

VILLAGE OF CHATHAM
SANGAMON COUNTY, ILLINOIS

ORDINANCE
NUMBER 15- 38

**AN ORDINANCE AUTHORIZING REMOTE ATTENDANCE AT VILLAGE
MEETINGS**

THOMAS S. GRAY, Village President
PAT SCHAD, Village Clerk

KEN BOYLE, JR.
MARK CLAYTON
DAVID KIMSEY
NINA LINDHORST
MATT MAU
JOE SCHATTEMAN
Village Trustees

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Sorling Northrup – 1 N. Old State Capitol Plaza, Suite 200, Springfield, IL 62705

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AN ORDINANCE AUTHORIZING REMOTE ATTENDANCE AT VILLAGE MEETINGS

WHEREAS, the Village of Chatham (“Village”) is an Illinois Municipal Corporation existing and operating under the Illinois Municipal Code and the laws of the State of Illinois; and

WHEREAS, the Illinois Open Meetings Act, 5 ILCS 120/7, allows public bodies to establish rules and procedures for members to participate in meetings remotely if certain conditions are met; and

WHEREAS, the President and Board of Trustees of the Village have determined it to be in the best interest of the Village to enact an ordinance allowing for remote participation at meetings in accordance with the requirements of the Open Meetings Act.

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

Section 1. Recitals. The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

Section 2. Adoption of Remote Attendance Policy. The Village Code shall be amended by adding a new Section §30.07, as follows:

§30.07 Remote Attendance at Meetings

A. Rules Statement. Any member of the Village Board may attend any open or closed meeting of the Village Board via electronic means (such as by telephone, video or internet connection) provided that such attendance is not otherwise prohibited and is in compliance with these rules and any applicable laws.

B. Prerequisites. A member of the Village may attend a meeting electronically if the member meets the following conditions:

- (a) The member must notify the Clerk at least 24 hours before the meeting, unless impractical, so that necessary communications equipment can be arranged. Inability to make the necessary technical arrangements will result in denial of a request for remote attendance.

- (b) The member must assert one of the following three reasons why he or she is unable to physically attend the meeting:
 - (1) The member cannot attend because of personal illness or disability; or
 - (2) The member cannot attend because of employment purposes or the business of the Village; or
 - (3) The member cannot attend because of a family or other emergency.

C. Authorization to Participate. The Clerk, after receiving the electronic attendance request, shall inform the Village of the request for electronic attendance. After establishing that there is a quorum physically present at a meeting where a member of the Village desires to attend electronically, the presiding officer shall state that (i) a notice was received by a member of the Village in accordance with these Rules, and (ii) the member will be deemed authorized to attend the meeting electronically unless a motion objecting to the member's electronic attendance is made, seconded, and approved by two-thirds of the members of the Village physically present at the meeting. If no such motion is made and seconded or if any such motion fails to achieve the required vote by the members of the Village physically present at the meeting, then the request by the member to attend the meeting electronically shall be deemed approved by the Village and the presiding officer shall declare the requesting member present. After such declaration by the presiding officer, the question of a member's electronic attendance may not be reconsidered.

D Adequate Equipment Required. The member participating electronically and other members of the Village must be able to communicate effectively, and members of the audience must be able to hear all communications at the meeting site. Before allowing electronic attendance at any meeting, the Village shall provide equipment adequate to accomplish this objective at the meeting site.

E. Minutes. Any member attending electronically shall be considered an off-site attendee and counted as present electronically for that meeting if the member is allowed to attend. The meeting minutes shall also reflect and state specifically whether each member is physically present or present by electronic means.

F. Rights of Remote Member. A member permitted to attend electronically will be able 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 member attending electronically shall be heard, considered, and counted as to any vote taken. Accordingly, the name of any member attending electronically shall be called during any vote taken, and his or her vote counted and recorded by the Clerk and placed in the minutes for the

corresponding meeting. A member attending electronically may leave a meeting and return as in the case of any member, provided the member attending electronically shall announce his or her leaving and returning.

G. Committees, Boards and Commissions. These rules shall apply to all committees, boards and commissions established by authority of the Village.

H. Participation While Driving Prohibited. Members permitted to attend a meeting electronically may not participate while driving unless said Members are in compliance with all State driving laws regarding cell phone use.

I. Limited Participation Rights. Nothing herein shall prohibit an official who does not meet the prerequisites of Subsection B from participating in the meeting remotely, without voting rights, if the audio or video equipment is available and a majority of those present do not vote against the participation. Costs in such circumstances shall not be reimbursable.

Section 3. Repeal and Savings Clause. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, action, or causes of action which shall have accrued to the Village of Chatham prior to the effective date of this Ordinance.

Section 4. Severability. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

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

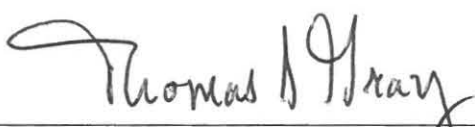
SO ORDAINED this 8 day of SEPT, 2015, at Chatham, Sangamon County, Illinois.


	YES	NO	ABSENT	PRESENT
KEN BOYLE, JR.	✓			
MARK CLAYTON	✓			
DAVID KIMSEY	✓			
NINA LINDHORST	✓			
MATT MAU	✓			

JOE SCHATTEMAN	✓			
THOMAS S. GRAY	NA			
TOTAL	6	0	0	0


 Pat Schad, Village Clerk

APPROVED by the President of the Village of Chatham, Illinois this 8 day of SEPT, 2015.


 Thomas S. Gray, Village President

Attest:

 Pat Schad, Village Clerk