

Chapter 2 ADMINISTRATION

**Chapter 2 ADMINISTRATION** [1](#)

ARTICLE I. - IN GENERAL

ARTICLE II. - LEGISLATIVE BODY

ARTICLE III. - OFFICERS AND EMPLOYEES

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FOOTNOTE(S):

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**Cross reference**— 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 saved from repeal, § 1-16(a)(2); any administrative ordinances not in conflict or inconsistent with this Code saved from repeal, § 1-16(a)(18); human relations, ch. 30; law enforcement, ch. 34; police committee, § 34-34; administration of subdivision regulations, § 54-41 et seq.; taxation, ch. 58; utilities, ch. 66; administration and enforcement of zoning regulations, § 70-41 et seq.; planning commission, § 70-71 et seq.; zoning board of appeals, § 70-161 et seq. [\(Back\)](#)

**ARTICLE I. IN GENERAL**

[Sec. 2-1. Compensation of elected officials.](#)

[Secs. 2-2—2-30. Reserved.](#)

**Sec. 2-1. Compensation of elected officials.**

- (a) The compensation of the president shall be \$3,000.00 per year plus expenses for phone and mileage and \$30.00 per special meeting not to exceed one per month.
- (b) The compensation of the clerk shall be \$60.00 per regular and/or special meeting attended plus expenses.
- (c) The compensation of the trustees shall be \$1,500.00 per year plus expenses for phone and mileage.
- (d) The rate of compensation set forth in subsections (a) through (c) of this section shall take effect for such officers as may be relevant at the consolidated election to be held in April 2005.

(Ord. No. 96-6, 10-23-1996; Ord. No. 2004-05, § 1, 9-22-2004)

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**Secs. 2-2—2-30. Reserved.**

**ARTICLE II. LEGISLATIVE BODY**

[Sec. 2-31. President and trustees.](#)

[Sec. 2-32. Meetings.](#)

[Sec. 2-33. Time of taking office.](#)

[Sec. 2-34. Electronic attendance at meetings rules.](#)

[Secs. 2-35—2-70. Reserved.](#)

**Sec. 2-31. President and trustees.**

The legislative and governing body of the village shall consist of the president of the village and six trustees, who shall possess the qualifications for office, be elected by the legal voters of the village, take the oath of office and perform the duties provided by the state statutes.

**Sec. 2-32. Meetings.**

Regular meetings of the president and board of trustees shall be held on the second and fourth Wednesday of each month at 7:00 p.m. at the village hall.

**Sec. 2-33. Time of taking office.**

Elected officers shall take office at the first board of trustees' meeting in May.

**Sec. 2-34. Electronic attendance at meetings rules.**

- (a) *Rules statement.* It is the decision of the President and Board of Trustees of the Village of Malta that any member of the board of trustees may attend any open or closed meeting of the board of trustees via electronic means (such as by telephone, video or internet connection) provided that such attendance is in compliance with these rules and any applicable laws.
- (b) *Prerequisites.* A member of the board of trustees may attend a meeting electronically if the member meets the following conditions:
  - (1) The member should notify the village staff 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.
  - (2) The member must assert one of the following three reasons why he or she is unable to physically attend the meeting,
    - (i) The member cannot attend because of personal illness or disability; or
    - (ii) The member cannot attend because of employment purposes or the business of the Village of Malta; or
    - (iii) The member cannot attend because of a family or other emergency.
- (c) *Authorization to participate.*

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- (1) Village staff, after receiving the electronic attendance request, shall inform the board of trustees of the request for electronic attendance.
- (2) After establishing that there is a quorum is physically present at a meeting where a member of the board of trustees desires to attend electronically, the president shall state that (i) a notice was received by a member of the board of trustees 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 board of trustees 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 board of trustees physically present at the meeting, then the request by the member to attend the meeting electronically shall be deemed approved by the board of trustees and the president shall declare the requesting member present. After such declaration by the President, 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 board of trustees 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 board of trustees 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 village 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 board of trustees.

(Ord. No. 2012-06, § 1, 7-11-2012)

**Secs. 2-35—2-70. Reserved.**

**ARTICLE III. OFFICERS AND EMPLOYEES [\[2\]](#)**

DIVISION 1. - GENERALLY

DIVISION 2. - GIFT BAN ACT

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FOOTNOTE(S):

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**Cross reference**— Any ordinance prescribing the number, classification or compensation of any village officers or employees, not inconsistent herewith saved from repeal, § 1-16(a)(13); zoning administrator, § 70-41. ([Back](#))

***DIVISION 1. GENERALLY***

[Secs. 2-71—2-90. Reserved.](#)

**Secs. 2-71—2-90. Reserved.**

***DIVISION 2. GIFT BAN ACT***

[Sec. 2-91. Adoption of act.](#)

[Sec. 2-92. Ethics officer.](#)

[Sec. 2-93. State legislative ethics commission; complaints.](#)

[Sec. 2-94. Future amendments to State Gift Ban Act.](#)

[Sec. 2-95. Future declaration of unconstitutionality of State Gift Ban Act.](#)

**Sec. 2-91. Adoption of act.**

- (a) The State Gift Ban Act (5 ILCS 425/1) is hereby adopted as required by section 83 of the act, 5 ILCS 425/83.
- (b) The solicitation or the acceptance of gifts prohibited to be solicited or accepted under the act is prohibited by any elected or appointed official or any employee of the village.

(Ord. No. 99-7, § 1(A-101), 6-23-1999)

**Sec. 2-92. Ethics officer.**

The ethics officer's duties shall be as provided in 5 ILCS 425/35.

(Ord. No. 99-7, § 1(A-102), 6-23-1999)

**Sec. 2-93. State legislative ethics commission; complaints.**

All complaints for violations of the act and this division shall be filed with the state legislative ethics commission, created by 5 ILCS 425/45(a)(6).

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(Ord. No. 99-7, § 1(A-103), 6-23-1999)

**Sec. 2-94. Future amendments to State Gift Ban Act.**

Any amendment to the State Gift Ban Act, 5 ILCS 425/1 et seq., that becomes effective after the passage of the ordinance from which this division is derived shall be incorporated into this division by reference and shall be applicable to the solicitation and acceptance of gifts. However, any amendment that makes its provisions optional for adoption by municipalities shall not be incorporated into this division by reference without formal action by the corporate authorities of the village.

(Ord. No. 99-7, § 1(A-104), 6-23-1999)

**Sec. 2-95. Future declaration of unconstitutionality of State Gift Ban Act.**

- (a) If the state supreme court declares the State Gift Ban Act, 5 ILCS 425/1 et seq., unconstitutional in its entirety, then this division shall be repealed as of the date that the supreme court's decision becomes final and not subject to any further appeals or rehearings. This division shall be deemed repealed without further action by the corporate authorities of the village if the act is found unconstitutional by the state supreme court.
- (b) If the state supreme court declares part of the State Gift Ban Act, 5 ILCS 425/1 et seq., unconstitutional but upholds the constitutionality of the remainder of the act or does not address the remainder of the act, then the remainder of the act, as adopted by this division, shall remain in full force and effect; however, that part of this division relating to the part of the act found unconstitutional shall be deemed repealed without further action by the corporate authorities of the village.

(Ord. No. 99-7, § 1(A-105), 6-23-1999)