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**DUPAGE TOWNSHIP  
WILL COUNTY, ILLINOIS**

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**ORDINANCE  
NUMBER 20-03**

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**AN ORDINANCE  
ESTABLISHING OPEN MEETINGS ACT REMOTE ATTENDANCE POLICY  
FOR DUPAGE TOWNSHIP**

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**FELIX GEORGE, Supervisor  
KULSUM ALI, Clerk**

**ALYSSIA BENFORD  
MARIPAT OLIVER  
KEN BURGESS  
DENNIS RAGA  
Trustees**

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Prepared by ODELSON & STERK, LTD. - Township Attorneys - 3318 West 95th Street - Evergreen Park, Illinois 60805

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**DUPAGE TOWNSHIP**  
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**AN ORDINANCE**  
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**POLICY FOR DUPAGE TOWNSHIP**

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**WHEREAS**, DuPage Township (the "Township") is unit of local government organized under the Township Code, 60 ILCS 1/1-1, *et seq.*, and holds meetings as required by 60 ILCS 1/30-5, *et seq.*, 60 ILCS 1/35-5, *et seq.*, and 60 ILCS 1/40-5, *et seq.*;

**WHEREAS**, the Illinois Open Meetings Act, 5 ILCS 120/1, *et seq.*, permits attendance at meetings by means other than physical presence;

**WHEREAS**, in order to permit attendance by means other than physical presence, Section 7 of the Illinois Open Meetings Act requires a public body to adopt rules that conform to the requirements and restrictions provided therein;

**WHEREAS**, the Township desires to permit attendance of members of the Township Board by means other than physical presence in compliance with the Illinois Open Meetings Act;

**NOW, THEREFORE, BE IT ORDAINED** by the Supervisor and Board of Trustees of DuPage Township, Will County, Illinois, as follows:

**SECTION 1:** The above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made part hereof, as if fully set forth in their entirety.

**SECTION 2:** The Remote Attendance Policy for DuPage Township is hereby approved, as follows:

## REMOTE ATTENDANCE POLICY

### **I. Purpose**

The purpose of this Policy is to allow members of the Board of Trustees of DuPage Township to attend and participate in open meetings of the Township Board by video or audio means as authorized by Section 7 of the Open Meetings Act, 5 ILCS 120/7, subject to the rules and limitations applicable to such attendance and participation as set forth in this Policy.

### **II. Definitions**

“Act” means the Illinois Open Meetings Act, 5 ILCS 120/1 *et seq.*

“Township Board” means the Board of Trustees of DuPage Township, which consists of the Township Supervisor, the Township Clerk, and the four Township Trustees, as provided in Section 80-5 (60 ILCS 1/80-5) of the Code.

“Code” means the Township Code, 60 ILCS 1/1-1, *et seq.*

“Township” means DuPage Township.

“Meeting” means any open meeting of the Board that is subject to the Act.

“Qualifying Event” means: (i) personal illness or disability; (ii) employment purposes or the business of the Township; or (iii) a family or other emergency.

“Remote Means” means video or audio conference only.

“Supervisor” means the Township Supervisor elected pursuant to section 50-5(b) (60 ILCS 1/50-5(b)) of the Code.

“Clerk” means the Township Clerk elected pursuant to section 50-5(c) (60 ILCS 1/50-5(c)) of the Code.

“Township Trustee” means one of the four at-large members of the Township Board elected pursuant to Section 50-40 (60 ILCS 1/50-40) of the Code.

### **III. Remote Attendance Permitted**

Subject to the limitations set forth in Sections IV and V below, a member of the Township Board may attend any Meeting by Remote Means if the member is prevented from physically attending the Meeting because of a Qualifying Event.

### **IV. Restrictions on Remote Attendance**

- (a) No member of the Township Board may attend any portion of a Meeting by Remote Means unless:
  - (i) a quorum of the Township Board is physically present at the Meeting; and

- (ii) he or she provides written notice to the Township Clerk specifying the Qualifying Event at least one hour prior to the Meeting at the Township's principal office (if the Township Clerk seeks to attend a meeting remotely, he or she shall be required to notify the Township Supervisor as provided herein); and
  - (iii) the Remote Means being utilized is fully functional so as to allow all members of the Township Board and any member of the audience to hear all communications taking place at the Meeting. Before allowing any remote attendance of any meeting, adequate equipment to accomplish this objective shall be secured by the Township Board at the meeting site.
- (b) No member of the Township Board may attend a Meeting by Remote Means for any reason other than a Qualifying Event.
  - (c) For the purposes of this section, "written notice" shall include E-Mail correspondence with read receipt requested.

**V. Rules of Procedure When Remote Attendance Utilized**

- (a) When any member of the Township Board attends any portion of a Meeting by Remote Means as permitted by this Policy:
  - (i) the minutes of the Meeting shall so reflect that such member attended the Meeting by Remote Means; and
  - (ii) every member of the Township Board shall be identified during all Township Board discussions so that each member is aware of which member of the Township Board is speaking at all times.
- (b) A member of the Township Board attending a Meeting by Remote Means shall:
  - (i) Be permitted to fully participate in the Meeting as if he or she were physically present, subject to subsection (iv) below, and to the Township Board's guidelines and procedures for conducting the Meeting; and advise the Clerk and Township Board if he or she leaves or returns from the Meeting;
  - (ii) Not allow any other persons in the same room as such member attending by Remote Means.
  - (iii) Not be permitted to conduct a meeting; and
  - (iv) Not participate in or observe a closed session.

**VI. Applicability**

If any provision of this Policy conflicts with any provision of the Act, the provisions of the Act shall prevail.

**VII. Effective Date**

This Policy becomes effective upon approval of the Ordinance by a majority of the Township Board.

**VIII. Availability of Policy**

The Policy shall remain on file together with the Ordinance of the Township Board approving this Policy.

**IX. Amendments**

This Policy may be amended by a majority vote of the Township Board at any time.

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**SECTION 3:** 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 4:** All ordinances, resolutions, motions, or order in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**SECTION 5:** This Ordinance shall be in full force and effect upon its passage, approve, and publication as provided by law.

*[Remainder of Page Intentionally Left Blank]*

**PASSED** by the Supervisor and Board of Trustees of DuPage Township, Will County,  
Illinois this 18<sup>th</sup> day of February 2020, pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
Trustee Benford	✓			
Trustee Oliver	✓			
Trustee Burgess		✓		
Trustee Raga	✓			
Supervisor George	✓			
<b>TOTAL</b>	<b>4</b>	<b>1</b>		

**APPROVED** at a Regular Meeting of the Board of Trustees of the DuPage Township, on  
February 18, 2020.

  
FELIX GEORGE, Supervisor.

ATTEST:



KULSUM ALI, Township Clerk

STATE OF ILLINOIS     )  
  ) ss.  
COUNTY OF WILL     )

I, the undersigned, do hereby certify that I am the duly qualified and acting Township Clerk of DuPage Township, Will County, Illinois, and as such I am the keeper of the records and files of the Board of Trustees of said Township.

I further certify that the foregoing is a full, true and complete copy of **Ordinance No. 20-03** titled,

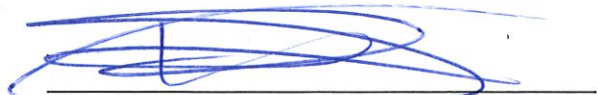
**AN ORDINANCE  
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FOR DUPAGE TOWNSHIP**

adopted at a duly called Regular Meeting of the Board of Trustees of DuPage Township, held at 7:00 p.m. on the \_\_\_\_\_ 18<sup>th</sup> day of \_\_\_\_\_ February \_\_\_\_\_, 2020.

I do further certify that the deliberations of the Board on the adoption of said Ordinance were conducted openly, that the vote on the adoption of said Ordinance was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Township Code of the State of Illinois, as amended, and that the Board has complied with all the provisions of said Act and said Code and with all the procedural rules of the Board.

**IN WITNESS WHEREOF** I hereunto affix my official signature at DuPage Township, Illinois,

this 18<sup>th</sup> day of February, 2020.

  
\_\_\_\_\_  
Township Clerk, DuPage Township