapter.

**Sec. 96.07. - Human relations commission.**

~~(A) Creation. There is hereby created a human relations commission (hereinafter "commission") consisting of seven members appointed by the mayor with the advice and consent of the board of trustees. All members shall be residents of the village. From among the members of the commission, the chairman of the commission shall be appointed annually by the mayor with the advice and consent of the board of trustees. Any other officers which the commission may establish shall be elected annually by a vote of a majority of the commission. At the first regular meeting of the commission, lots will be drawn whereby it will be determined that in the first term of appointment, two members will serve three years, three members will serve two years and two members will serve one year. Subsequent terms of appointment shall be for three years. No member shall serve more than two consecutive full three year terms.~~

~~(B) Purpose. The purpose of the commission shall be to promote a truly open community with long term population diversity and integration and to stimulate the improvement of human relations among all persons, so as to provide all citizens with an equal opportunity to grow participate in and share to the best of~~

their ability the economic, educational, political and social benefits of the community.

~~(C) Duties. The duties of the commission shall include but shall not be, limited to the following:-~~

- ~~———— (1) Advising elected officials and staff on human relations matters;~~
- ~~———— (2) Serving as an educational arm of the municipality in the field of human relations to all persons, groups, and institutions in the community;~~
- ~~———— (3) Acting as a bridge between municipal governments, citizens, and citizens' groups;~~
- ~~———— (4) Performing as a catalyst in improving human relations and equitable living conditions;~~
- ~~———— (5) Holding hearings and carrying on research and studies in the field of human relations in an effort to equalize opportunities and, lessen prejudice and discrimination;~~
- ~~———— (6) Performing an advocacy role by initiating complaints of discrimination and by assisting and encouraging persons in the pursuit of their rights under this chapter;~~
- ~~———— (7) Gathering and providing for the exchange of information relative to the provisions of this chapter among real estate brokers and salesmen, lenders, developers, employers, village officials and community groups within and without the village;~~
- ~~———— (8) Counseling of prospective residents in accordance with the policy and provisions of this chapter and maintaining a list of counseling services.~~

~~(D) The commission shall meet monthly and adopt its own rules of procedure, which shall become effective only upon approval by the board of trustees. All meetings shall be held in accordance with such rules. The commission shall submit to the village an annual report and such special reports as it may from time to time deem advisable. The commission shall perform such further duties as may be assigned by the mayor and board of trustees of the village;~~

~~(E) When authorized by the mayor and board of trustees, the commission may require by subpoena the attendance and testimony of witnesses and the production of documents, and its subpoena power may be enforced by proper petition to a court of competent jurisdiction. The chairman of the commission is authorized to sign such subpoenas and to administer oaths and is required to provide for the preservation of all testimony taken.~~

**Sec. 96.087. - Fair housing review board Housing Commission.**

~~(A) Creation. There is hereby created a fair housing review board housing commission (hereinafter board "commission") consisting of five members appointed by the mayor of the village with the advice and consent of the board of trustees. All members shall be residents of the village. From among the members of the board commission, the chairman of the board commission shall be appointed annually by the mayor with the advice and consent of the board of trustees. Any other officers which the board commission may establish shall be elected, annually by a vote of a majority of the board commission. At the first regular meeting of the board commission, lots will be drawn whereby it will be determined that in the first term of appointment two members will serve three years, two members will serve two years and one member will serve one year. Subsequent terms of appointment shall be for three years. ~~No person shall simultaneously serve as a member of the board and of the human relations commission of the village.~~~~

~~(B) Duties. The board commission's duties shall include, but not be limited to the following:~~

- ~~(1) With the approval of the board of trustees, adopting, promulgating, amending and rescinding rules and regulations or procedures for handling complaints of discrimination in housing;~~
- ~~(2) Receiving and reviewing complaints charging discrimination in housing, seeking conciliation of such complaints in compliance with this chapter;~~
- ~~(3) Holding hearings and making findings of fact and making recommendations in accordance with the provisions of this chapter;~~

- (4) Advising elected officials and staff on human relations matters;
- (5) Serving as an educational arm of the municipality in the field of human relations to all persons, groups, and institutions in the community;
- (6) Acting as a bridge between municipal governments, citizens, and citizens' groups;
- (7) Performing as a catalyst in improving human relations and equitable living conditions;
- (8) Holding hearings and carrying on research and studies in the field of human relations in an effort to equalize opportunities and, lessen prejudice and discrimination;
- (9) Assisting and encouraging persons in the pursuit of their rights under this chapter;
- (10) Gathering and providing for the exchange of information relative to the provisions of this chapter among real estate brokers and salesmen, lenders, developers, employers, village officials and community groups within and without the village;
- (11) Counseling of prospective residents in accordance with the policy and provisions of this chapter and maintaining a list of counseling services.

(C) *Powers.* The ~~board~~ commission shall have power to:

- (1) Administer oaths and take sworn testimony at hearing;
- (2) Subpoena witnesses and pertinent documents and its subpoena power may be enforced by proper petition to any court competent jurisdiction;
- (3) Issue orders and impose fines and penalties;
- (4) Require all persons subject to the application of this chapter to maintain such records as may be necessary to demonstrate compliance with the provisions of this chapter;
- (5) Submit to the village an annual report and such special reports as it may from time to time deem advisable.

(D) *Open meetings.* All ~~board~~ commission meetings shall be open to the public except those for the purpose of conciliating complaints of discrimination.

**Sec. 96.098. - Administrator.**

An administrator of this chapter shall be appointed by the mayor of the village with the advice and consent of the board of trustees. The administrator, who may hold another position in the village, shall have such duties and responsibilities as are provided in this chapter and additionally as may be provided by the village.

**Sec. 96.109. - Complaints and enforcement.**

(A) Any person aggrieved in any manner by a violation of this chapter may file a verified complaint with the administrator within 180 days of the alleged violation. The complaint shall be submitted, on the form set forth below, to be provided by the clerk of the village and shall contain a short and plain statement of the alleged violation, the name and address (if known) of the person charged (respondent) and shall be signed by the aggrieved party (complainant) ~~or by the human relations commission by its chairman~~. The aggrieved party may be assisted in the filing of a complaint by a member or members of the ~~human relations commission~~. A complaint may be amended at any time.

(B) Within 30 days after the complaint is filed, the administrator shall serve a copy of the complaint personally or by certified mail, return receipt requested, on the person charged and shall furnish copies thereof to the ~~fair housing review board~~ commission.

(C) Within 30 days after the complaint is filed, the administrator shall review, the complaint to determine whether the allegations contained herein, if true, would constitute a violation of this chapter. If the administrator determines that they would, he shall order a hearing to be held on the complaint.

(D) If the administrator determines that the allegations of a complaint, if true, would not constitute a violation of this chapter, the ~~board~~ commission shall review that determination within 30 days after it is made. If the ~~board~~ commission decides that the allegations do not constitute a violation, it shall order that the complaint be dismissed. If the ~~board~~ commission decides that the allegations do constitute a violation, it shall order that a hearing be held on the merits of the complaint. The ~~board~~ commission shall render its decision in writing, setting forth its reasons therefor, and shall immediately serve a copy of its decision on the complainant and respondent, either personally or by certified mail, return receipt requested.

(E) If the administrator or the ~~board~~ commission orders that a hearing should be held on the merits of the complaint, the complainant and respondent shall also be served, either personally or by certified mail, return receipt requested, with a notice of hearing, setting forth the date, time and place of such hearing. This hearing shall be held within 60 days after the administrator or the ~~board~~ commission orders the hearing.

(F) Prior to the hearing, the ~~board~~ commission shall set a time and place for a conciliation conference and shall notify complainant and respondent of same. At the conciliation conference, the administrator shall attempt to resolve the dispute between the parties.

(G) If it is not possible to conciliate the complaint before the date set for the hearing, or if the respondent fails to appear at the conciliation conference, the ~~board~~ commission shall proceed to hold its hearing at the date and time designated. This hearing shall be open to the public, and the parties may be represented by counsel. The ~~board~~ commission shall receive oral and written evidence presented by the parties. All proceedings shall be recorded to maintain an official record; a transcript may be made at the expense of the party requesting such transcript.

(H) Time limitations in this section may be extended by consent of all parties or by order of the ~~board~~ commission, based on good cause. Nothing in this section shall preclude a complainant from withdrawing a complaint, or shall preclude the parties from entering into conciliation proceedings at any time.

(I) If, in the discretion of the ~~board~~ commission, immediate court action is advisable, the ~~board~~ commission may at any time direct the village attorney to file a complaint in a court of competent jurisdiction requesting injunctive or other appropriate relief. Such action may be taken although administrative action is pending before the ~~board~~ commission.

(J) At hearings conducted by the ~~board~~ commission, all parties shall be given due notice to appear. A panel of not less than three of the same members of the ~~board~~ commission must be present at all times. Only those members who have attended all hearings on a matter shall participate in the determination of the complaint.

(K) Within 30 days of the conclusion of the hearing, the ~~board~~ commission shall render, its decision, in writing with findings of fact and shall issue appropriate orders, which shall be served upon the complainant and the respondent by certified mail, return receipt requested. Such decision of the ~~board~~ commission must receive the affirmative consent of a majority of those members of the ~~board~~ commission who have been present at all the hearings above referred to.

(L) If the ~~board~~ commission determines that the respondent has not violated section 96.1506 of this chapter the complaint shall be dismissed.

(M) If the ~~board~~ commission determines that the respondent has violated section 96.1506 of this chapter, it may order whatever relief it deems appropriate, including such fines and penalties, as provided for in this chapter, injunctive relief, compensatory and/or punitive damages, and an award of attorneys' fees on the complainant.

(N) In the event of noncompliance with orders of the ~~board~~ commission, the ~~board~~ commission shall direct the village attorney to apply to a court of competent jurisdiction for appropriate relief.

(O) In addition to the penalties provided in section 96.99, the ~~board~~ commission may direct the village



attorney to file with the appropriate state agency a complainant against any person found to have violated any provision of this chapter, seeking suspension or revocation of the license issued to such person or other appropriate sanctions.

(P) In addition to the remedies provided in this chapter, any person injured by a violation of this chapter shall have the right to immediately seek redress in the courts. A court may order whatever relief is appropriate, including injunctive relief, compensatory and/or punitive damages, and reasonable attorneys' fees and costs.

(Q) Any party to a hearing may apply for judicial review of a ~~board~~ commission decision before a court of competent jurisdiction. A ~~board~~commission decision may be overturned only if it is arbitrary and capricious, or otherwise not in accordance with law.

**Sec. 96.140. - Counseling.**

(A) Nothing in this chapter shall be construed to prohibit any person from referring a prospective tenant or purchaser to the ~~human relations~~ commission for counseling.

(B) The counseling may consist of furnishing:

- (1) Information regarding the policy of the village to promote, long-term, population diversity and integration.
- (2) Statistical data regarding the racial composition of blocks, neighborhoods and school districts.
- (3) Information on local, state and federal equal opportunity programs and regulations, and on the availability of housing options, in the village.

**Sec. 96.121. - Solicitation.**

(A) All restrictions regarding solicitation reflected in the 65 ILCS 5/1-1-1 et seq. will be applicable.

(B) No real estate agent shall solicit any owner, or occupant of a dwelling to sell or rent, or list for sale or rental, such dwelling at any time after such owner or occupant has notified the village clerk that he does not desire to be so solicited. The clerk shall publish and make available without charge, appropriate forms which may be executed by any owner or occupant of a dwelling to provide such notice. The clerk shall prepare a list of the names and addresses of such owners and occupants and shall publish the same as follows:

- (1) By maintaining a copy of the list in the office of the village clerk and making it available for inspection;
- (2) By mailing or otherwise delivering a copy of the list annually, plus a quarterly list of additions and deletions, to every real estate firm belonging to the local board of Realtors; and
- (3) By furnishing a copy of the list upon request and payment of reproduction costs to any person having an interest in the sale or rental of any dwelling in the village. In addition, any owner or occupant of a dwelling may notify, in writing, any real estate agent that such owner or occupant does not desire to be solicited. Upon such notice, a real estate agent shall not solicit such owner or occupant to sell or rent, or list for sale or rental, such dwelling.

(C) No person shall engage in solicitation within the village unless such person has filed a notice of intent to solicit in accordance with the procedures in subsection (D) of this section.

(D) Not less than seven or more than 30 days prior to the date on which a person proposes to engage in solicitation within the village, such person shall file with the village clerk a "notice of intent to solicit." The notice shall be submitted on the form set forth below and shall contain the following information:

- (1) Name, business address and telephone number of the person filing the notice of intent to solicit.
- (2) Addresses of parcels of residential real estate whose owners or tenants the person proposes to

solicit. If the solicitation will encompass a definable geographic area, such areas may be described as a whole and individual addresses need not be listed.

(3) Dates of proposed solicitation (not to exceed a two-week period).

(4) Names of communities in which the person has engaged in solicitation within the preceding six months.

(5) A sample of the material proposed to be distributed.

**Sec. 96.132. - Notice of intent to sell or rent.**

(A) Any owner of a dwelling which is offered for sale or rental within the village, or any agent hired by any owner for the purpose of offering such residential property for sale or rental, shall notify the village within five days after the dwelling is listed or advertised for sale or rental, or the owner has hired the agent, whichever shall first occur, by filing a notice of intent to sell or rent with the village clerk.

(B) The notice filed with the village clerk shall state:

(1) The name, address, and telephone number of the person offering the dwelling for sale or rental.

(2) The name, address and telephone number of any agent, broker or who is handling the sale or rental.

(3) The address of the property and whether it is offered for sale or rent.

(C) Such notification shall be in the form set in Appendix C of this chapter.

(D) The notice of intent to sell or rent is a privilege document and is not available to the public for reproduction or inspection.

**Sec. 96.99. - Penalty.**

(A) Any person found to have violated any provision of section 96.1506 of this chapter shall be subject to a fine of not less than \$250.00 nor more than \$500.00 for each violation in addition to other penalties or relief which may be provided for herein. A violation of any provision of section 96.1506 shall constitute a separate offense for each day such violation continues.

(B) Solicitation violations.

(1) Any person who solicits or attempts to solicit, any owner or occupant of a dwelling to sell or rent such dwelling, or list such dwelling for sale or rental, when the owner or occupant appears on the list of persons not desiring solicitation or has been notified in writing that the owner or occupant does not desire to be solicited, shall be in violation of section 96.121(B) and shall be subject to a fine of not less than \$25.00 nor more \$500.00 for each violation. Each solicitation of an owner or tenant which violates this section shall be deemed a separate violation.

(2) Any person who fails to file a notice to intent to solicit or who engages or attempts to engage in solicitation at a time or in a place or manner different from that set forth in the notice of intent to solicit shall be in violation of section 96.121 and shall be subject to a fine of not less than \$25.00 nor more than \$500.00 for each violation. Each solicitation of an owner or tenant which violates the provisions of this section shall be deemed a separate violation.

(C) Any owner, or agent hired by an owner, violating any provision of section 96.132 may be fined not less than \$25.00 or more than \$500.00 for each offense. A violation of any provision of this section shall constitute a separate offense for each day such violation continues.

**SECTION THREE.** If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

**SECTION FOUR.** Any ordinance or portion of any ordinance in conflict with any provisions of this Ordinance is hereby repealed solely to the extent of such conflict.


**SECTION FIVE.** This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form as provided by law.

*(Intentionally Left Blank)*

ADOPTED this 12th day of February 2013, pursuant to a roll call as follows:

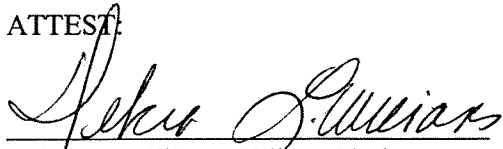
	YES	NO	ABSENT	PRESENT
Benson	x			
Burgess		x		
Hanks	x			
Myers			x	
Poskin	x			
Williams	x			
TOTAL	4	1	1	

APPROVED by the Acting Mayor on February 12, 2013.



David Hanks, Acting Mayor

ATTEST:

  
Debra L. Williams, Village Clerk