

ORDINANCE NUMBER 2

AN ORDINANCE AMENDING ZONING ORDINANCE OF THE  
VILLAGE OF MT. AUBURN

BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF MT. AUBURN,  
ILLINOIS, THAT

The Zoning Ordinance of the Village of Mt. Auburn is hereby  
amended by adding thereto the following:

ARTICLE XXII

TRAILERS AND MOBILE HOMES

That it shall be unlawful for any person to maintain any  
trailer coach or mobile home, used for human habitation, upon  
any plot of ground or lot in the Village unless it shall be  
permitted as a special use when authorized by the Mayor and  
Village Council after a public hearing, and recommendation of  
Board of Appeals. Such special use shall be subject to all  
requirements of Uses as provided in Article III entitled R-1  
Residential District. That any person, firm or corporation  
who violates, disobeys, omits, neglects, or refuses to comply  
with or resists the enforcement of any of the provisions of  
this Ordinance shall be fined not less than twenty five dollars  
nor more than two hundred dollars for each offense. Each day  
that a violation is permitted to exist shall constitute a  
separate offense.

PASSED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF MT. AUBURN,  
ILLINOIS, This 7th day of May, 1973.

Approved: H. Lee Roy McQuinn

Attest: Shirley J. Patten  
Village Clerk

ORDINANCE NUMBER III A

AN ORDINANCE AMENDING ZONING ORDINANCE OF THE  
VILLAGE OF MT. AUBURN

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nor more than two hundred dollars for each offense. Each day  
that a violation is permitted to exist shall constitute a  
separate offense.

PASSED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF MT. AUBURN,  
ILLINOIS, This 7th day of May, 1973.

Approved: W. L. Ray 3/10/73

Attest: Harold F. Patton  
Village Clerk

# VILLAGE OF MT. AUBURN

MT. AUBURN, ILLINOIS

RESOLUTION PASSED BY THE PRESIDENT AND BOARD OF TRUSTEES AT THE REGULAR MEETING HELD ON THE 3RD. OF NOVEMBER 1975.

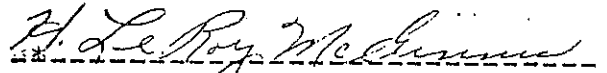
Trailers must be available to the Zoning Board for inspection from the time of the zoning hearing request until zoning hearing is held.

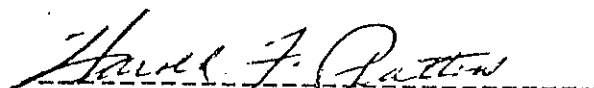
Zoning board members who inspect trailer will be re-imbursed for transportation at the rate of fifteen cents (15¢) per mile, to be paid by requestee.

The results of all hearings must have approval of the Village Board at the next regularly scheduled meeting before trailer is moved in.

Trailers must have a market value of four thousand dollars (\$4000.00).

Water hook-up fee is \$150.00, and must be paid in advance before ter Superintendent will proceed with connection to village water supply.

  
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H. LeRoy Mc Ginnis  
President Board of Trustees

  
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Harold F. Patton  
Village Clerk

# VILLAGE OF MT. AUBURN

MT. AUBURN, ILLINOIS

Excerpt from Village meeting held on July 6th, 1976.

"Upon recommendation by the Zoning Board, the Village Board, on a motion by Gillock and a second by Williams, hereby amends the Zoning Ordinance as follows:

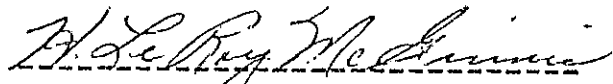
That a portable building having an area of over 100 square feet will hereafter be required to obtain a building permit."

Vote:


Smith	Yes
Williams	Yes
Peak	Yes

Hohenstein	Yes
Vincent	Yes
Gillock	Yes

Motion carried.



H. LeRoy McGinnis  
President Board of Trustees



Harold F. Patton  
Village Clerk

# VILLAGE OF MT. AUBURN

MT. AUBURN, ILLINOIS

2 September 1980

## CHANGES TO THE VILLAGE ZONING ORDINANCES

1. Raise value of mobile home to \$5000.00.
2. Raise minimum square footage to 750 square feet.
3. All mobile homes must be inspected before hearing date by at least two members of Appeals Board. Travel expense of 30¢ per mile to be paid by hearing applicant.
4. Notify that approval of variance comes from the Village Board at date of regular meeting.
5. It is illegal to rent mobile homes. Mobile homes and lots must be owned by person or persons living in mobile homes.
6. Mobile homes must be connected to the Village water supply and be provided with a septic tank.

*Harold F. Patton*

Harold F. Patton  
Village Clerk

*H. LeRoy McGinnis*

H. LeRoy McGinnis  
President Board of Trustees

interest on the bonds herein authorized to be issued, as the same shall mature and accrue. Said Village further covenants with the holders of said bonds as follows, as long as any of the bonds authorized by this ordinance or the interest coupons pertaining thereto remain outstanding and unpaid:

(a) That the Village will operate and maintain the waterworks system in an efficient manner and at reasonable cost and will preserve said system in good repair and condition, and that, for that purpose, it will maintain its corporate existence.

(b) That the Village shall fix and maintain rates and make and collect charges for the use and services of the waterworks system, sufficient to pay the cost of maintenance and operation thereof and to provide sums sufficient to meet the annual principal and interest requirements on all revenue bonds or other obligations payable from the revenues of said system, to provide the sums required to maintain the Depreciation Account created by Section 7 hereof, and to provide ample funds to meet all requirements of this ordinance. Such rates shall be revised from time to time so as to meet fully the requirements of this ordinance. No free use of the system shall be permitted, nor shall any discounts be allowed from the schedule of rates currently in effect.

(c) That the Village shall carry and maintain all-risk insurance, including public liability insurance, upon all of the properties forming a part of said waterworks system which may be of an insurable nature; such insurance to be of the type and kind and for such amounts as carried and maintained by other municipalities or private companies rendering services of a similar character in similar communities. The proceeds of all such insurance, except public liability insurance, shall be used only for the maintenance and restoration of said system or for the payment of the principal of and interest on the bonds authorized by this ordinance. Premiums for such insurance shall be deemed a cost of operation and maintenance.

(d) That the Village shall set up and maintain a proper system of accounts and records separate from all other accounts and records, showing the amount of revenue received from its waterworks system, the application of such revenues, and all financial transactions in connection therewith. Such accounts, at least once a year, shall be audited properly by an independent certified public accountant employed for the purpose. A report of such audit shall be furnished each year, without further request, to the original purchasers of the bonds authorized hereby, within sixty (60) days after the close of the fiscal year, and, upon request, to any bondholder. The annual audit of the system shall include:

- (1) A statement of the gross revenues received, of the operating expenditures, of the net operating revenues, and of the amount of any capital expenditures made in connection with the system for the fiscal year;
  - (2) A statement of the amount on hand at the end of a fiscal year in each of the Accounts created by Section 7 of this ordinance;
  - (3) A statement of the number of customers served by the system at the beginning and the ending of the fiscal year;
  - (4) A statement of the amount and character of insurance carried by the Village on the property of the system, of the names of the insurers, and of the expiration dates of the several policies; and
  - (5) A statement as to whether or not, in the opinion of the auditor, the terms of this ordinance have been fulfilled and such comments regarding the Village's methods of operation and accounting practices as the auditor may deem desirable.
- (e) That any holder or any purchaser of not less than twenty-five per centum (25%) in principal amount of said bonds then outstanding shall be permitted, at all reasonable times, to inspect said waterworks system and all records and data relating thereto and shall be furnished all information relating to said system which may be reasonably requested.
- (f) That the Village shall not sell, lease, loan, mortgage, pledge, or otherwise encumber, permit any lien to attach to, or in any manner dispose of said waterworks system or any revenue-producing part thereof, unless adequate provision shall have been made which shall assure the full payment of said bonds and the interest thereon to maturity or redemption in full, according to their terms.
- (g) That the Village shall not grant a franchise to any competing utility providing the same or similar services as those provided by the waterworks system of the Village, and the Village shall exercise all its lawful power to prevent any person, firm, or corporation from furnishing such services in competition with said system.
- (h) That the President and Board of Trustees shall require that accounts be rendered to it monthly, as of the end of each month, showing the revenues, disbursements, and other transactions in connection with said system and the number of water customers.
- (i) That subject to the provisions of the law applicable at the time the Village shall diligently endeavor to keep all idle sums on deposit to the credit of the Water Fund hereinbefore in Section 6 created and in the accounts herein established in Section 7 hereof invested in obligations of the United States Government or in obligations unconditionally guaranteed by the United States Government or in such investments as may be permitted by the laws of the State of

Illinois existing at the time for the investment of public funds maturing or being redeemable at the option of the holder not later than five (5) years from the date of their purchase or not later than the time when such sums may be required for use under the terms of this ordinance, whichever is earlier.

SECTION 10. That from and after the delivery of the bonds authorized hereby no further bonds shall be issued which are in whole or in part payable from the revenues of the waterworks system of the Village of Mt. Auburn except upon the compliance with the conditions hereinafter set out:

I.

Additional bonds ranking on a parity of lien upon the revenues of said system with the bonds authorized hereby may be issued to meet the cost of completing the construction and acquisition of the waterworks system or costs incidental thereto, according to the plans and specifications described in the preamble of this ordinance, only upon the following conditions:



II.

Further, additional bonds ranking on a parity of lien upon the revenues of said system with the bonds authorized under this ordinance may be issued if the revenues derived from the operation of the water-works system for the preceding fiscal year, as shown by an audit prepared by an independent certified public accountant or firm of independent certified public accounts, shall have been equal to the sum of the following:

- (a) The expenses of operation and maintenance of said system during said year; and
- (b) At least one hundred twenty per centum (120%) of the highest amount which thereafter shall become due in any fiscal year in payment of the principal of and the interest on all bonds then outstanding and the bonds then to be issued.

Provided, however, that additional bonds ranking on a parity of lien with the bonds hereby authorized may be issued without meeting the foregoing test if the holder or holders of seventy-five per centum (75%) of the then-outstanding bonds of this issue file with the Village Clerk their consents in writing to the issuance of such additional bonds.

III.

Additional bonds may be issued if such additional bonds are in all respects junior and subordinate to the bonds authorized hereby and subject and subordinate to the provisions of Section 7 hereof requiring certain payments to be made into the Accounts therein established; provided, however, that interest on such junior and subordinate bonds may be paid prior to the making of the deposits required by paragraphs (c) and (d) of said Section 7.

SECTION 11. That any holder of any of the bonds, either in law or equity, by suit, mandamus, or other proceedings may enforce or compel performance of all duties required and covenants made by this ordinance, including the making and collecting of sufficient rates and charges for water service and the application of the income and revenue therefrom.

SECTION 12. That the provisions of this ordinance shall constitute a contract between the Village and the holders of the bonds herein authorized to be issued, and, after the issuance of said bonds, no changes, additions, or alterations of any kind shall be made hereto in any manner except in accordance with the provisions of this ordinance or until such time as all of said bonds issued hereunder and the interest thereon shall be paid in full, or unless and until such provisions shall have been made as will assure the full payment of all such bonds and interest thereon to maturity or redemption date.

SECTION 13. That all bonds issued hereunder shall be payable equally and ratably, without regard to the date when said bonds actually shall be delivered, and shall enjoy parity of lien, one with the other, upon the revenues of said waterworks system.

SECTION 14. That it shall be the duty of the Village Treasurer to pay to the registered holder the amounts due such holder on each such principal and interest payment date.

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(a) That the purpose for which the payment is to be made is within the scope of the work contemplated by this ordinance;

(b) That the work done is or the materials furnished are in accordance with the contract therefor (if such work is done or materials are furnished under a contract) or that such work is or materials are suitable for their purpose (if such payments are not covered by an express contract); and

(c) That the amount of such payment is in accordance with the contract or is a reasonable amount.

Nothing in this Section shall be construed to prevent the payment of all costs and expenses in connection with the issuance of the bonds without such a certificate.

Any amounts remaining in the Construction Account after the payment of all costs of the improvement and the costs and expenses of the issuance of the bonds authorized hereby shall be paid to the purchaser of the bonds authorized hereby but only in exchange for a like principal amount of the bonds of this issue, plus interest accrued to the date of such exchange, in inverse numerical order, as said purchaser shall deliver to the Village for cancellation. Amounts remaining in the Construction Account after the aforesaid exchange shall have been completed shall be transferred to the Waterworks System Bond and Interest Account created in Section 7 hereof.

SECTION 16. That the Village Treasurer be and is hereby directed to transfer the sum of Ten Thousand Dollars, Two Hundred Dollars (\$10,200) of funds currently on deposit to the credit of the present Water Fund of the Village of Mt. Auburn to the Construction Account created in Section 15, above, and to transfer the balance remaining in the present Water Fund of the Village at the time of delivery of the initial portion of the bonds hereby authorized to the Water Fund of the Village created in Section 6, hereof.

SECTION 17. That, if any section, paragraph, clause or provision of this ordinance shall be held invalid by a court of competent jurisdiction, the invalidity of such section, paragraph, clause, or provision shall not affect any other provision.

SECTION 18. That, to the extent permitted by law and so long as the United States Department of Agriculture, Farmers Home Administration is the holder of any of the bonds authorized hereby, the Village of Mt. Auburn agrees to abide by the terms of that certain loan agreement between the Village of Mt. Auburn and the United States Department of Agriculture, Farmers Home Administration, dated the 6th day of October, 1980.

SECTION 19. That this ordinance, within ten (10) days after its passage, shall be published once in THE HERALD STAR, a newspaper published in the city of Edinburg, Christian County, Illinois, and of general circulation in the Village of Mt. Auburn, Illinois, and, unless any petition is filed with the Village Clerk within twenty-one (21) days after such publication, signed by electors numbering twenty per centum (20%) of the number of electors who voted for President of said Village at the last general municipal election preceding the passage of this ordinance, asking that the question of making improvements to the waterworks system contemplated by this ordinance and the question of the issuance of revenue bonds to finance part of the cost thereof be submitted to the electors of said Village, this ordinance shall be in full force and effect from and after the expiration of said period of twenty-one (21) days.

Passed this 20th day of October, 1980, and filed in the office of the Village Clerk this 21st day of October, 1980.

Harold F. Patton  
Village Clerk

Approved this 20th day of October, 1980.

W. Lee Roy McInnis  
President

Attest:

Harold F. Patton  
Village Clerk